



**Call for papers: Decolonial comparative property law**

*4-6 November 2024 in Brasília (Brazil)*

Paper submission deadline: 14 February 2024

Decisions: 14 April 2024

**THEME:** Following workshops dedicated to methodology (Witwatersrand 2020) and precolonial law (Oxford 2022), the third Decolonial Comparative Law (DeCoLa) Workshop in Brasília will focus on decolonial approaches to comparative property law. Property is of central concern for decolonial comparative law. Many of the assumptions of Global North property law—such as John Locke’s labour theory of property—emerged in colonial contexts. In addition, neo-colonialism (in the form, for example, of waste colonialism) continues to affect both private and public property in the Global South. Moreover, coloniality propagates a notion of property as individual spaces of freedom; this notion excludes alternative, non-Northern concepts, such as communal ownership, stewardship, or the personhood of rivers and mountains.

Our workshop aims to delink from colonial notions of property, ownership, and possession, while also recognizing the fluidity and plurality (historical and contemporary) of law in the Global South (customary, indigenous, or otherwise). Building on critiques of modern property law that recognise its relationship to colonialism and its perpetuation of coloniality, we encourage applications of decoloniality to concrete comparative property law case studies, particularly South-South comparisons. Although we recognise the inseparability of private and public property and the relevance of territorial sovereignty to the conceptualisation of property, we do not seek merely to repeat the existing international law critiques of these topics. We hope to explore decolonial forms of possession (i.e., abolishing private ownership, right to the city) and decolonial translations of South-based and indigenous property law. Rather than only identifying colonial property law, we welcome papers that engage with decolonial, indigenous, and non-colonial approaches to property. Selected papers would either embrace Indigenous or minority groups’ property law, or plural conceptions of property law which combine precolonial law and daily adaptations to modernity.

Potential topics include: indigenous and non-colonial conceptualisations of both property and relations to the inanimate world; non-colonial and indigenous access to land and natural resources (such as water); indigenous knowledge as property; distinctions between ownership and possession; legal implications of the inalienability of land and nature; relationships to land and water that differ from the subject-object notion of property. We invite papers that destabilise coloniality by engaging with why and how indigenous and Global South societies define or practise property law and possession, or, conversely, do not.

**PAPER SUBMISSION:** Papers should be based on original research (ideally relying on primary or indigenous sources) and on decolonial comparative law methods. Papers should identify “property law” in a specific tradition or place, with particular attention to decolonial, indigenous, or pre-colonial methods and practices. Authors are highly encouraged to make use of the bibliographies on decolonial theory and decolonial legal studies provided on the [DeCoLa Project website](#). Preference will be given to papers that are comparative and engage directly with existing scholarly literature. Please send your paper to our [secured Cloud](#) (i) as an attachment in the template provided on the Decolonial Comparative Law Project website (ii) in any language (iii) not exceeding 5,000 words (iv) **by 14 February 2024**. You will receive acknowledgement of your paper submission by email.

**PEER REVIEW:** The peer review advisory board includes Ahmad Amara (NYU Tel Aviv; Ben Gurion University), Roberta Camineiro Baggio (Universidade Federal de Rio Grande do Sul - UFRGS), Isidore Leopold Miendjiem (Université de Dschang), and Ambreena Manji (Cardiff University).



**ACCEPTED PAPERS:** Authors of accepted papers will have an opportunity to submit revised versions of their papers for the workshop. Submitted papers that are written in a language other than English will be professionally translated. Papers will be pre-circulated prior to the workshop; authors will not present their papers at the workshop. After peer-review, the papers will be published in an edited volume or journal symposium issue.

**TIMELINE:**

14 February 2024	draft paper due
14 April 2024	acceptance or rejection
14 June 2024	revised draft paper due
4-6 November 2024	onsite presentation and discussion of paper in Brasília
10 January 2025	final paper due

**CO-ORGANISERS:** This third workshop is co-organised by the DeCoLa Project at the Max Planck Institute for Comparative and International Private Law (MPIPriv) in Hamburg and the Decolonization and Comparing Legal Experiences Network (DECLEN) at Universidade Católica de Brasília. The DeCoLa project is directed by Ralf Michaels (MPIPriv). Kwamou Eva Feukeu (MPIPriv) is the DeCoLa project coordinator. DECLEN is a scholarly network co-run by Deo Campos Santos and Guilherme Roman Borges (Universidade Católica de Brasília).

**LOCATION:** The workshop will take place at the Universidade Católica de Brasília and include community conversations with Brazilian activists and interdisciplinary discussions on property. Translation services may be provided.

**FUNDING:** MPIPriv provides funding for international participation in the workshop. Organisers expect to offer three nights of accommodation in Brasília and travel reimbursement for authors of accepted papers.

**PROGRAM:** The workshop will be followed by a spring school hosted at the Universidade Federal da Bahia on 7-9 November 2024. The workshop and spring school are being coordinated by a program committee, which includes: Anna Lyvia Ribeiro (Real Estate Law Special Commission), André Nunes Chaib (University of Maastricht), Fernanda Frizzo Bragato (Unisinos do Vale do Rio dos Sinos - UNISINOS), Flávia Carlet (Universidade Federal do Rio Grande do Sul – UFRGS), Karina Gomes Machado (Unisinos do Vale do Rio dos Sinos - UNISINOS), Luiz Eduardo de Lacerda Abreu (Universidade de Brasília–UnB), and Tatiana Emilia Dias Gomes (Universidade Federal da Bahia–UFBA).

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