

Advanced Faculty Colloquium - Heterodox Legal and Social Thought: Renewing the Tradition

June 17 - 20, 2025 | Hamburg, Germany

Tuesday, June 17th

7:30pm **Welcome Dinner Reception** - Rotunde at Bucerius Law School

Wednesday, June 18th

Breakfast at Hotel

8:20am Group departure for BLS from Hotel lobby

9:00 - 9:30am **Opening Plenary** - Moot Court
David Kennedy & Felix Hanschmann

9:30 - 11:00am **Plenary Session: The Current Moment: One, Two, Three, Many Hegemonies?** - Moot Court
What captures the moment -- an order in crisis? A system unravelling or enduring? Hegemony reconfigured, multiplied, exposed? "War in the filigree of peace?" Who is at war with whom -- and how? Where are the fronts, what are the strategies? What labels enlighten ---"capitalism?" "neo-colonialism?" "oligarchy," "populism?" "authoritarianism?" "fascisms," "post-modernity?" What historical analogies, if any, seem apt: 1890s? 1930s? 1970s?
Discussants: *Carlos Gouvea, Jenn Bair, Anne Orford & Hani Sayed*
Readings:
1. Duncan Kennedy, "Three Globalizations of Law and Legal Thought: 1850–2000." Cambridge University Press (2006), pp. 19–25.
2. Perry Anderson, "Imperium." 83 New Left Review 5 (2013).
3. Stephen Miran, A User's Guide to Restructuring the Global Trade System. (2024).
4. McKenzie Wark, "The Spectacle of Disintegration." Public Seminar (2016).

11:00 - 11:30am **Break**

11:30am - 12:45pm **Discussion Sessions 1 & 2** - Rooms 1.02 & 1.03

Discussion 1: Colonialism / Center-Periphery / Dependency - Room 1.02
Where does the present moment fit in our analyses of the colonial or postcolonial? Is today postcolonial? Neocolonial? Just plain colonial? What do these labels actually explain about the relationships both between and within countries or regions, subnational or transnational? Which past theories of systems of hierarchy fit the present moment? How do we fit new imperialisms into old theories (or are they new at all?)
Conversation Starters: *Antony Anghie, Outi Korhonen & Hani Sayed*

Discussion 2: Alternative Geographies: Global Chains, Local Labor - Room 1.03
Can we better understand the map of the world through the movement of things and people than by looking at the old maps of states and borders? If we map through the movement of an object or examine the supply chain that brings it into being, what does it tell us about the configuration of the world, of the labor movement?
Conversation Starters: *Daniel Astone, Jenn Bair & Mikolaj Szafranski*

12:45 - 2:00pm **Lunch** - Südlounge

2:00 - 3:15pm

Discussion Sessions 3 & 4 - Rooms 1.02 & 1.03

Discussion 3: Political Economy, Capitalism - Room 1.02 Intellectually, historically – how were politics and economics (and culture?) put in the same frame in earlier moments? How might one do that now, long after disciplinary specialization – when there is a discipline of “political economy,” even “international political economy?” What does law, our own angles on legal arrangements, have to contribute to “political economy?”

Conversation Starters: *Poul F. Kjaer & Robert Wai*

Discussion 4: Irrationality and Rupture: in Culture, Law and Politics - Room 1.03 Chance butterflies in China, Move Fast and Break Things, Revolution? What role for charismatic leaders, mass movements, cultural technologies – and war?

Conversation Starters: *Horatia Muir Watt, Vidya Kumar, Rose Parfitt & Leo Specht*

3:15 - 4:00pm

Break

4:00 - 5:30pm

Public Event Panel: “Rights and the Rule of Law: Dark Legacies or Promise?”
Moot Court

The advent of renewed authoritarianism pushes many toward a revival of rights, reliance on courts and renewed commitment to the “rule of law” internationally as nationally. Yet all have their limitations and dark histories, making promises they cannot keep, proclaiming someone’s particular as everyone’s universal, becoming in many ways a part of the problem. What role for rights, for courts, for commitment to ‘the rule of law’ in today’s global world?

