

# Decolonising Jurisprudence Reading List: Resources for Revising Philosophy of Law Syllabi

## Notes from the Editor

This reading list focuses on articles and selections of books that would work as part of a jurisprudence syllabus for a course taught in a law school or a philosophy department. It is inspired by the [Decolonizing Political Theory readings](#) document and the Harvard Law and Political Economy Group's [Alternative Curriculum Syllabus](#), and contains some significant overlap with these documents, although the focus here is on legal philosophy. It is edited by Jonathan Gingerich (with whom responsibility for any errors and omissions lies) but it draws from suggestions from many people including: Arudra Burra, Detlef von Daniels, Daniela Dover, Paul Gowder, Sari Kislevski, Matthew Kramer, Matt Lister, S.M. Love, Maleiha Malik, Ewan McGaughey, David Plunkett, Massimo Renzo, Sophie Smith, John Tasioulas, Lorenzo Zucca, and several anonymous contributors.

**Organisation:** The list is organised thematically, followed by an alphabetical index of all of the readings included on the list, arranged by author last name. Some entries appear under more than one thematic heading. For each entry, a link is provided to an open access version of the reading when possible (a link is also provided to the JSTOR, HeinOnline, or publisher version if the open access copy is not at an archival URL). For each reading, there is a list of 'keywords' which are suggestions of syllabus headings under which the reading might appear. (Note that British spellings are used for keywords.)

**Coverage:** At present most readings on the list pertain to one or more of the following topics: colonialism, international law, theoretical foundations of human rights, freedom, sovereignty, self-rule or swaraj, equality, settler colonialism, and critical legal studies. The list also presently focuses on materials published since 1945 and includes no materials written before 1900. Even within these limits, this document is far from comprehensive, but hopefully provides a helpful starting point. Because one objective of this list is to identify readings that can easily be inserted into a philosophy of law syllabus as the focus of one lecture or part of a lecture, the emphasis of this document is on readings of 35 journal pages or less. The handful of longer readings on this list typically include suggestions for abridgment.

**Additions and Amendments:** Suggestions of additions that would expand the thematic and temporal scope of this list are very welcome, as are suggestions of revisions to the list and additions within the thematic areas that it already covers. Readings may be suggested for this list using [this form](#). Complaints, suggestions about organisation, structure, or coverage, and any other feedback can be sent to the editor by [email](#).

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# Thematic Listing

## Capitalism and Colonialism

Appiah, Kwame Anthony. 2015. 'Capitalism and Human Progress.' In *Performance and Progress: Essays on Capitalism, Business, and Society*, edited by Subramanian Rangan. 99-114. Oxford: Oxford University Press. (16pp) [[Publisher](#)]

Keywords: capitalism, markets, equality, economic inequality

Azikiwe, Nnamdi. (1949) 1970. 'A Denunciation of European Imperialism.' In *The Africa Reader: Independent Africa*, edited by Wilfred Cartey and Martin Kilson. New York: Vintage. (~8pp) [[Open access version](#)]

Keywords: imperialism, capitalism, self-rule, colonialism, Nigeria, Africa

Cabral, Amilcar. (1970) 1973. 'National Liberation and Culture.' In *Return to the Source: Selected Speeches by Amilcar Cabral*, edited by Africa Information Service. 39-56. New York: Monthly Review Press. (18pp) [[Open access version](#)]

Keywords: colonialism, liberation, national culture, nationalism, development, culture, Marxism, Africa, Guinea-Bissau, Cape Verde, Mozambique

James, Selma. (1974) 2012. 'Sex, Race and Class.' In *Sex, Race and Class—The Perspective of Winning: A Selection of Writings, 1952–2011*. 92-101. Oakland: PM Press. (10 pp.) [[Blackwell's](#)] [[Open access version](#)]

Keywords: intersectionality, caste, sex, race, feminist theory. Marxism, liberation, vanguardism

Oszü, Umut. 2024. *Completing Humanity: The International Law of Decolonization, 1960-82*. Cambridge: Cambridge University Press. Introduction, 1-35. (35pp). [[Publisher](#)]

Keywords: international law, decolonisation, lawyers, statehood, debt, capitalism, markets

## Colonial and Post-colonial Law

Burra, Arudra. 2016. 'What is "Colonial" about Colonial Laws?' *American University International Law Review* 31(2): 137-70. (34pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 34 pages, but would be equivalent to ~25 journal pages of reading if assigned without footnotes.)

Keywords: colonialism, India, legal history, post-colonial law, colonial continuities

Dhanda, Amita. 2009. 'The Power of One: The Law Teacher in the Academy.' In Decolonisation of Legal Knowledge, edited by Amita Dhanda & Archana Parashar. 261-81. New Delhi: Routledge. (22pp) [[Publisher](#)] [[Open access](#)]

Keywords: legal education, pedagogy, colonialism, decolonisation, critical legal studies, hierarchy

Hart, HLA. 1994. The Concept of Law. 2nd ed. Oxford: Clarendon Press. Chapter 6, section 3, 117-23 ('The Pathology of a Legal System') (7pp) [[Publisher](#)]

Keywords: occupation, colonialism, rule of law, concept of law, obedience, pathology, revolution

Merry, Sally Engle. 1991. 'Law and Colonialism.' Law & Society Review 25(4): 889-922. (34pp) [[JSTOR](#)]

(Note that this is a review essay of a wide range of anthropological and historical work on law and colonialism from the 1980s and early 1990s.)

Keywords: colonialism, domination, anthropology of law, resistance, Hawaii, Papua New Guinea, Kenya, Malawi, Zambia, Egypt, India, Africa, Oceania, Asia

Nunn, Kenneth B. 1997. 'Law as a Eurocentric Enterprise.' Law and Inequality 15: 323-71. (49pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 49 pages, but would be equivalent to ~20 to 25 journal pages of reading if assigned without footnotes.)

Keywords: eurocentrism, African philosophy of law, colonialism, imperialism, oppression, self-determination, critical race theory, Europe, Africa

Silungwe, Chikosa Mozesi. 2014. 'On 'African' Legal Theory: A Possibility, an Impossibility or Mere Conundrum?' In African Legal Theory and Contemporary Problems: 17 Critical Essays, edited by Oche Onazi. 17-30. Dordrecht: Springer. (14pp) [[Publisher](#)]

Keywords: concept of law, African philosophy of law, Homi Bhabha, customary law, modernity, colonialism

## Colonialism, History of

Azikiwe, Nnamdi. (1949) 1970. 'A Denunciation of European Imperialism.' In The Africa Reader: Independent Africa, edited by Wilfred Cartey and Martin Kilson. New York: Vintage. (~8pp) [[Open access version](#)]

Keywords: imperialism, capitalism, self-rule, colonialism, Nigeria, Africa

Casey, Rose. 2025. Aesthetic Impropriety: Property Law and Postcolonial Style. New York: Fordham University Press. Chapter 3, 90-119. (30pp). [[JSTOR](#)]

Keywords: intellectual property, decolonisation, property theory, South Africa, international law

Chakrabarty, Dipesh. 2000. Provincializing Europe. Princeton: Princeton University Press. Chapter 1, 27-46. (20pp). [[Blackwell's](#)]

Keywords: colonialism, history, legal subjectivity, individualism, legal subjectivity, India, United Kingdom

James, C.L.R. (1962) 1989. 'From Toussaint L'Ouverture to Fidel Castro.' In The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution. 291-418. Second Edition. New York: Vintage. (28pp) [[Open access](#)]

Keywords: Caribbean, revolution, colonialism, decolonisation, history, Marxism, Negritude, Nkrumah.

Joseph-Gabriel, Annette K. 2020. Reimagining Liberation: How Black Women Transformed Citizenship in the French Empire. Urbana: University of Illinois Press. Prologue and Introduction, 1-28. (28pp) [[JSTOR eBook](#)] [[Blackwell's](#)]

Keywords: citizenship, equality, France, republicanism, racism, negritude, colonialism

Mantena, Karuna. 2016. 'Popular Sovereignty and Anti-Colonialism.' In Popular Sovereignty in Historical Perspective. Ed. Richard Bourke & Quentin Skinner. 297-319. Cambridge: Cambridge University Press. (23pp) [[Publisher](#)] [[Open access](#)]

Keywords: sovereignty, equality, imperialism, colonialism, swaraj, cosmopolitanism, empire, decolonisation, anti-colonialism, India, United Kingdom, Gandhi

Reading questions:

- How did Gandhi's ideal of swaraj, or self-rule, differ from the nationalist, separatist demands of colonised peoples for majoritarian, democratic nation-states?
- At the end of her article, Mantena suggests that many anti-colonial ambitions for self-rule were unfulfilled because of contradictions in the national model of state formation. Why might we believe this?

Muthu, Sankar. 2014. 'Productive Resistance in Kant's Political Thought: Domination, Counter-Domination, and Global Unsocial Sociability.' In Kant and Colonialism: Historical and Critical Perspectives, edited by Katrin Flikschuh & Lea Ypi. 68-96. Oxford: Oxford University Press (29pp) [[Publisher](#)]

Keywords: Kant, domination, sociality, resistance, equality, cosmopolitanism

Oszü, Umut. 2024. *Completing Humanity: The International Law of Decolonization, 1960-82*. Cambridge: Cambridge University Press. Introduction, 1-35. (35pp). [[Publisher](#)]

Keywords: international law, decolonisation, lawyers, statehood, debt, capitalism, markets

Pitts, Jennifer. 2010. 'Political Theory of Empire and Imperialism.' *American Review of Political Science* 13: 211-35. (25pp) [[Open access](#)]

Keywords: concept of empire, neo-imperialism, United States, liberalism, history, political theory, survey, cosmopolitanism

Schutte, Ofelia. 2011. 'Resistance to Colonialism: The Latin American Legacy of José Martí.' In *Colonialism and Its Legacies*, edited by Jacob T. Levy with Iris Marion Young. 181-204. Lanham: Lexington Books. (24pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: colonialism, resistance, liberation, eurocentrism, Edward Said, José Martí, Cuba, Latin America

Sultan, Nazmul S.. 2024. 'What Is Colonialism? The Dual Claims of a Twentieth-Century Political Category' *American Political Science Review*. FirstView: doi:10.1017/S0003055424000388 (14pp) [[Publisher](#)]

Keywords: colonialism, normativity, modernity, governance, anticolonialism, Nehru

Zig-Zag. 2011. *Colonization and Decolonization: A Manual for Indigenous Liberation in the 21st Century*. Vancouver: Warrior Publications. (32pp) [[Open access](#)]

Keywords: Kwakwaka'wakw nation, Canada, United States, colonialism, neocolonialism, resistance, history of colonialism, history of decolonisation, Fanon

## Colonialism, Philosophy of

Césaire, Aimé. (1955) 2000. 'Discourse on Colonialism.' In *Discourse on Colonialism*, translated by Joan Pinkham. 31-78. New York: Monthly Review Press. (48pp) [[Publisher](#)]

(This essay runs to 48 pages in this edition, although it is printed with large page breaks between the sections, so it is probably closer to ~40 journal pages in length.)

Keywords: colonialism, domination, exploitation, oppression, Caribbean, negritude

Fanon, Frantz. (1963) 2004. 'On Violence.' In *The Wretched of the Earth*, Translated by Richard Philcox. 1-62. New York: Grove. (62pp) [[Blackwell's](#)]

Keywords: colonialism, violence, revolution, sovereignty, oppression, liberation, Angola, France, Africa, Césaire

Memmi, Albert. (1957) 2003. 'Does the Colonial Exist?' In *The Colonizer and the Colonized*. 47-62. London: Earthscan. (16pp) [[Blackwell's](#)]

Keywords: legitimacy, colonialism, colonizer, Europe

Renzo, Massimo. 2019. 'Why Colonialism Is Wrong.' *Current Legal Problems* 72: 347-73. (27pp) [[Publisher](#)]

Keywords: colonialism, self-determination, domination, group agency, analytic philosophy of law

Sultan, Nazmul S.. 2024. 'What Is Colonialism? The Dual Claims of a Twentieth-Century Political Category' *American Political Science Review*. FirstView: doi:10.1017/S0003055424000388 (14pp) [[Publisher](#)]

Keywords: colonialism, normativity, modernity, governance, anticolonialism, Nehru

Táíwò, Olúfẹmi O. 2019. 'States Are Not Basic Structures: Against State-Centric Political Theory', *Philosophical Papers* 48: 59-82. (24pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, global justice, Rawls, distributive justice, domination, imperialism, analytic philosophy of law, Amílcar Cabral

Valentini, Laura. 2015. 'On the Distinctive Procedural Wrong of Colonialism', *Philosophy & Public Affairs* 43: 312-31. (20pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, sovereignty, Lea Ypi, analytic philosophy of law

Ypi, Lea. 2013. 'What's Wrong with Colonialism?', *Philosophy and Public Affairs* 41: 158-91. (34pp) [[JSTOR](#)] [[Open access](#)]

Keywords: colonialism, sovereignty, analytic philosophy of law, reciprocity

## Cosmopolitanism

Getachew, Adom. 2019. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press. Chapter 1, 14-36. (23pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Decolonization, self-determination, black anticolonial thought, worldmaking

Muthu, Sankar. 2014. 'Productive Resistance in Kant's Political Thought: Domination, Counter-Domination, and Global Unsocial Sociability.' In *Kant and Colonialism: Historical and Critical Perspectives*, edited by Katrin Flikschuh & Lea Ypi. 68-96. Oxford: Oxford University Press (29pp) [[Publisher](#)]

Keywords: Kant, domination, sociality, resistance, equality, cosmopolitanism

Nussbaum, Martha Craven. 2019. “‘Mutilated and Deformed’: Adam Smith on the Material Basis of Human Capabilities.” In *The Cosmopolitan Tradition: A Noble but Flawed Ideal*. 141-205. Cambridge, MA: Belknap. (65pp) [[Publisher](#)]

(This chapter runs to 65 pages, but pp 141-72 could be assigned as a shorter selection that contains the core of Nussbaum’s reading of Smith’s critique of colonialism.)

Keywords: Adam Smith, self-rule, colonialism, monopoly, domination, capabilities approach, stoicism

Pitts, Jennifer. 2010. ‘Political Theory of Empire and Imperialism.’ *American Review of Political Science* 13: 211-35. (25pp) [[Open access](#)]

Keywords: concept of empire, neo-imperialism, United States, liberalism, history, political theory, survey, cosmopolitanism

Valdez, Inés. 2019. ‘Association, Reciprocity, and Emancipation: A Transnational Account of the Politics of Global Justice.’ In *Empire, Race and Global Justice*, edited by Duncan Bell. 120-44. Cambridge: Cambridge University Press. (25pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, anticolonialism, reciprocity, global justice, liberation

## Crime and Punishment

Lewis, Christopher. 2016. ‘Inequality, Incentives, Criminality, and Blame.’ *Legal Theory* 22: 153-80. (28pp) [[publisher](#)] [[Open access](#)]

Keywords: duty to obey, equality, inequality, criminality

Shelby, Tommie. 2016. *Dark Ghettos: Injustice, Dissent, and Reform*. Cambridge, MA: Belknap. Chapter 7, 203-27. (25pp) [[Publisher](#)]

Keywords: duty to obey, justice, reciprocity, Rawls, oppression, legitimacy, analytic philosophy of law, criminal justice, United States

Reading questions:

- In what circumstances, if any, do unjust or oppressive social arrangements suspend the obligation to obey the law?
- What is the difference between natural duties of justice and civic duties of reciprocity?

Yankah, Ekow N. 2019. ‘Pretext and Justification: Republicanism, Policing, and Race’ *Cardozo Law Review* 40: 1543-1637. (95pp) [[HeinOnline](#)] [[Open access](#)]

(Pages 1546-55 and 1597-1637 to capture the core of Yankah’s philosophical arguments in this article within a reading assignment of ~35 journal pages.)

