

world trade law after neoliberalism reimagining the global economic order

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Explore the crucial shifts in world trade law as we move beyond neoliberal frameworks. This analysis delves into reimagining the global economic order, examining new paradigms and challenges that will define international trade policy and future economic governance.

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World Trade Law after Neoliberalism

The rise of economic liberalism in the latter stages of the 20th century coincided with a fundamental transformation of international economic governance, especially through the law of the World Trade Organization. In this book, Andrew Lang provides a new account of this transformation, and considers its enduring implications for international law. Against the commonly-held idea that 'neoliberal' policy prescriptions were encoded into WTO law, Lang argues that the last decades of the 20th century saw a reinvention of the international trade regime, and a reconstitution of its internal structures of knowledge. In addition, the book explores the way that resistance to economic liberalism was expressed and articulated over the same period in other areas of international law, most prominently international human rights law. It considers the promise and limitations of this form of 'inter-regime' contestation, arguing that measures to ensure greater collaboration and cooperation between regimes may fail in their objectives if they are not accompanied by a simultaneous destabilization of each regime's structures of knowledge and characteristic features. With that in mind, the book contributes to a full and productive contestation of the nature and purpose of global economic governance.

World Trade Law After Neoliberalism

A New Global Economic Order: New Challenges to International Trade Law examines the dislocating effects of the policies implemented by the Trump Administration on the global economic order and brings together leading scholars and practitioners of international economic law come together to defend multilateralism against unilateralism and populism.

A New Global Economic Order

World trade and investment law is in crisis: new and progressive ideas are needed. Rules that facilitated globalization and supported global economic growth are being challenged. A system of global governance that once seemed secure is now at risk as the United States ignores the rules while developing countries struggle to escape restrictions. Some want to tear global institutions and agreements down while others try desperately to maintain the status quo. Rejecting both options, a group of trade and investment law experts from 10 countries, South and North, have joined hands to propose ideas for a new world trade and investment law that would maintain global growth while distributing costs and benefits more fairly. Paying special attention to those who have suffered from

trade dislocation and to restrictions that have hampered innovative growth strategies in developing countries, they outline a progressive trade and investment law agenda in *World Trade and Investment Law Reimagined*.

World Trade and Investment Law Reimagined

This book proposes a novel theory of justice in international trade law, examining what justice means and demands in this domain.

Distributive Justice and World Trade Law

George Louis Beer Prize Winner Wallace K. Ferguson Prize Finalist *A Marginal Revolution* Book of the Year “A groundbreaking contribution...Intellectual history at its best.” —Stephen Wertheim, *Foreign Affairs* Neoliberals hate the state. Or do they? In the first intellectual history of neoliberal globalism, Quinn Slobodian follows a group of thinkers from the ashes of the Habsburg Empire to the creation of the World Trade Organization to show that neoliberalism emerged less to shrink government and abolish regulations than to redeploy them at a global level. It was a project that changed the world, but was also undermined time and again by the relentless change and social injustice that accompanied it. “Slobodian’s lucidly written intellectual history traces the ideas of a group of Western thinkers who sought to create, against a backdrop of anarchy, globally applicable economic rules. Their attempt, it turns out, succeeded all too well.” —Pankaj Mishra, *Bloomberg Opinion* “Fascinating, innovative...Slobodian has underlined the profound conservatism of the first generation of neoliberals and their fundamental hostility to democracy.” —Adam Tooze, *Dissent* “The definitive history of neoliberalism as a political project.” —*Boston Review*

Globalists

This thoroughly revised Handbook presents an up-to-date political and philosophical history of global constitutionalism. By exploring the constitutional-like qualities of international affairs, it provides key insight into the evolving world order.

Handbook on Global Constitutionalism

This collection explores the theme of fragmentation within international economic law following the global financial crisis.

International Economic Law after the Global Crisis

Written by two leading scholars with 60 years of collective experience in the area, this insightful updated second edition provides a clear and concise introduction to the fundamental components of international trade law, presenting the basic structure and principles of this complex area of law, alongside elucidation of specific GATT and WTO legal rules and institutions. Key updates include references to the most recent cases, decisions and treaty negotiation developments, analysis of populist critiques of international trade law and analysis of new areas including digital trade and security exceptions.

