INTERNATIONAL LAW AND POLITICS
Collaborative Research Network
LSA MEXICO CITY, 2017
THEME: ‘THE SOUTH’
PROGRAMME OF EVENTS

SPONSORS

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Tues. 20 June: 10:00 AM - 11:45 AM
2) Queer and the (Inter)National

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3) Re-conceptualizing Human Rights in Natural Resource Governance
4) The Securitization of Political Change in the Global South

Tues. 20 June: 2:45 PM - 4:30 PM
5) Fascism and the Global Order
6) Reimaging Rights and Subverting Property Over Natural Resources

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7) Counter-Colonial Drug Policy and Laws: A View from the South

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8) CRN Special Session 1: Lecture - Professor Julieta Lemaitre (Los Andes)

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10) Critical Geographies, Visualities and Histories of International Law

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11) New Books in the Field: International Law and Politics

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13) Borders and Bridges between Human and Non-Human
14) The Battle for International Law in the Decolonization Era
15) Indigenous Law and the Privatization of Indigenous Lands in Canada

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16) Law and Development: An Evolving Research Agenda (A Special Issue of the Law and Development Review)
17) Long Term Challenges in Post-Conflict Justice
18) The Political Economy of Post-Kosovo ‘Humanitarian Intervention’

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19) Society and Critical Studies from the South
20) Thinking Home’s Home: An Interdisciplinary Encounter

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21) Rethinking International Law: New Methods, Doctrines and Critiques

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23) Languages of Transnational Law: Unpacking Contested Categories in an Increasingly Monoconceptual-Hegemonic World
24) Of Knives and Robots: Law and Technology of War of All against All

Fri. 23 June: 12:45 PM - 2:30 PM

25) Radically Indeterminate: Rights as Discourse, Rights as Resistance

* Fri. 23 June: 2:45 PM – 4:30 PM

27) CRN 23 Special Session 2: Lecture - Professor Antony Anghie (Singapore/Utah)

Fri 23 June: 4:45 PM – 6:30 PM

29) Law, Colonial Power and the State of Exception
**EVENTS**

**Tues. 20 June: 8:00 AM - 9:45 AM**

1) **Food and International Law: Critical Perspectives**

**Session Type:** Paper Session  
**Room:** Sala 452, Danubio Tower (4th Floor)  
**Chair:** Julia Dehm (La Trobe)  
**Abstract:** Food is essential to life. Global food systems influence and are the product of social, political, economic, cultural, and also legal disciplines and developments. When we talk about ‘food law’, what often comes up is food safety regulations, labelling of food, trade in agricultural products. Much of the law related to food is focused on the national or regional level. However, if food is conceived in its socio-economic complexity, it is possible to realize that there are broader and perhaps less immediately evident connections between law and what we eat. Rather than discussing finance law, trade law, investment law, criminal law, intellectual property law, environmental law, etc., as distinct areas of law, in this panel we seek to study how these fields of international law relate to food. The underlying contention that this session brings to the fore is that international law is very much implicated in creating and sustaining inequalities through global food systems.  
**Participants:** Anne Saab (GIIDS), Nicolas Marcelo Perrone (Durham), Marco Alberto Velasquez Ruiz (Pontificia Universidad Javerina), Tomas Ferrando (Warwick), Anna Chadwick (EUI)  
**Paper Titles:**  
*Saab, ‘An International Law Approach to Food Regime Theory’*  
Perrone, Enabling Foreign Investment in Agriculture and Food: The Role of the International Investment Regime’  
*Ruiz, ‘International Trade and Investment Law, Food Sovereignty, and Peacebuilding in Colombia’*  
*Chadwick, ‘World Hunger, the ‘Global’ Food Crisis and (International) Law’*

**Tues. 20 June: 10:00 AM - 11:45 AM**

2) **Queer and the (Inter)National**

**Session Type:** Roundtable  
**Room:** Angel B, Reforma Tower (19th Floor)  
**Chair:** Gina Heathcote (SOAS)  
**Abstract:** Queer approaches to (international) law involve disrupting, and bridging, identity and disciplinary boundaries, shedding light on the interconnected-ness of patterns of domination and invisibilization engendered by legal technologies and narratives at various levels. The roundtable will weave together and invite reflections about how (international) law is (re-) produced through the othering, in social medias, policy-making and litigation strategy, of certain bodies, identities and conceptions of sovereignty.  
**Participants:** Grietje Baars (City University London), Rabul Rao (SOAS), Amr Shalakany (AUC), Ralph Wilde (UCL)
3) Re-conceptualizing Human Rights in Natural Resource Governance

**Session Type:** Paper Session  
**Room:** Colonia (2nd Floor)  
**Chair:** Karen Engle (Texas)  
**Discussants:** Illena Porras (Miami), Usha Natarajan (AUC)  
**Abstract:** This panel showcases how scholars are re-conceptualizing human rights in order to promote more equitable and just outcomes in extractive economies as well how scholars are re-conceptualizing the procedural and substantive governance of natural resources for more just and equitable outcomes for communities affected by extraction. Atapattu examines the gross violations of rights by multinational mining companies and considers whether an environmental justice framework presents ways of curbing these abuses. Dulitzky examines enforced disappearances of activists resisting extractive industries from an economic, social and cultural rights (ESCR) perspective and suggests that ESCR can be both a preventive measure against and a proper and required remedy for enforced disappearances. Dehm draws attention to various transnational sites where decisions over resource extraction and governance, as well as struggles over authority, take place. Finally, Valencia examines participatory environmental monitoring committees of mining, examining particularly the participation (or lack thereof) of indigenous and peasant women.  
**Participants:** Julia Dehm (La Trobe), Arlú Valencia (Pontificia Universidad Católica del Perú), Ariel Dulitzky (Texas), Saminda Atapattu (Wisconsin)  
**Paper Titles**  
*Dehm, ‘Authority over Resources and Responsibility for Human Rights in the Transnational Governance of Resource Extraction’*  
*Dulitzky, ‘Economic, Social and Cultural Rights Approaches to Enforced Disappearances’*  
*Atapattu, ‘Extractive Industries and Inequality: Intersections of Environmental Law, Human Rights and Environmental Justice’*