Keywords: policing, crime, race, racism, republicanism, oppression, civic equality



## Critical Legal Studies

Baxi, Upendra. 2012. 'Postcolonial Legality: A Postscript from India.' *Verfassung und Recht in Übersee* 45(2): 178-94. (17pp) [[JSTOR](#)] [[Open access](#)]

Keywords: colonialism, sovereignty, India, critical legal studies, continental philosophy of law

Fitzpatrick, Peter. 1989. 'The Desperate Vacuum: Imperialism and Law in the Experience of Enlightenment.' *Droit et Societe* 13: 343-66. (14pp) [[HeinOnline](#)]

Keywords: imperialism, colonialism, critical legal studies, Foucault, enlightenment, legal rationality

Hussain, Nasser. 1999. 'Towards a Jurisprudence of Emergency: Colonialism and the Rule of Law.' *Law and Critique* 10: 93-115. (24pp) [[Publisher](#)]

Keywords: Hart, rule of law, Agamben, colonialism, emergency, exception, India, United Kingdom, critical legal studies

Unger, Roberto Mangabeira. (1983) 2015. *The Critical Legal Studies Movement: Another Time, A Greater Task*. London: Verso. Chapter 2, 47-75. (29pp) [[Open access](#)]

Keywords: legal thought, vocation of legal thought, legal reason, adjudication, sovereignty, critical legal studies

Williams, Patricia J. 1987. 'Alchemical Notes: Reconstructing Ideals from Deconstructed Rights.' *Harvard Civil Rights-Civil Liberties Law Review* 22(2): 401-34. (34pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: rights, critical legal studies, oppression, narrative, United States

## Critical Race Theory

Allen, Anita. 2013. 'African-American Philosophers and the Critique of Law.' *The Black Scholar* 43(4): 17-23. (7pp) [[JSTOR](#)]

Keywords: critical race theory, liberalism, William Fontaine, Angela Davis, United States

Bhandar, Brenna. 2014. 'Property, Law, and Race: Modes of Abstraction.' *UC Irvine Law Review* 4(1): 203-18. (16pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: property theory, slavery, critical race theory, slavery, whiteness, United States, Cheryl Harris

Davis, Angela Y. 1991. 'Keynote Address.' Stanford Law Review 43(6): 1175-81.  
(7pp) [[JSTOR](#)]

Keywords: oppression, critical race theory, legal ethics, feminist legal theory, United States

Reading questions:

- What does it mean to think of 'the laws' as 'quite real, quite palpable'? Who is likely to think of the laws in this way? How does thinking of the laws as real and palpable differ from how lawyers and judges usually think about law?

## Culture and Colonialism

Blouin, Andrée, with Jean MacKellar. 1983. 'My Africa, My Josephine.' In My Country, Africa. Autobiography of the Black Pasionaria. 277-86. New York: Praeger. (10pp) [[Open access](#)]

Keywords: Africa, Pan-African culture, gender, hybridisation, national culture, France, Congo

Bhattacharyya, K.C.(1928) 2011. 'Swaraj in Ideas.' In Indian Philosophy in English: From Renaissance to Independence, edited by Nalini Bhushan and Jay L. Garfield. Oxford: Oxford University Press. (11pp) [[Publisher](#)] [[Open access version](#)]

Keywords: swaraj, culture, influence, assimilation, creativity, shadow mind, pedagogy, difference, translation

Burra, Arudra. 2021. 'The Lamps in Our House: Reflections on Postcolonial Pedagogy.' Miami Institute for the Social Sciences Philosophy Forum. (~5pp) [[Open access](#)]

Keywords: pedagogy, Western canon, Gandhi, Tagore, Bhattacharyya, cosmopolitanism

Cabral, Amilcar. (1970) 1973. 'National Liberation and Culture.' In Return to the Source: Selected Speeches by Amilcar Cabral, edited by Africa Information Service. 39-56. New York: Monthly Review Press. (18pp) [[Open access version](#)]

Keywords: colonialism, liberation, national culture, nationalism, development, culture, Marxism, Africa, Guinea-Bissau, Cape Verde, Mozambique

Fanon, Frantz. (1963) 2004. 'On National Culture.' In The Wretched of the Earth, Translated by Richard Philcox. 145-80. New York: Grove. (35pp) [[Blackwell's](#)]

Keywords: sovereignty, colonialism, nationalism, culture, liberation, national culture, Angola, France, Africa,

Reading questions:

- Why does Fanon think that one of the fundamental tasks of African people is the liberation of national territory?

- In what respect is national sovereignty part of a national culture? How, in Fanon's view, does achieving national sovereignty cure defects in the culture of colonised people?

Nardal, Paulette. (1932) 2002. 'The Awakening of Race Consciousness among Black Students.' Translated by T. Denean Sharpley-Whiting and Georges Van Den Abbeele. In *Negritude Women*, by T. Denean Sharpley-Whiting. 119-24. Minneapolis: University of Minnesota Press. (6pp) [[Publisher](#)] [[Blackwell's](#)]

Keywords: race, race consciousness, negritude, Caribbean, France, culture, pan-ethnic culture

Tagore. Rabindranath. 1921. 'Tagore's Reflections on Non-Cooperation and Cooperation.' In *The Mahatma and The Poet: Letters and Debates between Gandhi and Tagore 1915-1941*. Edited by Sabyasachi Bhattacharya. New Delhi: National Book Trust, India. 61-68. (8pp) [[Open access](#)]

Keywords: Western canon, Gandhi, Tagore, satyagraha, cosmopolitanism

## Democracy

Allen, Danielle. 2001. 'Law's Necessary Forcefulness.' *Oklahoma City University Law Review* 26: 857-95. (38pp) [[HeinOnline](#)]

(This essay runs to 38 pages, but would be equivalent to ~25 journal pages of reading if assigned without footnotes.)

Keywords: democracy, law and loss, sacrifice, legitimacy, reciprocity, disagreement, political theory, United States

Reading questions:

- What does it mean, for Allen, to be invisible within the political realm, rather than outside it?
- Is Allen right to think that we need 'a language of sacrifice' in order to understand the rule of law?

Krishnamurthy, Meena. 2015. '(White) Tyranny and the Democratic Value of Distrust.' *The Monist* 98: 391-406. (16pp) [[Publisher](#)] [[Open access](#)]

Keywords: democracy, racism, distrust, Martin Luther King Jr, tyranny, analytic philosophy, United States

Sen, Amartya. 2009. 'The Practice of Democracy.' In *The Idea of Justice*. 338-54. Cambridge, MA: Belknap Press. (17pp) [[Publisher](#)]

Keywords: colonialism, India, famine, public reason, Rawls, democracy, representation, independence

## Duty to Obey the Law

Davis, Angela Y. (1971) 1998. 'Political Prisoners, Prisons, and Black Liberation.' In The Angela Y. Davis Reader, edited by Joy James, 39-52. Malden, MA: Blackwell. (13pp) [[Open access version](#)]

Keywords: oppression, freedom, liberation, duty to obey, justice, United States, punishment, North America

Reading questions:

- Is Davis right that there is a significant moral difference between breaking a law for one's own individual interest and breaking a law in the interest of a people 'whose oppression is expressed either directly or indirectly through that law'?
- For Davis, what is the relationship between law-breaking by political prisoners and justice?
- Is it inconsistent of Davis to object to theories that impose 'a priori culpability' on political prisoners while also advocating the use of extra-legal means, including violence, to bring about justice?

King, Jr., Martin Luther. (1963) 2015. 'Letter from a Birmingham Jail.' In The Radical King, edited by Cornel West, 127-46. Boston: Beacon. (20 pp) [[Open access version](#)]

Keywords: legitimacy, civil disobedience, justice, duty to obey, freedom, timeliness, United States, racism, natural law

Reading questions:

- When, in King's view, should a law be disobeyed?
- How, according to King, can we distinguish just from unjust laws?
- How, in King's view, should unjust laws be obeyed? What conditions must disobedience of an unjust law satisfy in order to be justified? Why does King think that these conditions must be satisfied even in the case of unjust laws, which King has said are not laws at all?
- Why does King say that one who breaks an unjust law must do so 'with a willingness to accept the penalty'?

Shelby, Tommie. 2016. Dark Ghettos: Injustice, Dissent, and Reform. Cambridge, MA: Belknap. Chapter 7, 203-27. (25pp) [[Publisher](#)]

Keywords: duty to obey, justice, reciprocity, Rawls, oppression, legitimacy, analytic philosophy of law, criminal justice, United States

Reading questions:

- In what circumstances, if any, do unjust or oppressive social arrangements suspend the obligation to obey the law?
- What is the difference between natural duties of justice and civic duties of reciprocity?

## Environment and Colonialism

Deloria, Jr., Vine. (1970) 2007. *We Talk, You Listen: New Tribes, New Turf*. Lincoln: Bison Books. Chapters 8 & 11, 138-53 & 181-97. (32pp). [[Blackwell's](#)]

Keywords: sovereignty, settler colonialism, genocide, constitutionalism, international law, environment, United States, North America, indigenous rights

Reading questions:

- Is Deloria right to suggest that respecting the autonomy of indigenous North Americans would require returning a great deal of privately owned land in the United States to its precolonial use as uncultivated forest?

Whyte, Kyle Powys. 2016. 'Indigenous Experience, Environmental Justice, and Settler Colonialism.' In *Nature and Experience: Phenomenology and the Environment*, edited by Bryan E. Bannon. 157-74. London: Rowman & Littlefield. (17pp) [[Open access version](#)]

Keywords: indigenous rights, colonialism, settler colonialism, environmental justice, First Nationals, indigenous experience, sovereignty

## Equality and Discrimination

Darby, Derrick & Nyla R. Branscombe. 2014. 'Beyond the Sins of the Fathers: Responsibility for Inequality.' *Midwest Studies in Philosophy* 38: 121-37. (17pp) [[Publisher](#)]

Keywords: equality, discrimination, guilt, collective responsibility, justice, analytic philosophy of law

Fontaine, William T. 1967. *Reflections on Segregation, Desegregation, Power, and Morals*. Springfield, IL: Charles C. Thomas. Chapter 5, 108-49. (42pp) [[Internet Archive](#)]

Keywords: segregation, discrimination, racism, liberalism, housing, employment, United States

Joseph-Gabriel, Annette K. 2018. 'Gerty Archimède and the Struggle for Decolonial Citizenship in the French Antilles, 1946–51.' In *Black French Women and the Struggle for Equality, 1848-2016*. Edited by Félix Germain and Silyane Larcher. Chapter 6. Lincoln: University of Nebraska Press. (12 pp). [[JSTOR eBook](#)]

Keywords: citizenship, France, Caribbean, Guadeloupe and Martinique, citizenship, departmentalisation, feminism, Gerty Marie Bernadette Archimède, equality, republicanism, resistance

Joseph-Gabriel, Annette K. 2020. Reimagining Liberation: How Black Women Transformed Citizenship in the French Empire. Urbana: University of Illinois Press. Prologue and Introduction, 1-28. (28pp) [[JSTOR eBook](#)] [[Blackwell's](#)]

Keywords: citizenship, equality, France, republicanism, racism, negritude, colonialism

Khaitan, Tarunabh. 2018. 'The Point of Discrimination Law: Securing the Freedom to Flourish.' In The Empire of Disgust: Prejudice, Discrimination, and Policy in India and the US. Edited by Zoya Hasan, Aziz Z. Huq, Martha C. Nussbaum, and Vidhu Verma. 348-68. New Delhi: Oxford University Press. (21pp) [[Publisher](#)] [[Open access version](#)]

Keywords: anti-discrimination law, freedom, flourishing, racism, sexism, sexuality

Lebron, Christopher. 2014. 'Equality from a Human Point of View.' Critical Philosophy of Race 2(2): 125-59. (35pp) [[JSTOR](#)]

Keywords: equality, James Baldwin, Bernard Williams, analytic philosophy, liberalism, egalitarianism, United States, racism

MacKinnon, Catharine A. 2011. 'Substantive Equality: A Perspective.' Minnesota Law Review 96(1): 1-27. (27pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: equality, feminist legal theory, radical feminism, Aristotle, Rousseau, racism, United States, Canada, constitutional theory

Sen, Amartya. 1979. 'Equality of What?' In Liberty, Equality, and Law: Selected Tanner Lectures on Moral Philosophy, edited by John Rawls & Sterling M McMurrin. 197-220. Salt Lake City: University of Utah Press. (24pp) [[Open access](#)]

Keywords: equality, capability approach, capability equality, egalitarianism, utilitarianism, Rawls

Shiffrin, Seana Valentine. 2004. 'Race and Ethnicity, Race, Labor, and the Fair Equality of Opportunity Principle.' Fordham Law Review 72(5): 1643-75. (33pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: constitutional theory, fair value of equal political liberties, Rawls, racism, labour, equality, constitutional essentials, United States

Sivinandan, A. 1981. 'From Resistance to Rebellion: Asian and Afro-Caribbean Struggles in Britain.' Race & Class 23(2/3): 111-52 (42pp) [[Publisher](#)] [[Open access version](#)]

Keywords: racism, colonialism, resistance, United Kingdom, immigration, segregation, authoritarianism, rebellion

Waldron, Jeremy. 2017. "More than Merely Equal Consideration." In *One Another's Equals: The Basis of Human Equality*. 1-40. Cambridge, MA: Harvard University Press. (40pp) [[Publisher](#)]

Keywords: equality, dignity, racism, rank, whiteness, Hastings Rashdall

## Fanon

Bose, Anuja. 2019. 'Frantz Fanon and the Politicization of the Third World as a Collective Subject.' *Interventions* 21(5): 671-89. (19pp) [[Publisher](#)]

Keywords: Fanon, colonialism, decolonisation, national consciousness, sovereignty, self-rule, Pan-Africanism

Dubey, Madhu. 1998. 'The "True Lie" of the Nation: Fanon and Feminism.' *Differences: A Journal of Feminist Cultural Studies* 10(2): 1-29. (29pp) [[Gale](#)]

Keywords: Fanon, feminism, gender, nationalism, colonialism, Algeria

Pallas, Josh. 2016. 'Fanon on Violence and the Person.' *Critical Legal Thinking: Law and the Political*. 20 January.

<https://criticallegalthinking.com/2016/01/20/fanon-on-violence-and-the-person>. (~12pp)

Keywords: Fanon, violence, personhood, decolonisation

Roberts, Neil. 2004. 'Fanon, Sartre, Violence, and Freedom.' *Sartre Studies International* 10(2): 139-60. (22pp) [[JSTOR](#)]

Keywords: Fanon, violence, freedom, revolution, tragedy, colonialism, Walter Benjamin, Sartre, Arendt, masculinism, self-determination

## Freedom

Benson, Jennifer. 2014. 'Freedom as Going Off Script.' *Hypatia* 29(2): 355-70. (16pp) [[Publisher](#)]

Keywords: freedom, feminist philosophy, liberation, existentialism, race, gender

Davis, Angela Y. (1971) 2010. 'Lectures on Liberation.' In *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself: A New Critical Edition*, 41-84. San Francisco: City Lights. (44pp) [[Open access version](#)]

(These lectures are printed in relatively large text on pages smaller than typical journal pages; the pamphlet in which they were originally published runs to 24 pages.)

