



GLOBALIZATION & LAW

Trade, Rights, War

ADAM GEAREY



Globalization And Law Trade Rights War

Felipe Gómez Isa, Koen de Feyter



Globalization And Law Trade Rights War:

Globalization and Law Adam Gearey, 2005-07-14 To understand globalized law it is necessary to bring together insights gained from disparate strands of study international political economy economic law human rights law and the law of war Focusing on WTO the UN the World Bank and the IMF Globalization and Law shows how their legal and regulatory regimes are linked to the politics of world markets It also looks at the operation of law and economy at a national level where globalized law can be seen in action Chapters consider the politics of oil and human rights in Nigeria and the invasion and reconstruction of Iraq Other broad themes are also examined Looking at the fate of people in the third world who are the subjects of economic development and development law we can bring to light the power relationships and ideologies that are attendant on the development project In conclusion it is argued that we need to engage with the claims to humanity that lie behind the notion of human rights the war against terrorism and military intervention Globalized law raises fraught questions about the role of international regimes and the interests and values in whose name they claim to operate *Globalization and Law* Adam Gearey, 2005 Globalized law brings together disparate strands of study including international political economy human rights law and the law of war Globalization and Law examines international institutions including the WTO the World Bank and the IMF and shows how they are linked to the politics of world markets and the politics of war The book looks at these interactions at the micro level where globalized law can be seen in action from the politics of oil and human rights in Nigeria to the current war in Iraq and the claim of a just war fought for human rights Looking at the fate of people worldwide in the context of trends in economic development the exploitation of human rights regimes and supposedly humanitarian interventions we see that many are unhomed by the forces of globalization Whose humanity lies behind the claims to human rights Whose interests are best served by the market Can we ever go home again *An Introduction to International Human Rights Law* Azizur Rahman Chowdhury, Jahid Hossain Bhuiyan, 2010-06-14 This book is designed to provide an overview of the development and substance of international human rights law and what is meant concretely by human rights guarantees such as civil and political rights and economic and social rights It highlights the rights of women globalization and human rights education The book also explores domestic regional and international endeavors to protect human rights The history and role of human rights NGOs coupled with an analysis of diverse international mechanisms are succinctly woven into the text which well reflects the scholarship and erudition of the authors This lucidly written and timely volume will be of great help to anyone seeking to understand this area of law be they students lawyers scholars government officials staff of international and non international organizations human rights activists or lay readers *Decolonising International Law* Sundhya Pahuja, 2011-09-29 The universal promise of contemporary international law has long inspired countries of the Global South to use it as an important field of contestation over global inequality Taking three central examples Sundhya Pahuja argues that this promise has been subsumed within a universal claim for a particular way of life by

the idea of development As the horizon of the promised transformation and concomitant equality has receded ever further international law has legitimised an ever increasing sphere of intervention in the Third World The post war wave of decolonisation ended in the creation of the developmental nation state the claim to permanent sovereignty over natural resources in the 1950s and 1960s was transformed into the protection of foreign investors and the promotion of the rule of international law in the early 1990s has brought about the rise of the rule of law as a development strategy in the present day

The Effects of Globalization in Latin America, Africa, and Asia Kema Irogbe, 2014-05-01 In *The Effects of Globalization in Latin America Africa and Asia* Kema Irogbe argues that the forces of globalization which include the IMF World Bank WTO and Western media technology are subordinated to the interests of multinational corporations under the tutelage of a lone superpower in strangling the development efforts of poor countries Irogbe subjects the operations and the existing relationships among these international governmental and nongovernmental actors to the test of empirical reality and logical plausibility by drawing from the experiences of a varied selection of marginalized countries such as Venezuela Guatemala Mexico Brazil in Latin America Nigeria South Africa and Ghana in Africa and Iraq Iran India Afghanistan and Vietnam in Asia The book argues that globalization is a sophisticated lexicon for the pursuit of a homogenized political economic and cultural world order which is a recipe for unending global crises