Advanced Introduction to International Trade Law

States reject inequality when they choose to ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR), but to date the ICESCR has not yet figured prominently in the policy calculus behind States' international economic decisions. This book responds to the modern challenge of operationalizing the ICESCR, particularly in the context of States' decisions within international trade, finance, and investment. Differentiating between public policy mechanisms and institutional functional mandates in the international trade, finance, and investment systems, this book shows legal and policy gateways for States to feasibly translate their fundamental duties to respect, protect, and fulfil economic, social and cultural rights into their trade, finance, and investment commitments, agreements, and contracts. It approaches the problem of harmonizing social protection objectives under the ICESCR with a State's international economic treaty obligations, from the designing and interpreting international treaty texts, up to the institutional monitoring and empirical analysis of ICESCR compliance. In examining public policy options, the book takes into account around five decades of States' implementation of social protection commitments under the ICESCR; its normative evolution through the UN Committee on Economic, Social and Cultural Rights, and the Committee's

expanded fact-finding and adjudicative competences under the Optional Protocol to the ICESCR; as well as the critical, dialectical, and deliberative roles of diverse functional interpretive communities within international trade, finance, and investment law. Ultimately, the book shows how States' ICESCR commitments operate as the normative foundation of their trade, finance, and investment decisions.

Public Policy in International Economic Law

This book explores tensions in global trade by examining the role of experts in generating, disseminating and legitimating knowledge about the possibilities of trade to work for global development. To this end, contributors assess authoritative claims on knowledge. They also consider structural features that uphold trade experts' monopoly over knowledge, such as expert language and legal and economic expertise. The chapters collectively explore the tensions between actors who seek to effect change and those who work to uphold the status quo, exacerbate asymmetries, and reinforce the dominant narrative of the global trade regime. The book addresses the following key overarching research questions: Who is considered to be a trade expert and how does one become a knowledge producer in global trade? How do experts acquire, disseminate and legitimate knowledge? What agendas are advanced by expert knowledge? How does the discourse generated within trade expertise serve to close off alternative institutional pathways and modes of thinking? What potential exists for the emergence of more emancipatory global trade policies from contemporary developments in the field of trade expertise? This book will be of great interest to students and scholars of IPE, Trade Politics, International Relations, and International Organizations.

Expert Knowledge in Global Trade

Global regulatory standards are emerging from the environmental and health jurisprudence of the International Court of Justice, the World Trade Organization, under the United Nations Convention on the Law of the Sea, and investor-state dispute settlement. Most prominent are the three standards of regulatory coherence, due regard for the rights of others, and due diligence in the prevention of harm. These global regulatory standards are a phenomenon of our times, representing a new contribution to the ordering of the relationship between domestic and international law, and a revised conception of sovereignty in an increasingly pluralistic global legal era. However, the legitimacy of the resulting 'standards-enriched' international law remains open to question. International courts and tribunals should not be the only fora in which these standards are elaborated, and many challenges and opportunities lie ahead in the ongoing development of global regulatory standards. Debate over whether regulatory coherence should go beyond reasonableness and rationality requirements and require proportionality *stricto sensu* in the relationship between regulatory measures and their objectives is central. Due regard, the most novel of the emerging standards, may help protect international law's legitimacy claims in the interim. Meanwhile, all actors should attend to the integration rather than the fragmentation of international law, and to changes in the status of private actors.

Global Regulatory Standards in Environmental and Health Disputes

This collection explores the nature and worth of socio-legal approaches to international economic law.

Socio-legal Approaches to International Economic Law

This book offers global perspectives on institutions and regulations promoting sustainable economic growth in the Post 2015 development agenda. It addresses sustainability issues from multidisciplinary viewpoints. This second volume, focusing on The UN Global Compact, advances perspectives on the non-compulsory alternative to market regulations.

Beyond the UN Global Compact

This is the first book that critically examines the reform of the Appellate Body (AB) of the World Trade Organization (WTO) in light of the current crisis resulting from the U.S. blocking of the appointment of its members. The reform of the AB is critical, as the appointment crisis could lead to the demise of "the jewel in the crown," which may even cause the dismantling of the WTO as a whole. This book covers various aspects of the crisis and its reform. Specifically, as the crisis cannot be fully understood without reviewing the role of the AB from the broader perspectives of the other functions of the WTO, the book examines the reform of the AB from the broader perspectives of the WTO governance. Additional focus is on the reform of the AB in relation to its specific functions. Available options are provided to

address the AB crisis, as well as discussion of wider implications beyond the WTO. Contributed by world-renowned academics, experts, and practitioners in the field of international economic law, this volume provides a comprehensive analysis of the AB crisis and its solutions.