Keywords: freedom, liberation, oppression, slavery, alienation, United States, Black feminism, Marxism, Frederick Douglass, Hegel

Orosco, José-Antonio M. 2001. 'Martin Luther King, Jr.'s Conception of Freedom and Radical Democracy.' *Journal of Social Philosophy* 32(3): 386-401. (16pp)  
[\[Publisher\]](#) [\[Open access\]](#)

Keywords: Martin Luther King Jr, freedom, negative liberty, positive liberty, democracy, segregation, desegregation

Roberts, Neil. 2015. *Freedom as Marronage*. Chicago: Chicago University Press.  
Introduction, 3-26. (24 pp) [\[Blackwell's\]](#)

Keywords: marronage, freedom, domination, Orlando Patterson, slavery, positive freedom, negative freedom

## Gandhi

Alper, Eugene. 2019. 'Mill Meets Gandhi.' *Philosophy Now*.  
[https://philosophynow.org/issues/133/Mill\\_Meets\\_Gandhi](https://philosophynow.org/issues/133/Mill_Meets_Gandhi). (~7pp)

Keywords: Gandhi, Mill, liberalism, fiction, dialogue, passive resistance

Ambedkar, B.R. (1936) 2013. *Annihilation of Caste*. In *Annihilation of Caste: The Annotated Critical Edition*, ed. S. Anand. London: Verso. (~50pp) [\[Blackwell's\]](#)  
[\[Open access version\]](#)

Keywords: Gandhi, equality, freedom, socialism, self-rule, Gandhi, India, pre-war

Chimni, B.S. 2012. 'The Self, Modern Civilization, and International Law: Learning from Mohandas Karamchand Gandhi's *Hind Swaraj* or Indian Home Rule.' *European Journal of International Law* 23(4): 1159-73. (15pp) [\[Open access\]](#)

Keywords: Gandhi, swaraj, self-rule, India, capitalism, imperialism, modernity, Marx

Dalton, Dennis. 1998. 'Gandhi on Freedom, Rights and Responsibility.' Gandhi Book Centre. <https://www.mkgandhi.org/articles/freedom.htm>. (~17pp)

Keywords: freedom, rights, Gandhi, India, decolonisation

Gandhi, M.K. (1909) 1997. *Indian Home Rule [or Hind Swaraj]*. In *Hind Swaraj and Other Writings*, ed. Anthony J. Parel. Cambridge: Cambridge University Press. Ch. 11, 13-14, 16 -17, pp. 58-61, 66-74 79-99. (34pp) [\[Blackwell's\]](#) [\[Open access version\]](#)

Keywords: lawyers, passive resistance, duty to obey, India, United Kingdom, colonialism, decolonisation, swaraj, national consciousness, civil disobedience, pre-war

Sultan, Nazmul S. 2022. 'Moral Empire and the Global Meaning of Gandhi's Anti-imperialism.' *Review of Politics* 84: 545–569 (25pp) [\[Open Access\]](#)

Keywords: Gandhi, Genealogy, India, United Kingdom, colonialism, morality



# Human Rights

Brinks, Daniel M., Varun Gauri, and Kyle Shen. 'Social Rights Constitutionalism: Negotiating the Tension Between the Universal and the Particular.' *Annual Review of Law and Social Science* 11(1): 289–308. (22pp) [[Publisher](#)]

Keywords: human rights, social rights, vernacularisation, constitutionalism, constitutional theory, postcolonialism

Kapur, Ratna. 2018. *Gender, Alterity, and Human Rights: Freedom in a Fishbowl*. Cheltenham: Edward Elgar. Chapter 1, 27-54. (28pp) [[Blackwell's](#)]

Keywords: human rights, liberalism, freedom, colonialism, imperialism, Michael Ignatieff, Judith Shklar, Upendra Baxi

Langford, Malcolm. 2018. 'Critiques of Human Rights.' *Annual Review of Law and Social Science* 14(1): 69–89. (23pp) [[Publisher](#)]

Keywords: human rights, legitimacy, equality, liberalism, postcolonialism

Merry, Sally Engle. 2006. 'Human Rights and Transnational Culture: Regulating Gender Violence through Global Law.' *Osgoode Hall Law Journal* 44(1): 53-75. (24pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: human rights, globalisation, translation, localisation, legal consciousness, gender violence, Fiji, Oceania, anthropology of law, colonialism

Moyne, Samuel. 2017. 'Human Rights and the Crisis of Liberalism.' In *Human Rights Futures*, edited by Stephen Hopgood, Jack Snyder, and Leslie Vinjamuri. 261-82. Cambridge: Cambridge University Press. (22pp) [[Publisher](#)]

Keywords: human rights, liberalism, colonialism, empire, liberal internationalism

Sen, Amartya. 2004. 'Elements of a Theory of Human Rights.' *Philosophy & Public Affairs* 32(4): 315-56. (42pp) [[JSTOR](#)] [[Open access](#)]

Keywords: human rights, rights, analytic philosophy of law, law, universality, social rights

Spivak, Gayatri Chakravorty. 2004. 'Righting Wrongs.' *South Atlantic Quarterly* 103(2/3): 523-81. (59pp) [[Publisher](#)] [[Open access](#)]

(This article contains extensive endnotes; if assigned without the notes, the reading would amount to 42 pages.)

Keywords: human rights, colonialism, postcolonialism, education, caste, obedience, Eurocentrism, diaspora, restitution, India, Bengal

## International Law and Colonialism

Anghie, Antony. 2016. 'Imperialism and International Legal Theory.' In *The Oxford Handbook of the Theory of International Law*, edited by Anne Orford and Florian Hoffmann. 156-72. Oxford: Oxford University Press. (17pp) [[Publisher](#)]

Keywords: imperialism, international law, colonialism

Fitzmaurice, Andrew. 2012. 'Liberalism and Empire in Nineteenth-Century International Law.' *American Historical Review* 117(1): 122-40 (19pp) [[Open access](#)]

Keywords: colonialism, imperialism, liberalism, international law, sovereignty, legal history

Fraser, Nancy. 2009. 'Reframing Justice in a Globalizing World.' In *Scales of Justice: Reimagining Political Space in a Globalizing World*. 12-29. New York: Columbia University Press. (18pp) [[Publisher](#)]

Keywords: cosmopolitanism, globalisation, borders, justice, distribution, representation, Westphalian system, territorial state

Gathii, James Thuo. 2007. 'Imperialism, Colonialism, and International Law.' *Buffalo Law Review* 54(4): 1013-66. (54pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 54 pages, but would be equivalent to ~30 journal pages of reading if assigned without footnotes; it is written for a generalist law review and, in most places, is less dense than a philosophy article.)

Keywords: colonialism, international law, imperialism, international law, sovereignty, legal history, Third World Approaches to International Law, Kenya, Africa, United Kingdom

Reading questions:

1. How does colonialism differ from imperialism for Gathii?
2. According to Gathii, how did international law contribute to the growth of capitalism in East Africa and the creation of modern African states?

Knox, Robert. 2020. 'Haiti at the League of Nations: Racialisation, Accumulation, and Representation.' *Melbourne Journal of International Law* 21(2): 1-30 (30pp) [[Open access](#)]

Keywords: international law, League of Nations, Haiti, marxism, accumulation

Jouannet, Emmanuelle. 2007. 'Universalism and Imperialism: The True-False Paradox of International Law?' *European Journal of International Law* 18(3): 379-407 (29pp) [[Open access](#)]

Keywords: imperialism, colonialism, international law, legal history, Europe

Oszü, Umut. 2024. *Completing Humanity: The International Law of Decolonization, 1960-82*. Cambridge: Cambridge University Press. Introduction, 1-35. (35pp). [\[Publisher\]](#)

Keywords: international law, decolonisation, lawyers, statehood, debt, capitalism, markets

Rajagopal, Balakrishnan. 2006. 'Counter-hegemonic International Law: Rethinking Human Rights and Development as a Third World Strategy.' *Third World Quarterly* 27(5): 767-83. (17pp) [\[JSTOR\]](#) [\[Open access\]](#)

Keywords: international law, human rights, Third World Approaches to International Law, hegemony, neocolonialism, decolonisation, development, Third World

## Intersectionality

Combahee River Collective. (1977) 2000. 'The Combahee River Collective Statement.' In *Home Girls: A Black Feminist Anthology*, edited by Barbara Smith. 264-74. New Brunswick: Rutgers University Press. (11pp) [\[Open access version\]](#)

Keywords: equality, intersectionality, coalitions, Black feminism, feminist theory, United States

Crenshaw, Kimberle. 1989. 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.' *University of Chicago Legal Forum* 1989: 139-67. (29pp) [\[HeinOnline\]](#) [\[Open access\]](#)

Keywords: intersectionality, anti-discrimination, equality, critical race theory, feminist legal theory, United States

Crenshaw, Kimberle. 1991. 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color.' *Stanford Law Review* 43(6): 1241-99. (59pp) [\[JSTOR\]](#) [\[Abridged open access version\]](#)

(This article runs to 59 pages, but would be equivalent to ~40 journal pages of reading if assigned without footnotes. One could assign pages 1241-65 and 1296-99 for a more manageable reading assignment that would include the core of Crenshaw's theory of intersectionality. Many abridgements of this famous article are available.)

Keywords: equality, intersectionality, identity, domination, critical race theory, feminist legal theory, racism, difference, United States

Harris, Angela P. 1990. 'Race and Essentialism in Feminist Legal Theory.' *Stanford Law Review* 42: 581-616. (36pp) [\[JSTOR\]](#) [\[Open access\]](#)

(This essay runs to 36 pages, but would be equivalent to ~20 to 25 journal pages of reading if assigned without footnotes.)

Keywords: multiple consciousness, feminist legal theory, Black feminism essentialism, justice, liberation, narrative, critical race theory, United States

Reading questions:

- What does it mean to have 'multiple consciousness'? Is Harris right that the theory of multiple consciousness provides a fruitful theory for law and jurisprudence to address oppression?
- Should victims of oppression or serious injustice care about law? If they should care, how should they conceive of law?

James, Selma. (1974) 2012. 'Sex, Race and Class.' In *Sex, Race and Class—The Perspective of Winning: A Selection of Writings, 1952–2011*. 92-101. Oakland: PM Press. (10 pp.) [[Blackwell's](#)] [[Open access version](#)]

Keywords: intersectionality, caste, sex, race, feminist theory. Marxism, liberation, vanguardism

Joseph-Gabriel, Annette K. 2018. 'Gerty Archimède and the Struggle for Decolonial Citizenship in the French Antilles, 1946–51.' In *Black French Women and the Struggle for Equality, 1848-2016*. Edited by Félix Germain and Silyane Larcher. Chapter 6. Lincoln: University of Nebraska Press. (12 pp). [[JSTOR eBook](#)]

Keywords: citizenship, France, Caribbean, Guadeloupe and Martinique, citizenship, departmentalisation, feminism, Gerty Marie Bernadette Archimède, equality, republicanism, resistance

Threadcraft, Shatema. 2014. 'Intimate Injustice, Political Obligation, and the Dark Ghetto.' *Signs: Journal of Women in Culture and Society* 39(3): 735-60. (26pp) [[Open access](#)]

Keywords: ghettos, Tommie Shelby, intimate justice, Black feminism, race, gender, United States

## Justice and Law

Harris, Angela P. 1990. 'Race and Essentialism in Feminist Legal Theory.' *Stanford Law Review* 42: 581-616. (36pp) [[JSTOR](#)] [[Open access](#)]

(This essay runs to 36 pages, but would be equivalent to ~20 to 25 journal pages of reading if assigned without footnotes.)

Keywords: multiple consciousness, feminist legal theory, Black feminism essentialism, justice, liberation, narrative, critical race theory, United States

Reading questions:

- What does it mean to have 'multiple consciousness'? Is Harris right that the theory of multiple consciousness provides a fruitful theory for law and jurisprudence to address oppression?

- Should victims of oppression or serious injustice care about law? If they should care, how should they conceive of law?

Matsuda, Mari. 1987. 'Looking to the Bottom: Critical Legal Studies and Reparations.' *Harvard Civil Rights-Civil Liberties Law Review* 22: 323-99. (77pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 77 pages, but would be equivalent to ~50 journal pages of reading if assigned without footnotes. It would be possible to assign pp 323-62 and 389-99 for a more manageable reading assignment, leaving out the discussion of reparations and tort doctrine. Note that this article assumes some familiarity with the critical legal studies movement, and may be difficult for students who have not previously been introduced to CLS.)

Keywords: multiple consciousness, equality, liberation, justice, oppression, critical legal studies, reparations, United States, Hawaii, internment, settler colonialism

Reading questions:

- What would 'looking to the bottom' do for critical legal studies and how would it change how we think about law?
- In what way does 'looking to the bottom' lend support to legal doctrines that support the award of reparations for wrongs that took place decades or centuries ago?

Matsuda, Mari. 1989. 'When the First Quail Calls: Multiple Consciousness as Jurisprudential Method.' *Women's Rights Law Reporter* 11(1): 7-10. (4pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: oppression, liberation, multiple consciousness, justice, equality

Reading questions:

- What does it mean, according to Matsuda, to have 'multiple consciousness' of law?
- What is the role of legal abstraction in promoting justice? And what is the role of what Matsuda calls 'special knowledge'?

## Legal Education

Adebisi, Foluke Ifejola and Katie Bales. 2022. 'Reinventing Possibility: A Reflection on Law, Race and Decolonial Discourse in Legal Education.' In *What is Legal Education For? Re-Assessing the Purposes of Early Twenty-First Century Learning and Law Schools*. Edited by Rachel Ann Dunn, Paul Maharg and Victoria Roper. Princeton: Princeton University Press. 85-110. London: Routledge. (26pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Legal education, racism, hierarchy, equality

Dhanda, Amita. 2009. 'The Power of One: The Law Teacher in the Academy.' In *Decolonisation of Legal Knowledge*, edited by Amita Dhanda & Archana Parashar. 261-81. New Delhi: Routledge. (22pp) [[Publisher](#)] [[Open access](#)]

Keywords: legal education, pedagogy, colonialism, decolonisation, critical legal studies, hierarchy

# Migration

Abizadeh, Arash. 2008. 'Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders.' *Political Theory* 36(1): 37–65. (29pp) [[JSTOR](#)]

Keywords: migration, borders, popular sovereignty, sovereignty, democracy

Achiume, E. Tendayi. 2019. 'Migration as Decolonization.' *Stanford Law Review* 71: 1509-74. (66pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 66 pages, but would be equivalent to ~30 to 35 journal pages of reading if assigned without footnotes; it is written for a generalist law review and, in most places, is less dense than a philosophy article. The author is a scholar of international human rights law, but the article does not, for the most part, get into the weeds of doctrine.)

Keywords: international law, migration, sovereignty, reciprocity, colonialism, decolonisation, self-determination, Third World Approaches to International Law, United Kingdom

Reading questions:

- What is sovereignty? Do we have reason to value it?
- What is required, according to Achiume, for migration to qualify as 'decolonial'?
- What limits, if any, does political morality provide to states' rights to determine who their members are and who may cross their borders?

Finlayson, Lorna. 2020. 'If This Isn't Racism, What Is? The Politics of the Philosophy of Immigration.' *Aristotelian Society Supplementary Volume* 94: 115-39. (25pp) [[Publisher](#)]

Keywords: racism, colonialism, neocolonialism, decolonisation, immigration, methodology, decolonising philosophy, Alison Jaggar

Jaggar, Alison M. 2020. 'Decolonizing Anglo-American Political Philosophy: The Case of Migration Justice.' *Aristotelian Society Supplementary Volume* 94: 87-113. (27pp) [[Publisher](#)]

Keywords: migration, colonialism, decolonisation, decolonising philosophy, methodology, racism, neocolonialism

Thomas, Chantal. 2016. 'Transnational Migration, Globalization, and Governance: Theorizing a Crisis.' In *The Oxford Handbook of the Theory of International Law*, edited by Anne Orford and Florian Hoffmann. 882-920. Oxford: Oxford University Press. (38pp) [[Publisher](#)]

(This chapter is extensively footnoted and runs to around 30 pages in reading if assigned without footnotes.)

Keywords: migration, neocolonialism, international law, Central America, sovereignty, political economy

# Négritude

Blouin, Andrée, with Jean MacKellar. 1983. 'My Africa, My Josephine.' In *My Country, Africa. Autobiography of the Black Pasionaria*. 277-86. New York: Praeger. (10pp) [[Open access](#)]

Keywords: Africa, Pan-African culture, gender, hybridisation, national culture, France, Congo

Césaire, Aimé. (1955) 2000. 'Discourse on Colonialism.' In *Discourse on Colonialism*, translated by Joan Pinkham. 31-78. New York: Monthly Review Press. (48pp) [[Publisher](#)]

(This essay runs to 48 pages in this edition, although it is printed with large page breaks between the sections, so it is probably closer to ~40 journal pages in length.)

Keywords: colonialism, domination, exploitation, oppression, Caribbean, negritude

Césaire, Suzanne. (1945) 1996. 'The Great Camouflage.' In *Refusal of the Shadow: Surrealism and the Caribbean*. Edited by Michael Richardson. Translated by Krzysztof Fijalkowski and Michael Richardson. London: Verso. (~10pp) [[Publisher](#)] [[Open access version](#)]

Keywords: surrealism, Caribbean, colonialism, France, Martinique, negritude

Fanon, Frantz. (1963) 2004. 'On National Culture.' In *The Wretched of the Earth*, Translated by Richard Philcox. 145-80. New York: Grove. (35pp) [[Blackwell's](#)]

Keywords: sovereignty, colonialism, nationalism, culture, liberation, national culture, Angola, France, Africa,

Reading questions:

- Why does Fanon think that one of the fundamental tasks of African people is the liberation of national territory?
- In what respect is national sovereignty part of a national culture? How, in Fanon's view, does achieving national sovereignty cure defects in the culture of colonised people?