4) The Securitization of Political Change in the Global South

**Session Type:** Salon Session  
**Room:** Independencia (3rd Floor) - Table 6  
**Chair:** Gavin Sullivan (Kent)  
**Abstract:** The panel will address the securitization of political change in the global south. 'Securitization' is the process whereby an object (traditionally the body of the people, but potentially any public good or section of the populace) is placed in relation to an existential threat. This legitimates extraordinary political responses that often include extensive or intensive violence. Once securitized, political change is understood in the realm of emergency politics, where issues can be dealt with without customary restrictions or processes. The panel will engage with diverse sites and modes of securitization, examining the production of securitized spaces of political change, the securitization of transitional justice and the effects of securitization on the dispossessed and silenced. 
**Participants:** Johanna del Pilar Cortes-Nieta (Warwick), Carolina Olarte-Olarte, (Los Andes), Ilan Wall (Warwick)  
**Paper Titles:**  
*Cortes-Nieta, ‘Poverty and Security in Contemporary Colombia’*  
*Olarte-Olarte, ‘Securing Soil: Policing Movement’*  
*Wall, ‘Securing Tahrir’*
5) Fascism and the Global Order

**Session Type:** Paper Session  
**Room:** Constitución C (2nd Floor)  
**Chair:** Christopher Tomlins (Berkeley)  
**Abstract:** The purpose of this session is to take on the mainstream story of international law's 'evolution', narrated in the post-1945 context as a journey away from fascism. 'First we had the Holocaust, enslavement of POWs, expansionism, flagrant aggression', that story tells us. 'Now we have human rights, international criminal law, the Geneva Conventions, Article 2(4)…' In different ways, the work of all the panelists puts pressure on any taken-for-granted opposition between fascism and international law. The aim of the conversation is to generate a new set of questions about the nature of the international order, about international law's role in producing and intensifying its violent, gendered, hierarchical and expansionist tendencies.  
**Participants:** Raul Yael Paz (Justus-Liebig University Gießen), Hannah Franzki (Bremen), Rose Sydney Parfitt (Melbourne/Kent)  
**Special Guests:** Koji Koram (Essex) and John Reynolds (National University Ireland, Maynooth)  
**Paper Titles:**  
*Paz,* Exploring (M)otherness through International Law: Lessons from the 'Mothers of the Fatherland'?  
*Franzki,* Outlawing the State, but not the Market: Criminal Trials and the Political Economy of the last Argentine Dictatorship (1976-1983)  
*Parfitt,* The Fascist Doctrine of International Law

6) Reimagining Rights and Subverting Property Over Natural Resources

**Session Type:** Paper Session  
**Room:** Sala 457, Danubio Tower (4th Floor)  
**Chair:** Daniel Brinks (Texas)  
**Discussant:** Jackie Dugard (Witwatersrand)  
**Abstract:** This panel explores how community and indigenous contestation reimagines or subverts state and corporate property claims over territory and resources. Chandra considers how community struggles over the Indian Forest Rights Act have created new practices of property and claims of belonging. Hong explores how Kachin activists in northern Myanmar are addressing institutionalized inequality and intensified capital-intensive development through the assertion of semi-autonomous law. Merino examines what possibilities counter-mapping by Amazonian indigenous peoples in Peru present for the protection of their territories. McCreary and Milligan show how Indigenous resistance to pipeline development in North America articulates a sovereign territorial politics against state governance frameworks.  
**Participants:** Rajibree Chandra (Delhi), Emily Hong (Cornell), Richard Milligan (Georgia State), Roger Merino (Universidad del Pacifico)  
**Paper Titles:**  
*Chandra,* ‘Forest Rights: Notes on an Alternative Political Agenda for Property’  
*Hong,* ‘Indigenous Alternative Law-Making in Myanmar: Governing Land and Natural Resources through Self-Determination’  
*Merino,* ‘The Right to Transform the State: Cartographic Struggles and the Making of a New Territorial Governance in Peru’
Wed. 21 June: 8:00 AM - 9:45 AM

7) Counter-Colonial Drug Policy and Laws: A View from the South

**Session Type:** Paper Session  
**Room:** Sala 454, Danubio Tower (4th Floor)  
**Chair:** Kojo Koram (Essex)

**Abstract:** At the turn of the twentieth century and the demise of colonialism and slavery, foreign drug merchants were represented as predators, "vipers", and "snakes", infesting the country with substances analogized with "venom." Anti-drug rhetoric and laws reversed the roles of the coloniser and colonised, erasing centuries of oppression and dispossession, turning immigrants and racial others into demonized criminals who use drugs to 'enslave' white people with their drugs. The 'evil' nature of the illicit drug trade was coupled in the 1970s to the 'war on drugs' rhetoric, when President Richard Nixon told the US Congress in 1971 that drug addiction had "assumed the dimensions of a national emergency" and in the 1980s, President Ronald Reagan framed illicit drug trade as an issue of national security against external threats. Based on claim that drugs flow upwards from the Global South, the war on drugs spread outside of the US through foreign aid mechanisms to South America, South-East Asia, Asia, etc. Meanwhile, the international drug control treaties mapped a new order of social control, where the boundaries between regulation and criminalisation coincided not only with the licit routes of commerce in global capitalism but also along historical structures of discrimination and oppression. In reproducing this hegemonic discourse about criminality from the South, i.e. the control of borders and unruly subjects, academic work risks not only reproducing the language of control and colonial criminologies that reproduced the imperialist ideology that has shaped drug policy over the twentieth century. Echoing Biko Agozino's invitation to challenge our received notions about crime through a counter-colonial criminology, this stream invites contributions that can counter the colonial and imperialist discourses of the war on drugs, deconstructing its necropolitical, patriarchal, colonialist, and racist past and its present effects on the South. This includes engagements with the increasing precarity of historically marginalized populations, subject to civil and human rights violations in the context of the war on drugs, and critical analysis on international and national drug laws and policies, the reproduction of colonial power through academic discourse and research (i.e. criminology, sociology, economic, international law, criminal law, politics, international crime control, security studies), the militarization of the police function, the prison industrial complex, carceral governance, among other interrelated topics.

