

Journal of  
Law and  
Political  
Economy

Volume 1, Number 1 / Fall 2020





## EDITORS

Eric George (Managing Editor)  
Association for the Promotion of Political Economy and the Law (APPEAL)  
jlpemanagingeditor@gmail.com

Angela P. Harris (Co-Editor-in-Chief)  
University of California, Davis  
apharris@ucdavis.edu

Jedidiah Kroncke (Book Review Editor)  
University of Hong Kong  
jkroncke@hku.hk

James J. (“Jay”) Varellas, III (Co-Editor-in-Chief)  
University of California, Berkeley  
jvarellas@berkeley.edu

## EDITORIAL BOARD

Elizabeth Berenguer, Stetson University

Tonya Brito, University of Wisconsin, Madison

Raúl Carrillo, Law and Political Economy Project

Kim Clark, Pacific School of Religion

Navjot Gill, University of California, Irvine

Jonathan Glater, University of California, Irvine

Rohan Grey, Willamette University

Lua Kamal Yuille, University of Kansas

Martha McCluskey, University at Buffalo

Jamee Moudud, Sarah Lawrence College

René Reich-Graefe, Western New England University

## ASSOCIATE EDITORS

J. Scot Garrison, Oakland University

Brigid Stinehart, University of Kansas

Patricia Trainor, Yale University

## ADVISORY BOARD

Michael Apple, University of Wisconsin, Madison

Bernadette Atuahene, Chicago-Kent School of Law

Wendy Brown, University of California, Berkeley

Antonia Darder, Loyola Marymount University

Christine Desan, Harvard University

Lauren Edelman, University of California, Berkeley

Gerald Epstein, University of Massachusetts, Amherst

William Forbath, University of Texas, Austin

Marion Fourcade, University of California, Berkeley

Robert Hockett, Cornell University

Emma Coleman Jordan, Georgetown University

Duncan Kennedy, Harvard University

Maryam Khan, University of Wisconsin, Madison

Greta Krippner, University of Michigan, Ann Arbor

Nancy MacLean, Duke University

Sally Engel Merry, New York University

Paul Ortiz, University of Florida, Gainesville

Jamie Peck, University of British Columbia

Robert Reich, University of California, Berkeley

Kathleen Thelen, Massachusetts Institute of Technology

Chantal Thomas, Cornell University

Steve Vogel, University of California, Berkeley

Lucie White, Harvard University

Peer Zumbansen, Kings College, London

The *Journal of Law and Political Economy* is an online-only, peer-reviewed, interdisciplinary, and international journal published on the eScholarship publishing platform of the University of California: <https://escholarship.org/uc/lawandpoliticaleconomy>.

eScholarship Publishing is an open access publishing platform subsidized by the University of California, managed by the California Digital Library, and offered free of charge to UC-affiliated departments, research units, publishing programs, and individual scholars.

Works published in the *Journal of Law and Political Economy* are published under the Creative Commons license BY-NC-SA 4.0. Under the terms of this license, anyone is free to copy and redistribute the material in any medium or format, or remix, transform, and build upon the material, under the following terms:

- **Attribution** — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.
- **NonCommercial** — You may not use the material for commercial purposes.
- **ShareAlike** — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

The *Journal of Law and Political Economy* is a refereed journal that practices double-blind peer review. Article manuscripts deemed appropriate for the Journal are evaluated by two or more referees with expertise in the relevant subject matter and methodology. Double-blind peer review means that manuscripts are rendered anonymous prior to review, and that referees are not identified to authors.

The *Journal of Law and Political Economy* will not consider any manuscript concurrently submitted for publication elsewhere.

Submission of a manuscript commits the author to publish the manuscript in the *Journal of Law and Political Economy* if accepted for publication by the Editors.

Submit articles and essays through the eScholarship portal at <https://escholarship.org/uc/lawandpoliticaleconomy>.

For inquiries and book review proposals, contact [lawandpoliticaleconomyjournal@gmail.com](mailto:lawandpoliticaleconomyjournal@gmail.com).

# Journal of Law and Political Economy

Volume 1, Number 1

Fall 2020



Angela P. Harris and James J. (“Jay”) Varellas, *Introduction: Law and Political Economy in a Time of Accelerating Crises* / 1-27

Sandeep Vaheesan, *Privileging Consolidation and Proscribing Cooperation: The Perversity of Contemporary Antitrust Law* / 28-45

Natsu Taylor Saito, *Different Paths* / 46-77

Marion Fourcade and Jeffrey Gordon, *Learning Like a State: Statecraft in the Digital Age* / 78-108

Carmen G. Gonzalez, *Climate Change, Race, and Migration* / 109-146

Amy J. Cohen, *A Labor Theory of Negotiation* / 147-184

Jed Kroncke, *A Message from the Book Review Editor* / 185

Eric George, *A Message from the Managing Editor* / 186-188