

**LARRY CATÁ BACKER**  
**CV (SHORT FORM); LONG FORM ([ACCESS HERE](#))**

**CONTACT INFORMATION:**

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E-Essays: "Law at the End of the Day": <http://www.lcbackerblog.blogspot.com>

"白轲：法学之彼岸": <http://blog.sina.com.cn/lcbackerblog>

Personal Web Site: <http://backerinlaw.com>

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**CURRENT PERMANENT FULL TIME ACADEMIC POSITION:**

--W. Richard and Mary Eshelman Faculty Scholar and Professor of Law and International Affairs, Pennsylvania State University (since 2001).

**EDUCATION:**

Columbia University, New York, NY (1979-1982). School of Law, Juris Doctor.

Harvard University, Cambridge, MA (1977-1979). J.F. Kennedy School of Government, Master of Public Policy.

Brandeis University, Waltham, MA (1973-1977). B.A., summa cum laude with honors in history.

**PRIOR FULL TIME EMPLOYMENT:**

University of Tulsa College of Law, Tulsa, Oklahoma (1998-2000). Executive Director: Comparative and International Law Center (Co-Dir. 1996-98; Executive Dir. 1998-2000).

University of Tulsa, College of Law, Tulsa, Oklahoma (1991-2000). Professor 1996-2001; Associate Professor 1994-96 (tenure from August, 1994); Assistant Professor, 1991-1994).

Seyfarth, Shaw, Fairweather & Geraldson, Los Angeles, California (Associate, 1987-1991); Irell & Manella, Los Angeles, California (Associate, 1983-1987).

Hon. Leonard I. Garth, Judge, United States Court of Appeals for the Third Circuit, Newark, New Jersey (Law Clerk, 1982-1983).

**ADDITIONAL AFFILIATIONS AND APPOINTMENTS.**

**VISITORSHIPS:**

Tulane University Law School, New Orleans, Louisiana. Visiting Professor of Law (2007-2008).

Pennsylvania State University, Dickinson School of Law Carlisle, Pennsylvania. Visiting Professor of Law (2000-2001).

University of California, Hastings College of the Law, San Francisco, California, Visiting Professor of Law (Spring term 1998).

**OTHER AFFILIATIONS**

Simon and Hallsworth Visiting Professor, University of Manchester, Alliance Business School, Manchester, U.K. (2017-2018).

Visiting Scholar, Department of Business Law and Taxation, Monash Business School, Melbourne Australia (8-15 August 2017).

**SERVICE AND OTHER PROFESSIONAL ACTIVITIES (SELECTED):**

Penn State University: Member, University Senate Committee of Past Chairs (since 2018); Chair, Penn State University Joint Diversity Awareness Task Force (2015-2016).

National People of Color Scholarship Conference: Fourth National People of Color Conference, "People of Color and the Future of Democracy," American University, Washington

College of Law, March 21-24, 2019; Member, National Advisory Committee and Scholarship Committees (2018-2019).

Organization Memberships: American Law Institute (elected member since 1996); European China Law Studies Association (since 2014); Association for the Study of the Cuban Economy (Board of Trustees since 2016); European Corporate Governance Institute (ECGI) (academic member since 2006); Coalition for Peace and Ethics (a non-profit NGO) (Director since 2006); Phi Beta Kappa (since 1976).

State Bar of California (since 1982).

Association of American Law Schools (AALS):

- Minority Groups Section: executive committee member 2004-2008; Chair-Elect 2006-2007, Chair 2007-2008; Minority Groups Section Newsletter editor (2002-2010).
- Section of Economic Globalization (Executive Committee since 2016; Section Chair 2019-2020; Newsletter editor from 2020).

Editorial Boards (Selected): [International Journal for the Semiotics of Law](#) (Springer; since 2021)); *Business and Human Rights Journal* (Cambridge University Press, 2014-2022); [Chinese and Comparative Law Series](#) (Brill, since 2020); [Law and Visual Jurisprudence Book Series](#) (Springer, since 2019); [Iuris Dictio](#) (Colegio de Jurisprudencia Universidad de San Francisco de Quito, Ecuador since 2016); International Private Law Book Series (Eurilink University Press, Rome, Italy, since 2017); Narxoz Law and Public Policy Review (Narxoz University, Kazakhstan, since 2020).

Routledge (USA & UK), [Globalization Law & Policy Series](#) (Editor since 2010).

Hong Kong Research Grants Council: Member Humanities and Social Sciences Panel (2019-2024); member, Humanities, Social Sciences and Business Studies Selection Panel (HSSB Panel) for the RGC Research Fellow Scheme (RFS) and RGC Senior Research Fellow Scheme (SRFS) (2020-2024).

#### **HONORS/AWARDS (SELECTED):**

2021-22 Dean's Faculty Fellow Penn State Law

2019 Outstanding Service Award, 4<sup>th</sup> National People of Color Legal Scholarship Conference

2014-15 Schreyer Honors College Distinguished Honors Faculty in Law, Pennsylvania State University

2013 Friend of the Commonwealth Award (Penn State)

2012 Committee on Institutional Cooperation (CIC), Academic Leadership Program Fellow

1996 University of Tulsa Outstanding Teacher Award; University of Tulsa College of Law: Outstanding Faculty Member, awarded by College of Law first year class; University of Tulsa College of Law: Outstanding Faculty Member, awarded by College of Law upper classes.

#### **COURSES TAUGHT:**

*Law:* [Elements of Law](#); [Corporate Law](#); Multinational Corporations Law; Civil Procedure; European Union Law I (Constitutional, Legal & Institutional Framework) & II (Substantive Law and International Relations); Commercial Law of the European Union; Constitutional Law of Religion; Comparative Constitutional Law; Constitutional Law; Constitutional Law Seminar (Personal Autonomy, 14<sup>th</sup> Amendment, Morality Legislation, and Religion); Comparative Constitutional Law Seminar; Comparative Law; International Civil Litigation in U.S. Courts; Comparative Corporate Law; and International Business Transactions; Transnational Law & Legal Issues.

*School of International Affairs:* [Actors, Institutions, and Legal Frameworks in International Affairs](#) (Core course); [Globalization and Corporate Social Responsibility](#); Introduction to U.S. Law and Legal Systems; Globalization and the Multinational Enterprise.

*Short Courses prepared for foreign programs:* [Introduction to the Language and Systems of Law in the US](#) (last taught in Panama, 2019) ); [Lectures on Comparative Constitutionalism](#) -- 比

较立宪主义 (last taught at East China University of Political Science and Law; Shanghai, China 2019).

## PUBLICATIONS:

### A. Books:

THE UNITED NATIONS GUIDING PRINCIPLES FOR BUSINESS AND HUMAN RIGHTS: A COMMENTARY (OXFORD COMMENTARIES IN INTERNATIONAL LAW) (Oxford University Press, forthcoming 2023).

ELEMENTS OF LAW AND THE UNITED STATES LEGAL SYSTEM (Carolina Academic Press (forthcoming 2024). ISBN: 978-1-61163-927-8 • e-ISBN: 978-1-61163-984-1.

WAR, LAW, POLICY, AND THE CHANGING GLOBAL (LEGALIST) ORDER: ESSAYS ON THE FIRST ANNIVERSARY OF THE END OF CURRENT PHASE OF THE RUSSO-UKRAINIAN WAR, EMANCIPATING THE MIND IN THE NEW ERA: BULLETIN OF THE COALITION FOR PEACE & ETHICS 17(1) (Summer 2022) (Larry Catá Backer and Alexander Hansen (eds), forthcoming 2023).

[THE SELF-REFLEXIVE IMAGINARIES OF LAW: ESSAYS ON CONTEMPORARY LEGALIZATION IN AN AGE OF ALGORITHMIC LAW AND PLATFORM GOVERNANCE](#), EMANCIPATING THE MIND IN THE NEW ERA: BULLETIN OF THE COALITION FOR PEACE & ETHICS 16(1) (Summer 2021) (Larry Catá Backer and Matthew McQuilla (eds), 2022) (ISSN 2689-0283 (print); 2689-0291 (online); ISBN 978-1-949943-08-5 (paperback); 978-1-949943-09-2 (Digital).

[ESSAYS ON CONTEMPORARY CHINA-HEARTLAND, PERIPHERY, AND SILK ROADS](#), EMANCIPATING THE MIND IN THE NEW ERA: BULLETIN OF THE COALITION FOR PEACE & ETHICS 16(1) (Summer 2021) (Larry Catá Backer and Matthew McQuilla (eds), 2022) (ISSN 2689-0283 ((print); 2689-0291 (online); ISBN 978-1-949943-06-1 (online digital); 978-1-949943-07-8 (paperback)).

HONG KONG BETWEEN 'ONE COUNTRY' AND 'TWO SYSTEMS': ESSAYS FROM THE YEAR THAT TRANSFORMED THE HONG KONG SPECIAL ADMINISTRATIVE REGION (JUNE 2019 – JUNE 2020) (Little Sir Press, 2021) (ISBN: 978-1-949943-03-0 (ebk); 978-1-949943-05-4 (paperback)).