**Participants:** German Sandoval, (UNAM), Ariadna Estévez (UNAM), Kojo Koram (Essex)

**Paper Titles:**
*Sandoval, 'Biopolitics and necropolitics: an unfinished dialogue of Gewalt'  
*Estévez, 'Necropolitical Wars and the Spatial Dimensions of Law'  
*Koram, 'The Birth of Drug Prohibition and the (re)Generation of Universalism in the First Half of the 'American Century"

Wed. 21 June: 10:00 AM - 11:45 AM

8) CRN Special Session 1: Professor Julieta Lemaitre (Los Andes)

**Room:** Terraza (3rd Floor)  
**Chairs:** Luis Eslava (Kent) and Rose Sydney Parfitt (Melbourne/Kent)

**Reconstruction from Below: Ethics, Law, and Everyday Life after Displacement**

Since 1985, but especially in the late nineties, over a million families fled the war in Colombia, leaving behind their land, homes, farm animals, furniture, friends, rivers and trees, and any security in terms of access to food and shelter. Most left with nothing, or with what they could pack in their bags on the run. Over the last two decades, they have rebuilt their lives in the cities, a reconstruction
that has entailed both the physical building of homes in slum areas and the everyday toil of trying to scrape together an income in streets that have no jobs or space for them. For too many of these families, this ongoing work of reconstruction has also meant an endless negotiation with welfare bureaucracies to access the scarce places on programs that provide victims of the war with humanitarian aid, cash transfers, health care insurance, access to public schools and administrative and judicial reparations for past harms.

In my talk, I will reflect on what these different processes have entailed for these families, based on over a hundred in-depth interviews with internally displaced women and public officials, and on eight case studies and observations of NGO and community organizations dedicated to defending the rights of displaced people. In my analysis, I pay particular attention to the ethics of everyday life. As a result, I describe the civil war as a radical threat to moral agency; displacement as the opportunity to begin anew; and reconstruction as the productive aftermath, involving both the material and moral dimensions of the everyday.

Paying attention to the exchanges I have documented between bureaucrats and displaced women, and highlighting the misunderstandings and tensions that exist between the normative commitments espoused by the law and visions of the good life articulated by internally-displaced women, my goal is twofold. First, to bring attention to the massive and painstaking labor of material and moral reconstruction, a labor that often goes unnoticed in legal analysis of the Colombian conflict, focused as it is on violation and harm. Second, to foster a richer conversation about the demands imposed by human rights on both the state’s clients and its bureaucrats. I explore these demands through the following themes: civil war, identity, urban poverty, reparations, participation, citizenship and politics, and above all through the question of what is the relation of our life to the life of others.

Wed. 21 June: 12:00 PM - 1:45 PM

9) Constructed Precariousness: A Critical Perspective on International Law and Migration

**Session Type:** Paper Session  
**Room:** Caza A (3rd Floor)  
**Chair:** Usha Natarajan (AUC)  
**Discussant:** Matt Craven (SOAS)

**Abstract:** This panel explores two themes of international authority – global counterterrorism and the governance of migration. It examines how transboundary threats and the movements of migrants are each creating new forms of global legal ordering, institutional politics and exclusion, and giving rise to urgent political and legal challenges. The two security-focused papers (Sullivan and Rodiles) examine the changing nature of the UN Security Council, informal international lawmaking in the counterterrorism domain and the emergent politics of post-9/11 global security law. The two migration-focused papers (Zou and Mann) examine how international law is engaged in the production of precarity of migrant groups around the world and explore the key problems, conflicts and debates that this entanglement is giving rise to. Both ‘streams’ critically engage with the politics of international law in the present and seek to push the conceptual boundaries of how the governance of global security and migration are understood.

**Participants:** Gavin Sullivan (Kent), Alejandro Rodiles, (Instituto Tecnológico Autónomo de México, ITAM), Mimi Zou, (Chinese University Hong Kong), Iramar Mann (Haifa)

**Paper Titles:**
* Sullivan, ‘Building the Third Hurdle: Travel Bans and Governing the Problem of ‘Foreign Terrorist Fighters’’
* Rodiles, ‘The Risk-Based Approach (RBA) to Security Governance in the Global Counterterrorism Regime Complex’
* Zou, ‘Hyper-Dependence and Hyper-Precarity in Migrant Work Relations: Towards Exit and Voice’
10) Critical Geographies, Visualities and Histories of International Law

**Session Type:** Paper Session  
**Room:** Caza B (3rd Floor)  
**Chair/Discussant:** Umut Özsu, (Carleton)  

**Abstract:** How are spatial imaginaries of international law tied to ways of seeing and to perceptions of violence, legality, and suffering? The papers on this panel offer historically informed analyses that draw on critical geographies, genealogical approaches, critical visual studies, and science and technology studies. They ask questions about perspectives, about the production and dissemination of visual images, about the delimitations between different spaces, and about the connections between seeing, imagining, and law. Papers inquire into international law’s spatial imaginaries of the state and of economic sanctions, about the rationalities and effects of using GIS and satellite imaging technology as means of knowledge production, the effects of the aerial viewpoint on practices of bombing and recognizing civilians, images of victims, and the conceptualization of island and desert places in which nuclear tests were conducted.