James, C.L.R. (1962) 1989. 'From Toussaint L'Ouverture to Fidel Castro.' In *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*. 291-418. Second Edition. New York: Vintage. (28pp) [[Open access](#)]

Keywords: Caribbean, revolution, colonialism, decolonisation, history, Marxism, Negritude, Nkrumah.



Nardal, Paulette. (1932) 2002. 'The Awakening of Race Consciousness among Black Students.' Translated by T. Denean Sharpley-Whiting and Georges Van Den Abbeele. In *Negritude Women*, by T. Denean Sharpley-Whiting. 119-24. Minneapolis: University of Minnesota Press. (6pp) [[Publisher](#)] [[Blackwell's](#)]

Keywords: race, race consciousness, negritude, Caribbean, France, culture, pan-ethnic culture

## Neo-colonialism

Grewal, David Singh. 2018. 'Three Theses on the Current Crisis of International Liberalism.' *Indiana Journal of Global Legal Studies* 25(2): 595-621. (25pp) [[JSTOR](#)] [[Open access](#)]

Keywords: liberalism, international law, neoliberalism, globalisation, neocolonialism, political economy, economic crisis, popular sovereignty

Khaitan, Tarunabh. 2019. 'Political Insurance for the (Relative) Poor: How Liberal Constitutionalism Could Resist Plutocracy.' *Global Constitutionalism* 8(3): 536-70. (35pp) [[Open Access](#)]

Keywords: constitutional theory, fair value of equal political liberties, plutocracy, India, Australia, comparative law, Rawls, democracy, equality, liberalism

## Oppression and Epistemology

Alcoff, Linda Martín. 'Sotomayor's Reasoning.' *Southern Journal of Philosophy*. 48(1): 122-38. (17pp) [[Publisher](#)]

Keywords: public reason, identity, United States, empathy, relevance, democracy, legal reasoning

Fricker, Miranda. 2013. 'Epistemic Justice as a Condition of Political Freedom?' *Synthese* 190(7): 1317-32. (16pp) [[JSTOR](#)]

Keywords: epistemic justice, freedom, analytic philosophy, epistemology, non-domination, liberalism, republicanism

Mills, Charles W. 2015. 'Decolonizing Western Political Philosophy.' *New Political Science* 37(1): 1-24. (24pp) [[Publisher](#)]

Keywords: methodology, duty to obey, global justice, Rawls, liberalism, colonialism, neocolonialism, decolonisation, decolonising philosophy, epistemic injustice

Taylor, Charles. 1984. 'Foucault on Freedom and Truth.' *Political Theory* 12(2): 152-83. (32pp) [[JSTOR](#)]

Keywords: truth, freedom, Foucault, power, domination, modernity



## Post-colonial Theory

Gandhi, Leela. (1998) 2019. *Postcolonial Theory: A Critical Introduction*. Second Edition. New York: Columbia University Press. Chapter 1, 1-22. (22pp). [\[Blackwell's\]](#)

Keywords: postcolonialism, colonialism, Gayatri Spivak, independence

Gilroy, Paul. 2008. 'Multiculturalism and Post-colonial Theory.' In *The Oxford Handbook of Political Theory*, edited by John S. Dryzek, Bonnie Honig, and Anne Phillips. 656-74. Oxford: Oxford University Press. (19pp) [\[Publisher\]](#)

Keywords: colonialism, postcolonialism, multiculturalism, sovereignty, legitimacy, race, reparations, Europe

Quijano, Anibal. 2000. 'Coloniality of Power, Eurocentrism, and Latin America.' *Nepantla: Views from the South* 1(3): 533-80. (48pp) [\[Publisher\]](#) [\[Open access\]](#)

(If assigned without the endnotes, this article only runs to 41 pages.)

Keywords: colonialism, Eurocentrism, nation state, Latin America, South America, colonial state, postcolonial state, Europe

Roy, Alpana. 2008. 'Postcolonial Theory and Law: A Critical Introduction.' *Adelaide Law Review* 29: 315-57. (43pp) [\[HeinOnline\]](#) [\[Open access\]](#)

(This article has relatively extensive footnotes and, if assigned without the footnotes, would amount to around 30-35 journal pages of reading.)

Keywords: postcolonial theory, colonialism, postcolonialism, Australia, Aboriginal Customary Laws

Wynter, Sylvia. 1995. '1492: A New World View.' In *Race, Discourse, and the Origins of the Americas: A New World View*, edited by Vera Lawrence Hyatt & Rex Nettleford. 5-57. Washington: Smithsonian Institute Press. (53pp) [\[Open access\]](#)

(If assigned without endnotes, this article would amount to 45 pages of reading.)

Keywords: colonialism, sociogeny, perspective, Fanon, humanism, genocide, Americas, Caribbean

## Race and Racism

Adebisi, Foluke Ifejola and Katie Bales. 2022. 'Reinventing Possibility: A Reflection on Law, Race and Decolonial Discourse in Legal Education.' In *What is Legal Education For? Re-Assessing the Purposes of Early Twenty-First Century Learning and Law Schools*. Edited by Rachel Ann Dunn, Paul Maharg and Victoria Roper. Princeton: Princeton University Press. 85-110. London: Routledge. (26pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Legal education, racism, hierarchy, equality

Getachew, Adom. 2019. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press. Chapter 1, 14-36. (23pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Decolonization, self-determination, black anticolonial thought, worldmaking

Harris, Cheryl I. 1993. 'Whiteness As Property.' *Harvard Law Review* 106(8): 1707-91. (85pp) [[JSTOR](#)]

(This essay runs to 85 pages, but would be equivalent to ~60-65 journal pages of reading if assigned without footnotes. The core theoretical statement of the article might be communicated by assigning pp. 1709-45, which would be equivalent to ~30 journal pages of reading without the footnotes.)

Keywords: whiteness, racism, slavery, property, United States, critical race theory

Joseph-Gabriel, Annette K. 2018. 'Gerty Archimède and the Struggle for Decolonial Citizenship in the French Antilles, 1946–51.' In *Black French Women and the Struggle for Equality, 1848-2016*. Edited by Félix Germain and Silyane Larcher. 89-106. Lincoln: University of Nebraska Press. (18pp) [[JSTOR](#) [eBook](#)] [[Blackwell's](#)]

Keywords: citizenship, equality, Caribbean, France, republicanism, resistance

Mills, Charles W. 2013. 'Retrieving Rawls for Racial Justice?: A Critique of Tommie Shelby.' *Critical Philosophy of Race* 1(1): 1-27. (27pp) [[JSTOR](#)]

Keywords: Rawls, liberalism, racism, Tommie Shelby, racial justice, analytic philosophy

Rana, Aziz. 2016. 'Race and the American Creed.' n+1. Winter. (~15pp) [[Publisher](#)]

Keywords: Martin Luther King Jr, Frederick Douglass, racism, equality, integration, United States

Waldron, Jeremy. 2017. "More than Merely Equal Consideration." In *One Another's Equals: The Basis of Human Equality*. 1-40. Cambridge, MA: Harvard University Press. (40pp) [[Publisher](#)]

Keywords: equality, dignity, racism, rank, whiteness, Hastings Rashdall

## Reparations

Butt, Daniel. 2012. 'Repairing Historical Wrongs and the End of Empire.' *Social & Legal Studies* 21(2): 227-42. (16pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, reparations, empire, imperialism, global justice

Matsuda, Mari. 1987. 'Looking to the Bottom: Critical Legal Studies and Reparations.' *Harvard Civil Rights-Civil Liberties Law Review* 22: 323-99. (77pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 77 pages, but would be equivalent to ~50 journal pages of reading if assigned without footnotes. It would be possible to assign pp 323-62 and 389-99 for a more manageable reading assignment, leaving out the discussion of reparations and tort doctrine. Note that this article assumes some familiarity with the critical legal studies movement, and may be difficult for students who have not previously been introduced to CLS.)

Keywords: multiple consciousness, equality, liberation, justice, oppression, critical legal studies, reparations, United States, Hawaii, internment, settler colonialism

Reading questions:

- What would 'looking to the bottom' do for critical legal studies and how would it change how we think about law?
- In what way does 'looking to the bottom' lend support to legal doctrines that support the award of reparations for wrongs that took place decades or centuries ago?

Miller, Zinaida. 2008. 'Effects of Invisibility: In Search of the 'Economic' in Transitional Justice.' *The International Journal of Transitional Justice*. 2: 266-91. (26pp) [[Publisher](#)]

Keywords: colonialism, reparations, decolonisation, transitional justice, economic justice, economic rights

Tan, Kok-Chor. 2006. 'Colonialism and Reparations.' In *Moral Issues in Global Perspective*, edited by Christine M. Koggel. Volume I: Moral and Political Theory. Second Edition. 265-73. Peterborough, ON: Broadview. (9pp) [[Amazon.co.uk](#)]

(A longer and more recent version of this piece is published in *Reparations: Interdisciplinary Inquiries*, edited by Jon Miller and Rahul Kumar, 280–306 (Oxford: Oxford University Press, 2007) [[Blackwell's](#)]. The volume in which the longer version is published is, unfortunately, prohibitively expensive, and no open access version is presently available.)

Keywords: colonialism, global justice, reparations

## Republicanism and Self-rule

Boxill, Bernard. 2009. 'The Right to Independence.' *Southern Journal of Philosophy* 47: 137-56. (20pp) [[Publisher](#)]

Keywords: independence, freedom, self-rule, dependence, Thomas Jefferson, Du Bois, Pettit, republicanism

Fricker, Miranda. 2013. 'Epistemic Justice as a Condition of Political Freedom?' *Synthese* 190(7): 1317-32. (16pp) [[JSTOR](#)]

Keywords: epistemic justice, freedom, analytic philosophy, epistemology, non-domination, liberalism, republicanism

## Resistance to Oppression

Davis, Angela Y. (1971) 2010. 'Lectures on Liberation.' In *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself: A New Critical Edition*, 41-84. San Francisco: City Lights. (44pp) [[Open access version](#)]

(These lectures are printed in relatively large text on pages smaller than typical journal pages; the pamphlet in which they were originally published runs to 24 pages.)

Keywords: freedom, liberation, oppression, slavery, alienation, United States, Black feminism, Marxism, Frederick Douglass, Hegel

Delmas, Candace. 2018. 'In Defense of Uncivil Disobedience.' In *A Duty to Resist: When Disobedience Should Be Uncivil*. 47-71. Oxford: Oxford University Press. (25pp) [[Publisher](#)]

Keywords: civil disobedience, uncivil disobedience, duty to obey, oppression, civility, analytic philosophy of law

Fanon, Frantz. (1963) 2004. 'On Violence.' In *The Wretched of the Earth*, Translated by Richard Philcox. 1-62. New York: Grove. (62pp) [[Blackwell's](#)]

Keywords: colonialism, violence, revolution, sovereignty, oppression, liberation, Angola, France, Africa, Césaire

Freedom Manifesto: A Draft Manifesto to Rebuild the Black Liberation Movement. 2016. <http://www.alkalimat.org/450%20freedom%20manifesto.pdf>. (36pp) (No author)

Keywords: Black Lives Matter, Black Power, colonialism, decolonisation, capitalism

Renault, Matthieu. 2016. 'Decolonizing revolution with C.L.R. James or, What is to be done with Eurocentrism?' *Radical Philosophy* 199: 35-45. (11pp) [[Open access](#)]

Keywords: CLR James, revolution, decolonisation, colonialism, eurocentrism

Terry, Brandon M. 2018. 'Requiem for a Dream: The Problem Space of Black Power.' In *To Shape a New World: Essays on the Political Philosophy of Martin Luther King, Jr.*, edited by Tommie Shelby and Brandon M. Terry. 290-324. Cambridge, MA: Harvard University Press. (34pp) [[Publisher](#)]

Keywords: civil disobedience, justice, freedom, oppression, self-defense, political theory, United States, Black Power

X, Malcolm. (1965) 1973. *The Autobiography of Malcolm X*. With Alex Haley New York: Ballantine. Chapter 19, 364-82. (19pp) [[Blackwell's](#)]

Keywords: self-defense, revolution, duty to obey, nationalism, United States, Black Power

## Rule of Law and Colonialism

Hussain, Nasser. 1999. 'Towards a Jurisprudence of Emergency: Colonialism and the Rule of Law.' *Law and Critique* 10: 93-115. (24pp) [[Publisher](#)]

Keywords: Hart, rule of law, Agamben, colonialism, emergency, exception, India, United Kingdom, critical legal studies

Mattei, Ugo & Laura Nader. 2008. *Plunder: When the Rule of Law Is Illegal*. Malden, MA: Blackwell. Introduction & Chapter 1, 1-34. (34pp) [[Blackwell's](#)]

Keywords: colonialism, imperialism, rule of law, concept of law, Europe, property, legal history, multiple consciousness

McBride, Keally. 2016. 'Colonialism and the Rule of Law.' In *Mr. Mothercountry: The Man Who Made the Rule of Law*. 10-33. Oxford: Oxford University Press. (24pp) [[Publisher](#)]

Keywords: colonialism, rule of law, concept of law, legal history, empire, India, United Kingdom, James Stephen

Ruskola, Teemu. 2002. 'Legal Orientalism.' *Michigan Law Review* 101(1): 179-234. (56pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: orientalism, comparative law, rule of law, concept of law, Foucault, China, Asia

# Settler Colonialism

Barker, Joanne. 2015. 'Self-Determination.' *Critical Ethnic Studies* 1(1): 11-26.(16pp)  
[\[Open access\]](#)

Keywords: indigenous rights, self-determination, international law, sovereignty, settler colonialism, colonialism, United States

Couldthard, Glenn S. 2007. 'Subjects of Empire: Indigenous Peoples and the  
'Politics of Recognition' in Canada.' *Contemporary Political Theory* 6: 437-60.  
(24pp) [\[Publisher\]](#) [\[Open access\]](#)

Keywords: indigenous rights, settler colonialism, imperialism, colonialism, self-determination, Fanon, Hegel.

Deloria, Jr., Vine. (1970) 2007. *We Talk, You Listen: New Tribes, New Turf*. Lincoln:  
Bison Books. Chapters 8 & 11, 138-53 & 181-97. (32pp). [\[Blackwell's\]](#)

Keywords: sovereignty, settler colonialism, genocide, constitutionalism, international law, environment, United States, North America, indigenous rights

Reading questions:

- Is Deloria right to suggest that respecting the autonomy of indigenous North Americans would require returning a great deal of privately owned land in the United States to its precolonial use as uncultivated forest?