CUBA'S CARIBBEAN MARXISM: ESSAYS ON IDEOLOGY, GOVERNMENT, SOCIETY, AND ECONOMY IN THE POST FIDEL CASTRO ERA (Little Sir Press, 2018). ISBN: 978-1-949943-00-9 (pbk) • e-ISBN 978-1-949943-01-6 (ebk)).

ELEMENTS OF LAW AND THE UNITED STATES LEGAL SYSTEM (Durham, N.C.: Carolina Academic Press, forthcoming 2019). ISBN: 978-1-61163-927-8 • e-ISBN: 978-1-61163-984-1.

LAW & RELIGION: CASES AND MATERIALS (4<sup>th</sup> ed., West Academic, 2021) (With Frank S. Ravitch). ISBN 13:978-64708-764-7.

-- LAW AND RELIGION: CASES, MATERIALS, AND READINGS LAW AND RELIGION: CASES, MATERIALS, AND READINGS (3rd ed., West Academic Publishing, 2015) (with Frank S. Ravitch). ISBN 13: 9780314284075.

LAWYERS MAKING MEANING: THE SEMIOTICS OF LAW IN LEGAL EDUCATION II (Dordrecht: Springer, 2013) (with Jan M. Broekman) ISBN 978-94-007-5457-7; ISBN 978-94-007-5458-4 (eBook).

COMPARATIVE CORPORATE LAW: UNITED STATES, EUROPEAN UNION, CHINA AND JAPAN (Durham, N.C.: Carolina Academic Press, 2002) ISBN 0-89089-526-0; LCCN 2001088034.

### B. Books; Edited Collections:

THE CAMBRIDGE HANDBOOK OF CHINESE CONSTITUTIONAL LAW (Guobin Zhu, Björn Ahl & Larry Catá Backer; proposal under review 2023-2024)

THE CURRENT STATE AND FUTURE TRAJECTORIES OF HUMAN RIGHTS DUE DILIGENCE LAWS: NEW LEGAL NORMS ON HUMAN RIGHTS DUE DILIGENCE (Larry Catá Backer and Claire Methven O'Brien, eds.; Routledge (Taylor & Francis Group forthcoming 2024).

THE CHINA REVIEW SPECIAL ISSUE ON LAW AND SOCIAL CREDIT IN CHINA (2024) 24(3) (Björn Ahl, Larry Catá Backer (白轲) and Yongxi Chen eds) pp. 1-206 (ISSN 1680-2012)..

- EMANCIPATING THE MIND IN THE NEW ERA: BULLETIN OF THE COALITION FOR PEACE & ETHICS (ISSN 2689-0283 ((print); 2689-0291 (online)) (Editor, Vol. 1(2006) - current (Vol. 15 (2020) available [HERE](#)
- SIGNS IN LAW, A SOURCE BOOK - THE SEMIOTICS OF LAW IN LEGAL EDUCATION III (Jan M. Broekman and Larry Catá Backer, eds., Dordrecht, Neth: Springer, 2014) (e-book ISBN 978-3-319-09837-1; hardback ISBN 978-3-319-09836-4).
- HARMONIZING LAW IN AN ERA OF GLOBALIZATION: CONVERGENCE, DIVERGENCE, RESISTANCE (Durham, N.C.: Carolina Academic Press, 2007) ISBN 0-89089-585-6 (editor and contributor).

C. Contributions to Edited Volumes (selected since 2015):

- Legal Semiotics, Globalization, and Governance*, in RESEARCH HANDBOOK ON LEGAL SEMIOTICS (Anne Wagner and Sarah Marusek (eds); Edward Elgar, 2023) pp. 61-85 (ISBN 9781802207255; eISBN 9781802207262) (DOI <https://doi.org/10.4337/9781802207262>).
- “Whole Process Democracy” as Applied Constitutionalism, in THE CAMBRIDGE HANDBOOK OF CHINESE CONSTITUTIONAL LAW (Guobin Zhu, Björn Ahl & Larry Catá Backer; proposal under review 2023-2024).
- Human Rights Due Diligence in the UN Guiding Principles for Business and Human Rights*, in THE CURRENT STATE AND FUTURE TRAJECTORIES OF HUMAN RIGHTS DUE DILIGENCE LAWS: NEW LEGAL NORMS ON HUMAN RIGHTS DUE DILIGENCE (Larry Catá Backer and Claire Methven O’Brien, eds.; Routledge (Taylor & Francis Group forthcoming 2024).
- Chinese State-Owned Companies and Investment in Latin America and Europe*, in HUMAN RIGHTS AND ENVIRONMENTAL SUSTAINABILITY IN STATE-OWNED ENTERPRISES IN LATIN AMERICA AND EUROPE 147-191 (Judith Schonsteiner and Markus Krajewski, eds., forthcoming 2024).
- Describe, Predict, Intervene!—On Objective Subjectivities and the Simulacra of Semiotics in the New Era; Simulated Signification and of Mechanical Meaning Making in Managing Post-COVID Human Society*, in Rearguards of Subjectivity (Frank Fleerackers (ed); Springer, 2023) pp. 21-62 (ISBN 978-3-031-26854-0 (hardback); ISBN978-3-031-26857-1 (softcover); ISBN 978-3-031-26855-7 (eBook)).
- “The Flower of Democracy Blooms Brilliantly in China [中国的民主之花绚丽绽放]”: *The Chinese Communist Party and the Chinese Constitutional Order*, in Routledge Handbook of C Constitutional Law in China (Ngoc Son Bui, Stuart Hargreaves, Ryan Mitchell (eds); Routledge, 2022) chp. 5, pp. 67-84 (ISBN 9780367651855).
- Principle 4: The Obligations of States in Markets With Respect to Enterprises Owned, Controlled, or Supported by the State*, in ELGAR COMMENTARIES ON THE UNITED NATIONS PRINCIPLES OF BUSINESS AND HUMAN RIGHTS (Barnali Choudhury, ed., Edward Elgar, forthcoming 2021).
- ‘Un Somaro Piumato’--Rethinking the Scope and Nature of State Liability for Acts of their Commercial Instrumentalities: *State Owned Enterprises and State-Owner Liability in the Post-Global*, Julien Chaisse, Jędrzej Górski and Dini Sejko (eds) THE REGULATION OF STATE-CONTROLLED ENTERPRISES: AN INTERDISCIPLINARY AND COMPARATIVE EXAMINATION 369-398 (Singapore: Springer Nature, 2022).
- The Problem of the Enterprise and the Enterprise of Law: Multinational Enterprises as Polycentric Transnational Regulatory Spaces*, in 777-800 OXFORD HANDBOOK OF TRANSNATIONAL LAW (Peer Zumbansen, ed., Oxford University Press, 2021).
- And an Algorithm to Entangle them All? Social Credit, Data Driven Governance, and Legal Entanglement in Post-Law Legal Orders*, in ENTANGLED LEGALITIES BEYOND THE STATE 79-106 (Nico Kirsch, ed., Cambridge, 2020) (ISBN 978-1-108-84306-5 Hardback; 978-1-108-82379-1 Paperback).
- Foreword: Bannermen and Heralds: The Identity of Flags; the Ensigns of Identity*, in FLAGS, IDENTITY, MEMORY: CRITIQUING THE PUBLIC NARRATIVE THROUGH COLOR v-xxvii (Anne Wagner and Sarah Marusek, eds., Dordrecht: Springer 2020) (ISBN 978-3-030-32865-8) (the volume is the recipient of the Gheradis Davis Prize 2021 (University of Texas Law School)).
- China*, in TIPPING POINTS IN INTERNATIONAL LAW: CRITIQUE AND COMMITMENT 52-73 (Jean d’Aspremont, and John Haskell eds., Cambridge University Press, 2021) (ISBN 978 1108 84510 6).
- The Cri de Jessup Sixty Years Later: Transnational Law’s Intangible Objects and Abstracted Frameworks Beyond Nation, Enterprise, and Law*, in JESSUP’S BOLD PROPOSAL: CRITICAL ENGAGEMENTS WITH