The Degradation of the International Legal Order? Bill Bowring, 2008-02-19 Providing the basis for critical engagement with the pessimism of the contemporary age *The Degradation of the International Legal Order* argues passionately for a rehabilitation of the honour of historic events and processes and of their role in generating legal concepts Drawing primarily from the Marxian tradition but also engaging with a range of contemporary work in critical theory and critical legal and human rights scholarship this book analyses historical and recent international events and processes in order to challenge their orthodox interpretation What is thus proposed is a new evaluation of international legal principles and human rights norms the revolutionary content of which it is argued turns them from mere rhetoric into powerful weapons of struggle Accessibly written but theoretically sophisticated this original and timely book is intended for critical teachers and students of international law human rights and international relations as well as legal and political activists

The Intersection of Rights and Regulation Professor Bronwen Morgan, 2013-02-28 Policy makers and social actors increasingly face inter related and inter penetrated levels and realms of governance The effect is that some of the intuitive contrasts between rights and regulation are no longer tenable As the essays collected in this volume show different combinations of rights and regulatory claims serve as barometers of current changes in political economy These are not only restructuring political space but also changing the assumed relevance of rights and regulation Bringing together a range of fresh perspectives on socio legal scholarship from a variety of disciplines *The Intersection of Rights and Regulations* will have worldwide interdisciplinary appeal

Global Justice and Social Conflict Tarik Kochi, 2019-09-30 *Global Justice and Social Conflict* offers a ground breaking historical and theoretical reappraisal of the

ideas that underpin and sustain the global liberal order international law and neoliberal rationality Across the 20th and 21st centuries liberalism and increasingly neoliberalism have dominated the construction and shape of the global political order the global economy and international law For some this development has been directed by a vision of global justice Yet for many the world has been marked by a history and continued experience of injustice inequality indignity insecurity poverty and war a reality in which attempts to realise an idea of justice cannot be detached from acts of violence and widespread social conflict In this book Tarik Kochi argues that to think seriously about global justice we need to understand how both liberalism and neoliberalism have pushed aside rival ideas of social and economic justice in the name of private property individualistic rights state security and capitalist free markets Ranging from ancient concepts of natural law and republican constitutionalism to early modern ideas of natural rights and political economy and to contemporary discourses of human rights humanitarian war and global constitutionalism Kochi shows how the key foundational elements of a now globalised political economic and juridical tradition are constituted and continually beset by struggles over what counts as justice and over how to realise it Engaging with a wide range of thinkers and reaching provocatively across a breadth of subject areas Kochi investigates the roots of many globalised struggles over justice human rights democracy and equality and offers an alternative constitutional understanding of the future of emancipatory politics and international law *Global Justice and Social Conflict* will be essential reading for scholars and students with an interest in international law international relations international political economy intellectual history and critical and political theory *International Human Rights Law in a Global Context* Felipe Gómez Isa, Koen de Feyter, 2009-01-01 The international human rights system remains as dynamic as ever If at the end of the last century there was a sense that the normative and institutional development of the system had been completed and that the emphasis should shift to issues of implementation nothing of the sort occurred Even over the last few years significant changes happened as this book amply demonstrates We hope that this Manual makes a contribution to the development of International Human Rights Law and is of interest for those working in the field of promotion and protection of human rights The book is the result of a joint project under the auspices of HumanitarianNet a Thematic Network led by the University of Deusto and the European Inter University Centre for Human Rights and Democratisation EIUC Venice **Consensus and Global Environmental Governance** Walter F. Baber, Robert V. Bartlett, 2015-02-27 Walter F Baber and Robert V Bartlett *Human Rights* Albert A. Zinnos, 2007 Human rights refers to the concept of human beings as having universal rights or status regardless of legal jurisdiction and likewise other localising factors such as ethnicity and nationality For many the concept of human rights is based in religious principles However because a formal concept of human rights has not been universally accepted the term has some degree of variance between its use in different local jurisdictions difference in both meaningful substance as well as in protocols for and styles of application Ultimately the most general meaning of the term is one which can only apply universally and hence the term human rights is often itself an

appeal to such transcended principles without basing such on existing legal concepts The term humanism refers to the developing doctrine of such universally applicable values and it is on the basic concept that human beings have innate rights that more specific local legal concepts are often based Within particular societies human rights refers to standards of behaviour as accepted within their respective legal systems regarding 1 the well being of individuals 2 the freedom and autonomy of individuals and 3 the representation of the human interest in government These rights commonly include the right to life the right to an adequate standard of living the prohibition of genocide freedom from torture and other mistreatment freedom of expression freedom of movement the right to self determination the right to education and the right to participation in cultural and political life These norms are based on the legal and political traditions of United Nations member states and are incorporated into international human rights instruments This new book brings together the latest book literature centred on this crucial topic