Evans, Julie. 2009. 'Where Lawlessness is Law: The Settler-Colonial Frontier as a  
Legal Space of Violence.' *Australian Feminist Law Journal* 30(1): 3-22. (20pp)  
[\[Publisher\]](#) [\[Open access version\]](#)

Keywords: colonialism, international law, settler-colonialism, sovereignty, Australia

Iverson, Duncan. 2003. 'The Logic of Aboriginal Rights.' *Ethnicities* 3(3): 321-44.  
(24pp) [\[Publisher\]](#)

Keywords: indigenous rights, rights, group rights, group agency, equality, freedom, analytic philosophy of law, settler colonialism

Pateman, Carole. 2007. 'The Settler Contract.' In *Contract and Domination*, edited by  
Carole Pateman & Charles W. Mills. 35-78. Cambridge: Polity Press. (44pp)  
[\[Blackwell's\]](#)

Keywords: settler colonialism, social contract, colonialism, genocide, domination

Said, Edward. 1984. 'Permission to Narrate.' *Journal of Palestine Studies* 13(3):  
27-48. (22pp) [\[JSTOR\]](#)

Keywords: Palestine, Israel, international law, settler colonialism, narrative, national consciousness, human rights

Temin, David Myer. 2018. 'Custer's Sins: Vine Deloria Jr. and the Settler-Colonial Politics of Civic Inclusion.' *Political Theory* 46(3): 357-79. (23pp) [[Publisher](#)] [[Open access](#)]

Keywords: settler colonialism, inclusion, Vine Deloria Jr, colonialism, indigenous rights, North America, United States

## Sex, Gender, and Colonialism

James, Selma. (1974) 2012. 'Sex, Race and Class.' In *Sex, Race and Class—The Perspective of Winning: A Selection of Writings, 1952–2011*. 92-101. Oakland: PM Press. (10 pp.) [[Blackwell's](#)] [[Open access version](#)]

Keywords: intersectionality, caste, sex, race, feminist theory. Marxism, liberation, vanguardism

Kapur, Ratna. 2018. *Gender, Alterity, and Human Rights: Freedom in a Fishbowl*. Cheltenham: Edward Elgar. Chapter 1, 27-54. (28pp) [[Blackwell's](#)]

Keywords: human rights, liberalism, freedom, colonialism, imperialism, Michael Ignatieff, Judith Shklar, Upendra Baxi

Lugones, María. 2007. 'Heterosexualism and the Colonial/Modern Gender System.' *Hypatia* 22(1): 186-209 (24pp) [[Publisher](#)]

Keywords: heterosexualism, colonialism, Anibal Quijano, power, racism, gender, capitalism, feminist theory

Lugones, María. 2010. 'Toward a Decolonial Feminism.' *Hypatia* 25(4): 742-59 (18pp) [[Publisher](#)]

Keywords: heterosexualism, colonialism, decolonisation, intersectionality, gender, capitalism, feminist theory

## Slavery

Davis, Angela Y. (1971) 2010. 'Lectures on Liberation.' In *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself: A New Critical Edition*, 41-84. San Francisco: City Lights. (44pp) [[Open access version](#)]

(These lectures are printed in relatively large text on pages smaller than typical journal pages; the pamphlet in which they were originally published runs to 24 pages.)

Keywords: freedom, liberation, oppression, slavery, alienation, United States, Black feminism, Marxism, Frederick Douglass, Hegel

Getachew, Adom. 2016. 'Universalism after the Post-Colonial Turn: Interpreting the Haitian Revolution.' *Political Theory* 44(6): 821–845. (25pp) [[Publisher](#)]

Keywords: universalism, anti-colonialism, sovereignty, Haitian revolution

Hare, R.M. 1979. 'What is Wrong with Slavery?' *Philosophy and Public Affairs* 8(2): 103-21 (19pp) [[JSTOR](#)]

Keywords: slavery, freedom, rights, utilitarianism

Patterson, Orlando. 2008. 'Freedom, Slavery, and the Modern Construction of Rights.' In *The Cultural Values of Europe*, edited by Hans Joas & Klaus Wiegandt. 115-51. Liverpool: Liverpool University Press. (37pp) [[Publisher](#)] [[Open access](#)]

Keywords: freedom, slavery, history, rights, republicanism, United States, United Kingdom

Roberts, Neil. 2015. *Freedom as Marronage*. Chicago: Chicago University Press. Introduction, 3-26. (24 pp) [[Blackwell's](#)]

Keywords: marronage, freedom, domination, Orlando Patterson, slavery, positive freedom, negative freedom

Williams, Patricia J. 1988. 'On Being the Object of Property.' *Signs: A Journal of Women in Culture and Society* 14(1): 5-24. (20pp) [[JSTOR](#)]

Keywords: property, slavery, narrative, oppression, critical race theory, multiple consciousness, United States

Reading questions:

- What is the significance to Williams's understanding of the nature of law of Williams's mother telling her, just before her first day of classes in law school, that 'The Millers were lawyers, so you have it in your blood'?

## Sovereignty

Barker, Joanne. 2005. 'For Whom Sovereignty Matters.' In *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, edited by Joanne Barker. 1-31. Lincoln: University of Nebraska Press. (31pp) [[Open access](#)]

Keywords: indigenous rights, sovereignty, self-determination, settler colonialism, colonialism, North America, United States

Getachew, Adom. 2016. 'Universalism after the Post-Colonial Turn: Interpreting the Haitian Revolution.' *Political Theory* 44(6): 821–845. (25pp) [[Publisher](#)]

Keywords: universalism, anti-colonialism, sovereignty, Haitian revolution

Getachew, Adom. 2019. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press. Chapter 1, 14-36. (23pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Decolonization, self-determination, black anticolonial thought, worldmaking



Mazrui, Ali A. 1963. 'Consent, Colonialism, and Sovereignty.' *Political Studies* 11(1): 36-55. (20pp) [[Publisher](#)]

Keywords: sovereignty, international law, aggression, colonialism, Nkrumah, India, Africa, Europe, consent, democracy, nationalism, racial sovereignty

Reading questions:

- What does it mean for a nation to have sovereignty and in what sense is there an element of circularity in the notion of sovereignty in international law?
- In what sense does colonialism constitute illegal 'permanent aggression'? What is the relationship between race, sovereignty, and aggression for Mazrui?

Simpson, Audra. 2014. *Mohawk Interruptus: Political Life Across the Borders of Settler States*. Durham: Duke University Press. Chapter 5, 116-46. (31pp) [[Blackwell's](#)]

Keywords: sovereignty, indigenous rights, borders, sovereignty, United States, Canada, Quebec, narrative

## Swaraj and Self-rule

Ambedkar, B.R. (1936) 2013. *Annihilation of Caste*. In *Annihilation of Caste: The Annotated Critical Edition*, ed. S. Anand. London: Verso. (~50pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: Gandhi, equality, freedom, socialism, self-rule, Gandhi, India, pre-war

Bhattacharyya, K.C. (1928) 2011. 'Swaraj in Ideas.' In *Indian Philosophy in English: From Renaissance to Independence*, edited by Nalini Bhushan and Jay L. Garfield. Oxford: Oxford University Press. (11pp) [[Publisher](#)] [[Open access version](#)]

Keywords: swaraj, culture, influence, assimilation, creativity, shadow mind, pedagogy, difference, translation

Brown, C. Mackenzie. 1984. 'Svarāj, the Indian Ideal of Freedom: A Political or Religious Concept?' *Religious Studies* 20(3): 429–41. (13pp) [[JSTOR](#)]

Keywords: freedom, swaraj, India, Hinduism

Cabral, Amílcar. (1970) 1973. 'National Liberation and Culture.' In *Return to the Source: Selected Speeches by Amílcar Cabral*, edited by Africa Information Service. 39-56. New York: Monthly Review Press. (18pp) [[Open access version](#)]

Keywords: colonialism, liberation, national culture, nationalism, development, culture, Marxism, Africa, Guinea-Bissau, Cape Verde, Mozambique

Fanon, Frantz. (1963) 2004. 'On National Culture.' In *The Wretched of the Earth*, Translated by Richard Philcox. 145-80. New York: Grove. (35pp) [[Blackwell's](#)]

Keywords: sovereignty, colonialism, nationalism, culture, liberation, national culture, Angola, France, Africa,

Reading questions:

- Why does Fanon think that one of the fundamental tasks of African people is the liberation of national territory?
- In what respect is national sovereignty part of a national culture? How, in Fanon's view, does achieving national sovereignty cure defects in the culture of colonised people?

Fraser, Nancy. 2009. 'Reframing Justice in a Globalizing World.' In *Scales of Justice: Reimagining Political Space in a Globalizing World*. 12-29. New York: Columbia University Press. (18pp) [[Publisher](#)]

Keywords: cosmopolitanism, globalisation, borders, justice, distribution, representation, Westphalian system, territorial state

Gandhi, M.K. (1909) 1997. *Indian Home Rule [or Hind Swaraj]*. In *Hind Swaraj and Other Writings*, ed. Anthony J. Parel. Cambridge: Cambridge University Press. Ch. 11, 13-14, 16 -17, pp. 58-61, 66-74 79-99. (34pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: lawyers, passive resistance, duty to obey, India, United Kingdom, colonialism, decolonisation, swaraj, national consciousness, civil disobedience, pre-war

Getachew, Adom. 2019. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press. Chapter 1, 14-36. (23pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Decolonization, self-determination, black anticolonial thought, worldmaking

James, C.L.R. 1933. *The Case for West-Indian Self-Government*. London: Hogarth Press. (28pp) [[Open access](#)]

Keywords: West Indies, self-rule, sovereignty, colonialism, decolonisation, trusteeship, pre-war

Kaviraj, Sudipta. 2002. 'Ideas of Freedom in Modern India.' In *The Idea of Freedom in Asia and Africa*, edited by Robert H. Taylor. 97-142. Stanford: Stanford University Press. (46pp) [[Blackwell's](#)]

Keywords: freedom, nationalism, Gandhi, Nehru, India

Mantena, Karuna. 2016. 'Popular Sovereignty and Anti-Colonialism.' In *Popular Sovereignty in Historical Perspective*. Ed. Richard Bourke & Quentin Skinner. 297-319. Cambridge: Cambridge University Press. (23pp) [[Publisher](#)] [[Open access](#)]

Keywords: sovereignty, equality, imperialism, colonialism, swaraj, cosmopolitanism, empire, decolonisation, anti-colonialism, India, United Kingdom, Gandhi

Reading questions:

- How did Gandhi's ideal of swaraj, or self-rule, differ from the nationalist, separatist demands of colonised peoples for majoritarian, democratic nation-states?
- At the end of her article, Mantena suggests that many anti-colonial ambitions for self-rule were unfulfilled because of contradictions in the national model of state formation. Why might we believe this?

Margalit, Avishai, and Joseph Raz. 1990. 'National Self-Determination.' *Journal of Philosophy* 87(9): 439-61. (23pp) [[JSTOR](#)]

Keywords: self-determination, nationalism, self-respect, encompassing groups

Sultan, Nazmul S. 2020. 'Self-Rule and the Problem of Peoplehood in Colonial India.' *American Political Science Review* 114(1): 81-94. (14pp) [[Publisher](#)]

Keywords: colonialism, India, self-rule, peoplehood, national consciousness, liberalism, Gandhi

## Listing by Author

Abizadeh, Arash. 2008. 'Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders.' *Political Theory* 36(1): 37-65. (29pp) [[JSTOR](#)]

Keywords: migration, borders, popular sovereignty, sovereignty, democracy

Achiume, E. Tendayi. 2019. 'Migration as Decolonization.' *Stanford Law Review* 71: 1509-74. (66pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 66 pages, but would be equivalent to ~30 to 35 journal pages of reading if assigned without footnotes; it is written for a generalist law review and, in most places, is less dense than a philosophy article. The author is a scholar of international human rights law, but the article does not, for the most part, get into the weeds of doctrine.)

Keywords: international law, migration, sovereignty, reciprocity, colonialism, decolonisation, self-determination, Third World Approaches to International Law, United Kingdom

Reading questions:

- What is sovereignty? Do we have reason to value it?
- What is required, according to Achiume, for migration to qualify as 'decolonial'?
- What limits, if any, does political morality provide to states' rights to determine who their members are and who may cross their borders?

Adebisi, Foluke Ifejola and Katie Bales. 2022. 'Reinventing Possibility: A Reflection on Law, Race and Decolonial Discourse in Legal Education.' In What is Legal Education For? Re-Assessing the Purposes of Early Twenty-First Century Learning and Law Schools. Edited by Rachel Ann Dunn, Paul Maharg and Victoria Roper. Princeton: Princeton University Press. 85-110. London: Routledge. (26pp.) [[Publisher](#)] [[Blackwell's](#)]

Keywords: Legal education, racism, hierarchy, equality

Alcoff, Linda Martín. 'Sotomayor's Reasoning.' Southern Journal of Philosophy. 48(1): 122-38. (17pp) [[Publisher](#)]

Keywords: public reason, identity, United States, empathy, relevance, democracy, legal reasoning

Allen, Anita. 2013. 'African-American Philosophers and the Critique of Law.' The Black Scholar 43(4): 17-23. (7pp) [[JSTOR](#)]

Keywords: critical race theory, liberalism, William Fontaine, Angela Davis, United States

Allen, Danielle. 2001. 'Law's Necessary Forcefulness.' Oklahoma City University Law Review 26: 857-95. (38pp) [[HeinOnline](#)]

(This essay runs to 38 pages, but would be equivalent to ~25 journal pages of reading if assigned without footnotes.)

Keywords: democracy, law and loss, sacrifice, legitimacy, reciprocity, disagreement, political theory, United States

Reading questions:

- What does it mean, for Allen, to be invisible within the political realm, rather than outside it?
- Is Allen right to think that we need 'a language of sacrifice' in order to understand the rule of law?

Alper, Eugene. 2019. 'Mill Meets Gandhi.' Philosophy Now.  
[https://philosophynow.org/issues/133/Mill\\_Meets\\_Gandhi](https://philosophynow.org/issues/133/Mill_Meets_Gandhi). (~7pp)

Keywords: Gandhi, Mill, liberalism, fiction, dialogue, passive resistance

Ambedkar, B.R. (1936) 2013. Annihilation of Caste. In Annihilation of Caste: The Annotated Critical Edition, ed. S. Anand. London: Verso. (~50pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: Gandhi, equality, freedom, socialism, self-rule, Gandhi, India, pre-war

Anghie, Antony. 2016. 'Imperialism and International Legal Theory.' In The Oxford Handbook of the Theory of International Law, edited by Anne Orford and Florian Hoffmann. 156-72. Oxford: Oxford University Press. (17pp) [[Publisher](#)]

Keywords: imperialism, international law, colonialism

Appiah, Kwame Anthony. 2015. 'Capitalism and Human Progress.' In *Performance and Progress: Essays on Capitalism, Business, and Society*, edited by Subramanian Rangan. 99-114. Oxford: Oxford University Press. (16pp) [\[Publisher\]](#)

Keywords: capitalism, markets, equality, economic inequality

Azikiwe, Nnamdi. (1949) 1970. 'A Denunciation of European Imperialism.' In *The Africa Reader: Independent Africa*, edited by Wilfred Cartey and Martin Kilson. New York: Vintage. (~8pp) [\[Open access version\]](#)

Keywords: imperialism, capitalism, self-rule, colonialism, Nigeria, Africa

Barker, Joanne. 2005. 'For Whom Sovereignty Matters.' In *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, edited by Joanne Barker. 1-31. Lincoln: University of Nebraska Press. (31pp) [\[Open access\]](#)

Keywords: indigenous rights, sovereignty, self-determination, settler colonialism, colonialism, North America, United States

Barker, Joanne. 2015. 'Self-Determination.' *Critical Ethnic Studies* 1(1): 11-26.(16pp) [\[Open access\]](#)

Keywords: indigenous rights, self-determination, international law, sovereignty, settler colonialism, colonialism, United States

Benson, Jennifer. 2014. 'Freedom as Going Off Script.' *Hypatia* 29(2): 355-70. (16pp) [\[Publisher\]](#)

Keywords: freedom, feminist philosophy, liberation, existentialism, race, gender

Baxi, Upendra. 2012. 'Postcolonial Legality: A Postscript from India.' *Verfassung und Recht in Übersee*. 45(2): 178-94. (17pp) [\[JSTOR\]](#) [\[Open access\]](#)

Keywords: colonialism, sovereignty, India, critical legal studies, continental philosophy of law

Bhandar, Brenna. 2014. 'Property, Law, and Race: Modes of Abstraction.' *UC Irvine Law Review* 4(1): 203-18. (16pp) [\[HeinOnline\]](#) [\[Open access\]](#)

Keywords: property theory, slavery, critical race theory, slavery, whiteness, United States, Cheryl Harris

Bhattacharyya, K.C.(1928) 2011. 'Swaraj in Ideas.' In Indian Philosophy in English: From Renaissance to Independence, edited by Nalini Bhushan and Jay L. Garfield. Oxford: Oxford University Press. (11pp) [[Publisher](#)] [[Open access version](#)]

Keywords: swaraj, culture, influence, assimilation, creativity, shadow mind, pedagogy, difference, translation

Blouin, Andrée, with Jean MacKellar. 1983. 'My Africa, My Josephine.' In My Country, Africa. Autobiography of the Black Pasionaria. 277-86. New York: Praeger. (10pp) [[Open access](#)]

Keywords: Africa, Pan-African culture, gender, hybridisation, national culture, France, Congo

Bose, Anuja. 2019. 'Frantz Fanon and the Politicization of the Third World as a Collective Subject.' Interventions 21(5): 671-89. (19pp) [[Publisher](#)]

Keywords: Fanon, colonialism, decolonisation, national consciousness, sovereignty, self-rule, Pan-Africanism

Boxill, Bernard. 2009. 'The Right to Independence.' Southern Journal of Philosophy 47: 137-56. (20pp) [[Publisher](#)]

Keywords: independence, freedom, self-rule, dependence, Thomas Jefferson, Du Bois, Pettit, republicanism

Brinks, Daniel M., Varun Gauri, and Kyle Shen. 'Social Rights Constitutionalism: Negotiating the Tension Between the Universal and the Particular.' Annual Review of Law and Social Science 11(1): 289–308. (22pp) [[Publisher](#)]

Keywords: human rights, social rights, vernacularisation, constitutionalism, constitutional theory, postcolonialism

Brown, C. Mackenzie. 1984. 'Svarāj, the Indian Ideal of Freedom: A Political or Religious Concept?' Religious Studies 20(3): 429–41. (13pp) [[JSTOR](#)]

Keywords: freedom, swaraj, India, Hinduism

Burra, Arudra. 2021. 'The Lamps in Our House: Reflections on Postcolonial Pedagogy.' Miami Institute for the Social Sciences Philosophy Forum. (~5pp) [[Open access](#)]

Keywords: pedagogy, Western canon, Gandhi, Tagore, Bhattacharyya, cosmopolitanism

Burra, Arudra. 2016. 'What is "Colonial" about Colonial Laws?' American University International Law Review 31(2): 137-70. (34pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 34 pages, but would be equivalent to ~25 journal pages of reading if assigned without footnotes.)