- TRANSNATIONAL LAW 386-418 (Peer Zumbansen (ed.), Cambridge UP, 2020) (ISBN: 9781108490269).
- La debida diligencia en las universidades*, in RETOS Y DESAFÍOS DE LAS EMPRESAS Y LOS DERECHOS HUMANOS (Carolina Olarte-Báceres, Catalina Irisarri Boada y Laura Arenas Peralta, eds.; Bogotá: Pontificia Universidad Javeriana y Grupo Editorial Ibañez) (ISBN 978-958-749-000-0).
- From the Social to the Human Rights of Labor: Reflections on the Universal Declaration of Human Rights Art. 23, the ILO, and Working Rights Principles*, in THE UNIVERSAL DECLARATION OF HUMAN RIGHTS: A COMMENTARY (Humberto Cantú Rivera (ed.), Brill/Nijhoff, 2019 (forthcoming), pp. 533-565).
- Human Rights Responsibilities of State-Owned Enterprises*, in RESEARCH HANDBOOK ON HUMAN RIGHTS AND BUSINESS 223-244 (Surya Deva and David Birchall (eds.), Edward Elgar, 2020) (ISBN: 978 1 78643 639 9; eISBN: 978 1 78643 640 5).
- Reintegrating Cuba into the Global Economy: Stasis and the European Alternative*, in THE CUBA-U.S. BILATERAL RELATIONSHIP: NEW PATHWAYS & POLICY CHOICES (Michael J. Kelly, Erika Moreno, and Richard C. Witmer, eds., Oxford University Press, forthcoming 2019).
- Unpacking Accountability in Business and Human Rights: The Multinational Enterprise, the State, and the International Community*, in ACCOUNTABILITY AND INTERNATIONAL BUSINESS ORGANIZATIONS: PROVIDING JUSTICE FOR CORPORATE VIOLATIONS OF HUMAN RIGHTS, LABOR, AND ENVIRONMENTAL STANDARDS 60-85 (Liesbeth Enneking, et al., eds. Routledge, 2020).
- From Guiding Principles to Interpretive Organizations: Developing a Framework for Applying the UNGPs to Disputes that Institutionalizes the Advocacy Role of Civil Society*, in BUSINESS AND HUMAN RIGHTS: BEYOND THE END OF THE BEGINNING 97-110 (César Rodríguez Garavito, ed., Cambridge University Press, 2017) ISBN978-1-107-17529-7.
- Principled Pragmatism in the Elaboration of a Comprehensive Treaty on Business and Human Rights*, in BUILDING A TREATY ON BUSINESS AND HUMAN RIGHTS: CONTEXT AND CONTOURS 105-130 (Surya Deva and David Bilchitz, eds., Cambridge University Press, 2017). ISBN978-1-107-19911-8 (hrbk).
- Considering a Treaty on Corporations and Human Rights: Mostly Failures but With a Glimmer of Success*, in TREATY OR NOT? PERSPECTIVES ON THE PROPOSED UN TREATY ON BUSINESS AND HUMAN RIGHTS (Nicolás Carillo-Santarelli and Jernej Letnar Cernic, eds., Intersentia, forthcoming 2017).
- The Evolving Relationship Between TNCs and Political Actors and Governments*, in RESEARCH HANDBOOK ON TRANSNATIONAL CORPORATIONS 82-116 (Alice de Jonge and Roman Tomasic, eds., Edward Elgar Publishing, 2017). ISBN: 978 1 78347 690 9.
- The Concept of Constitutionalization and the Multi-Corporate Enterprise in the 21st Century: From Body Corporate to Sovereign Enterprise in Multinationals and the Constitutionalization of the World Power System* (Jean-Philippe Robé, Antoine Lyon-Caen, and Stéphane Vernac, eds., Routledge (Taylor & Francis Group), 2016) ISBN: 978-1-4724-8292-1 (hbk); ISBN: 978-1-315-596334 (ebk).
- The Cuban Communist Party at the Cusp of Change* in REFORMING COMMUNISM: CUBA IN A COMPARATIVE PERSPECTIVE 157-191 (Scott Morgenstern and Jorge Pérez López, eds. University of Pittsburgh Press, 2018). ISBN 978-0-8229-6549-7.
- The Role of Companies in Privatizing Socio-Economic Rights in India and China Under Emerging Global Regulatory Frameworks*, in SOCIO-ECONOMIC RIGHTS IN EMERGING FREE MARKETS: COMPARATIVE INSIGHTS FROM INDIA AND CHINA (Surya Deva (ed.), London: Routledge, 2016). ISBN 978-0-415-73507-0
- Regulating Global Markets: What we Might Learn From Sovereign Wealth Funds*, in RESHAPING MARKETS: ECONOMIC GOVERNANCE, THE GLOBAL FINANCIAL CRISIS, AND LIBERAL UTOPIA (Bertram Lomfield, Alessandro Somma and Peer Zumbansen, eds., Cambridge University Press, forthcoming 2015).
- Governance Polycentrism or Regulated Self-Regulation—Rule Systems for Human Rights Impacts of Economic Activity Where National, Private and International Regimes Collide*, CONTESTED COLLISIONS: INTERDISCIPLINARY INQUIRIES INTO NORM FRAGMENTATION IN WORLD SOCIETY 198-225 (Kerstin Blome, Hannah Franzki, Andreas Fischer-Lescano, Nora Markard and Stefan Oeter, eds., Cambridge University Press, 2016). ISBN 978-1-107-12657-2.



*China's Corporate Social Responsibility With National Characteristics: Coherence and Dissonance With the Global Business and Human Rights Project*, in HUMAN RIGHTS AND BUSINESS: MOVING FORWARD, LOOKING BACK 530-558 (Jena Martin and Karen Erica Bravo, eds., Cambridge University Press, 2015). ISBN 9781107095526

D. **Published and Forthcoming Journal Articles (selected):**

*Law and Social Credit in China: An Introduction*, *THE CHINA REVIEW: AN INTERDISCIPLINARY JOURNAL ON GREATER CHINA*, 24(3): 1-15 (Special Issue, 2024).

*The Imaginaries of Regulatory Spaces in an Age of Administrative Discretion: Social Credit 'in' or 'as' the Cage of Regulation of Socialist Legality*, *THE CHINA REVIEW: AN INTERDISCIPLINARY JOURNAL ON GREATER CHINA* 24(3):71-106 (Special Issue; 2024).

*Trust platforms: The digitalization of corporate governance and the transformation of trust in polycentric space*, *REGULATION & GOVERNANCE* (2024) doi:10.1111/rego.12614.

*The algorithmic law of business and human rights: constructing private transnational law of ratings, social credit and accountability measures*, 18(4) *INTERNATIONAL JOURNAL OF LAW IN CONTEXT* 1-21 (2022; Special Issue) with Matthew B. McQuilla.

*Robert Cover and International Law – Narrative Nudges and Nomadic Nomos*, 37(4) *TOURO LAW REVIEW* 2315-2364 (2022).

['Lawyers are not algorithms: Sustainability, corruption, and the role of the lawyer in institutional frameworks and corporate transactions'](#), 23 *LEGAL ETHICS* -- (2021) DOI: 10.1080/1460728x.2021.1979728.

[The Semiotics of Consent and the American Law Institute's Reform of the Model Penal Code's Sexual Assault Provisions](#), 1(1) *UNDECIDABILITIES AND THE LAW: COIMBRA JOURNAL OF LEGAL STUDIES* 49-83 (2021).

*Popular Participation in the Constitution of the Illiberal State – An Empirical Study of Popular Engagement and Constitutional Reform in Cuba and the Contours of Cuban Socialist Democracy 2.0*, 34(1) *EMORY INTERNATIONAL LAW REVIEW* 183-276 (2020) (with Flora Sapio, and James Korman).

[Popular Consultation and Referendum in the Making of Contemporary Cuban Socialist Democracy Practice and Constitutional Theory](#), 27(1) *INTERNATIONAL LAW REVIEW* 37-130 (2019)(with Flora Sapio).

*Next Generation Law: Data Driven Governance and Accountability Based Regulatory Systems in the West, and Social Credit Regimes in China*, 28(1) *USC INTERDISCIPLINARY LAW JOURNAL* 123-172 (2018).

*Chinese Strategies to Combat Corporate Corruption: From a "Two Thrust Approach" to a "Two Swords One Thrust Strategy" of Compliance, Prosecutorial Discretion, and Sovereign Investor Oversight in China*, 52(1) *INTERNATIONAL LAWYER* 1-45 (2019).

评强世功教授《哲学与历史——从党的十九大报告解读“习近平时代”》一文 [A New Analytics for a New Era: Reflections on Jiang Shigong on 'Philosophy and History: Interpreting the "Xi Jinping Era" through Xi's Report to the Nineteenth National Congress of the CCP'] 译者：戴苗强 [Miaoqiang Dai translator]; 2018 开放时代 [OPEN TIMES] -- 广州市社会科学院 [Guangzhou Academy of Social Sciences] (forthcoming 2018).

*Chinese Constitutionalism in the 'New Era': The Emerging Idea and Practice of Constitution in the Wake of Xi Jinping's Report to the 19<sup>th</sup> Chinese Communist Party*, *CONNECTICUT JOURNAL OF INTERNATIONAL LAW* 33(2):163-213 (2018).

[测度、评估和奖励：中国和西方建立社会信用体系的挑战？\(Cutting-edge measures, assessments, and rewards: The challenge of establishing a social credit system in China and the West?\)](#), “互联网金融法律评论 (jiflsljt)” 微信公众平台。前沿栏目·第三季第 21 篇 (总第 182 篇) . (Shanghai Jiaotong University “Internet Financial Law Review (jiflsljt).

*Theorizing Regulatory Governance Within its Ecology: The Structure of Management in an Age of Globalization*, 24(5) *CONTEMPORARY POLITICS* 607-630 (Special Issue 2018).