The Appellate Body of the WTO and Its Reform

"Comparative law is increasingly used as a tool in the making of law at national, regional and international levels. Private international law is now often affected by international conventions, and the issues faced by classical conflicts rules are frequently dealt with by substantive harmonisation of law under international auspices"--

Sugar and the Making of International Trade Law

"Political economy themes have - directly and indirectly - been a central concern of law and legal scholarship ever since political economy emerged as a concept in the early seventeenth century, a development which was re-inforced by the emergence of political economy as an independent area of scholarly enquiry in the eighteenth century, as developed by the French physiocrats. This is not surprising in so far as the core institutions of the economy and economic exchanges, such as property and contract, are legal institutions. In spite of this intrinsic link, political economy discourses and legal discourses dealing with political economy themes unfold in a largely separate manner. Indeed, this book is also a reflection of this, in so far as its core concern is how the law and legal scholarship conceive of and approach political economy issues"--

The Law of Political Economy

Childhood obesity is one of the most pressing global public health challenges of the 21st century. In response, States need to employ a multisectoral approach including labelling rules, food marketing restrictions and fiscal policies. However, these legal measures interact in a complex fashion with international economic and human rights law raising a range of legal questions. This timely book edited by Garde, Curtis and De Schutter explores these questions offering insightful perspectives. Of fundamental interest to legal professionals and academics, Ending Childhood Obesity also makes the legal complexities accessible to a broad range of public health and other policy actors addressing obesity and related non-communicable diseases.

Ending Childhood Obesity

An Introduction to Contemporary International Law: A Policy-Oriented Perspective introduces the reader to all major aspects of contemporary international law. It applies the highly acclaimed approach developed by the New Haven School of International Law, holding international law as an ongoing process of authoritative decision-making through which the members of the world community identify, clarify, and secure their common interests. Unlike conventional works in international law, this book is organized and structured in terms of the process of decision making in the international arena, and references both classic historical examples and contemporary events to illustrate international legal processes and principles. Using contemporary examples, this Third Edition builds on the previous editions by contextualizing and dramatizing recent events with reference to seven features that characterize the New Haven School approach to international law: participants, perspectives, arenas of decision, bases of power, strategies, outcomes, and effects. This new edition highlights cutting-edge ideas in international law, including the right to self-determination, the evolution of Taiwan statehood, the expanding scope of international concern and the duty of states to protect human rights, the trend towards greater accountability for states and individual decision-makers under international law, and the vital role individual responsibility plays in the emerging field of international criminal law. It offers a new generation the intellectual tools needed to act as responsible citizens in a world community seeking human dignity and human security for all people.

An Introduction to Contemporary International Law

Drawing on a wide variety of classic and contemporary sources, respected authors Trebilcock, Howse and Eliason here provide a critical analysis of the institutions and agreements that have shaped international trade rules. In light of the growing debate over globalization, they include special sections with examinations of topics such as: agriculture services and Trade-Related Intellectual Property Rights labour rights the environment migration competition. Drawing on previous highly praised editions, this

comprehensive text is an invaluable guide to students of economics, law, politics and international relations. Now fully updated, this fourth edition includes full coverage of new developments including the Doha trade round, the proliferation of Preferential Trade Agreements, the debate on trade, climate change and green energy, the response of the trading system to the 2007--10 financial and economic crisis, the controversy over trade and exchange rate manipulation, and the growing body of WTO dispute resolution case law.

The Regulation of International Trade

Jacobin legacy: the origins of social justice -- National welfare and the universal declaration -- FDR's second bill -- Globalizing welfare after empire -- Basic needs and human rights -- Global ethics from equality to subsistence -- Human rights in the neoliberal maelstrom

Not Enough

International Law presents a comprehensive yet student-focused approach to the subject, providing a contemporary and stimulating account of international law. With critical coverage delivered through a wide range of learning features, students are encouraged to engage with legal debates and controversies. Digital formats and resources The second edition is available for students and institutions to purchase in a variety of formats, and is supported by online resources. - The e-book offers a mobile experience and convenient access along with functionality tools, navigation features and links that offer extra learning support: www.oxfordtextbooks.co.uk/ebooks There is also a wide range of online resources that support the book, including: - Author tutorial videos for each chapter - Discussion questions - Critical thinking frameworks - A glossary of international law terms - A history of international law timeline

International Law

This book offers a critical reflection of the North-South regional trade agreements (RTAs), known as the Economic Partnership Agreements, negotiated between the EU and the African, Caribbean, and Pacific countries. Conceiving of regions as legal regimes, Clair Gammage highlights the challenges facing developing countries when negotiating RTAs with developed countries and interrogates the assumption that these agreements will and can promote sustainable development through trade.