**Participants:** Christiane Wilke (Carleton), Henry Jones (Durham), Ruth Buchanan (Osgoode Hall), Cait Storr (Melbourne).  

**Paper Titles:**  
*Wilke, ‘Crafting Civilians: Visualities of Aerial Warfare and the Recognition of Civilians’*  
*Jones, ‘Re-territorialising International Law: Scaling Legal Geographies’*  
*Buchanan, ‘Telescopic Developments: Taking the Long View on Informal Settlements’*  
*Storr, ‘The ‘Here’ in ‘Nowhere’: Nuclear Testing and the Geographic Imaginaries of International Law’*

Thu. 22 June: 8:00 AM - 9:45 AM

11) New Books in the Field: International Law and Politics

**Session Type:** Roundtable  
**Room:** Conquista (2nd Floor)  
**Chair:** Eze Darian-Smith (UC Santa Barbara)  
**Participants:** Honor Brabazon (Toronto), Karen Engle (Texas), Florian Hoffmann (PUC-Rio), Fleur Johns (UNSW), Itamar Mann (Haifa), Zinaida Miller (Seton Hall), Umut Özsu (Carleton), Ardi Valencia, (Pontificia Universidad Católica del Perú)  

**Books and Authors:**  
*Brabazon, Neoliberal Legality: Understanding the Role of Law in the Neoliberal Project (Routledge, 2016)*  
*Mann, Humanity at Sea: Maritime Migration and the Foundations of International Law (Cambridge, 2016)*  
*Miller & Engle, Anti-Impunity and the Human Rights Agenda (Cambridge, 2016)*  

Thu. 22 June: 10:00 AM - 11:45 AM


**Session Type:** Paper Session  
**Room:** Embajadores (3rd Floor)
Chair: Toni Williams (Kent)

Abstract: This session examines critically multiple how legal and regulatory techniques are used to implement social and economic inclusion policies. Over the past 20 years policymakers in international organisations and in rich and poor countries alike have prescribed inclusionary policies to counteract the economic, social and cultural effects of uneven development, austerity, and crisis. While a substantial literature exists on some aspects of inclusion/exclusion there is a dearth of critical analyses of the roles played by law in the development and implementation of inclusionary policies. This session is one of two that aim to fill that gap through case studies from South America, Europe and Africa of the extent to which law performs as bond, bridge or bandaid (or something else) in the implementation of inclusion.

Participants: Lina Buchely (Icesi), Luis Estava (Kent), Fabricio Bertini Pasquol Polido (UFMG), Serena Natile (Kent), Emilio Peluso Neder Meyer (UFMG)

Paper Titles:
*Buchely and Estava, ‘Between Inclusion and Marginalization: “Public Attention”, Neo-punitive Practices and Petty criminals in the Global South’
*Polido, ‘Digital Divide vs. Digital Inclusion: Critical roles of International Law for a more inclusive Global Knowledge Society’

Thu. 22 June: 12:45 PM - 2:30 PM

13) Borders and Bridges between Human and Non-Human

Session Type: Salon Session
Room: Independencia (3rd Floor) - Table 1
Chair: TBC
Discussant: Safet Hadži-Muhamedović (Bristol)

Abstract: This Salon takes feminist understandings of the masculine subjectivity of law’s subjects and considers how this creates borders on who is human - under law, within human rights laws and through international politics -in the sense of subjectivity as constructing speaking, listened to subjects. From contemporary accounts of silencing and distancing of feminized voices and feminised issues (environment, children's rights, intimacy, privacy) in conflict, to advances in technology that are used to re-produce global, racialised categories of belonging and gendered modalities of living in the world the Salon takes an in depth look at when, where and when bridges are built to incorporate expansive understandings of subjectivity and where/ when borders are reproduced. A feminist jurisprudence attentive to the intersection of economic, racial, able-bodied privilege is explored in the context of international law to expand what it means to be human, in light of feminist theories of the posthuman.

Participants: Gina Heathcote (SOAS), Emily Jones (SOAS), Mikaela Luttrel-Rowland (Columbia)

Paper Titles:
*Heathcote, ‘Disabled Bodies of War and the Exoskeleton of Equality’
*Jones, ‘Killer Robots and Posthuman Ethics’
*Luttrel-Rowland, ‘Locations, Dislocations, and Young People’s Narratives of State Violence’

14) The Battle for International Law in the Decolonization Era

Session Type: Paper Session
Room: Terraza (3rd Floor)
Chair: Philipp Dann (Humboldt Berlin)
Discussant: Jochen von Bernstorff (Tübingen)

Abstract: In the era of decolonisation (1955-1975) fundamental legal debates took place over an international legal order for a decolonised world. The decolonised South fundamentally challenged
what Western scholars had held to be the content of international legal rules. The 1950s, 1960s and 1970s also witnessed the emergence of key multilateral treaties. In addition, central principles of existing international law such as sovereignty, non-intervention, self-determination as well as the central tenets of international economic law were subjected to significant controversy within the United Nations. These debates and their Third World protagonists as well as the propagated new concepts have often been portrayed as a short-lived utopian or socialist (Cold War-) revolt within the UN General Assembly. The panel aims at a re-examination of this battle for international law in the era of decolonisation.