*西方反腐领域新举措，从“各自为政”到“一股合力”* 58(2) *吉林大学社会科学学报* --- [Sword Thrust Strategy" to Combat Criminal Corruption: Corporate Compliance, Prosecutorial

- Discretion, and Sovereign Investor Oversight*, JILIN UNIVERSITY JOURNAL OF SOCIAL SCIENCE](2018).
- Between the Judge and the Law – Judicial Independence and Authority with Chinese Characteristics*, 33(1) CONNECTICUT JOURNAL OF INTERNATIONAL LAW 1-41 (2017).
- Sovereign Wealth Funds, Capacity Building, Development, and Governance*, 52(4) WAKE FOREST LAW REVIEW 735-780 (2017).
- The Human Rights Obligations of State-Owned Enterprises: Emerging Conceptual Structures and Principles in National and International Law and Policy*, 50(4) VANDERBILT JOURNAL OF TRANSNATIONAL LAW 827-888 (2017).
- The Corporate Social Responsibilities of Financial Institutions for the Conduct of their Borrowers: The View from International Law and Standards*, 21 LEWIS & CLARK LAW REVIEW 881-920 (2017).
- 通过集体组织的社会主义现代化评《中华人民共和国慈善法》《中国非营利评论》，第 19 卷，社会科学文献出版社 2017 年版，第 35—59 页" [Commentary on the New Charity Undertakings Law: Socialist Modernization Through Collective Organizations, 19 CHINA NONPROFIT REVIEW", 35-59 (Beijing, China: Social Science Literature Publishing House 2017)]. English language version published as *Commentary on the New Charity Undertakings Law: Socialist Modernization Through Collective Organizations*, 9(2) THE CHINA NONPROFIT REVIEW 273-309 (2017).
- Shaping a Global Law for Business Enterprises: Framing Principles and the Promise of a Comprehensive Treaty on Business and Human Rights*, 42(2) NORTH CAROLINA JOURNAL OF INTERNATIONAL LAW 417-504 (2016).
- A Lex Mercatoria for Corporate Social Responsibility Codes without the State?: A Critique of Legalization Within the State Under the Premises of Globalization*, 24(1) INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 115-146 (2017).
- Central Planning Versus Markets Marxism: Their Differences and Consequences for the International Ordering of State, Law, Politics, and Economy*, 32(1) CONNECTICUT JOURNAL OF INTERNATIONAL LAW 1-47 (2016).
- The Emerging Normative Structures of Transnational Law: Non-State Enterprises in Polycentric Asymmetric Global Orders*, BRIGHAM YOUNG UNIVERSITY JOURNAL OF PUBLIC LAW 31(1):1-52 (2016).
- Corporate Social Responsibility in Weak Governance Zones*, 14(1) SANTA CLARA JOURNAL OF INTERNATIONAL LAW 297-332 (2016).
- Are Supply Chains Transnational Legal Orders?: What We Can Learn From the Rana Plaza Factory Building Collapse*, 1(1) UNIVERSITY OF CALIFORNIA IRVINE JOURNAL OF INTERNATIONAL, TRANSNATIONAL, AND COMPARATIVE LAW 11-66 (2016).
- Fractured Territories and Abstracted Terrains: The Problem of Representation and Human Rights Governance Regimes Within and Beyond the State*, 23 INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 23(1):61-94 (2016).
- Regulating Multinational Corporations – Trends, Challenges and Opportunities*, 22(1) BROWN JOURNAL OF WORLD AFFAIRS 153-173 (Fall/Winter 2015).
- The Cuban Communist Party at the Center of Political and Economic Reform: Current Status and Future Reform*, NORTHWESTERN INTERDISCIPLINARY LAW REVIEW 8:71-129 (2015) (现状和未来: 对比中国共产党的发展, 聚焦政经改革中心的古巴共产党).
- Moving Forward The U.N. Guiding Principles For Business And Human Rights: Between Enterprise Social Norm, State Domestic Legal Orders, and the Treaty Law that Might Bind them All*, 38(2) FORDHAM INTERNATIONAL LAW JOURNAL 457-542 (2015).
- International Financial Institutions (IFIs) and Sovereign Wealth Funds – SWFs as Instruments to Combat Corruption and Enhance Fiscal Discipline in Developing States*, 2014(4) INTERNATIONAL REVIEW OF LAW -- (Qatar University) (forthcoming 2015).
- Crafting a Theory of Socialist Democracy for China in the 21<sup>st</sup> Century: Considering Hu Angang's Theory of Collective Presidency in the Context of the Emerging Chinese Constitutional State*, 16(1) ASIAN-PACIFIC LAW AND POLICY JOURNAL 29-82 (2014). Chinese language version 为 21 世纪

- 的中国设计社会主义民主理论：中国宪政国家兴起语境下对胡鞍钢“集体领导制”理论的思考， *TSINGHUA UNIVERSITY JOURNAL* (2015)
- The Crisis of Secular Liberalism and the Constitutional State in Comparative Perspective: Religion, Rule of Law, and Democratic Organization of Religion Privileging States*, 48 *CORNELL INTERNATIONAL LAW JOURNAL* 51-104 (2015).
- The Emerging Structures of Socialist Constitutionalism with Chinese Characteristics: Extra-Judicial Detention (Laojiao and Shuanggui) and the Chinese Constitutional Order*, 23 *PACIFIC RIM LAW & POLICY JOURNAL* 251-341 (2014) (With Keren Wang).
- Towards a Robust Theory of the Chinese Constitutional State: Between Formalism and Legitimacy in Jiang Shigong's Constitutionalism*. 40(2) *MODERN CHINA* 168-195 (2014).
- Sovereign Investing and Markets-Based Transnational Rule of Law Building: The Norwegian Sovereign Wealth Fund in Global Markets*, 29 *AMERICAN UNIVERSITY INTERNATIONAL LAW REVIEW* 1-122 (2013).
- The Trans-Pacific Partnership: Japan, China, the U.S. and the Emerging Shape of a New World Trade Regulatory Order*, 13(1) *WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW* 49-81 (2014).
- Realizing Socio-Economic Rights Under Emerging Global Regulatory Frameworks: The Potential Impact of Privatization and the Role of Companies in China and India*, 45(4) *THE GEORGE WASHINGTON INTERNATIONAL LAW REVIEW* 615-680 (2013).
- The Cooperative as Proletarian Corporation: Property Rights Between Corporation, Cooperatives And Globalization In Cuba*" in 33 *NORTHWESTERN JOURNAL OF INTERNATIONAL LAW AND BUSINESS* 527-618 (2013).
- Transnational Corporations' Outward Expression of Inward Self-Constitution: The Enforcement of Human Rights by Apple, Inc.*, 20(2) *INDIANA JOURNAL OF GLOBAL LEGAL STUDIES* 805-879 (2013).
- Transparency Between Norm, Technique and Property in International Law and Governance—The Example of Corporate Disclosure Regimes and Environmental Impacts*, 22 *MINNESOTA JOURNAL OF INTERNATIONAL LAW* 1-70 (2013).
- The Structural Characteristics of Global Law for the 21st Century: Fracture, Fluidity, Permeability, and Polycentricity*, 17(2) *TILBURG LAW REVIEW* 177-199 (2012).
- Party, People, Government, and State: On Constitutional Values and the Legitimacy of the Chinese State-Party Rule of Law System*, 30(1) *BOSTON UNIVERSITY INTERNATIONAL LAW JOURNAL* 331-408 (2012).
- From Institutional Misalignments to Socially Sustainable Governance: The Guiding Principles for the Implementation of the United Nation's "Protect, Respect and Remedy" and the Construction of Inter-Systemic Global Governance*, 25(1) *PACIFIC MCGEORGE GLOBAL BUSINESS & DEVELOPMENT LAW JOURNAL* 69-171 (2012).
- Private Actors and Public Governance Beyond the State: The Multinational Corporation, the Financial Stability Board and the Global Governance Order*, 18(2) *INDIANA JOURNAL OF GLOBAL LEGAL STUDIES* 751 (2011).
- Symposium Issue: A Constitutional Court for China Within the Chinese Communist Party?: Scientific Development and a Reconsideration of the Institutional Role of the CCP*, 43(3) *SUFFOLK LAW REVIEW* 593 (2010).
- Cuba And the Construction Of Alternative Global Trade Systems: ALBA And Free Trade In The Americas*, 31(3) *UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL LAW* 679 (2010) (with Augusto Molina Roman).
- Sovereign Wealth Funds as Regulatory Chameleons: The Norwegian Sovereign Wealth Funds and Public Global Governance Through Private Global Investment*, 41(2) *GEORGETOWN JOURNAL OF INTERNATIONAL LAW* 425 (2010).
- Sovereign Investing in Times of Crisis: Global Regulation of Sovereign Wealth Funds, State Owned Enterprises and the Chinese Experience*, 19(1) *TRANSNATIONAL LAW & CONTEMPORARY PROBLEMS* 3 (2010).