Keywords: colonialism, India, legal history, post-colonial law, colonial continuities

Butt, Daniel. 2012. 'Repairing Historical Wrongs and the End of Empire.' *Social & Legal Studies* 21(2): 227-42. (16pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, reparations, empire, imperialism, global justice

Cabral, Amilcar. (1970) 1973. 'National Liberation and Culture.' In *Return to the Source: Selected Speeches by Amilcar Cabral*, edited by Africa Information Service. 39-56. New York: Monthly Review Press. (18pp) [[Open access version](#)]

Keywords: colonialism, liberation, national culture, nationalism, development, culture, Marxism, Africa, Guinea-Bissau, Cape Verde, Mozambique

Casey, Rose. 2025. *Aesthetic Impropriety: Property Law and Postcolonial Style*. New York: Fordham University Press. Chapter 3, 90-119. (30pp). [[JSTOR](#)]

Keywords: intellectual property, decolonisation, property theory, South Africa, international law

Césaire, Aimé. (1955) 2000. 'Discourse on Colonialism.' In *Discourse on Colonialism*, translated by Joan Pinkham. 31-78. New York: Monthly Review Press. (48pp) [[Publisher](#)]

(This essay runs to 48 pages in this edition, although it is printed with large page breaks between the sections, so it is probably closer to ~40 journal pages in length.)

Keywords: colonialism, domination, exploitation, oppression, Caribbean, negritude

Césaire, Suzanne. (1945) 1996. 'The Great Camouflage.' In *Refusal of the Shadow: Surrealism and the Caribbean*. Edited by Michael Richardson. Translated by Krzysztof Fijalkowski and Michael Richardson. London: Verso. (~10pp) [[Publisher](#)] [[Open access version](#)]

Keywords: surrealism, Caribbean, colonialism, France, Martinique, negritude

Chakrabarty, Dipesh. 2000. *Provincializing Europe*. Princeton: Princeton University Press. Chapter 1, 27-46. (20pp). [[Blackwell's](#)]

Keywords: colonialism, history, legal subjectivity, individualism, legal subjectivity, India, United Kingdom

Chimni, B.S. 2012. 'The Self, Modern Civilization, and International Law: Learning from Mohandas Karamchand Gandhi's Hind Swaraj or Indian Home Rule.' *European Journal of International Law* 23(4): 1159-73. (15pp) [[Open access](#)]

Keywords: Gandhi, swaraj, self-rule, India, capitalism, imperialism, modernity, Marx



Combahee River Collective. (1977) 2000. 'The Combahee River Collective Statement.' In *Home Girls: A Black Feminist Anthology*, edited by Barbara Smith. 264-74. New Brunswick: Rutgers University Press. (11pp) [[Open access version](#)]

Keywords: equality, intersectionality, coalitions, Black feminism, feminist theory, United States

Couldthard, Glenn S. 2007. 'Subjects of Empire: Indigenous Peoples and the 'Politics of Recognition' in Canada.' *Contemporary Political Theory* 6: 437-60. (24pp) [[Publisher](#)] [[Open access](#)]

Keywords: indigenous rights, settler colonialism, imperialism, colonialism, self-determination, Fanon, Hegel.

Crenshaw, Kimberle. 1989. 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.' *University of Chicago Legal Forum* 1989: 139-67. (29pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: intersectionality, anti-discrimination, equality, critical race theory, feminist legal theory, United States

Crenshaw, Kimberle. 1991. 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color.' *Stanford Law Review* 43(6): 1241-99. (59pp) [[JSTOR](#)] [[Abridged open access version](#)]

(This article runs to 59 pages, but would be equivalent to ~40 journal pages of reading if assigned without footnotes. One could assign pages 1241-65 and 1296-99 for a more manageable reading assignment that would include the core of Crenshaw's theory of intersectionality. Many abridgements of this famous article are available.)

Keywords: equality, intersectionality, identity, domination, critical race theory, feminist legal theory, racism, difference, United States

Dalton, Dennis. 1998. 'Gandhi on Freedom, Rights and Responsibility.' *Gandhi Book Centre*. <https://www.mkgandhi.org/articles/freedom.htm>. (~17pp)

Keywords: freedom, rights, Gandhi, India, decolonisation

Darby, Derrick & Nyla R. Branscombe. 2014. 'Beyond the Sins of the Fathers: Responsibility for Inequality.' *Midwest Studies in Philosophy* 38: 121-37. (17pp) [[Publisher](#)]

Keywords: equality, discrimination, guilt, collective responsibility, justice, analytic philosophy of law



Davis, Angela Y. 1991. 'Keynote Address.' Stanford Law Review 43(6): 1175-81.  
(7pp) [[JSTOR](#)]

Keywords: oppression, critical race theory, legal ethics, feminist legal theory, United States

Reading questions:

- What does it mean to think of 'the laws' as 'quite real, quite palpable'? Who is likely to think of the laws in this way? How does thinking of the laws as real and palpable differ from how lawyers and judges usually think about law?

Davis, Angela Y. (1971) 1998. 'Political Prisoners, Prisons, and Black Liberation.' In The Angela Y. Davis Reader, edited by Joy James, 39-52. Malden, MA: Blackwell. (13pp) [[Open access version](#)]

Keywords: oppression, freedom, liberation, duty to obey, justice, United States, punishment, North America

Reading questions:

- Is Davis right that there is a significant moral difference between breaking a law for one's own individual interest and breaking a law in the interest of a people 'whose oppression is expressed either directly or indirectly through that law'?
- For Davis, what is the relationship between law-breaking by political prisoners and justice?
- Is it inconsistent of Davis to object to theories that impose 'a priori culpability' on political prisoners while also advocating the use of extra-legal means, including violence, to bring about justice?

Davis, Angela Y. (1971) 2010. 'Lectures on Liberation.' In Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself: A New Critical Edition, 41-84. San Francisco: City Lights. (44pp) [[Open access version](#)]

(These lectures are printed in relatively large text on pages smaller than typical journal pages; the pamphlet in which they were originally published runs to 24 pages.)

Keywords: freedom, liberation, oppression, slavery, alienation, United States, Black feminism, Marxism, Frederick Douglass, Hegel

Delmas, Candace. 2018. 'In Defense of Uncivil Disobedience.' In A Duty to Resist: When Disobedience Should Be Uncivil. 47-71. Oxford: Oxford University Press. (25pp) [[Publisher](#)]

Keywords: civil disobedience, uncivil disobedience, duty to obey, oppression, civility, analytic philosophy of law

Deloria, Jr., Vine. (1970) 2007. We Talk, You Listen: New Tribes, New Turf. Lincoln: Bison Books. Chapters 8 & 11, 138-53 & 181-97. (32pp). [[Blackwell's](#)]

Keywords: sovereignty, settler colonialism, genocide, constitutionalism, international law, environment, United States, North America, indigenous rights

Reading questions:

- Is Deloria right to suggest that respecting the autonomy of indigenous North Americans would require returning a great deal of privately owned land in the United States to its precolonial use as uncultivated forest?

Dhanda, Amita. 2009. 'The Power of One: The Law Teacher in the Academy.' In *Decolonisation of Legal Knowledge*, edited by Amita Dhanda & Archana Parashar. 261-81. New Delhi: Routledge. (22pp) [[Publisher](#)] [[Open access](#)]

Keywords: legal education, pedagogy, colonialism, decolonisation, critical legal studies, hierarchy

Dubey, Madhu. 1998. 'The "True Lie" of the Nation: Fanon and Feminism.' *Differences: A Journal of Feminist Cultural Studies* 10(2): 1-29. (29pp) [[Gale](#)]

Keywords: Fanon, feminism, gender, nationalism, colonialism, Algeria

Evans, Julie. 2009. 'Where Lawlessness is Law: The Settler-Colonial Frontier as a Legal Space of Violence.' *Australian Feminist Law Journal* 30(1): 3-22. (20pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, international law, settler-colonialism, sovereignty, Australia

Fanon, Frantz. (1963) 2004. 'On National Culture.' In *The Wretched of the Earth*, Translated by Richard Philcox. 145-80. New York: Grove. (35pp) [[Blackwell's](#)]

Keywords: sovereignty, colonialism, nationalism, culture, liberation, national culture, Angola, France, Africa,

Reading questions:

- Why does Fanon think that one of the fundamental tasks of African people is the liberation of national territory?
- In what respect is national sovereignty part of a national culture? How, in Fanon's view, does achieving national sovereignty cure defects in the culture of colonised people?

Fanon, Frantz. (1963) 2004. 'On Violence.' In *The Wretched of the Earth*, Translated by Richard Philcox. 1-62. New York: Grove. (62pp) [[Blackwell's](#)]

Keywords: colonialism, violence, revolution, sovereignty, oppression, liberation, Angola, France, Africa, Césaire

Finlayson, Lorna. 2020. 'If This Isn't Racism, What Is? The Politics of the Philosophy of Immigration.' *Aristotelian Society Supplementary Volume* 94: 115-39. (25pp) [[Publisher](#)]

Keywords: racism, colonialism, neocolonialism, decolonisation, immigration, methodology, decolonising philosophy, Alison Jaggar

Fitzmaurice, Andrew. 2012. 'Liberalism and Empire in Nineteenth-Century International Law.' *American Historical Review* 117(1): 122-40 (19pp) [[Open access](#)]

Keywords: colonialism, imperialism, liberalism, international law, sovereignty, legal history

Fitzpatrick, Peter. 1989. 'The Desperate Vacuum: Imperialism and Law in the Experience of Enlightenment.' *Droit et Societe* 13: 343-66. (14pp) [[HeinOnline](#)]

Keywords: imperialism, colonialism, critical legal studies, Foucault, enlightenment, legal rationality

Fontaine, William T. 1967. *Reflections on Segregation, Desegregation, Power, and Morals*. Springfield, IL: Charles C. Thomas. Chapter 5, 108-49. (42pp) [[Internet Archive](#)]

Keywords: segregation, discrimination, racism, liberalism, housing, employment, United States

Fraser, Nancy. 2009. 'Reframing Justice in a Globalizing World.' In *Scales of Justice: Reimagining Political Space in a Globalizing World*. 12-29. New York: Columbia University Press. (18pp) [[Publisher](#)]

Keywords: cosmopolitanism, globalisation, borders, justice, distribution, representation, Westphalian system, territorial state

Freedom Manifesto: A Draft Manifesto to Rebuild the Black Liberation Movement. 2016. <http://www.alkalimat.org/450%20freedom%20manifesto.pdf>. (36pp) (No author)

Keywords: Black Lives Matter, Black Power, colonialism, decolonisation, capitalism

Fricker, Miranda. 2013. 'Epistemic Justice as a Condition of Political Freedom?' *Synthese* 190(7): 1317-32. (16pp) [[JSTOR](#)]

Keywords: epistemic justice, freedom, analytic philosophy, epistemology, non-domination, liberalism, republicanism

Gandhi, M.K. (1909) 1997. *Indian Home Rule [or Hind Swaraj]*. In *Hind Swaraj and Other Writings*, ed. Anthony J. Parel. Cambridge: Cambridge University Press. Ch. 11, 13-14, 16 -17, pp. 58-61, 66-74 79-99. (34pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: lawyers, passive resistance, duty to obey, India, United Kingdom, colonialism, decolonisation, swaraj, national consciousness, civil disobedience, pre-war

Gandhi, Leela. (1998) 2019. *Postcolonial Theory: A Critical Introduction*. Second Edition. New York: Columbia University Press. Chapter 1, 1-22. (22pp). [\[Blackwell's\]](#)

Keywords: postcolonialism, colonialism, Gayatri Spivak, independence

Gathii, James Thuo. 2007. 'Imperialism, Colonialism, and International Law.' *Buffalo Law Review* 54(4): 1013-66. (54pp) [\[HeinOnline\]](#) [\[Open access\]](#)

(This essay runs to 54 pages, but would be equivalent to ~30 journal pages of reading if assigned without footnotes; it is written for a generalist law review and, in most places, is less dense than a philosophy article.)

Keywords: colonialism, international law, imperialism, international law, sovereignty, legal history, Third World Approaches to International Law, Kenya, Africa, United Kingdom

Reading questions:

3. How does colonialism differ from imperialism for Gathii?
4. According to Gathii, how did international law contribute to the growth of capitalism in East Africa and the creation of modern African states?

Getachew, Adom. 2016. 'Universalism after the Post-Colonial Turn: Interpreting the Haitian Revolution.' *Political Theory* 44(6): 821–845. (25pp) [\[Publisher\]](#)

Keywords: universalism, anti-colonialism, sovereignty, Haitian revolution

Getachew, Adom. 2019. *Worldmaking after Empire: The Rise and Fall of Self-Determination*. Princeton: Princeton University Press. Chapter 1, 14-36. (23pp.) [\[Publisher\]](#) [\[Blackwell's\]](#)

Keywords: Decolonization, self-determination, black anticolonial thought, worldmaking

Gilroy, Paul. 2008. 'Multiculturalism and Post-colonial Theory.' In *The Oxford Handbook of Political Theory*, edited by John S. Dryzek, Bonnie Honig, and Anne Phillips. 656-74. Oxford: Oxford University Press. (19pp) [\[Publisher\]](#)

Keywords: colonialism, postcolonialism, multiculturalism, sovereignty, legitimacy, race, reparations, Europe

Grewal, David Singh. 2018. 'Three Theses on the Current Crisis of International Liberalism.' *Indiana Journal of Global Legal Studies* 25(2): 595-621. (25pp) [\[JSTOR\]](#) [\[Open access\]](#)

Keywords: liberalism, international law, neoliberalism, globalisation, neocolonialism, political economy, economic crisis, popular sovereignty

Hare, R.M. 1979. 'What is Wrong with Slavery?' *Philosophy and Public Affairs* 8(2): 103-21 (19pp) [\[JSTOR\]](#)

Keywords: slavery, freedom, rights, utilitarianism

Hart, HLA. 1994. *The Concept of Law*. 2nd ed. Oxford: Clarendon Press. Chapter 6, section 3, 117-23 ('The Pathology of a Legal System') (7pp) [[Publisher](#)]

Keywords: occupation, colonialism, rule of law, concept of law, obedience, pathology, revolution

Harris, Cheryl I. 1993. 'Whiteness As Property.' *Harvard Law Review* 106(8): 1707-91. (85pp) [[JSTOR](#)]

(This essay runs to 85 pages, but would be equivalent to ~60-65 journal pages of reading if assigned without footnotes. The core theoretical statement of the article might be communicated by assigning pp. 1709-45, which would be equivalent to ~30 journal pages of reading without the footnotes.)