Panelists: *Isabel Feichtner, Carlos Gouvea, Zina Miller & Ratna Kapur*

Moderator: *Felix Hanschmann*

5:30 - 7:30pm

Free Time

7:30pm

Dinner - La Sala - Feldstraße 66, 20359 Hamburg, Germany

Thursday, June 19th

Breakfast at Hotel

9:00 - 10:30am

Plenary Session: Groups, Identities and Consciousness in World Affairs - Moot Court
Race, class, nation are familiar groupings based on conscious identification both within the group and outside. What remains relevant today? Different groups? Transnational groupings? Should we approach identification and consciousness as states of mind or as shifting and contingent processes of affiliation? The groups that seem to matter are different if you are thinking about capitalism, colonialism, patriarchy, political economy, international relations. How do different pictures of global society alter understandings of groups, identity, consciousness – and how do those understanding shift our maps of the world? Which forms of class consciousness are coming into being in the current era?

Discussants: *Vasuki Nesiah & Kerry Rittich*

Readings:

1. Daniel Geary, Camilla Schofield and Jennifer Sutton, "Toward a Global History of White Supremacy." *Boston Review* (2020).
2. Judith Butler, "This is Wrong: Executive Order 14168." *London Review of Books* (2025).
3. Executive Order 14168, "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government." *Federal Register* (2025).

10:30 - 11:00am

Break

11:00am - 12:15pm

Discussion Sessions 5 & 6 - Rooms 1.02 & 1.03

Discussion 5: Identities and Attributes, Conscious and Unconscious - Room 1.02

The coming into consciousness of social groups – nation, class, gender, indigenous, LGBTQ – has been central to progressive interpretations of political possibility. What does this suggest now that Trump and other parallel figures seem to have brought new groups—white, uneducated, rural—into consciousness as a class? What's the critical move here? Returning to traditional identities as change agents? What to make of national and transnational affiliations? Deepening the critique of identity? Building analyses of group interaction and the distributions among them independent of their consciousness?

Conversation Starters: *Vidya Kumar & Nadia Lambek*

Discussion 6: Diversity, Universality and Pluralism: A Tale of Three Ideologies -

Room 1.03

A war on diversity (US), a plea for universality (liberals? Europe?), an end to pluralism? Each term has had its hegemonic moment as an ideological force – what now? And how ought we to engage – what's the critical move?

Conversation Starters: *Gunter Frankenberg & Shaun McVeigh*

12:15 - 1:15pm

Lunch - Südlounge

1:15 - 2:30pm

Discussion Sessions 7 & 8 - Rooms 1.02 & 1.03

Discussion 7: Race, Gender and Political Economy After Identity - Room 1.02

How have scholars focused on law and political economy, racial capitalism, and feminism engaged one another and developed common or parallel – or antagonistic – modes of engagement with the deeply material economic connections among gender and race and political economy. Once economy comes in, does identity go out?

Conversation Starters: *Aziza Ahmed, Chris Gevers & Nicole Stybna*

Discussion 8: Ideology and Hegemony - Room 1.03

How do ideas congeal as common sense, become authoritative, resist challenge? What is intellectual, institutional, political, cultural 'hegemony'? What strategies of critique for which notions of hegemonic authority? Does ideology critique matter in a world disrupted? How have idea bundles such as those we might call 'managerialism' or 'law and economics' taken institutional form, acquired a materiality in the world? How does this happen?

Conversation Starters: *Richard Clements, Scott Newton & Dina Waked*

2:30 - 3:00pm

Break

3:00 - 4:30pm

Plenary Session: Ideas: Knowledge and Power - Moot Court

That ideas 'influence' power is widely understood – how might intellectual traditions that imagine knowledge and power entangled rather than distinct change, expand, critique our understanding of governance? How to interpret the play of 'ideology,' 'expertise,' 'common-sense,' and 'policy-relevant research'? Where – and how - do law's knowledge practices intersect with those of other disciplines? Facts and events on the ground?

Discussants: *David Kennedy, Andrew Lang, Zina Miller & Scott Newton*

Readings:

1. Friedrich Nietzsche, *The Gay Science*. Vintage Books (1974).
2. Michel Foucault, *Lectures on the Will to Know: Lectures at the Collège de France, 1970–1971 and Oedipal Knowledge*. "Lecture of 11 January" (2014).
3. Michel Foucault, *Discipline and Punish: The Birth of the Prison*. Pantheon Books (1977).
4. Bruno Latour, "Give Me a Laboratory and I Will Raise the World." *Science Observed: Perspectives on the Social Study of Science*, SAGE Publications (1983).
5. Sheila Jasanoff, "Afterword." *States of Knowledge: The Co-Production of Science and Social Order*, Routledge (2004).
6. Duncan Kennedy, "Authoritarian Constitutionalism in Liberal Democracies." *Constitutionalism and the Politics of Resistance*, Edward Elgar Publishing (2019).
7. Antonio Gramsci, *Selections from the Prison Notebooks*. International Publishers (1971).
8. Louis Althusser, "Ideology and Ideological State Apparatuses (Notes Towards an Investigation)." *Lenin and Philosophy and Other Essays*, Monthly Review Press (1971).