- Case Note: *Rights And Accountability In Development (Raid) V Das Air* (21 July 2008) And *Global Witness V Afrimex* (28 August 2008); *Small Steps Toward an Autonomous Transnational Legal System for the Regulation of Multinational Corporations*, 10(1) MELBOURNE JOURNAL OF INTERNATIONAL LAW 258 (2009).
- From Constitution to Constitutionalism: A Global Framework for Legitimate Public Power Systems*, 113(3) PENN STATE LAW REVIEW 671 (2009).
- Theocratic Constitutionalism: An Introduction to a New Legal Global Ordering*, 16(1) INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 85 (2009).
- From Hatuey to Che: Indigenous Cuba Without Indians and the U.N. Declaration on the Rights of Indigenous Peoples*, 33(1) AMERICAN INDIAN LAW REVIEW 201-238 (2008-2009).
- Monitor and Manage: MiFID and Power in the Regulation of EU Financial Markets*, 27 YEARBOOK OF EUROPEAN LAW 349-386 (Oxford U. Press, 2008).
- The Private Law of Public Law: Public Authorities As Shareholders, Golden Shares, Sovereign Wealth Funds, And The Public Law Element In Private Choice of Law*, 82(5) TULANE LAW REVIEW 1801 (2008).
- From Moral Obligation to International Law: Disclosure Systems, Markets and the Regulation of Multinational Corporations*, 39 GEORGETOWN JOURNAL OF INTERNATIONAL LAW 591 (2008).
- God(s) Over Constitutions: International and Religious Transnational Constitutionalism in the 21<sup>st</sup> Century*, 27 MISSISSIPPI COLLEGE LAW REVIEW 11 (2008).
- Multinational Corporations as Objects and Sources of Transnational Regulation*, 14 ILSA JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 499 (2008).
- Odious Debt Wears Two Faces: Systemic Illegitimacy, Problems and Opportunities in Traditional Odious Debt Conceptions in Globalized Economic Regimes*, 70 DUKE JOURNAL OF LAW & CONTEMPORARY PROBLEMS 1 (2007).
- Economic Globalization and the Rise of Efficient Systems of Global Private Law Making: Wal-Mart as Global Legislator*, 39(4) UNIVERSITY OF CONNECTICUT LAW REVIEW 1739 (2007).
- The Rule of Law, The Chinese Communist Party, and Ideological Campaigns: Sange Daibiao (the "Three Represents")*, *Socialist Rule of Law, and Modern Chinese Constitutionalism*, 16(1) TRANSNATIONAL LAW & CONTEMPORARY PROBLEMS 29 (2006).
- Multinational Corporations, Transnational Law: The United Nation's Norms on the Responsibilities of Transnational Corporations as a Harbinger of Corporate Social Responsibility as International Law*, 37 COLUMBIA HUMAN RIGHTS LAW REVIEW 287 (2006).
- Economic Globalization Ascendant: Four Perspectives on the Emerging Ideology of the State in the New Global Order*, 17(1) BERKELEY LA RAZA LAW JOURNAL 141 (2006). Published as *Globalização Econômica e Crise do Estado: um estudo em quatro perspectivas*, SEQUENCIA No. 51: 255-276 (December 2005).
- Emasculated Men, Effeminate Law in the United States, Zimbabwe and Malaysia*, 17 YALE JOURNAL OF LAW & FEMINISM 1 (2005).
- Surveillance and Control: Internal, External and Governmental Monitoring of Corporate Insiders After Sarbanes-Oxley*, 2004 MICHIGAN STATE LAW REVIEW 327.
- Retaining Judicial Authority: A Preliminary Inquiry on the Dominion of Judges*, 12 WILLIAM & MARY BILL OF RIGHTS JOURNAL 117 (2003).
- The Führer Principle of International Law: Individual Responsibility and Collective Punishment*, 21 PENN STATE INTERNATIONAL LAW REVIEW 509 (2003).
- The Euro and the European Demos: A Reconstitution*, 21 YEAR BOOK OF EUROPEAN LAW (England) 13-61 (2002).
- Inscribing Judicial Preferences into Our Basic Law: The Political Jurisprudence of European Margins of Appreciation As Constitutional Jurisprudence in the U.S.*, 7 TULSA COMPARATIVE & INTERNATIONAL LAW JOURNAL 327-373 (2000).
- Chroniclers in the Field of Cultural Production: Interpretive Conversations Between Courts and Culture*, 20 BOSTON COLLEGE THIRD WORLD LAW JOURNAL 291 (2000).
- Religion as Object and the Grammar of Law*, 81 MARQUETTE LAW REVIEW 229 (1998).

*Inventing a 'Homosexual' for Constitutional Theory: Sodomy Narrative and Antipathy in U.S. and British Courts*, 71 TULANE LAW REVIEW 529 (1996).

*Welfare Reform at the Limit: An Essay on the Futility of 'Ending Welfare as We Know It,'* 30 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 339 (1995).

E. **Published Book Reviews (selected):**

*The Soulful Machine, the Virtual Person, the "Human" Condition, and its Social Constitution --An Encounter with* JAN M. BROEKMAN, KNOWLEDGE IN CHANGE: THE SEMIOTICS OF COGNITION AND CONVERSION (Dordrecht, Springer, 2023, +199 pp), 37(3) (Special Issues) INTERNATIONAL JOURNAL OF THE SEMIOTICS OF LAW 969-1083 (Dordrecht: Springer Nature; 2024 (hybrid) (DOI: 10.1007/s11196-023-10065-4); online [link here](#).

强世功教授对“不成文宪法”以及中国宪政秩序的研究 · Nomos (Peking University Center for Studies in Politics and Law) Jan. 30. 2013, available <http://www.pkujuris.com/xrzi/researcher/1/2013-01-30/300.html>.

*The Drama Of Corporate Law: Corporate Narrative Between Policy And Law*, 2009 MICHIGAN STATE LAW REVIEW 1111 (Reviewing DAVID A. (BERT) WESTBROOK, BETWEEN CITIZEN AND STATE: AN INTRODUCTION TO THE CORPORATION. Boulder, Co, Paradigm Press 2007. + 176 Pp. Hardback ISBN-13 978-1594514043).

*The Many Faces of Hegemony: Patriarchy and Welfare as a Women's Issue*, 92 NORTHWESTERN UNIVERSITY LAW REVIEW 327 (1997) (reviewing MIMI ABRAMOVITZ, UNDER ATTACK, FIGHTING BACK: WOMEN AND WELFARE REFORM IN THE UNITED STATES (1996)).

F. **E-Essays and Other Publications (selected since 2016):**

E-Essays: Law at the End of the Day; <http://www.lcbackerblog.blogspot.com>.

Beyond the Ritual of Treaties as Gestures: Effectively Closing the Governance Gap in the Area of Business and Human Rights with a Framework Treaty, *Völkerrechtsblog*, 24.06.2022, doi: [10.17176/20220624-161958-0](https://doi.org/10.17176/20220624-161958-0).

*The EU to the Rescue of the Cuban Economy? the Political Dialogue and Cooperation Agreement (PDCA) and the State of Cuba-EU Economic Relations*, in CUBA IN TRANSITION: PAPERS AND PROCEEDINGS OF THE THIRTIETH ANNUAL MEETING OF THE ASSOCIATION FOR THE STUDY OF THE CUBAN ECONOMY (ASCE) 30:--- (forthcoming 2021) (with Rafael Velázquez Pérez).

EMANCIPATING THE MIND IN THE NEW ERA: BULLETIN OF THE COALITION FOR PEACE & ETHICS 15(2) (WINTER 2020) (Issue editor and contributor) (ISSN 2689-0283 ((print); 2689-0291 (online)

*COVID-19 infect the world order?*, in INTERNATIONAL THINKER'S VIEWS ON THE POST-CORONA ORDER 10-18 (Mehdi Azizi, Payman Yazdani, and Javad Heirannia (eds.) (may be accessed [HERE](#)); Tehran: Mehr News Agency, July 2020); also published in Farsi as *نظم آتی جهان وابسته به موفقیت چین یا آمریکا در مقابله با کروناسنت* [The future world order depends on the success of China or the United States against COVID-19] in *[Jahan Pasakrona: In conversation with thinkers]* is available [here](#) or [here](#).

*International Organizations and Systemic Crisis*, ASTRID RASSEGNA (Rome) No. 322(11):1-13 (2020) (with Fabio Bassan, and Susanna Cafaro) (ISSN 2038-1662). Available <http://www.astrid-online.it/rassegna/2020/13-07-2020-n-322.html>.

*External Capitalist and Internal Marxist: The Fundamental Contradiction of Cuban Economic Reintegration in the Global Economic Order and the Role of the U.S.*, in Papers and Proceedings of the Twenty-Ninth Annual Meeting of the Association for the Study of the Cuban Economy (ASCE) 29:228-254 (2020) (ISBN 978-0-9831360-9-5). Available <https://www.ascecuba.org/publications/annual-proceedings/cuba-in-transition-volume-29/>.