Keywords: whiteness, racism, slavery, property, United States, critical race theory

Harris, Angela P. 1990. 'Race and Essentialism in Feminist Legal Theory.' *Stanford Law Review* 42: 581-616. (36pp) [[JSTOR](#)] [[Open access](#)]

(This essay runs to 36 pages, but would be equivalent to ~20 to 25 journal pages of reading if assigned without footnotes.)

Keywords: multiple consciousness, feminist legal theory, Black feminism essentialism, justice, liberation, narrative, critical race theory, United States

Reading questions:

- What does it mean to have 'multiple consciousness'? Is Harris right that the theory of multiple consciousness provides a fruitful theory for law and jurisprudence to address oppression?
- Should victims of oppression or serious injustice care about law? If they should care, how should they conceive of law?

Hussain, Nasser. 1999. 'Towards a Jurisprudence of Emergency: Colonialism and the Rule of Law.' *Law and Critique* 10: 93-115. (24pp) [[Publisher](#)]

Keywords: Hart, rule of law, Agamben, colonialism, emergency, exception, India, United Kingdom, critical legal studies

Iverson, Duncan. 2003. 'The Logic of Aboriginal Rights.' *Ethnicities* 3(3): 321-44. (24pp) [[Publisher](#)]

Keywords: indigenous rights, rights, group rights, group agency, equality, freedom, analytic philosophy of law, settler colonialism

Jaggar, Alison M.. 2020. 'Decolonizing Anglo-American Political Philosophy: The Case of Migration Justice.' *Aristotelian Society Supplementary Volume* 94: 87-113. (27pp) [[Publisher](#)]

Keywords: migration, colonialism, decolonisation, decolonising philosophy, methodology, racism, neocolonialism

James, C.L.R. 1933. The Case for West-Indian Self-Government. London: Hogarth Press. (28pp) [[Open access](#)]

Keywords: West Indies, self-rule, sovereignty, colonialism, decolonisation, trusteeship, pre-war

James, C.L.R. (1962) 1989. 'From Toussaint L'Ouverture to Fidel Castro.' In The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution. 291-418. Second Edition. New York: Vintage. (28pp) [[Open access](#)]

Keywords: Caribbean, revolution, colonialism, decolonisation, history, Marxism, Negritude, Nkrumah.

James, Selma. (1974) 2012. 'Sex, Race and Class.' In Sex, Race and Class—The Perspective of Winning: A Selection of Writings, 1952–2011. 92-101. Oakland: PM Press. (10 pp.) [[Blackwell's](#)] [[Open access version](#)]

Keywords: intersectionality, caste, sex, race, feminist theory. Marxism, liberation, vanguardism

Joseph-Gabriel, Annette K. 2018. 'Gerty Archimède and the Struggle for Decolonial Citizenship in the French Antilles, 1946–51.' In Black French Women and the Struggle for Equality, 1848-2016. Edited by Félix Germain and Silyane Larcher. Chapter 6. Lincoln: University of Nebraska Press. (12 pp). [[JSTOR eBook](#)]

Keywords: citizenship, France, Caribbean, Guadeloupe and Martinique, citizenship, departmentalisation, feminism, Gerty Marie Bernadette Archimède, equality, republicanism, resistance

Joseph-Gabriel, Annette K. 2020. Reimagining Liberation: How Black Women Transformed Citizenship in the French Empire. Urbana: University of Illinois Press. Prologue and Introduction, 1-28. (28pp) [[JSTOR eBook](#)] [[Blackwell's](#)]

Keywords: citizenship, equality, France, republicanism, racism, negritude, colonialism

Jouannet, Emmanuelle. 2007. 'Universalism and Imperialism: The True-False Paradox of International Law?' European Journal of International Law 18(3): 379-407 (29pp) [[Open access](#)]

Keywords: imperialism, colonialism, international law, legal history, Europe

Kapur, Ratna. 2018. Gender, Alterity, and Human Rights: Freedom in a Fishbowl. Cheltenham: Edward Elgar. Chapter 1, 27-54. (28pp) [[Blackwell's](#)]

Keywords: human rights, liberalism, freedom, colonialism, imperialism, Michael Ignatieff, Judith Shklar, Upendra Baxi

Kaviraj, Sudipta. 2002. 'Ideas of Freedom in Modern India.' In *The Idea of Freedom in Asia and Africa*, edited by Robert H. Taylor. 97-142. Stanford: Stanford University Press. (46pp) [[Blackwell's](#)]

Keywords: freedom, nationalism, Gandhi, Nehru, India

Khaitan, Tarunabh. 2018. 'The Point of Discrimination Law: Securing the Freedom to Flourish.' In *The Empire of Disgust: Prejudice, Discrimination, and Policy in India and the US*. Edited by Zoya Hasan, Aziz Z. Huq, Martha C. Nussbaum, and Vidhu Verma. 348-68. New Delhi: Oxford University Press. (21pp) [[Publisher](#)] [[Open access version](#)]

Keywords: anti-discrimination law, freedom, flourishing, racism, sexism, sexuality

Khaitan, Tarunabh. 2019. 'Political Insurance for the (Relative) Poor: How Liberal Constitutionalism Could Resist Plutocracy.' *Global Constitutionalism* 8(3): 536-70. (35pp) [[Open Access](#)]

Keywords: constitutional theory, fair value of equal political liberties, plutocracy, India, Australia, comparative law, Rawls, democracy, equality, liberalism

King, Jr., Martin Luther. (1963) 2015. 'Letter from a Birmingham Jail.' In *The Radical King*, edited by Cornel West, 127-46. Boston: Beacon. (20 pp) [[Open access version](#)]

Keywords: legitimacy, civil disobedience, justice, duty to obey, freedom, timeliness, United States, racism, natural law

Reading questions:

- When, in King's view, should a law be disobeyed?
- How, according to King, can we distinguish just from unjust laws?
- How, in King's view, should unjust laws be obeyed? What conditions must disobedience of an unjust law satisfy in order to be justified? Why does King think that these conditions must be satisfied even in the case of unjust laws, which King has said are not laws at all?
- Why does King say that one who breaks an unjust law must do so 'with a willingness to accept the penalty'?

Knox, Robert. 2020. 'Haiti at the League of Nations: Racialisation, Accumulation, and Representation.' *Melbourne Journal of International Law* 21(2): 1-30 (30pp) [[Open access](#)]

Keywords: international law, League of Nations, Haiti, marxism, accumulation

Krishnamurthy, Meena. 2015. '(White) Tyranny and the Democratic Value of Distrust.' *The Monist* 98: 391-406. (16pp) [[Publisher](#)] [[Open access](#)]

Keywords: democracy, racism, distrust, Martin Luther King Jr, tyranny, analytic philosophy, United States



Langford, Malcolm. 2018. 'Critiques of Human Rights.' *Annual Review of Law and Social Science* 14(1): 69–89. (23pp) [[Publisher](#)]

Keywords: human rights, legitimacy, equality, liberalism, postcolonialism

Lebron, Christopher. 2014. 'Equality from a Human Point of View.' *Critical Philosophy of Race* 2(2): 125-59. (35pp) [[JSTOR](#)]

Keywords: equality, James Baldwin, Bernard Williams, analytic philosophy, liberalism, egalitarianism, United States, racism

Lewis, Christopher. 2016. 'Inequality, Incentives, Criminality, and Blame.' *Legal Theory* 22: 153-80. (28pp) [[publisher](#)] [[Open access](#)]

Keywords: duty to obey, equality, inequality, criminality

Lugones, María. 2007. 'Heterosexualism and the Colonial/Modern Gender System.' *Hypatia* 22(1): 186-209 (24pp) [[Publisher](#)]

Keywords: heterosexualism, colonialism, Anibal Quijano, power, racism, gender, capitalism, feminist theory

Lugones, María. 2010. 'Toward a Decolonial Feminism.' *Hypatia* 25(4): 742-59 (18pp) [[Publisher](#)]

Keywords: heterosexualism, colonialism, decolonisation, intersectionality, gender, capitalism, feminist theory

MacKinnon, Catharine A. 2011. 'Substantive Equality: A Perspective.' *Minnesota Law Review* 96(1): 1-27. (27pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: equality, feminist legal theory, radical feminism, Aristotle, Rousseau, racism, United States, Canada, constitutional theory

Mantena, Karuna. 2016. 'Popular Sovereignty and Anti-Colonialism.' In *Popular Sovereignty in Historical Perspective*. Ed. Richard Bourke & Quentin Skinner. 297-319. Cambridge: Cambridge University Press. (23pp) [[Publisher](#)] [[Open access](#)]

Keywords: sovereignty, equality, imperialism, colonialism, swaraj, cosmopolitanism, empire, decolonisation, anti-colonialism, India, United Kingdom, Gandhi

Reading questions:

- How did Gandhi's ideal of swaraj, or self-rule, differ from the nationalist, separatist demands of colonised peoples for majoritarian, democratic nation-states?
- At the end of her article, Mantena suggests that many anti-colonial ambitions for self-rule were unfulfilled because of contradictions in the national model of state formation. Why might we believe this?



Matsuda, Mari. 1987. 'Looking to the Bottom: Critical Legal Studies and Reparations.' Harvard Civil Rights-Civil Liberties Law Review 22: 323-99. (77pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 77 pages, but would be equivalent to ~50 journal pages of reading if assigned without footnotes. It would be possible to assign pp 323-62 and 389-99 for a more manageable reading assignment, leaving out the discussion of reparations and tort doctrine. Note that this article assumes some familiarity with the critical legal studies movement, and may be difficult for students who have not previously been introduced to CLS.)

Keywords: multiple consciousness, equality, liberation, justice, oppression, critical legal studies, reparations, United States, Hawaii, internment, settler colonialism

Reading questions:

- What would 'looking to the bottom' do for critical legal studies and how would it change how we think about law?
- In what way does 'looking to the bottom' lend support to legal doctrines that support the award of reparations for wrongs that took place decades or centuries ago?

Matsuda, Mari. 1989. 'When the First Quail Calls: Multiple Consciousness as Jurisprudential Method.' Women's Rights Law Reporter 11(1): 7-10. (4pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: oppression, liberation, multiple consciousness, justice, equality

Reading questions:

- What does it mean, according to Matsuda, to have 'multiple consciousness' of law?
- What is the role of legal abstraction in promoting justice? And what is the role of what Matsuda calls 'special knowledge'?

Mattei, Ugo & Laura Nader. 2008. Plunder: When the Rule of Law Is Illegal. Malden, MA: Blackwell. Introduction & Chapter 1, 1-34. (34pp) [[Blackwell's](#)]

Keywords: colonialism, imperialism, rule of law, concept of law, Europe, property, legal history, multiple consciousness

Mazrui, Ali A. 1963. 'Consent, Colonialism, and Sovereignty.' Political Studies 11(1): 36-55. (20pp) [[Publisher](#)]

Keywords: sovereignty, international law, aggression, colonialism, Nkrumah, India, Africa, Europe, consent, democracy, nationalism, racial sovereignty

Reading questions:

- What does it mean for a nation to have sovereignty and in what sense is there an element of circularity in the notion of sovereignty in international law?
- In what sense does colonialism constitute illegal 'permanent aggression'? What is the relationship between race, sovereignty, and aggression for Mazrui?

McBride, Keally. 2016. 'Colonialism and the Rule of Law.' In *Mr. Mothercountry: The Man Who Made the Rule of Law*. 10-33. Oxford: Oxford University Press. (24pp) [[Publisher](#)]

Keywords: colonialism, rule of law, concept of law, legal history, empire, India, United Kingdom, James Stephen

Memmi, Albert. (1957) 2003. 'Does the Colonial Exist?' In *The Colonizer and the Colonized*. 47-62. London: Earthscan. (16pp) [[Blackwell's](#)]

Keywords: legitimacy, colonialism, colonizer, Europe

Merry, Sally Engle. 1991. 'Law and Colonialism.' *Law & Society Review* 25(4): 889-922. (34pp) [[JSTOR](#)]

(Note that this is a review essay of a wide range of anthropological and historical work on law and colonialism from the 1980s and early 1990s.)

Keywords: colonialism, domination, anthropology of law, resistance, Hawaii, Papua New Guinea, Kenya, Malawi, Zambia, Egypt, India, Africa, Oceania, Asia

Merry, Sally Engle. 2006. 'Human Rights and Transnational Culture: Regulating Gender Violence through Global Law.' *Osgoode Hall Law Journal* 44(1): 53-75. (24pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: human rights, globalisation, translation, localisation, legal consciousness, gender violence, Fiji, Oceania, anthropology of law, colonialism

Miller, Zinaida. 2008. 'Effects of Invisibility: In Search of the 'Economic' in Transitional Justice.' *The International Journal of Transitional Justice*. 2: 266-91. (26pp) [[Publisher](#)]

Keywords: colonialism, reparations, decolonisation, transitional justice, economic justice, economic rights

Mills, Charles W. 2013. 'Retrieving Rawls for Racial Justice?: A Critique of Tommie Shelby.' *Critical Philosophy of Race* 1(1): 1-27. (27pp) [[JSTOR](#)]

Keywords: Rawls, liberalism, racism, Tommie Shelby, racial justice, analytic philosophy

Mills, Charles W. 2015. 'Decolonizing Western Political Philosophy.' *New Political Science* 37(1): 1-24. (24pp) [[Publisher](#)]

Keywords: methodology, duty to obey, global justice, Rawls, liberalism, colonialism, neocolonialism, decolonisation, decolonising philosophy, epistemic injustice

Moyn, Samuel. 2017. 'Human Rights and the Crisis of Liberalism.' In *Human Rights Futures*, edited by Stephen Hopgood, Jack Snyder, and Leslie Vinjamuri. 261-82. Cambridge: Cambridge University Press. (22pp) [[Publisher](#)]

Keywords: human rights, liberalism, colonialism, empire, liberal internationalism

Muthu, Sankar. 2014. 'Productive Resistance in Kant's Political Thought: Domination, Counter-Domination, and Global Unsocial Sociability.' In Kant and Colonialism: Historical and Critical Perspectives, edited by Katrin Flikschuh & Lea Ypi. 68-96. Oxford: Oxford University Press (29pp) [[Publisher](#)]

Keywords: Kant, domination, sociality, resistance, equality, cosmopolitanism

Nardal, Paulette. (1932) 2002. 'The Awakening of Race Consciousness among Black Students.' Translated by T. Denean Sharpley-Whiting and Georges Van Den Abbeele. In Negritude Women, by T. Denean Sharpley-Whiting. 119-24. Minneapolis: University of Minnesota Press. (6pp) [[Publisher](#)] [[Blackwell's](#)]

Keywords: race, race consciousness, negritude, Caribbean, France, culture, pan-ethnic culture

Nunn, Kenneth B. 1997. 'Law as a Eurocentric Enterprise.' Law and Inequality 15: 323-71. (49pp) [[HeinOnline](#)] [[Open access](#)]

(This essay runs to 49 pages, but would be equivalent to ~20 to 25 journal pages of reading if assigned without footnotes.)

Keywords: eurocentrism, African philosophy of law, colonialism, imperialism, oppression, self-determination, critical race theory, Europe, Africa

Nussbaum, Martha Craven. 2019. "Mutilated and Deformed": Adam Smith on the Material Basis of Human Capabilities.' In The Cosmopolitan Tradition: A Noble but Flawed Ideal. 141-205. Cambridge, MA: Belknap. (65pp) [[Publisher](#)]

(This chapter runs to 65 pages, but pp 141-72 could be assigned as a shorter selection that contains the core of Nussbaum's reading of Smith's critique of colonialism.)