4:30 - 7:30pm

Free Time

7:30pm

Dinner - Restaurant Parlament - Rathausmarkt 1, 20095 Hamburg, Germany

Friday, June 20th

Breakfast at Hotel

9:00 - 10:00am

Discussion Sessions 9 & 10 - Rooms 1.02 & 1.03

Discussion 9: Law's Epistemic Regime - Room 1.02

"Law" straddles the knowledge/power divide – but how exactly? Ascertaining, interpreting and applying law is knowledge work -- but law also punishes, judges, coerces. What is at stake in imagining these as distinct activities – or interpreting the power of law as performative, verdictive? To 'find' a norm – like finding a fact – is also to rule, to empower, to constrain.

Conversation Starters: *Jorge Esquirol, Stephen Humphreys & Mikhail Xifaras*

Discussion 10: Technologies of Power/Knowledge - Room 1.03

Artificial Intelligence, Blockchain, Social Media, Drones, Biological Engineering --- have they/will they change everything? Are they just 'technologies,' or are they 'actors'? 'structures'? 'forces'? or 'just facts....?' Or are they ideas, stories, interpretations, narratives, culture? Is law lagging – or generating these stories/facts/actors/forces? Do we need to invent new critical tools – or might these yield to our accustomed critical practices?

Conversation Starters: *Aziza Ahmed, John Haskell & Outi Korhonen*

10:00 - 10:30am

Break

10:30 - 11:45am

Plenary Session: Change: Disruption and Epistemic or Foundational Change - Moot Court

"Well, you know...we all wanna change the world." Rupture? A long march thru the institutions? Pre-figurative islands? Ideological conversion? Non-reformist reforms? Law before, beneath, against, alongside, after foundational change?

Discussants: *Isabel Feichtner, Felix Hanschmann & Lucie White*

Readings:

1. Basma Hajir and Mezna Qato, "Academia in a Time of Genocide: Scholasticidal Tendencies and Continuities," *Globalisation, Societies and Education* (2024).
2. Alliance for Critical Scholarship in Solidarity, "Statement on the Motion of the German Bundestag 'Decisively Counter Antisemitism and Hostility Towards Israel at Schools and Universities and Secure the Free Space for Discourse.'" (2025).
3. Edward Wong, "Trump Administration Draft Order Calls for Drastic Overhaul of State Department." *The New York Times* (2025).
4. "The Dilemma of an On-Going Project: a Ghana Law School Ag Justice Clinic" (2025).

11:45am - 12:45pm

Lunch - Südlounge

12:45 - 1:45pm

Discussion Sessions 11 & 12 - Rooms 1.02 & 1.03

Discussion 11: Beyond Law as an 'Instrument of Social Change'? - Room 1.02

What do we hope – fear – our students will get up to afterwards? Traditional and not-so-traditional legal roles, ideas, practices – and the potential to make things better rather than worse.

Conversation Starters: *Nadia Lambek, Ratna Kapur & Lucie White*

12:45 - 1:45pm

Discussion 12: War and the Social Dynamics of Struggle - Room 1.03

Are war and peace interpretations or events? War as exception or constant? Struggle as continuous with occasional exacerbated violence? Is conflict endemic to capitalism? Modernity? Humanity? And what about law? Might focus on (capitalist) system rationalization and the social reconsolidation of that system help us interpret earlier debates about fascism and militarism in ways that would illuminate the current situation? What is the significance of militarization, and its effect on class and mass formation?

Conversation Starters: *Antony Anghie, Rose Parfitt & Leo Specht*

1:45 - 2:00pm

Transition to Closing

2:00 - 2:30pm

Closing Plenary Session - Moot Court

David Kennedy & Felix Hanschmann

3:00 - 5:00pm

Cultural Outing - River Boat Cruise

5:30pm

Dinner - Wallter's - Alter Wall 12, 20457 Hamburg, Germany



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