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## LATCRIT INTERNATIONAL & COMPARATIVE LAW COLLOQUIUM

**Paris, France: July 27, 2010**

**Cité Internationale Universitaire de Paris (CIUP)  
Maison des Étudiantes Arméniens  
57, Boulevard Jordan  
(Basement classroom)  
75 014 Paris**

### **Program Schedule**

#### ***Globalizing Equality Theory, Constructing Material Justice: The Next Critical Project***

*Background:* The LatCrit Colloquium on International and Comparative Law (ICC) has met eight times since 1995 in locations ranging from Miami to Malaga to Santiago de Chile to Buenos Aires and Cape Town. This rotating Colloquium aims to foster transnational and interdisciplinary interaction among LatCrit theorists in the United States and elsewhere with scholars, activists and policymakers at the sites where the Colloquium meets. This Colloquium next meets in Paris, France, in July 2010. This colloquium is planned in collaboration with Tulane Law School's Paris Study Abroad program directed by LatCrit Board member, Robert Westley. For more information about the Tulane Paris program visit <http://www.law.tulane.edu/tlsabroad/France.aspx>.

Like LatCrit's South-North Exchange and Study Space Series, the ICC is conceptualized and organized as part of a broader effort to provide a venue for scholarly exploration and exchange of critical knowledge among LatCrits and scholars from various disciplines and/or regions of the globe. ICC's aim transcends a one-time encounter: the concept behind the Colloquium is to establish a means for sustained and sustainable collaboration between LatCrit scholars and similarly minded scholars, activists, practitioners, students and others throughout the world. Another and related key purpose is to build a substantive record of critical analysis and theory to design concrete policy interventions both at the national and international levels. As with the Annual Conferences, the 2010 ICC Call for Papers and Participation is posted on the LatCrit website ([www.latcrit.org](http://www.latcrit.org)) and the program proceedings usually are published in the form of law review symposia.

*Theme and Sub-themes:* The theme of LatCrit’s ninth International and Comparative Law Colloquium (“ICC”) is “***Globalizing Equality Theory, Constructing Material Justice: The Next Critical Project.***” There are three sub-themes around which papers and panels are organized, as follows:

**8:45AM: CONTINENTAL BREAKFAST**

**9:15AM: OPENING REMARKS:** Robert Westley, Professor of Law, Tulane University

**9:25AM: PANEL & SUB-THEME ONE: *International Law and the Legal Construction of Equality & Justice***

With comparative conceptions of equality as part of the historical and substantive record for the development of rhetorical standards, markers of international norms or rules face choices regarding law, policy and material justice. Papers in this session will explore the international legal construction of “equality,” and how it compares to theories and regimes of social and material equality that arise from within different societies or traditions.

- To what extent do international “human rights” and the “human rights movement” find their proper analogs or developmental roots in “civil rights” and “civil rights movement”?
- Are current (and future) struggles for social justice and political freedom best understood through human rights or some other type of law and social movement lens?
- How does equality or rights discourse function within various sub-fields of international law: development, war, trade, property, environment, democracy? And what are the prospects for such discourses in the future?
- How have the waves of recent financial calamities and political challenges to neoliberal globalization more generally affected social and material equality as element of international law nomos and narrative?
- How does the equality or rights discourse aid or impede material justice?

**SPEAKERS:** Mario Barnes, Professor of Law, University of California at Irvine; Peter Halewood, Professor of Law, Albany Law School

**MODERATOR:** Gil Gott, Professor of International Studies, DePaul University

**10:40AM: PANEL & SUB-THEME TWO: *Comparative Conceptions of Equality***

After hundreds of years of market-based economies and constitutional democracies, we have developed an historical set of comparative conceptions of equality and the corresponding possibilities for material justice. Papers in this session will consider the trajectories of the fictional-formal-substantive equality debates and assess how existing constructions of constitutional equality compare and contrast with those in other societies.

- How have societies addressed the tension between “liberty” and “equality” --expressed in U.S. constitutional terms as the tension between the Bill of Rights and the later Amendments?

- Based on global experience in recent decades with “dignity” as a constitutional value, how does this concept complement or interact with equality, liberty and other fundamental constructs?
- Are there global patterns to the homologous development of nationhood and sovereignty alongside the disestablishment of indigeneity?
- How are societies confronting the challenges of globalization and the current economic crisis, especially with respect to the questions of immigration and citizenship?
- To what extent have societies conceptualized and enacted “positive rights” or affirmative action to address structural discrimination?
- What are the remedial “limiting principles” imposed upon governments, NGOs, and activists seeking redress for structural discrimination within a constitutional democracy?

**SPEAKERS:** Christine Zuni Cruz, Professor of Law, University of New Mexico; Robert Cruz, Ph.D candidate, University of New Mexico

**MODERATOR:** Margaret Montoya, Professor of Law, University of New Mexico

### **12 NOON: PANEL & SUB-THEME THREE: *Difference and Universality--Between Status and Standards***

At both the national and international levels, conceptions of equality must navigate entrenched and sometimes coherent notions of sameness or difference, which can promote or undercut material justice goals. Papers in this session will measure the effectiveness of theorizing global equality and achieving material justice by “looking to the bottom,” much of the remedial challenge lies both in social constructions of super-ordinate and subordinate statuses and the development of allegedly “universal” standards for equality and justice that fail to capture the intersectional differences that interact to compound multiple sources of hierarchy.

- How have western feminisms and critical race theories interacted with the struggle for material justice globally?
- How has organizing around existing identity categories—race, gender, sexuality, religion, ability—challenged or reproduced social injustices and hierarchies?
- To what extent have the “mainstreaming” of gender and the “feminization of poverty” analysis been a positive development in international human rights?
- In light of the critique of “imperial humanitarianism,” how are local and international activists addressing harmful in-group practices that injure the most vulnerable within a community?
- How have universal norms and standards at a national (liberté, égalité, fraternité in France) or at an international level (CEDAW, CERD) operated to alleviate or instantiate subordination of multiply subordinated people?

**SPEAKERS:** Trina Jones, Professor of Law, University of California at Irvine; Russell Robinson, Professor of Law, University of California at Los Angeles; Donna Young, Professor of Law, Albany Law School

**MODERATOR:** Sumi Cho, Professor of Law, DePaul University

**1:05PM: CLOSING REMARKS:** Francisco Valdes, Professor of Law, University of Miami