"How to Become a Full Time Law Professor" -- Transcript of Remarks Delivered at the Panel Session, Panel 4G: How to Become a Full-Time Law Professor --A Workshop for Aspirants, 4th National People of Color Scholarship Conference, JOURNAL OF LEGAL EDUCATION 29:-- (forthcoming 2020). Prepublication draft Available [HERE](#).

EMANCIPATING THE MIND: BULLETIN OF THE COALITION FOR PEACE & ETHICS (Larry Catá Backer and Flora Sapio, eds.) Authored essays Vol. 15(1) (Spring 2020) ([HERE](#)); 14(2) (Fall 2019) ([HERE](#)); and 14(1) (Spring 2019) ([HERE](#)).

*China's Social Credit System: Data-Driven Governance for a 'New Era'*, 118(809) CURRENT HISTORY 209-214 (Sept. 2019).

*The University in the Age of the Learning Factory: Dueling narratives in the culture war around higher education*, ACADEME (AAUP) (Nov/Dec. 2017). Available <https://www.aaup.org/article/university-age-learning-factory#.WlJyQ0tG1sO>.

*Closing Remarks: International Conference New International Trade and Investment Rules Between Globalization and Anti-Globalization, Pennsylvania State University April 21, 2017*, JOURNAL OF SHANGHAI BUSINESS SCHOOL (forthcoming 2018).

*Embracing a 21st Century Planning Marxism Model: The Cuban Communist Party Confronts Crisis, Challenge and Change in its 7th Congress*, in Papers and Proceedings of the Twenty-Sixth Annual Meeting of the Association for the Study of the Cuban Economy (ASCE) 26:188-208 (2016) (ISBN 978-0-9831360-6-4). Available <http://www.ascecuba.org/c/wp-content/uploads/2017/01/backerpaper.pdf>.

#### ACADEMIC PRESENTATIONS (selected since 2020):

“Cuba—Managing a Stable State of Misery: Ideology, Economic Policy, and Popular Discipline.” Association for the Study of the Cuban Economy 2024 Annual Conference. Florida International University, Miami, Florida (19 October 2024).

“Data Governance With Ideological Characteristics: China and the U.S. in (and as) the Shadow of the Other,” European China Law Studies Association 2024 annual Conference, Chinese University of Hong Kong, 20 September 2024, Hong Kong SAR.

Remarks: “The Chinese (Socialist) Modernization of Whole Process People’s Democracy.” The Chinese University of Hong Kong Faculty of Law. Hong Kong SAR (16 October 2024).

Workshop Presentation--"Whole Process People's Democracy"-- Public Law and Human Rights Forum, School of Law of City University of Hong Kong; "Exploring Cutting Edge Constitutional Issues in the "New Era" of China" (15 September 2024). ([PPT here](#)).

Remarks: “A Question on Chinese Modernization and the Vanguard Party” [ “关于中国现代化和先锋党的问题” ] Delivered at Renmin University of China, Beijing 3 September 2024. [Download here](#).

Remarks: "Chinese Entrepreneurs as a leading force for new quality productive forces innovation" [致辞 中国企业家是新高质量生产力创新的引领力量] Delivered at the Wenzhou Entrepreneurs Forum: Accelerating the Cultivation and Development of New Quality Productive Forces (2 September 2024). Download Remarks Text [here](#).

“‘You can’t stop the signal’: From the past to the future of digitally mediated sustainability due diligence?,” [Spring Academy] Technologies of sustainability due diligence: Digital tools and global value chain regulations, Asser Institute: Centre for International and European Law and the University of Amsterdam School of Law, The Hague, Netherlands (8 April 2024). ACCESS REMARKS [HERE](#); ACCESS PPT [HERE](#).

“The Two Towers: China, the U.S., and the Structural Characteristics of Competitive Advantage in AI Innovation,” Presentation for Conference: Cooperation, Competition, & Conflict in East Asia , William & Mary Security & Foreign Policy Initiative, Williamsburg, Virginia, 15 February 2024. Remarks text may be accessed [HERE](#); PPT may be accessed [HERE](#).

“Data/Governance With Ideological Characteristics: China in (and as) the Shadow of the US” Presentation at the Event: Data Governance and its Impact on U.S.-China Relations – China Focus | The Carter Center Emory University, Atlanta Georgia 26 September 2023. ACCESS PPT [HERE](#): [Backer-Demystifying-China-Data-Gov](#)

“ESG Trouble—From the Center to the Ends of the Silk Roads—A Comparative Problématique” Presentation at the Annual Conference of the European China Law Studies Association 22 September 2023. ACCESS PPT [HERE](#): [Backer\\_ESG-SocialCredit\\_ECLSA2023](#)

- ["The Just Transitions of Risk—Human Rights, Sustainability and the ESG Wars" given at the Just Transitions Conference \(University of Dundee; 7 September 2023\). ACCESS PPT HERE: \[Backer JustTransitions of Risk ESG 9-2023\]\(#\)](#)
- ["Human Rights Due Diligence in the UNGPs." Prepared for Workshop: \[The current state and future trajectories of human rights due diligence laws: New Legal Norms on Human Rights Due Diligence\]\(#\) \(6 September 2023; virtual\). ACCESS PPT HERE: \[Backer mHRDD-UNGPs-9-2023\]\(#\)](#)
- ["Inside the Cage of the System \(制度的笼子里\): Standards Setting, National Security Values, Tech Platforms, Regulation, and the Central Contradiction of Legality in the Current Historical Era;" Remarks delivered at the Workshop-Conference—Technological Platforms and National Security in Hong Kong: The Domain of Standards Setting; sponsored by the HKU Law and Technology Center and the Center for Chinese Law; University of Hong Kong, Hong Kong SAR, 25 August 2023. ACCESS HERE: \[Backer Remarks PPT8-2023\]\(#\) ; text of Remarks here: \[Technological Platforms and National Security in Hong Kong\]\(#\)](#)
- ["Social Listening and Infodemic—An Epidemiology for the Body Politic," PPT for Remarks delivered at Conference: Governance of Social Listening in the Context of Serious Health Threats; University of Hong Kong; Hong Kong SAR, 22 August 2023. ACCESS HERE: \[Backer Social Listening UHK8-2023\]\(#\); text of Remarks here: \[Backer Remarks Social Listening Conference8-2023\]\(#\)](#)
- ["Whole Process Democracy" as Applied Constitutionalism." Presentation at the City University of Hong Kong Faculty of Law, Public Law and Human Rights Forum, Hong Kong SAR, 7 June 2023. ACCESS PPT HERE: \[Backer WholeProcessDemocracy CityUHK-7June2023\]\(#\)](#)
- ["The Semiotics of Democracy and Ideologies of Meaning in Constitutional Orders," presentation for the Wagner-Linares Workshop, 23rd International Roundtables for the Semiotics of Law, Pontificia Università Antonianum, Rome, Italy 24 May 2023. ACCESS PPT here: \[Backer Semiotics Democracy IASL 2023\]\(#\); ACCESS Abstract HERE: \[The Semiotics of Democracy and Ideologies of Meaning in Constitutional Orders\]\(#\)](#)
- ["The UNGP's 2nd Pillar as Soft Public and Harder Private Law," presentation made at the European Center for Constitutional and Human Rights, Berlin, Germany \(20 March 2023\). Access PPT here: \[Backer ECCHR Presentation Berlin3-2023\]\(#\)](#)
- ["Chinese State-Owned Companies: Congruence and Dissonance in Outbound Investment; the Americas and Europe," presentation at the Oxford China Law Center, 16 February 2023. ACCESS PPT HERE: \[Backer China SOEs 2-2023\]\(#\).](#)
- ["The ESG Wars." Presentation at University of Dundee \(Scotland\), 13 February 2023. ACCESS PPT HERE: \[ESG Wars\]\(#\)](#)
- ["Un Somaro Piumato: Rethinking the Scope and Nature of State Liability for Acts of their Commercial Instrumentality." Book Launch Event, "\[Regulation of State-Controlled Enterprises: An Interdisciplinary and Comparative Examination\]\(#\) \(Springer, 2022\), edited by \[Julien Chaisse\]\(#\), \[Jędrzej Górski\]\(#\), and \[Dini Sejko\]\(#\); University College London, 10 February 2023. ACCESS PPT HERE: \[UnSomaroPiumento SOEs-Backer\]\(#\)](#)
- ["The Flower of Democracy Blooms Brilliantly in China \[中国的民主之花绚丽绽放\]": The Chinese Communist Party and the Chinese Constitutional Order, in Routledge Handbook of C Constitutional Law in China \(Ngoc Son Bui, Stuart Hargreaves, Ryan Mitchell \(eds\); Routledge, 2022\) chp. 5, pp. 67-84 \(ISBN 9780367651855\). "Hong Kong Between Sovereignties, Autonomies, and Self-Determination." Panels on: Law, Resistance, & Authoritarianism; Jointly Sponsored by CRN01, ALSA, CRN33, & IRC. Rage, Reckoning & Remedy: 7th Global Meeting on Law & Society. Lisbon, Portugal, 15 July 2022.](#)
- ["Facilitating the Energy Transition: A Human Right and Soft Law Perspective." 2<sup>nd</sup> Energy Transition Colloquium. Organized by the Rockefeller School of Policy and Politics, Department of Public Administration of West Virginia University, USA \(virtual\) 16 June 2022. Access \[PPT here\]\(#\)](#)
- ["Rethinking Climate Change from the perspective of the 2018 proposal for a "Framework principles on human rights and the environment" \(A/HRC/37/59\)." Seminario International: La lucha en clave judicial frente al cambio climático \(Francisco Javier Zamora Cabot, Lorena Sales Pallarés, and María Chiara Marullo \(organizers\) Universitat](#)