North-South Regional Trade Agreements as Legal Regimes

This book brings together a series of contributions by international legal scholars that explore a range of subjects and themes in the field of international economic law and global economic governance through a variety of methodological and theoretical lenses. It introduces the reader to a number of different ways of constructing and approaching the study of international economic law. The book deals with a series of different theoretical agendas and perspectives ranging from the more traditional (empirical legal studies) to the more alternative (language theory) and it expands the scope of substantive discussion and thematic coverage beyond the usual suspects of international trade, international investment and international finance. While the volume still gives due recognition to the traditional theoretical project of international economic law, it invites the reader to extend the scope of disciplinary imagination to other, less commonly acknowledged questions of global economic governance such as food security, monetary unions, and international economic coercion. In addition to historically-focused and critical perspectives, the volume also includes a number of programmatic and forward-looking explorations, which makes it appealing to a broad audience with a variety of contrasting interests. Therefore, the volume is of particular interest to academics and postgraduate students in the fields of international law, international relations, international political economy, and international history.

New Voices and New Perspectives in International Economic Law

Sungjoon Cho critiques the conventional contract model of the WTO and proposes an alternative notion of 'community'.

The Social Foundations of World Trade

This Handbook offers academics and practitioners a one-stop-shop entry into the subject of international arbitration, and the ways in which it is discussed today.

The Oxford Handbook of International Arbitration

"Abstract Global legal pluralism has become one of the leading analytical frameworks for understanding and conceptualizing law in the twenty-first century"--

The Oxford Handbook of Global Legal Pluralism

An examination of the core principles, landmark disputes, and modern developments in IEL reflecting a global approach.

International Economic Law

This book considers how the interplay between multilateral and preferential liberalisation of trade in services increasingly raises concerns, both from the perspective of the beneficiaries of such liberalisation (whose rights are uncertain) and that of regulators (whose regulatory autonomy is constrained). The author shows how these concerns lead to vast underutilisation of, and strong prejudices against, the benefits of services liberalisation. The book meticulously analyses and compares the EU's obligations under the GATS and the services chapters of several RTAs to finally assess the merits of the raised concerns.

Regulatory Autonomy and International Trade in Services

"This book offers an empirically grounded theory that reframes the study of law and society from a predominantly national context, which dichotomizes the study of international law and national compliance into a dynamic perspective that places national, international, and transnational lawmaking and practice within a coherent single frame. By presenting and elaborating on a new concept, transnational legal orders it offers an original approach to the emergence of legal orders beyond nation-states. It shows how they originate, where they compete and cooperate, and how they settle on institutions that legally order fundamental economic and social behaviors that transcend national borders. This original theory is applied and developed by distinguished scholars from North America and Europe in business law, regulatory law and human rights"--

Transnational Legal Orders

Neoliberalism has been studied as a political ideology, an historical moment, an economic programme, an institutional model, and a totalising political project. Yet the role of law in the neoliberal story has been relatively neglected, and the idea of neoliberalism as a juridical project has yet to be considered. That is: neoliberal law and its interrelations with neoliberal politics and economics has remained almost entirely neglected as a subject of research and debate. This book provides a systematic attempt to develop a holistic and coherent understanding of the relationship between law and neoliberalism. It does not, however, examine law and neoliberalism as fixed entities or as philosophical categories. And neither is its objective to uncover or devise a 'law of neoliberalism'. Instead, it uses empirical evidence to explore and theorise the relationship between law and neoliberalism as dynamic and complex social phenomena. Developing a nuanced concept of 'neoliberal legality', neoliberalism, it is argued here, is as much a juridical project as a political and economic one. And it is only in understanding the juridical thrust of neoliberalism that we can hope to fully comprehend the specificities, and continuities, of the neoliberal period as a whole.

Neoliberal Legality

An innovative textbook setting out a systematic approach to business and human rights.

The Cambridge Companion to Business and Human Rights Law

The essays in this volume address various challenges posed by globalization to the international legal order, in fields which include the use of force, humanitarian law, international trade and investment law, dispute resolution, human rights, and environmental law.

International Law in the New Age of Globalization

The International Investment Law system (IIL) is the result of a colonial project within a capitalist system that has been influenced by developmentalism discourse and neoliberal ideology. This book shows how

it has become an instrument that facilitates forms of systemic violence against so called “Third World” countries.

