

Transnational Litigation in United States Courts



Harold Hongju Koh

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Transnational Legal Orders Terence C. Halliday, Gregory Shaffer, 2015-01-19 This book offers a path breaking empirically grounded theory that reframes the study of law and society It shifts research from a predominantly national context to one that places transnational national and local lawmaking and practice within a single coherent analytic frame By presenting and elaborating a new concept transnational legal orders Halliday and Shaffer present an original approach to legal orders that affect fundamental economic and social behaviors The contributors generate arrays of hypotheses about how transnational legal orders rise and fall where they compete and cooperate and how they settle and unsettle This original theory is applied and developed by distinguished scholars from North America Europe and Asia in business law taxation corporate bankruptcy secured transactions transport of goods by sea regulatory law monetary and trade finance food safety climate change and human rights law civil and political rights rule of law right to health access to medicines human trafficking criminal accountability of political leaders Touro journal of transnational law ,1988 *Transnational Corporations and International Law* Alice De Jonge, 2011-01-01 This well documented work will appeal to corporate leaders interested in understanding the related practicalities of international corporate liability as well as post graduate students in international business and international policy studies Policymakers academics and researchers interested in a unique perspective on the future of the global corporation as an internationally responsible global citizen will find much to interest them in this book Reasoning Rights Liora Lazarus, Christopher McCrudden, Nigel Bowles, 2014-12-01 This book is about judicial reasoning in human rights cases The aim is to explore the question how is it that notionally universal norms are reasoned by courts in such significantly different ways What is the shape of this reasoning which techniques are common across the transnational jurisprudence and which are particular The book comprising contributions by a team of world leading human rights scholars moves beyond simply addressing the institutional questions concerning courts and human rights which often dominate discussions of this kind seeking instead a deeper examination of the similarities and divergence of reasonings by different courts when addressing comparable human rights questions These differences while partly influenced by institutional concerns cannot be attributed to them alone This book explores the diverse and rich underlying spectrum of human rights reasoning as a distinctive and particular form of legal reasoning evident in the case studies across the selected jurisdictions *UC Irvine Law Review* ,2013 Intolerant Justice Asif Efrat, 2023 The idea of facing a court in a foreign country would typically cause serious doubt about whether the foreign legal process and its outcome would be fair Intolerant Justice examines the political implications of those doubts regarding foreign justice and how they might hinder international cooperation among national legal systems Should we allow our troops to stand trial in foreign courts Should we extradite offenders to countries with a poor human rights record Should we enforce rulings issued by foreign judges This

book examines the domestic political controversies over these sensitive legal questions **Denver Journal of International Law and Policy** ,1982 *Multinational Enterprises and the Law* Peter Muchlinski,2021-02-18 Multinational Enterprises and the Law is the only comprehensive contemporary and interdisciplinary account of the techniques used to regulate multinational enterprises MNEs at the national regional and multilateral levels In addition it considers the effects of corporate self regulation and the impact of civil society and community groups upon the development of the legal order in this area The book has been thoroughly revised and updated for this third edition making it a definitive reference work for students researchers and practitioners of international economic law business corporate and commercial law development studies and international politics Split into four parts the book first deals with the conceptual basis for MNE regulation It explains the growth of MNEs their business and legal forms and the relationship between them and the effects of a globalized economy and society now increasingly challenged by recently revived nationalist economic policies upon the evolution of regulatory agendas in the field In addition the limits of national and regional jurisdiction over MNE activities are considered a question that arises throughout the specialized areas of regulation covered in the remainder of the book Part II covers the main areas of economic regulation including controls over and the liberalization of entry and establishment tax company and competition law and the impact of intellectual property rights on technology diffusion and transfer A specialized chapter on the regulation of multinational banks in the wake of the global financial crisis is new to this edition Part III introduces the social dimension of MNE regulation covering labour rights human rights and environmental issues Finally Part IV deals with the contribution of international investment law to MNE regulation and to the control of investment risks covering the main provisions found in international investment agreements their interpretation by international tribunals the process of investor state arbitration and how concerns over these developments are leading to reform proposals

Climate Litigation and Vulnerabilities Maria Antonia Tigre,Melanie Jean Murcott,Susan Ann Samuel,2025-06-19 This volume explores climate litigation as a means to tackle the rights and socio ecological intergenerational gender racial and other justice implications of the ever growing vulnerability to climate change whilst critically engaging with the notions of vulnerability and intersectional climate justice With insightful analysis thought provoking case studies and a global perspective the collection illustrates the opportunities and pitfalls of litigation pursued by people from the Global South who face intersecting forms of oppression and marginalisation amidst the climate crisis Contributors discuss litigation strategy novel legal arguments institutional barriers and unique socio ecological and political challenges in the Global South Divided into two parts the book recognises that climate change is an existential threat to humanity more frequently being tackled in courts worldwide The first part exposes the limits of litigation as a mechanism for intersectional climate justice for vulnerable people in the Global South The second part highlights innovations in climate litigation in pursuit of intersectional climate justice The book will be of interest to academics researchers and policymakers in the areas of human rights law

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