Global Trade, Labour Rights and International Law Aneta Tyc, 2021-06-21 This book provides a set of proposals for how best to guarantee effective enforcement of labour rights worldwide The linkage between labour standards and global trade has been recurrent for some 200 years At a time when the world is struggling to find a way out of crisis and is striving for economic growth more than ever there is a need for up to date research on how to protect and promote labour rights in the global economy This book explores the history of the field and also provides an overview of emerging trends and opportunities It discusses the most recent problems including the effectiveness and the role of the International Labour Organization ILO in the second century of its existence the World Trade Organization WTO and its potential relevance in the protection of labour rights the effectiveness of the US and the EU Generalised System of Preferences the impact of corporate social responsibility CSR instruments on labour rights and labour provisions in the international trade agreements concluded by the US and the EU The book argues inter alia that trade agreements seem to be a useful tool to help pave the way out of the crisis and that the United States Mexico Canada Agreement USMCA can be perceived as a model agreement and a symbol of a shift in perspective from long global supply chains to a focus on regional ones local production jobs and a rise in wages The book will be essential reading for academics and students in the fields of human rights law international labour law industrial relations law international sustainable development law international economic law and international trade law It will also be of interest to practitioners non government organisations NGOs and policy makers

Library of Congress Subject Headings Library of Congress, 2011

The Arms Trade and International Criminal Law Tomas Hamilton, 2025-01-22 Despite the establishment of UN embargoes the Arms Trade Treaty ATT and the EU Common Position arms export regulation suffers from significant legal and practical limitations This book critically evaluates the existing body of Arms Trade Law highlighting its inadequacies in preventing weapons from reaching perpetrators of mass violence Drawing on interviews participant observation and empirical research to assess the perspectives of judges and lawyers it also explores the International Criminal Court's narrow focus on

prosecuting political and military leaders Arguing that institutional attitudes and commitments contribute to a legal culture that obscures the potential for an arms trader case the book illustrates these dynamics through a case study of the UN Security Council's response to the Second Congo War and the ICC's investigations in the DRC Situation elucidating missed opportunities to enforce accountability against the entire spectrum of actors responsible for international crimes Through detailed examination of the arms trade's complexities The Arms Trade and International Criminal Law foregrounds the structural causes of atrocity and argues for broader accountability It investigates how individuals including corporate executives state officials and arms traffickers can be held directly accountable for atrocities under international law even when their actions are geographically or causally distant from the violence itself Furthermore by advancing a specific interpretation of the actus reus and mens rea elements of accomplice liability under Article 25 of the Rome Statute this book argues for a robust legal basis upon which the ICC can prosecute arms traders It therefore underscores how international criminal law can complement existing regulations by leveraging its expressive function to condemn all those who profit from atrocity

Global Governance, Human Rights and International Law Errol P. Mendes, 2014-02-05 This book offers a stimulating introduction to the links between areas of global governance human rights global economy and international law By drawing on a range of diverse subject areas Errol P Mendes argues that the foundations of global governance human rights and international law are undermined by a conflict or tragic flaw where insistence on absolute conceptions of state sovereignty are pitted against universally accepted principles of justice and human rights resulting in destructive self interest for both the state and the global community The book explores how human rights and international law are applied in some of the critical institutions of global governance and in the operations of the global private sector and how States institutions and global civil society struggle to fight this tragic flaw The book is brought up to date by considering developments in the role of the IMF the World Bank bilateral investment treaties the likely failure of the Doha round of WTO negotiations the legacy of the 2008 financial crisis and the role of the International Criminal Court and the evolving Responsibility to Protect doctrine in international peace and security crises in the Middle East Central and West Africa among other regions of the world With its intensely interdisciplinary approach this book motivates new thinking in the realm of global governance and international law and promotes the development of new strategies for negotiating between conflicting leadership and organisational values within global institutions The book will be of great interest and use to students and researchers of public international law international relations and political science business and human rights global governance and international trade and economic law