Keywords: Adam Smith, self-rule, colonialism, monopoly, domination, capabilities approach, stoicism

Orosco, José-Antonio M. 2001. 'Martin Luther King, Jr.'s Conception of Freedom and Radical Democracy.' Journal of Social Philosophy 32(3): 386-401. (16pp) [[Publisher](#)] [[Open access](#)]

Keywords: Martin Luther King Jr, freedom, negative liberty, positive liberty, democracy, segregation, desegregation

Oszü, Umut. 2024. Completing Humanity: The International Law of Decolonization, 1960-82. Cambridge: Cambridge University Press. Introduction, 1-35. (35pp). [[Publisher](#)]

Keywords: international law, decolonisation, lawyers, statehood, debt, capitalism, markets

Pallas, Josh. 2016. 'Fanon on Violence and the Person.' Critical Legal Thinking: Law and the Political. 20 January.  
<https://criticallegalthinking.com/2016/01/20/fanon-on-violence-and-the-person>.  
(~12pp)

Keywords: Fanon, violence, personhood, decolonisation

Pateman, Carole. 2007. 'The Settler Contract.' In Contract and Domination, edited by Carole Pateman & Charles W. Mills. 35-78. Cambridge: Polity Press. (44pp)  
[\[Blackwell's\]](#)

Keywords: settler colonialism, social contract, colonialism, genocide, domination

Patterson, Orlando. 2008. 'Freedom, Slavery, and the Modern Construct of Rights.' In The Cultural Values of Europe, edited by Hans Joas & Klaus Wiegandt. 115-51. Liverpool: Liverpool University Press. (37pp) [\[Publisher\]](#)  
[\[Open access\]](#)

Keywords: freedom, slavery, history, rights, republicanism, United States, United Kingdom

Pitts, Jennifer. 2010. 'Political Theory of Empire and Imperialism.' American Review of Political Science 13: 211-35. (25pp) [\[Open access\]](#)

Keywords: concept of empire, neo-imperialism, United States, liberalism, history, political theory, survey, cosmopolitanism

Quijano, Anibal. 2000. 'Coloniality of Power, Eurocentrism, and Latin America.' Nepantla: Views from the South 1(3): 533-80. (48pp) [\[Publisher\]](#) [\[Open access\]](#)

(If assigned without the endnotes, this article only runs to 41 pages.)

Keywords: colonialism, Eurocentrism, nation state, Latin America, South America, colonial state, postcolonial state, Europe

Rajagopal, Balakrishnan. 2006. 'Counter-hegemonic International Law: Rethinking Human Rights and Development as a Third World Strategy.' Third World Quarterly 27(5): 767-83. (17pp) [\[JSTOR\]](#) [\[Open access\]](#)

Keywords: international law, human rights, Third World Approaches to International Law, hegemony, neocolonialism, decolonisation, development, Third World

Rana, Aziz. 2016. 'Race and the American Creed.' n+1. Winter. (~15pp) [\[Publisher\]](#)

Keywords: Martin Luther King Jr, Frederick Douglass, racism, equality, integration, United States

Margalit, Avishai, and Joseph Raz. 1990. 'National Self-Determination.' Journal of Philosophy 87(9): 439-61. (23pp) [\[JSTOR\]](#)

Keywords: self-determination, nationalism, self-respect, encompassing groups

Renault, Matthieu. 2016. 'Decolonizing revolution with C.L.R. James or, What is to be done with Eurocentrism?' *Radical Philosophy* 199: 35-45. (11pp) [[Open access](#)]

Keywords: CLR James, revolution, decolonisation, colonialism, eurocentrism

Renzo, Massimo. 2019. 'Why Colonialism Is Wrong.' *Current Legal Problems* 72: 347-73. (27pp) [[Publisher](#)]

Keywords: colonialism, self-determination, domination, group agency, analytic philosophy of law

Roberts, Neil. 2004. 'Fanon, Sartre, Violence, and Freedom.' *Sartre Studies International* 10(2): 139-60. (22pp) [[JSTOR](#)]

Keywords: Fanon, violence, freedom, revolution, tragedy, colonialism, Walter Benjamin, Sartre, Arendt, masculinism, self-determination

Roberts, Neil. 2015. *Freedom as Marronage*. Chicago: Chicago University Press. Introduction, 3-26. (24 pp) [[Blackwell's](#)]

Keywords: marronage, freedom, domination, Orlando Patterson, slavery, positive freedom, negative freedom

Roy, Alpana. 2008. 'Postcolonial Theory and Law: A Critical Introduction.' *Adelaide Law Review* 29: 315-57. (43pp) [[HeinOnline](#)] [[Open access](#)]

(This article has relatively extensive footnotes and, if assigned without the footnotes, would amount to around 30-35 journal pages of reading.)

Keywords: postcolonial theory, colonialism, postcolonialism, Australia, Aboriginal Customary Laws

Ruskola, Teemu. 2002. 'Legal Orientalism.' *Michigan Law Review* 101(1): 179-234. (56pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: orientalism, comparative law, rule of law, concept of law, Foucault, China, Asia

Sen, Amartya. 1979. 'Equality of What?' In *Liberty, Equality, and Law: Selected Tanner Lectures on Moral Philosophy*, edited by John Rawls & Sterling M McMurrin. 197-220. Salt Lake City: University of Utah Press. (24pp) [[Open access](#)]

Keywords: equality, capability approach, capability equality, egalitarianism, utilitarianism, Rawls

Sen, Amartya. 2004. 'Elements of a Theory of Human Rights.' *Philosophy & Public Affairs* 32(4): 315-56. (42pp) [[JSTOR](#)] [[Open access](#)]

Keywords: human rights, rights, analytic philosophy of law, law, universality, social rights

Sen, Amartya. 2009. 'The Practice of Democracy.' In *The Idea of Justice*. 338-54. Cambridge, MA: Belknap Press. (17pp) [[Publisher](#)]

Keywords: colonialism, India, famine, public reason, Rawls, democracy, representation, independence

Said, Edward. 1984. 'Permission to Narrate.' *Journal of Palestine Studies* 13(3): 27-48. (22pp) [[JSTOR](#)]

Keywords: Palestine, Israel, international law, settler colonialism, narrative, national consciousness, human rights

Schutte, Ofelia. 2011. 'Resistance to Colonialism: The Latin American Legacy of José Martí.' In *Colonialism and Its Legacies*, edited by Jacob T. Levy with Iris Marion Young. 181-204. Lanham: Lexington Books. (24pp) [[Blackwell's](#)] [[Open access version](#)]

Keywords: colonialism, resistance, liberation, eurocentrism, Edward Said, José Martí, Cuba, Latin America,

Shelby, Tommie. 2016. *Dark Ghettos: Injustice, Dissent, and Reform*. Cambridge, MA: Belknap. Chapter 7, 203-27. (25pp) [[Publisher](#)]

Keywords: duty to obey, justice, reciprocity, Rawls, oppression, legitimacy, analytic philosophy of law, criminal justice, United States

Reading questions:

- In what circumstances, if any, do unjust or oppressive social arrangements suspend the obligation to obey the law?
- What is the difference between natural duties of justice and civic duties of reciprocity?

Shiffrin, Seana Valentine. 2004. 'Race and Ethnicity, Race, Labor, and the Fair Equality of Opportunity Principle.' *Fordham Law Review* 72(5): 1643-75. (33pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: constitutional theory, fair value of equal political liberties, Rawls, racism, labour, equality, constitutional essentials, United States

Silungwe, Chikosa Mozesi. 2014. 'On 'African' Legal Theory: A Possibility, an Impossibility or Mere Conundrum?' In *African Legal Theory and Contemporary Problems: 17 Critical Essays*, edited by Oche Onazi. 17-30. Dordrecht: Springer. (14pp) [[Publisher](#)]

Keywords: concept of law, Africana philosophy of law, Homi Bhabha, customary law, modernity, colonialism

Simpson, Audra. 2014. Mohawk Interruptus: Political Life Across the Borders of Settler States. Durham: Duke University Press. Chapter 5, 116-46. (31pp) [\[Blackwell's\]](#)

Keywords: sovereignty, indigenous rights, borders, sovereignty, United States, Canada, Quebec, narrative

Sivinandan, A. 1981. 'From Resistance to Rebellion: Asian and Afro-Caribbean Struggles in Britain.' *Race & Class* 23(2/3): 111-52 (42pp) [\[Publisher\]](#) [\[Open access version\]](#)

Keywords: racism, colonialism, resistance, United Kingdom, immigration, segregation, authoritarianism, rebellion

Spivak, Gayatri Chakravorty. 2004. 'Righting Wrongs.' *South Atlantic Quarterly* 103(2/3): 523-81. (59pp) [\[Publisher\]](#) [\[Open access\]](#)

(This article contains extensive endnotes; if assigned without the notes, the reading would amount to 42 pages.)

Keywords: human rights, colonialism, postcolonialism, education, caste, obedience, Eurocentrism, diaspora, restitution, India, Bengal

Sultan, Nazmul S. 2020. 'Self-Rule and the Problem of Peoplehood in Colonial India.' *American Political Science Review* 114(1): 81-94. (14pp) [\[Publisher\]](#)

Keywords: colonialism, India, self-rule, peoplehood, national consciousness, liberalism, Gandhi

Sultan, Nazmul S. 2022. 'Moral Empire and the Global Meaning of Gandhi's Anti-imperialism.' *Review of Politics* 84: 545–569 (25pp) [\[Open Access\]](#)

Keywords: Gandhi, Genealogy, India, United Kingdom, colonialism, morality

Sultan, Nazmul S.. 2024. 'What Is Colonialism? The Dual Claims of a Twentieth-Century Political Category' *American Political Science Review*. FirstView: doi:10.1017/S0003055424000388 (14pp) [\[Publisher\]](#)

Keywords: colonialism, normativity, modernity, governance, anticolonialism, Nehru

Tagore. Rabindranath. 1921. 'Tagore's Reflections on Non-Cooperation and Cooperation.' In *The Mahatma and The Poet: Letters and Debates between Gandhi and Tagore 1915-1941*. Edited by Sabyasachi Bhattacharya. New Delhi: National Book Trust, India. 61-68. (8pp) [\[Open access\]](#)

Keywords: Western canon, Gandhi, Tagore, satyagraha, cosmopolitanism



Táíwò, Olúfẹmi O. 2019. 'States Are Not Basic Structures: Against State-Centric Political Theory', *Philosophical Papers* 48: 59-82. (24pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, global justice, Rawls, distributive justice, domination, imperialism, analytic philosophy of law, Amílcar Cabral

Tan, Kok-Chor. 2006. 'Colonialism and Reparations.' In *Moral Issues in Global Perspective*, edited by Christine M. Koggel. Volume I: Moral and Political Theory. Second Edition. 265-73. Peterborough, ON: Broadview. (9pp) [[Amazon.co.uk](#)]

(A longer and more recent version of this piece is published in *Reparations: Interdisciplinary Inquiries*, edited by Jon Miller and Rahul Kumar, 280–306 (Oxford: Oxford University Press, 2007) [[Blackwell's](#)]. The volume in which the longer version is published is, unfortunately, prohibitively expensive, and no open access version is presently available.)

Keywords: colonialism, global justice, reparations

Taylor, Charles. 1984. 'Foucault on Freedom and Truth.' *Political Theory* 12(2): 152-83. (32pp) [[JSTOR](#)]

Keywords: truth, freedom, Foucault, power, domination, modernity

Temin, David Myer. 2018. 'Custer's Sins: Vine Deloria Jr. and the Settler-Colonial Politics of Civic Inclusion.' *Political Theory* 46(3): 357-79. (23pp) [[Publisher](#)] [[Open access](#)]

Keywords: settler colonialism, inclusion, Vine Deloria Jr, colonialism, indigenous rights, North America, United States

Terry, Brandon M. 2018. 'Requiem for a Dream: The Problem Space of Black Power.' In *To Shape a New World: Essays on the Political Philosophy of Martin Luther King, Jr*, edited by Tommie Shelby and Brandon M. Terry. 290-324. Cambridge, MA: Harvard University Press. (34pp) [[Publisher](#)]

Keywords: civil disobedience, justice, freedom, oppression, self-defense, political theory, United States, Black Power

Thomas, Chantal. 2016. 'Transnational Migration, Globalization, and Governance: Theorizing a Crisis.' In *The Oxford Handbook of the Theory of International Law*, edited by Anne Orford and Florian Hoffmann. 882-920. Oxford: Oxford University Press. (38pp) [[Publisher](#)]

(This chapter is extensively footnoted and runs to around 30 pages in reading if assigned without footnotes.)

Keywords: migration, neocolonialism, international law, Central America, sovereignty, political economy



Threadcraft, Shatema. 2014. 'Intimate Injustice, Political Obligation, and the Dark Ghetto.' *Signs: Journal of Women in Culture and Society* 39(3): 735-60. (26pp) [[Open access](#)]

Keywords: ghettos, Tommie Shelby, intimate justice, Black feminism, race, gender, United States

Unger, Roberto Mangabeira. (1983) 2015. *The Critical Legal Studies Movement: Another Time, A Greater Task*. London: Verso. Chapter 2, 47-75. (29pp) [[Open access](#)]

Keywords: legal thought, vocation of legal thought, legal reason, adjudication, sovereignty, critical legal studies

Valdez, Inés. 2019. 'Association, Reciprocity, and Emancipation: A Transnational Account of the Politics of Global Justice.' In *Empire, Race and Global Justice*, edited by Duncan Bell. 120-44. Cambridge: Cambridge University Press. (25pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, anticolonialism, reciprocity, global justice, liberation

Valentini, Laura. 2015. 'On the Distinctive Procedural Wrong of Colonialism', *Philosophy & Public Affairs* 43: 312-31. (20pp) [[Publisher](#)] [[Open access version](#)]

Keywords: colonialism, sovereignty, Lea Ypi, analytic philosophy of law

Waldron, Jeremy. 2017. "More than Merely Equal Consideration." In *One Another's Equals: The Basis of Human Equality*. 1-40. Cambridge, MA: Harvard University Press. (40pp) [[Publisher](#)]

Keywords: equality, dignity, racism, rank, whiteness, Hastings Rashdall

Whyte, Kyle Powys. 2016. 'Indigenous Experience, Environmental Justice, and Settler Colonialism.' In *Nature and Experience: Phenomenology and the Environment*, edited by Bryan E. Bannon. 157-74. London: Rowman & Littlefield. (17pp) [[Open access version](#)]

Keywords: indigenous rights, colonialism, settler colonialism, environmental justice, First Nations, indigenous experience, sovereignty

Williams, Patricia J. 1987. 'Alchemical Notes: Reconstructing Ideals from Deconstructed Rights.' *Harvard Civil Rights-Civil Liberties Law Review* 22(2): 401-34. (34pp) [[HeinOnline](#)] [[Open access](#)]

Keywords: rights, critical legal studies, oppression, narrative, United States

Williams, Patricia J. 1988. 'On Being the Object of Property.' *Signs: A Journal of Women in Culture and Society* 14(1): 5-24. (20pp) [[JSTOR](#)]

Keywords: property, slavery, narrative, oppression, critical race theory, multiple consciousness, United States

Reading questions:

- What is the significance to Williams's understanding of the nature of law of Williams's mother telling her, just before her first day of classes in law school, that 'The Millers were lawyers, so you have it in your blood'?

Wynter, Sylvia. 1995. '1492: A New World View.' In *Race, Discourse, and the Origins of the Americas: A New World View*, edited by Vera Lawrence Hyatt & Rex Nettleford. 5-57. Washington: Smithsonian Institution Press. (53pp) [[Open access](#)]

(If assigned without endnotes, this article would amount to 45 pages of reading.)

Keywords: colonialism, sociogeny, perspective, Fanon, humanism, genocide, Americas, Caribbean

Yankah, Ekow N. 2019. 'Pretext and Justification: Republicanism, Policing, and Race' *Cardozo Law Review* 40: 1543-1637. (95pp) [[HeinOnline](#)] [[Open access](#)]

(Pages 1546-55 and 1597-1637 to capture the core of Yankah's philosophical arguments in this article within a reading assignment of ~35 journal pages.)

Keywords: policing, crime, race, racism, republicanism, oppression, civic equality

Ypi, Lea. 2013. 'What's Wrong with Colonialism?', *Philosophy and Public Affairs* 41: 158-91. (34pp) [[JSTOR](#)] [[Open access](#)]

Keywords: colonialism, sovereignty, analytic philosophy of law, reciprocity

X, Malcolm. (1965) 1973. *The Autobiography of Malcolm X*. With Alex Haley New York: Ballantine. Chapter 19, 364-82. (19pp) [[Blackwell's](#)]

Keywords: self-defense, revolution, duty to obey, nationalism, United States, Black Power

Zig-Zag. 2011. *Colonization and Decolonization: A Manual for Indigenous Liberation in the 21st Century*. Vancouver: Warrior Publications. (32pp) [[Open access](#)]

Keywords: Kwakwaka'wakw nation, Canada, United States, colonialism, neocolonialism, resistance, history of colonialism, history of decolonisation, Fanon