Cambridge Core

The new home of academic content

cambridge.org/core

Cambridge Core
Law
Books and Journals from Cambridge University Press

Cambridge have an established and ever expanding academic law list in public and private law subjects crossing books and journals aimed at a global readership.

Particular strengths lie in international law, human rights and transitional justice, transnational and comparative law, jurisprudence, and legal history.

We also publish a growing number of titles with an inter-disciplinary and socio-legal approach.

For further details visit: cambridge.org/core-law
Instructions for contributors
The International Journal of Law in Context is the companion journal to the ‘Law in Context’ book series. It provides a forum for interdisciplinary legal studies and offers intellectual space for ground-breaking critical research. It is not committed to any particular theory, ideologue methodology and invites papers from a variety of standpoints, ideologies, perspectives, and methods. It publishes contextual work about law and its relationship with other disciplines including but not limited to science, literature, humanities, philosophy, sociology, psychology, ethics, history and geography. The journal aims to explore and expand the boundaries of law and legal studies. Full instructions for contributors are available at journals.cambridge.org/ijc

Submissions
Please submit your article using the ScholarOne system: http://mc.manuscriptcentral.com/ijc

Questions regarding publication may be sent to the Editors-in-Chief:
Professor Penelope Andrews
penelope.andrews@uct.ac.za
or
Professor Marc Hertogh
M.L.M.Hertogh@rug.nl
or
Professor Jane Holder
jane.holder@ucl.ac.uk
or
Professor David Nelken
david.nelken@kcl.ac.uk

Contributors are responsible for obtaining permission to reproduce any materials, including photographs and illustrations, for which they do not hold copyright and for ensuring that the appropriate acknowledgements are included in the manuscript.

All contributions in the journal are peer-reviewed.

Upon acceptance of a paper, the authors will be asked to assign copyright to Cambridge University Press.

Book Reviews should be sent to:
Professor Heinz Klug
University of Wisconsin Law School,
975 Bascom Mall, Madison, Wisconsin 53706, USA. Email: heinz.klug@wisc.edu

Manuscript preparation
1. Articles should be written in English. They should not have been published already, nor should they be under consideration elsewhere.

Authors, particularly those whose first language is not English, may wish to have their English-language manuscripts checked by a native speaker before submission. This is optional, but may help to ensure that the academic content of the paper is fully understood by the editor and any reviewers. We list a number of third-party services specializing in language editing and/or translation, and suggest that authors contact as appropriate: http://journals.cambridge.org/openaccess

2. Each article should be accompanied by the following information on a separate sheet:
   • the title of the article
   • the author’s name, affiliation and institutional address, together with an e-mail address, and telephone and fax numbers
   • an abstract of 150 words
   • articles should be no more than 12,000 words, including notes.

3. Articles must be word processed and double-spaced. 4a or American Quarts paper should be used. Three copies should be submitted.

4. Any articles containing material subject to copyright restrictions other than those owned or controlled by the contributor must be accompanied by appropriate permissions from the relevant copyright holder(s).

5. For referencing use the Harvard-style system. Surname and date should be cited in the text, with a page reference where relevant, together with an alphabetically-ordered end list. Use the following style in the Reference List


Citations in new editions of previously published works should include the date of the original edition and the new edition in the text and in the reference list e.g. Mill (1859/1989)

6. Footnotes should be used rather than end notes. Each time a case is referred to in the text, the case report reference should be set out in the footnote. One report reference is sufficient.

References to UK statutes should be made as follows

Matrimonial Causes Act 1973, s.25

Statutory instruments should be referred to by name and date (i.e. short title) followed by the number e.g. Local Authorities (Smallholdings) Order 1974, SI 1974/396

7. Tables should be presented on separate sheets at the end of the article and should have short descriptive titles. Figures should be clearly numbered and should have explanatory captions. The author must indicate where Tables and Figures should be placed in the text.

8. Charges apply for all colour figures that appear in the print version of the journal. At the time of submission, contributors should clearly state whether their figures should appear in colour in the online version only, or whether they should appear in colour online and in the print version. There is no charge for including colour figures in the online version of the Journal but it must be clear that colour is needed to enhance the meaning of the figure, rather than simply being for aesthetic purposes. If you request colour figures in the printed version, you will be contacted by CCG-Rightslink who are acting on our behalf to collect Author Charges. Please follow their instructions in order to avoid any delay in the publication of your article.

Proofs
Only essential typographical or factual errors may be changed at proof stage. Resist the temptation to revise or add to the text. The publisher reserves the right to charge authors for correction of non-typographical errors.

Offprints
No paper offprints are provided, but the corresponding author will be sent the pdf of the published article. Print offprints may be purchased at extra cost at proof stage.

Open Access

Please visit http://journals.cambridge.org/openaccess for information on our open access policies, compliance with major funding bodies, and guidelines on depositing your manuscript in an institutional repository.
CONTENTS

Special Issue in Celebration of Peter Fitzpatrick and his Scholarship

1–1 Editorial introduction
David Sugarman and Abdul Paliwala

2–16 Becoming Peter Fitzpatrick (1941–2020)
David Sugarman

17–18 Transformation
William Twining

19–23 Post-colonial attitudes and the relevance of incommensurability
Eve Darian-Smith

24–27 Not to save, but to encounter: Fitzpatrick as transnational jurisprudent
Sundhya Pahuja

28–31 Myth and concealment at colonial law’s foundations
George Pavlich

32–35 Deconstruction, dissipation and death, and the ‘casting away of the law’?
Upendra Baxi

36–39 A concise note on Peter Fitzpatrick’s ‘Racism and the innocence of law’
Patricia Tuitt

40–43 Improvising with Peter
Sara Ramshaw

44–50 How to do things with Foucault (legally)
Ben Golder

51–57 Ultimate conversation: Fitzpatrick at Warwick, February 2020
Abdul Paliwala

Articles

58–74 One step forward or one step back? Autonomy, agency and surrogates in the Indian Surrogacy (Regulation) Bill 2019
Swati Gola

75–90 Pre-trial detention and legal defence in Latin America
Gustavo Yonderola and Miguel Quintero-Navarrete

Reviews

91–99 Symposium: The Rule of Law in Transnational Development Projects – Private Actors and Public Chokeholds
Kinnari Bhate, Jennifer Lander and Sanne Taekema

100–106 The contractualisation of public international law
Ilias Bantekas

107–113 Mapping ‘wild zones’ of globalisation: on private actors and the rule of law
Chantal Mou

114–121 Private actors in development projects: reflections on human rights between power and resistance
Guenther Erdm Törkelli

122–127 ‘Choking the national demos’: research partnerships and the material constitution of global health
John Harrington

128–135 A counter-hegemonic rule of law?
Johanna del Pilar Cortés-Nieto and Gedre Jakubauskaitė

136–144 Access to remedy in transnational development projects: the need for effective and comprehensive remedy ecosystems
Martijn Scheltema

145–153 Contracting in land and natural resources: a tale of exclusion
Federica Visti

154–159 Googling the equivalence of private arbitrary power and state arbitrary power: why the Rule of Law does not relate to private relationships
Paul Burgess

For further information about this journal please go to the journal website at:
cambridge.org/ijc