- Jaume I, Castelló de la Plana, Comunidad Valenciana, Spain 5 de Mayo 2022. ACCESS HERE: [Backer Seminario Cambio Climatico2022](#)
- "Governing Platforms: Structural and Conceptual Challenges." Prepared for Conference on Digital Platforms and Global Law organized by UNIDROIT, Roma Tre and the European Law Institute, Rome, Italy 29 April 2022. ACCESS HERE: [Backer GoverningPlatforms UNIDROIT2022](#)
- "The business response to the Russo-Ukraine War." Expert Panel on [Ukraine-Russia Conflict's Impact on International Business](#). Sponsored by the Penn State Smeal College of Business Center for Global Business Studies. University Park, PA (23 March 2022).
- "'The Flower of Democracy Blooms Brilliantly in China' [中国的民主之花绚丽绽放]: The Chinese Communist Party and the Chinese Constitutional Order " Workshop: "Constitutional Law of Greater China" Organized by Ngoc Son Bui and the Oxford Programme in Asian Laws (Virtual; 9-10 December 2021) paper [here](#); PPT [here](#).
- "The Algorithmic Law of Business and Human Rights: Constructing a Private Transnational Law of Ratings, Social Credit, and Accountability Measures." Algorithmic Law and Society Symposium, HEC Paris & Ecole Polytechnique, Paris; France 2 December 2021. PPT [here](#). Draft [here](#).
- "Robert Cover and International Law--Narrative Nudges and Nomadic Nomos." Conference: presentation for panel on The Life and Work of Robert M. Cover, panel on Nomos and Jurisgenesis in International Law and Society, Touro Law Center, 4-5 October 2021 (available [HERE](#)).
- "Conceptualizing the Emerging Structures of Transnational Governance in the Age of Sovereignty – The Hong Kong SAR 2019-2020," for panel: "New Actors and Dynamics in Transnational Law: Moving Borders and Changing Concepts of Borders, Demos and Territory" at the 15th Annual Conference of the European China Law Studies Association, University of Warsaw (26 September 2021) (Virtual). [HK Sovereignty ECLSA2021 Meeting](#)
- "SOEs as Investors and Human Rights – Chinese FDI in Latin America and Europe;" for Book Project Workshop: Human Rights and environmental sustainability in state-owned enterprises in Latin America and Europe; Santiago, Chile, (21 September 2021) (Virtual). [ChineseSOEsHumanRightsLatinAmerica9-2021](#)
- "COVID, Control, and Complicity: Human Rights Intersectionality in the Dead Spaces between Legal, Political, Normative, and Markets Regimes" Interest Group on International Business and Human Rights; Workshop: International Business and Human Rights: Changes in International Lawmaking (16th Annual Conference European Society of International Law; Stockholm University) 8 September 2021 (Virtual). [Backer COVID Complicity IGBHR 8 Sept 2021](#)
- "The Digitalization of Corporate Governance and the Transformation of Trust in Polycentric Platform Space," for Workshop, *Chinese Social Credit Study Group* (organized through the University of Cologne) 31 August 2021 (Virtual).
- "The 8th Congress of the Communist Party of Cuba and the Future of the Cuban Economic Model." Panel on Cuban Political Economy Challenges; Conference: "COVID and the VIII Party Congress: Reforming the Cuban Economy; 31st Annual Conference of ASCE 13 August 2021 (virtual).
- "Trust Platforms: The Digitalization of Corporate Governance and the Transformation of Trust in Polycentric Space," Workshop II, *The Impact of Emerging Technologies on Trust & Governance* for a Special Issue of "Regulation and Governance" 30 July 2021 (Virtual).
- Book Launch Roundtable: *Hong Kong Between 'One Country' and 'Two Systems.'* Hosted by the Coalition for Peace & Ethics 13 July 2021 (on line).
- "COVID, Control, and Complicity in Rwanda: Human Rights Intersectionality in the Dead Spaces between Legal and Markets Regimes." Panel Presentation: Pandemic and Challenges to International Law; ICON-S Conference 7 July 2021 (Virtual)

- "Objective Subjectivities and the Simulacra of Semiotics in the New Era: Of the Simulation of Signification and of the Modeling and Objectification of Meaning Making" for *The Rearguard of Subjectivity In Honor of Jan M. Broekman's 90th Birthday*; International Roundtables for the Semiotics of Law – IRSL 2021 (President: Anne Wagner); Organizer: Frank Fleerackers, Hosted by the Leuven University Faculty of Law; 17-18 June 2021 (Online).
- "Trust Platforms: The Digitalization of Corporate Governance and the Transformation of Trust in Polycentric Space," In Workshop, *The Impact of Emerging Technologies on Trust & Governance* for a Special Issue of "Regulation and Governance" 14 May 2021 (Virtual).
- "Platform Governance: Chinese Social Credit and the Reimagining of Markets in a Socialist Digital Context." Presented at Governance and Emerging Technological Change in China, Journal of Contemporary China Special Issue Final Workshop (online), 4-5 March 2021.
- "Transparency, Good Governance at the African End of China's Silk Road—Challenges and Opportunities." Panel on Transparency and Good Governance. Conference: , Belt and Road Initiative in Africa: Addressing the Issues of Debt, Dispute Resolution, and Transparency An online conference, sponsored by the Centre for Comparative and Public Law, the University of Hong Kong Law Faculty, and the University of Victoria Centre for Asia-Pacific Initiatives, 24 February 2021. PPTs available here: [Backer BRI-Africa Transparency-Governance2-2021](#).
- "Entangling the Legalities of Utopia: New Terrains of Entanglement Among Traditional and Data Driven Governance." Panel on "Invisible Drivers Behind Formal Law." Virtual Conference: "Multiple Legalities: Conflict and Entanglement in the Global Legal Order," sponsored by the Graduate Institute Geneva, and Humboldt University Berlin, 15 January 2021. ACCESS HERE: (1) [paper](#); (2) [PowerPoint](#).
- "The EU to the Rescue of the Cuban Economy? the Political Dialogue and Cooperation Agreement (PDCA) and the State of Cuba-EU Economic Relations." Panel on Cuba's External Relations. Association for the Study of the Cuban Economy Virtual Conference ("Theme: Caught in a Perfect Storm?: Are Havana's Responses Sufficient?") 4 January 2021. [ACCESS PPT HERE](#)
- "Cuba's Response to COVID-19 and the Consequences for Cuba of the Pandemic." Panel on Cuban Economy, Cuba-Venezuela Interactions. ASSA (American Economic Association) Virtual Conference, 3 January 2021. PPT HERE: [Backer-Gonzalez Cuba PandemicAEA2020](#)
- "From the Belt and Road Initiative to Social Credit Systems: Tech and Business Relations Between the US and China." Prepared for Global China Connection Penn State Chapter Industry Expert Series (Virtual Event), Penn State Law, State College, PA 10 December 2020. PPT HERE: [PSU Presentation ChinaBusinessTech12-2020](#).
- "Platform Governance: Chinese Social Credit and the Reimagining of Markets in a Socialist Digital Context." Presentation for Conference: Governance and the Emerging Technological Change in China sponsored by the Institute of East Asian Studies (In-East) and the University of Duisburg-Essen (Germany) 20 November 2020 (Virtual). PPT HERE: [Backer SocialCreditPlatforms DuisbergEssen2020](#).
- "El estado del litigio en materia de cambio climático en los EEUU" [The State of Climate Change Litigation in the USA]. Presentation for Conference (Virtual) *I Congreso Italo-Español sobre la Lucha en clave judicial frente al cambio climático* (First Italo-Spanish Congress on the Key Role of the Courts in the Fight Against Climate Change); Universitat Jaume I (Valencia, Spain) 19 November 2020. PPT may be accessed here: [Climate Litigation US 2020](#).
- "COVID, Control, and Complicity in Rwanda: Human Rights Intersectionality in the Dead Spaces between Legal and Markets Regimes." Presentation for Roundtable Sponsored by Penn State Law and School of International Affairs (21 October 2020 (Virtual)). PPT HERE: [Backer COVID Complicity Rwanda PSLHuamnTightsSociety 21October2020](#). Discussion Draft [HERE](#).