Systemic Violence of the Law

This book argues for the utility of human rights in the practice of ocean governance. Maritime spatial planning (MSP) has become the dominant marine management paradigm, with MSP frameworks already at various stages of elaboration and implementation in more than half of all coastal states. However, as experience with MSP accrues, a central systemic shortcoming has become apparent, insofar as the normative frameworks that underpin MSP tend to be grounded in a rationalistic and economistic worldview. The result is a post-political, neoliberal approach to the implementation of MSP, which favours technocratic ‘fixes’ to complex societal problems over efforts to address underlying issues of power and inequality. Building upon the new field of critical MSP studies, this book offers a much-neglected legal contribution. More specifically, it analyses the extent to which law, and particularly human rights law, can be utilised to meaningfully challenge the unjust patterns of human-ocean interaction that MSP preserves or creates, and so provide a vehicle for the formulation and realisation of transformative blue futures. The book looks to human rights as norms that are uniquely capable of bringing into relief the values, cause-and-effect relationships, and uncertainties that prevailing capitalist-industrial framings of the ocean tend to downplay or, worse, disregard. And so, from a more pragmatic viewpoint, the book argues that the policy and advocacy tools associated with human rights can be used within MSP processes to foster patterns of human-ocean interaction which are more conducive to social and environmental justice. This book will be of interest to legal and planning scholars, geographers, and others concerned with ocean governance and the ‘blue turn’ in the social sciences and humanities more generally.

Human Rights and Ocean Governance

Since the mid-twentieth century, 'international law' and 'international development' have become two of the most prominent secular languages through which aspirations about a better world are articulated.. They have shaped the both the treatment and self-understanding of the 'developing' world, often by positing the West as a universal model against which developing states, their citizens, and natural environments should be measured and disciplined. In recent years, however, critical scholars have investigated the deep linkages between the concept of development, the doctrines and institutions of international law, and broader projects of ordering at the international level. They have shown how the leading models de-radicalise, if not derail, initiatives to redefine development and pursue other forms of global well-being. Bringing together scholars from both the Global South and the Global North, the contributions in this Handbook invite readers to consider the limits of common normative and developmentalist assumptions. At the same time, the Handbook demonstrates how disparate but still identifiable set of ideas, imaginaries, norms, and institutional practices - related to law, development and international governance - shape today's profoundly unequal material conditions, threatening the future of human and nonhuman life on the planet. The book focuses on five distinct areas: existing disciplinary frameworks, institutions and actors, regional theatres of international law and development, competing social and economic agendas, and alternative futures. Offering a unique overview of the field of international law and development and assembling major critical, historical, and political economic insights, this Handbook is an unmissable resource for scholars of international law, international relations, development studies, and global history, as well as anyone interested in the past, present, and future of our world.

Oxford Handbook of International Law and Development

This book puts forward a multidimensional goal-based framework for analysing the effectiveness of the WTO dispute settlement system, while challenging the tendency in current literature to capture the effectiveness of this complex international adjudicatory system through the narrow and fixed concept of compliance. Drawing on the goals - based approach-the book broadly conceptualizes the effectiveness of the WTO dispute settlement system as the extent to which this system achieves its goals, while using the multiple conflicting and shifting objectives set for the system by WTO Members as the key effectiveness benchmarks. In so doing, it offers a comprehensive empirical account of the manifold and contradictory goals-beyond compliance-entrusted with the WTO dispute settlement system by its mandate providers, and probes the complex trade-offs struck between the multiple goals on the ground. This work addresses cutting-edge legal and institutional questions while implementing a qualitative

empirical research design. Drawing on numerous interviews with WTO adjudicators, staff members of the WTO Secretariat, state officials, and trade lawyers, Agon crafts an insider's look into the actual world of WTO adjudication and sets out a framework for a more nuanced and complex analysis of judicial effectiveness at the WTO.

International Adjudication on Trial

This volume offers a comparative study of Hong Kong, Singapore and Mainland China's financial models conducted by leading experts in the field and advances a sophisticated and common understanding on the development of financial centres in Asia based on the rule of law.

Finance, Rule of Law and Development in Asia

REDD+ operates to reorganise social relations and to establish new forms of global authority over forests in the Global South.

Reconsidering REDD+

Caroline Henckels examines how investment tribunals should balance competing state and investor interests in determining state liability in regulatory disputes.

Proportionality and Deference in Investor-State Arbitration