**Participants:** Florian Hoffmann (PUC-Rio), Bethania Assy (PUC-Rio), Adil Hasan Khan (Melbourne), Matt Craven (SOAS), Luis Eslava (Kent)

**Paper Titles:**
*Hoffmann and Assy, ‘(De)Colonizing Human Rights’*
*Khan, ‘For “…those who…have lost their Utopias…but who still rebel…”’; Upendra Baxi And How To Live With The Tragic Reversals Suffered In The Battle For International Law’*
*Craven, ‘Mapping Decolonisation: Concessions, Acquired Rights and the Developmental State’*
*Eslava, The Developmental State: Independence, Dependency and Post-Dependency*

### 15) Indigenous Law and the Privatization of Indigenous Lands in Canada

**Session Type:** Roundtable  
**Room:** Sala 452, Danubio Tower (4th Floor)  
**Chair:** Angela Cameron (Ottawa)  
**Discussant:** L. Jane McMillan (St. Francis Xavier)

**Abstract:** There is a move afoot in Canada towards the privatisation of Indigenous lands. This move is striking given the centrality of lands to Indigenous laws and legal orders as well as to overall economic and social flourishing. In this book, the editors and authors explore three main forms of privatisation either proposed, or already happening on Indigenous lands: legislated privatisation of real property on-reserve or on treaty lands, legislative reform of matrimonial property on-reserve, and a catch-all category of more subtle moves towards an ideology of privatisation. The first category reflects a movement to define parts of reserves or contemporary treaty lands in fee simple through federal legislation or modern land claim agreements. The second category reflects a suite of federal legislative reforms that purportedly aim to balance collectively held property rights against private interests. The third category includes trends such as Indian Act bands or First Nations negotiating various agreements directly with multinational corporations for resource extraction on their historic territories as a supplement to, instead of accessing land claim, treaty negotiation or title litigation with the Crown. This book explores these forms of privatisation, with a focus on the role of Indigenous law in answering key questions about impacts. Arguments in support of privatisation often assume with certainty that Indigenous laws governing land and resource use will cease to exist just because the land is privatised. There is, therefore, a need for more complex conversations that identify and debunk this assumption. This book raises important questions about the role of Indigenous law before, during and after privatisation. Indigenous law may present a unique challenge to privatisation, as Indigenous law is fortified by a theoretical and societal model of property, which, in its historic form, does not easily co-exist, with contemporary property. However, the contributions to this volume consider historic legal institutions and law in relation to present-day Indigenous legal institutions and law. What they illustrate is that unexamined and unresolved contradictions between the historic and the present, has created powerful competing versions of Indigenous law, legal authorities, and practices that reverberate through Indigenous communities, economic planning, and political goals. This contestation generates conflict, which if not accounted for or managed, can result in dysfunctional paralysis. Taken as a whole, this book reflects our double vision about Indigenous property – seeing Indigenous societies as having historic economic orders as well as contemporary economies that are deeply enmeshed with the world today. By identifying how contemporary Indigenous economies are still rooted in and informed by their societally specific norms, meanings, and ethics, the contributors to this book have identified the contradictions and conflicts within Indigenous communities about relationships to land and non-human life forms, about responsibilities to one another, about environmental
decisions, and about wealth distribution. Importantly, they also begin the process of identifying the way that Indigenous discourses, processes, and institutions can empower the use of Indigenous law.

**Participant:** Jamie Baxter (Dalhousie), Angela Cameron (Ottawa), Sari Graben (Ryerson)

**Thu. 22 June: 2:45 PM - 4:30 PM**


**Session Type:** Paper Session  
**Room:** Clasico (2nd Floor)  
**Chair:** Diogo R. Coutinho (Sao Paulo)  
**Discussant:** David Traveck (Wisconsin)  
**Abstract:** This special issue of Law and Development Review contributes to discussion about greater attention to context in two ways. First, it illustrates the tendency to context in law and development scholarship. Articles start from or build upon discussion of case studies, developing analysis associated with particular countries or regions. Second, this special issue calls attention to an additional set of challenges that scholars need to face: the lack of dialogue among important actors in the Law and Development enterprise. This special issue identifies lack of dialogue in three other spheres: 1) technocrats (who tend to adopt an instrumental view of the law) and jurists (who tend of adopt a principled view of the law); 2) technocrats who are in charge of implementing and managing legal reforms and policymakers who design these reforms; and 3) technocrats (focused on concrete goals) and political actors (more focused on legitimacy broadly defined, or short-term political gains).

**Participants:** Sari Graben (Ryerson), Jedidiab Kroncke (FGV Sao Paulo), Nandini Ramanujam (McGill), Nicholas Caivano (McGill), Mariana Mota Prado (Toronto), Diogo R. Coutinho (Sao Paulo)  
**Paper Titles:**  
* Graben, Nested Regulation in Law And Development: Identifying Sites of Indigenous Resistance and Reform Throughout the Americas  
* Kroncke, Precariousness as Growth: Meritocracy, Human Capital Formation, and Discourses of Workplace Regulation in Brazil, China and India  
* Ramanujam and Caivano, The BRIC Nations and the Anatomy of Economic Development: The Core Tenets of Rule of Law  
* Prado and Coutinho, The Dilemmas of the Developmental State: Democracy and Economic Development in Brazil

**17) Long Term Challenges in Post-Conflict Justice**

**Session Type:** Paper Session  
**Room:** Angel B, Reforma Tower (19th Floor)  
**Chair:** Mark Faith Massoud (UC Santa Cruz)  
**Discussant:** Kermet Reiter (UC Irvine)  
**Abstract:** This panel discusses long term issues in post conflict justice from a variety of disciplinary and topical perspectives. Our panel includes theoretical discussions on the meaning of post-conflict as well as case studies in places where conflict has occurred. We will discuss the history of human rights in Brazil's democratization process, contemporary Cambod-China relations related to Cambodia's genocide, the peace process in Colombia, and justice for both US military personnel as well as detainees the War on Terror. In looking at long term dilemmas, the discussion will explore both the meaning of post-conflict and the meaning justice for the many victims of atrocity.

