

The First Globalization, the Expansion of Company Law to the British Empire, and the Emergence of the Multinational Corporation

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At its peak the British Empire controlled nearly a quarter of the world population and a quarter of Earth's land area. For a century it was the dominant superpower, "the empire on which the sun never sets". The first era of globalization was an era of *Pax Britannica*. The territorial expansion was accompanied by a flow of migration, technology and capital out of Britain. Between 1865 and 1914 more than £4.1 billion of British capital were invested overseas in shares and bonds of joint stock companies and in the bonds of foreign and colonial governments. More than 5% of the British GDP was invested annually overseas and of the total British capital stock a third was accumulated abroad. Never before or since has one nation committed so much of its national income and savings to capital formation abroad. It is quite astonishing that the legal means for achieving this unprecedented capital flow were not explored.

My project examines the policy of the British government with respect to what law (in general, more concretely commercial law and particularly company law) should be enacted for the colonies. It deals with the tension between the desire of jurists, entrepreneurs and investors in London to have a uniform law that facilitates capital flows and doing business and the aspirations in the colonies to suit law to local economic and social conditions and for self-rule. It surveys the transplantation of company law into colonies of various sorts: settler colonies (Canada, Australia, South Africa), the Jewel in the Crown (India), commercial hubs (Hong Kong, Singapore), Newly annexed Colonies (Nigeria, Cyprus, Palestine) and the informal empire (China, Argentina). The project examines local variations such as the no-liability mining companies in Australia, the agency system in India and the Honk Kong China Company. The project also examines company law interconnectivity and the formation of professional legal networks in the Empire.

Jurisprudence in the British Empire: India, Egypt and Palestine Compared

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This paper analyzes jurisprudential works written in three British-ruled territories in West and South Asia (colonial India, British Egypt, and mandatory Palestine) in the early decades of the 20th century. The paper focuses specifically on attempt by local scholars to use contemporary jurisprudential theories taken from both the common-law and continental legal families to study local normative systems (Hindu law, Islamic law, and Jewish law). The non-western legal scholars I discuss in my paper were not simply passive recipients of western legal theories. They mixed together jurisprudential theories taken from the common law and continental legal families. They were often more open to novel jurisprudential theories than contemporary scholars in the UK, and they also used western theories in creative ways to criticize arguments made by western legal scholars about the supposed superiority of western law. The remarkable body of non-western jurisprudential works produced in some of the earliest legal education institutions that appeared in the Middle East and South Asia has, until now, been almost totally ignored by historians. These works, I argue, were all part of a transnational wave that swept non-western territories in the first decades of the 20th century, and was connected to a broader pan-Asian cultural nationalist awakening that also included China and Japan. The analysis of this body of works is essential, I argue, if we want to create a truly global history of modern jurisprudence.

Forensic Science in the British Empire: 1900-1950

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During the first decade the twentieth century, Ceylon and Egypt both established some of the first state- operated forensic laboratories not only in the British Empire, but in the world. They did so decades before the Home Office convened a committee to study the subject in 1934. Upon their return to Britain in the 1930s, C.T. Symons, Ceylon's Government Analyst, and Sydney Smith, the Principal Medico- Legal Advisor to the Government of Egypt, played crucial roles in designing the new Home Office policy. This paper explores not only the mutual influence one British territory on another in the field of forensic science, but also the influence of colonial experience on Home Office policy in Britain itself. Egypt and Ceylon not only pioneered new fields of forensic science such as firearm identification and foot-printing, but also institutional questions such as the independence of forensic laboratories from the police and prosecution, and the role of the government's expert in an adversarial legal system. Through their path breaking experience, these laboratories also explored the proper relation between medicine and other forms of scientific expertise (primarily chemistry) in vying for dominance in the forensic laboratory. This study highlights not only the ways in which the empire served as a laboratory for innovation, but its role in pioneering conceptual approaches to issues of forensic science.