



THE CONSTITUTIONALIZATION OF THE WORLD TRADE ORGANIZATION

Legitimacy, Democracy, and Community
in the International Trading System

Deborah Z. Cass

Constitutionalization Of The World Trade Organization

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Constitutionalization Of The World Trade Organization:

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decide matters of national economic interest it lacks authorization by a coherent political community and it risks an emphasis upon economic goals and pure free trade over other equally important social values Instead Cass argues that what is needed is a constitutionalized WTO which considers the economic development needs of states and takes account of the skewed playing field of international trade and its effect on the economic prospects of developing countries In short trading democracy legitimacy and community and not trading constitutionalization are the biggest challenges facing the WTO

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of anyone professionally involved in dispute settlement at the WTO The standard of review is at the core of the dispute settlement process and Ross Becroft has made a major contribution with his comprehensive and insightful analysis and suggestions for a new standard of review for the future Andrew Stoler Executive Director Institute for International Trade and former WTO Deputy Director General This detailed book critiques how the World Trade Organization scrutinizes domestic measures to determine compliance with the WTO Agreements This scrutiny known as the standard of review is particularly relevant when WTO panels are examining measures involving controversial domestic policy issues The author argues that the current WTO standard of review is inadequate and a flexible standard based on the responsibilities that WTO members have retained for themselves under the WTO Agreements is preferable This new standard of review would better reflect the autonomy contemplated for members under the WTO rules and reduce scope for the contention that the WTO overreaching its mandate This work provides a foundation for mediating relations between states and the WTO and similar international organisations It will be of great interest to scholars and practitioners in the fields of law and international relations with an interest in international economic law the WTO or international organisations in general **International Governance in the Wto** Tomer Broude,2004

China and the World Trading System Deborah Z. Cass,Brett G. Williams,George Barker,2003-03-06 China the world s sixth largest economy has recently joined the rules based international trading system What are the implications of this accession Leading scholars and practitioners from the US Europe China Australia and Japan argue that China s membership will affect the WTO s decision making dispute resolution and rule based structures It will also spur legal and economic reform have far reaching social political and distributional consequences in China facilitate a new role for China in international geo political affairs and alter the shape structure and content of the international trading system as a whole Of interest to scholars of China as well as trade lawyers and economists

Handbook on Global Constitutionalism Anthony F. Lang,Antje Wiener,2023-11-03 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 The World Trade Organization Anna Lanoszka,2009 Examining the World Trade Organization this book covers the basics the WTO s history its structure and its practices and concerns It presents an overview of the world trading system since the end of World War II It also explains the profound changes brought about by the establishment of the WTO Ruling the World? , **Ruling the World?** Jeffrey L. Dunoff,Joel P. Trachtman,2009-07-20 Ruling the World Constitutionalism International Law and Global Governance provides an interdisciplinary analysis of the major developments and central questions in debates over international constitutionalism at the UN EU WTO and other sites of global governance The essays in this volume explore controversial empirical and structural questions doctrinal and normative issues and questions of institutional design and positive political theory Ruling the World grows out of a three year research project that brought twelve leading scholars together to create a

comprehensive and integrated framework for understanding global constitutionalization Ruling the World is the first volume to explore in a cross cutting way constitutional discourse across international regimes constitutional pluralism and relations among transnational and domestic constitutions The volume examines the core assumptions basic analytic tools and key challenges in contemporary debates over international constitutionalization

Development and the Rule of Law in the WTO Intan Murnira Ramli, 2008 International economic law has been evolving toward an unprecedented degree of institutionalism and supranational legal authority expressed through the availability of legalistic and more coercive mechanisms to develop international legal obligations enforceable upon states This book will explore the transparency of the Dispute Settlement Mechanism DSM within the World Trade Organization WTO the level of participation of the WTO members especially those of the developing and the least developed countries and the attitude of the DSM in relation to the issue of development

Recueil Des Cours, 2007 The author director of the Lauterpacht Center for International Law examines in this course the multilateral rights and obligations in International Law He starts by introducing terms that a priori do not seem to pose any particular problem such as for instance the terms bilateral and multilateral but that on closer inspection deserve to be looked at in more detail He then gives an historical outline of the development of multilateral law making In the next chapter he examines the multilateral treaty as constitution and the United Nation Charter James Crawford then studies the sources of international law as sources of multilateral rights and obligations multilateral rights and obligations as components of general international law and the development of the multilateral categories jus cogens etc In the last chapters Professor Crawford tackles the question of claims for breaches of multilateral obligations and the decriminalization of State responsibility by looking at the peremptory norms and international crimes of State Publisher s description

New York University Journal of International Law & Politics New York University. International Law Society, 2006 *Chinese Journal of International Law*, 2007 *Michigan Law Review*, 2005-10 The WTO and the Doha Round Ross P. Buckley, 2003 Among the specific issues researched and analysed here are the U S led return to a unilateralist and interventionist approach to global problems the importance of the rules based WTO system to developing nations as a crucial alternative to power politics the failure to achieve enhanced access to developed world markets for agricultural products textiles clothing and footwear the relevance of GATS and TRIPS to the developing world internal WTO governance issues including the important role of the Secretariat as negotiator and mediator the implementation phase of the dispute settlement understanding the continuing resistance to linking trade and environment the place of human rights in the international trading system and the likely impact of the double scourge of AIDS and terrorism on flows of trade capital people and knowledge

The Democratic Legitimacy of International Law Steven Wheatley, 2010-06-02 This book restates the deliberative ideal developed by Habermas and applies this to the systems of global governance

Peace Research Abstracts Journal, 2005

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