**Participants:** Brandais York (Melbourne), Pablo Kalmanovitz (CIDE), Jamie Rowen (UMass Amherst), Zinaida Miller (Seton Hall), Joao Roriz (Universidade Federal de Goias)  
**Paper Titles:**  
* York, ‘A Marriage of Convenience: The historical, political, and economic relationship between Cambodia and China’
*Kananovitz*, Accountability of military personnel and the prospects of post-conflict justice in Colombia

*Rowen*, ‘How Veterans Courts Mobilize War’

*Miller*, ‘The State of Being “Post-Conflict” ’

*Korizic*, ‘Transition without justice: the struggle for rights in the Brazilian re-democratization’

18) The Political Economy of Post-Kosovo ‘Humanitarian Intervention’

**Session Type:** Paper Session  
**Room:** Duque (2nd Floor)  
**Chair:** Umut Özsu, (Carleton)  
**Discussant:** Itamar Mann (Haifa)  
**Abstract:** The end of the Cold War signalled a series of far-reaching transformations of imperialism and neocolonialism. This panel focuses on the politico-economic underpinnings and implications of international legal arguments on behalf of (and also in opposition to) enhanced reliance upon "humanitarian intervention" after NATO's bombing of Yugoslavia in 1999. Subjects of discussion include the repackaging of "humanitarian intervention" in the form of a politically capacious and conceptually ill-defined "responsibility to protect"; post-conflict reconstruction and transitional justice initiatives undertaken under the auspices of neoliberal state-building programmes; and the growing influence of international financial institutions and regional organizations such as the European Union upon domestic economic policy, particularly in the global South.  
**Participants:** Sara Kendall (Kent), Tor Krever (Warwick), Duncan Wigan (Copenhagen Business School), Maj Lervad Grasten (Copenhagen Business School), Umut Özsu (Carleton), Usha Natarajan (AUC)  
**Paper Titles:**  
*Kendall*, Humanitarian Complicity in Juridical Forms  
*Krever*, Somalia, Piracy and the Ideology of Intervention  
*Wigan and Grasten*, Spaces of Contestation in Tax Reform, Administration and Law: State-Building in Afghanistan and Iraq  
* Özsu*, The Independent International Commission on Kosovo: Human Rights, Interventionism, and the Politics of Post-Conflict Reconstruction  
* Natarajan*, The Political Ecology of Humanitarian Intervention: Mass Displacement in an Era of Climate Change

**Thu. 22 June: 4:45 PM - 6:30 PM**

19) Society and Critical Studies from the South

**Session Type:** Paper Session  
**Room:** Sala 453, Danubio Tower (4th Floor)  
**Chair:** German Sandoval (UNAM)  
**Discussant:** Sergio Martín Argüello (Coimbra)  
**Abstract:** Nowadays the consequences of economic disaster shows the core of western thought: The epistemological crisis. In the first decade of the XXIth Century the neo-colonialism and other manifestations in the distributions of wealth and natural resources in the world transforms radically the structures and functions of social order. In this vein the close relation between economy and law uses to shape the contents of rights and the limits of its expressions. In recent years we have learned how the universality and the human rights have two faces; for the processes of exploitation and neo-colonization the excuse of common wealth, public benefit and progress use hegemonically the human rights as a valid discourse to dissolve any resistance against the society interests and particular understandings. Also, the social movements have learned how to mobilize the dynamics of law against their hegemonic foundations trough the politicization in the streets and the radical affairs in the judicialization at the Courts. A lot of experiences has been silenced and covered trough the gaze of the hegemonic studies; they make impossible to understand and produce another kind
of discourses, structures and functions. That is why we need another vision, a critical frame that could understand another dynamic of knowledge and power from below, that could offer other possibilities, actors, knowledge and exercises of empowerment of law. In advance we are the wretched of the past, which its legacy has been written in theories, discourses and debates, but now we have a common ethical imperative, we have to theorize and participate in a counterhegemonical way, that means, from the South. Mexico is a good example of poverty, marginalization, violence and death in the global South, but also of resistance, revolution and strategic claims in the field of State and Law that give to the people hope and strength to keep on going in their historic context. For those reasons this panel tries to show different experiences about the social struggles and their counterhegemonical position always as an aspiration to contribute in the high impact democracy, human rights, epistemologies of the South, postcoloniality, decoloniality and critical theory.

**Participants:** Daniel Sandonao-Cervantes (Metropolitan-Cuajimalpa), Miguel Rábago Dorbecker (Los Andes), Sergio Martín Argello (Coimbra)

**Paper Titles:**
*Sandón-Cervantes, ‘Concrete reality, capitalist Law and critica jurídica: a perspective of totality from Latin-America’*
*Rábago, Human Rights Discourse, social movements and transitional justice initiatives in Mexico. *
*Argello, The politics of the forgotten: When the Mexican indigenous communities remember us we are supposed to change the world.***

**20) Thinking Home’s Home: An Interdisciplinary Encounter**

**Session Type:** Roundtable Session

**Room:** Angel B, Reforma Tower (19th Floor)

**Chairs:** Vanja Hamzic (SOAS), Genevieve Painter (McGill)

**Abstract:** Where can one locate ‘home’ in scholarly accounts about human material and affective places of dwelling? In this, the second, roundtable exploring the relationships between home/law/language, we focus on home as the earthiest of terms linking our work on colonial archives, Indigenous relationships to land and waters, gender-variant communities in Pakistan and home(s) after home. Home’s homes have curious idiomatic histories. In English, ‘there’s no place like home’ tells us that home results from differentiating a unique, material place from the surrounding ‘mere space’, even if this involves, as it did during colonial conquest, transplanted names, laws and land use practices. The unique and private attachment to home begets the need for hospitality in the saying ‘to make yourself at home’. A host offers up, gives over, what is her own; and yet hospitality is also an affirmation of ownership and so is, perversely, inhospitable. Not just a material or jurisdictional space, ‘home is where the heart is’, something that is felt or experienced, and sometimes carried into the displacement, into the new spaces and practices of belonging. How do such attachments form? What binds us to one another in a shared sense of ‘home’ and is this different from the bonds of language or even law? What role do such subsidiary phenomena play in constituting home, and in re-constituting home after its loss?