- "The Use of Data Driven Governance Tools to Develop Social Credit Like Systems for Business and Human Rights Issues (and Specifically Modern Slavery)." 4th Annual Fall Speaker Series Aa Penn State Law The Penn State Journal of Law & International Affairs (1 October 2020 12.30 – 1.30 PM (Virtual)).
- "Chinese Social Credit and Pandemic." Panel: Case Study on Personal Data—Social Credit Scoring Models From China to Silicon Valley. Conference: 3<sup>rd</sup> Annual Innovation and Technology Law Conference (2020 Theme: Data Justice: Legal and Policy Issues in Data Collection, Usage, and Ownership) (Virtual Conference sponsored by Seattle University School of Law, Perkins Coie, the Seattle Journal of Technology, Environmental, and Innovation Law, and SITIE) 21 August 2020.
- "Cuba's Response to COVID-19 and the Consequences for Cuba of the Pandemic." Panel: The Cuban Economy and Prospects After COVID-19. Conference: Cuba From the Castros to COVID: An ASCE Virtual Conference. 13 August 2020 online (with Yuri Gonzalez Hernandez). Access [HERE](#).
- "International Organizations and Systemic Crisis: Sketching a Response to a Problem With Multiple Solutions." Key4biz Executive Webinar Room 451: '[International Organizations and Systemic Crises](#).' With Fabio Bassan (Roma Tre University), Larry Catà Backer (Penn State University) and Susanna Cafaro (Università of Salento). 12 June 2020 online. Video: '[International Organizations and Systemic Crises](#)'.
- "Belt and Road Initiative and the Future of Global Trade?" Panel: [Shifting Registers in International Economic Law and Development](#). Conference: 2020 Annual Conference Law and Society Association; Online 29 May 2020. Access PPTs HERE: [Backer BRI LSA 2020](#).
- "Governance by Simulation in the Shadow of Pandemic." Conference-Roundtable: Coronavirus and International Affairs. Organized by the Coalition for Peace & Ethics and the Research Network for Law and International Affairs, supported by Penn State School of International Affairs and Penn State Law 19 April 2020 online.
- "State-Based and Data-Driven: Foreign Enterprises, Social Credit, and Next Generation Law Along Chinese Silk Roads." Workshop presentation, Florida International University College of Law, Miami, Florida, 28 January 2020.

**CONTINUING EDUCATION/SHORT COURSE PRESENTATIONS/OTHER PUBLIC ACTIVITIES (selected since 2020):**

- Online Expert Seminar, project "[Future-Proofing Human Rights: Developing Thicker Forms of Accountability](#)", organized by Dr. Elif Durmuş | Postdoctoral Researcher at Antwerp University (14 October 2024).
- "[ESG Trouble-From the Center to the Ends of the Silk Roads-A Comparative Problématique](#)". Journal of Law & International Affairs (JLIA) ESG Fall Speaker Series, Penn State Law, University Park, PA, 31 October 2023.
- "Outlining Tips and Final Exam Prep for 1Ls," Penn State Law, Latinx Law Students Association (11 October 2022).
- "[Natural Law and the US Constitutional Order](#)" a conversation with Larry Catà Backer and Bruce Frohnen. Organized by the Penn State Law Federalist Society. Penn State University, 12 April 2022.
- "[Vaccine Mandates and Religious Exemptions: What Could be Controversial](#)" A Conversation with Larry Catà Backer and Eric Treene. Organized by the Penn State Law Federalist Society. Penn State University 15 March 2022.
- "Responsibilities of Economic Actors affected by the Russo-Ukraine War." Teach in on the War in Ukraine, Penn State Law, State College, PA 14 March 2022.
- "Outlining and Final Exam Prep for 1Ls," Penn State Law, Latinx Law Students Association (17 November 2021). Access here: [LLALSA Student Exam Study -presentation Backer 11-2021](#).

“A Framework Treaty Within an Ecology of Regulatory Systems,” Prepared for Seminar “Links to the business and human rights governance constellation” University of Dundee, Institute for Social Science Research Online Seminar Series: A framework treaty on business and human rights: Interdisciplinary insights, 14 October 2021 (virtual).

Remarks delivered on the Opening of the International Symposium: Globalization in a Post-COVID World: Retreat or Revival? Organized by Foundation for Law and International Affairs and the School of Foreign Studies, East China University of Political Science and Law (Shanghai, China), 26 February 2021. Available HERE: [Remarks on the Opening of the International Symposium](#).

Discussant presentation for Aaron A. Dhir: “Black Star Line, Inc.: Race in the Historical Life of the Corporation.” Business and Human Rights Workshop Series, University of Connecticut Human Rights Institute, 19 February 2021. PowerPoint HERE: [Backer Discussant Dhir Black Star Line UConn2-2021](#)

#### **NEWS, COMMENTARY, AND TESTIMONY (Selected since 2018):**

Interview: "BRICS can discipline strategic interventions in international organs" *Mehr News Agency*, Tehran, (interview with Payman Yazdani), 14 September 2024. The text of the interview may be accessed from the Mehr News Agency website [HERE](#)

Interview: The States of US-China Relations on Dynamic Pathways of Global (Re)Ordering [访谈文本：全球秩序重塑中的中美关系现状], *The Paper* (Shanghai, China) (Interview by 朱润宇 (Runyu Zhu)) 30 August 2024 (English and Chinese version [here](#)).

Interview: “Discussing Challenges to Democracy, Cultural Responsibilities, and Constitutional Law in Kurdistan (Interview by Ferhad M. Hassan, editor in chief); *Gulan Media* (1 August 2023. Available [https://www.gulanmedia.com/en/story/306433/gulan-media-exclusive-expert-larry-cat%C3%A1-backer-discusses-challenges-to-democracy,-cultural-responsibilities,-and-constitutional-law-in-kurdistan].

Quoted in Zhao Jia, “Scholars Around the World Praise China’s Shared Future Vision,” *People’s Daily* (Beijing); 30 September 2022. Access [here](#).

Interview: “Overturning Roe v. Wade; and the Leak of the Draft Opinion in Dobbs v. Jackson Women’s Health Org.” *The Crossover Podcast* (hosted by Ricardo Kometar); 19 May 2022. The entire interview may be accessed [HERE](#)

Interview: “Secularism and Privatization,” MNT Network (India) (21 November 2021) (Interview by Ravi Prakash (Advocate on Record at Supreme Court of India)). Available <https://www.youtube.com/watch?v=YYmvFckmbPY>.

Interview: “Liberal democracy would have to conform itself to new facts,” *Mehr News Agency* (20 July 2021) (Interview by Payman Yazdani). Available <https://en.mehrnews.com/news/176338/Liberal-democracy-would-have-to-conform-itself-to-new-facts>.

Interview: “[COVID-19 revealing little parts of fundamental shifting of global ordering: Prof. Larry Backer](#),” *Mehr News Agency*, TEHRAN, 18 March 2020 (Interview with Payman Yazdani).

Work quoted in Philip P. Gura, “[The Majority Report – Your Social Credit Score Is Showing](#),” *The National Law Review* (8 October 2019).

Quoted in Pan Mengqi, Ren Qi, and Dong Leshuo, “[US exit from INF a 'great blow' to global security](#),” *China Daily* Aug. 5, 2019, p. 12.

Interview: “[No Trade War Likely](#).” *Teheran Times*, (April 7, 2018, pp. 1, 7) (interview with Payman Yazdani) and also appears on line on the [Mehr News Agency Website](#) under the same title.

#### **PENNSYLVANIA STATE UNIVERSITY SERVICE ACTIVITIES (2000 to present excluding service at Penn State Law or the School of International Affairs):**

A. Penn State University Faculty Senate: University Ombudsperson (elected 2021; term starts July 2022; Acting University Ombudsperson from October 2021). Committee of



- Past Chairs (since 2017; elected position as Penn State Law Senator representative 2005 to 2017; Parliamentarian (2014-2016); Immediate Past Chair (2013-14); Chair (2012-2013); Chair Elect (2011-2012, elected April 2011); Secretary (2010-2011, elected April 2010)).
- B. University Board of Trustees: Committee on Finance, Business and Capital Planning (2012-2013).
- C. University Committees Appointed (selected): University Joint Diversity Awareness Task Force (2015-16; Chair); Presidential Search Committee (2012-2013); Freeh Group Advisory Committee (Advisory Council for Continued Excellence (ACCE) after 2013 (2012-2014); Facilities Naming Committee (2012-2013); Academic Leadership Council (2012-2013); Faculty Advisory Committee to the President (2010-2014); Implementation Task Force for Global Engagement Brazil (2012-2013); Task Group for Global engagement, Brazil (2011); Task Group for a Global Engagement Node in Cuba (2010); University Immediate Tenure Review Committee (2008-2010); University Promotion and Tenure Committee (2005-2007); University Immediate Tenure Committee (since 2007); School of International Affairs Establishment Committee (2005-2006); Dean Search Committee (2001-2002; 2015-16).
- D. Penn State Law/SIA Committees: SIA-- Sabbatical Committee (2023-2024); Bylaw Review Committee (2019-2010); Graduate Council Joint Curricular Committee (SIA Representative 2017-2019); Penn State Law-- Diversity Committee (2016-2019; 2023-2024); Affiliate Faculty Committee (2017-2020); Institutional Governance Committee (2014-15).