**Participants:** Kirsten Anker (McGill), Marija Grujuć (Goethe), Safet HadžiMuhamedović (Bristol), Vanja Hamzic (SOAS), Genevieve Painter (McGill)

**Fri. 23 June: 8:00 AM - 9:45 AM**

**21) Rethinking International Law: New Methods, Doctrines and Critiques**

**Session Type:** Paper Session

**Room:** Sala 457, Danubio Tower (4th Floor)

**Chair:** Enrique Prieto (Rosario University, Colombia)

**Abstract:** Each of the papers in this panel challenges existing paradigms in international law, and many propose new ones. Papers query the foundation of human rights law, the role of photography in international law, litigiousness and human rights consciousness, the doctrine of self-determination, and the works of Wolfgang Friedman.
**Participants:** David Lucas (Washington), Thomas Gammeltoft-Hansen (Raoul Wallenberg Institute), Stephen Simon (Richmond)

**Paper Titles:**

*Lucas*, ‘Perception of Injury: Views from Conflict Resolution and Human Rights’


*Simon*, ‘The Elusive Foundations of International Human Rights Law’

**Fri. 23 June: 10:00 AM – 11:45 AM**

23) Languages of Transnational Law: Unpacking Contested Categories in an Increasingly Monoconceptual-Hegemonic World

**Session Type:** Paper Session
**Room:** Sala 457, Danubio Tower (4th Floor)
**Chair/Discussant:** Megan Bowman (King’s)

**Abstract:** An intriguing and at the same time unsettling ambiguity seems to have followed on the surge of criticism of the Eurocentrist and not-yet-provincialized conceptualization of the Global Governance project. Frustrated with the introverted, self-referential rally for universalist principles in 'global constitutional law' among scholars situated in North America and Europe, projects such as "transformative constitutionalism" or "epistemologies of the global south" sought to formulate an answer. But, where do things stand after years of resisting the hegemonic pull of the North and its languages of development and growth, modernization and the rule of law? By focusing on key categories in the struggle between dominant and alternative governance discourses, this panel will strive to identify avenues for new methods and frameworks for non-hegemonic languages.

**Participants:** Megan Bowman, (King’s), Federico Suarez Riaurte (Externado de Colombia), Jimena Sierra-Camargo (Rosario University, Colombia)

**Paper Titles:**

*Bowman*, ‘A theory of practice: Legal pluralism in climate finance regulation’

*Suarez*, ‘Rethinking the hegemonic notion of foreign investment: examining the empirical evidence of international investment system in the Global South’

*Sierra*, ‘State, Development and Global Governance. How Mining Corporations regulate through the Colombian constitutional State?’

24) Of Knives and Robots: Law and Technology of War of All against All

**Session Type:** Roundtable Session
**Room:** Caza A (3rd Floor)
**Chair:** Noora Erakat (George Mason)
**Discussant:** Itamar Mann (Haifa)

**Abstract:** The weaponisation of technology is a long-cherished human ambition. Its recent flourishing has been the source of both technological optimism and angst. This roundtable will question both. The paradigm-shifting nature of autonomy, algorithms, and cyber-force will be challenged, while the co-existence of high-tech warfare with its counter-paradigm, low-tech and very personal violence, will be explored. While robots and algorithms herald a new era of rational if dehumanized violence, in many parts of the world, kitchen knives have been weaponized and transformed into a symbol of a new form of political violence. The heights of cyber-force sophistication compete with the spectacle of 'medieval' torture for what best reflects our present predicament. How can a discussion of the high-tech/low-tech confrontation contribute to an understanding of law and technology that is informed by global inequality?

**Participants:** Delphine Dogot (Sciences Po), Markus Gunnewfo (Lund), Ioannis Kalpouzos (City University London), Chase Madar (independent scholar), Heidi Matthews (Osgoode Hall)
25) Radically Indeterminate: Rights as Discourse, Rights as Resistance

**Session Type:** Paper Session  
**Room:** Constitución C (2nd Floor)  
**Chair/Discussant:** Caitlin Kelly-Henry

**Abstract:** Rights discourse has a strong, but problematic, affinity to legal institutions and structures. Law’s limited array of postures and positions often restricts, marginalizes, or even betrays the pursuit of the core interests and needs of society. As such, the law provides a limited horizon for (re)imagining the resistance and progressive change which social justice movements aspire to. This panel will analyse the disempowering potential of law and rights discourse, as well as the possibilities of protest, resistance, knowledge formation, and identity creation in articulations of rights through, and beyond, the law. The panel will do this through a series of intersecting contributions spanning a diversity of contexts and theoretical frames, all organised around the intersection of rights discourse, critical legal thinking and social movement praxis.

**Participants:** Tanya Mulaqueen (Warwick), Irina Ceric (Kwantlen Polytechnic), Adrian Smith (Carleton), John Reynolds (National University of Ireland, Maynooth), Honor Brabazon (Toronto)

**Paper Titles:**  
*Mulaqueen*, ‘Imagining Alterity’  
*Ceric*, ‘Teachable Moments: Law, Rights and Resistance’  
*Smith*, ‘The Right to Food’ in Revolutionary Movements: Puppets, Panthers and Breakfast For Children’  
*Reynolds*, ‘Let Them Drink Rain’: Rights Discourse, Class Struggle and Irish Water’  
*Brabazon*, “The Sin of Disruption: Black Lives Matter and the Use of Legality and Legal Logics to Evaluate Social Movements in Neoliberal Times’


**Session Type:** Paper Session  
**Room:** Sala 460, Danubio Tower (4th Floor)  
**Chair:** Ilan Wall (Warwick)  
**Discussant:** Matt Craven (SOAS)

**Abstract:** The meanings, construction, and effects of "walls, borders and bridges" can be explored through unfamiliar and dissimilar lenses: bulletins, manifestos, revolutionaries, films and humanity. This panel attempts to explore these disparate lenses in order to flesh out themes undergirding the notions of walls, borders and bridges: revolution, solidarity and internationalism. Some of the subjects discussed in this panel include, inter alia: the notions of history mobilised through a Fanon-Benjaminian conversation about manifestos (Nesiah); the cultural production of international solidarity in literature (Bernard); how an epic film, ‘The Battle of Algiers’, can be understood in three legal/historical moments, as an aperture to Syria. (Sayed); the role of "virtue" in deciding the legality of revolutions/revolutionaries in international law (Kumar); and finally, Fanon’s call for the colonised to become human through disalienation (Çubukçu).

**Participants:** Vasuki Nesiah (NYU), Anna Bernard (King’s), Hani Sayed (AUC), Vidya Kumar, (Leicester), Ayşe Çubukçu, (LSE)

**Paper Titles:**  
*Nesiah*, ‘Decolonizing the Future’  
*Bernard*, ‘International Solidarity and Culture: The Tricontinental Bulletin’  
*Sayed*, ‘The Battle of Algiers Today: International Law and the Routinization of Liberation Struggles’  
*Kumar*, ‘The Righteous Revolutionary in International Law: Aretaic Legality?’  
*Çubukçu*, ‘The Humanity of Franz Fanon’
Fri. 23 June: 2:45 PM – 4:30 PM

27) CRN 23 Special Session 2: Professor Antony Anghie (Singapore/Utah)

Room: Caza C (3rd Floor)  
Chairs: Luis Eslava (Kent) and Rose Parfitt (Kent/Melbourne)

The Rights of Aliens in International Law: Towards a Critical History

The ‘rights of aliens’ is a classic doctrine of international law that became particularly prominent in the late nineteenth century. Later, it was the subject of intense controversy in the 1960s and 70s, an important part of the debate on the New International Economic Order. More recently, it has assumed a new importance because of its enduring impact on the field of international migration law. Doctrinally and historically, the rights of aliens is related to several crucial areas of international law including sovereignty, human rights, international investment law and the law of state responsibility. This paper sketches the outlines of a larger project that seeks to rethink the traditional history of this doctrine from the vantage point of the antecedents of what is classically regarded as the ‘law of aliens’, and, in particular, the impact of the colonial encounter on those antecedents.

Fri 23 June: 4:45 PM – 6:30 PM


Session Type: Paper Session  
Room: Constitución A (2nd Floor)  
Chair: Toni Williams (Kent)  
Abstract: This session examines critically multiple ways in which legal and regulatory techniques are used to implement social and economic inclusion policies. Over the past 20 years, inclusion has been prescribed as a response to poverty, marginalisation, inadequate health care and housing, joblessness, the digital divide and radicalisation and more generally to counteract the economic, social and cultural effects of uneven development, austerity, and crisis. While a substantial literature exists on some aspects of inclusion/exclusion there is a dearth of critical analyses of the roles played by law in the development and implementation of inclusionary policies. This session is one of two that aim to fill that gap through case studies from South America and Europe of the extent to which law performs as a bond, a bridge or a bandaid (or something else) in the implementation of inclusion.

Participants: Marcelo Maciel Ramos (UFMG), Pedro Nicoli, (UFMG), Maria Fernanda Salcedo Repoles (UFMG), Helen Carr (Kent), Ed Kirton-Darling (Kent), Thomas Bustamante (UFMG)

Paper Titles:
*Ramos, ‘Can we promote economic equality and human emancipation through law?’
*Nicoli, ‘Legal exclusion, social law and the margins of the world of work: decoding Brazilian initiatives of inclusion for informal workers’
*Repoles, Spatial Justice and the Struggle for Housing Rights: the Vila Acaba Mundo case
*Carr and Kirton-Darling, ‘Tommy this and Tommy that’: the homeless veteran and inclusionary practices in the UK’
*Bustamante, ‘The Legal Right to a Morally Responsible Government: A Dworkinian Critique of Brazil’s 2016 Impeachment Process’
29) Law, Colonial Power and the State of Exception

**Session Type:** Paper Session  
**Room:** Duque (2nd Floor)  
**Chair:** David Whyte (Liverpool)

**Abstract:** This paper session addresses the role of law and the state of exception in diverse colonial and postcolonial contexts. This session aims to establish a dialogue among scholars that have been studying the uses of the state of exception and exceptional laws as strategies for the legitimation and administration of colonial and postcolonial contexts. It aspires to explore the similarities and divergences among the colonial states in their uses of exceptionality, as well as the effect that the colonial state of exception has had in colonized countries. Issues, such as the role of law in the history of colonial domination, race and colonialism, economic underdevelopment, environmental pollution, criminalization of anticolonial movements, the role of corporations in colonization, and the link between neoliberalism and colonialism will be addressed in this session.

**Participants:** Jose Atiles (University of Puerto Rico, Mayaguez), Viviana Tacha Gutierrez (Centro de Estudios para la Justicia Social Tierra Digna), Silvia Maeso (Centre for Social Studies, University of Coimbra), Gustavo Rojas Páez (Universidad Libre), Mónica Jiménez (University of Illinois, Chicago)

**Paper Titles:**  
*Tacha*, ‘Territorialization of the exception in Colombia: law and development in the implementation of neoliberal projects at the Pacific region of Colombia’  
*Maeso*, ‘The “forgetfulness of coloniality” and the understanding of racism in European anti-discrimination legal frameworks’  
*Rojas*, ‘Understanding environmental harm and justice claims in the Global South: Crimes of the powerful and peoples’ resistance’  
*Jiménez*, ‘Puerto Rico in Never-Never Land: On the Place of Law and Sovereignty in the State of Exception’