Global Civil Society 2006/7 Helmut K Anheier, Mary Kaldor, Marlies Glasius, 2006-10-02 Even though current public interest and engagement in issues of global violence are the results of terribly tragic and disturbing events it is good that these matters are receiving widespread attention I argue for a wider use of our voice in the working of global civil society to be distinguished from military initiatives and strategic activities of

governments The Global Civil Society Yearbook can make a substantial contribution to the expression of public voice without border Amartya Sen Suicide bombings collateral damage kidnappings and air strikes pepper the lexicon of twenty first century politics Global Civil Society 2006 7 explores the complex relationship between violence civil society and legitimacy in a unique dialogue that crosses political cultural and religious boundaries Is the use of violence by non state actors ever justified How is violence transmitted from the private to the public sphere Why is terror and the war on terror catalysing rather than suppressing violence Do Western and Islamic traditions of thought offer any solutions This edition of the Yearbook also includes new research on economic and social rights the politics of water and football Chapters include Not Even a Tree Can Violence be Justified in a Global Era Mary Kaldor and Heba Raouf Ezzat Bringing Violence Back Home Jenny Pearce Pipe dream or Panacea Global Civil Society and Economic and Social Rights Marlies Glasius War and Peace the Role of Global Civil Society Mary Kaldor Denisa Kostovicova and Yahia Said Water a Global Contestation Willemijn Dicke Patrick Bond Fadia Daibes Murad Sanjeev Khagram Alessandro Palmieri Carlos Vainer Zo Wilson and Patricia Wouters The Church the Mosque and Global Civil Society Mark Juergensmeyer The Odd Couple Football and Global Civil Society David Goldblatt

Free Trade and Cultural Diversity in International Law Jingxia Shi, 2013-04-30 This book attempts to reconcile the concept of free trade with a key non trade social value cultural diversity in an era of economic globalisation It first shows how we can look at culture in many different ways and explains why we should care about cultural diversity The book then examines the challenges that policymakers are faced with in formulating cultural measures in the new media environment and analyses UNESCO s theories and approaches to cultural diversity This is followed by a comprehensive examination of the treatment of culture in global and regional trade agreements including the framework of the GATT WTO system the WTO s judicial practice involving cultural products and the treatment of culture under the EC EU and NAFTA This identifies the challenges trade norms encounter in dealing with cultural products The author seeks to formulate a balanced view of the challenge of protecting and promoting cultural diversity while also recognising the important goal of trade liberalisation To this end Professor Shi proposes a dual method through which the norms found in WTO agreements and in UNESCO cultural instruments may be brought into alignment the first highlighting the compatibility of cultural policy measures with trade obligations on a domestic level the second suggesting potential linkages between the WTO rules and the UNESCO

Convention from the perspectives of treaty interpretation *Blame it on the WTO?* Sarah Joseph, 2013-09-05 This is an open access title available under the terms of a CC BY NC ND 3 0 International licence It is free to read at Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations The World Trade Organization WTO is often accused of at best not paying enough attention to human rights or at worst facilitating and perpetuating human rights abuses This book weighs these criticisms and examines their validity incorporating legal arguments as well as some economic and political science perspectives After introducing the respective WTO and human rights regimes and discussing

their legal and normative relationship to each other the book presents a detailed analysis of the main human rights concerns relating to the WTO These include the alleged democratic deficit within the Organization and the impact of WTO rules on the right to health labour rights the right to food and on questions of poverty and development Given that some of the most important issues within the WTO concern its impact on poor people within developing States the book asks whether rich States have an obligation to the people of poorer States to construct a fairer trading system that better facilitates the alleviation of poverty and development Against this background the book examines the current Doha round proposals as well as suggestions for reform of the WTO to make it more human rights friendly

Linking Global Trade and Human Rights

Daniel Drache, Lesley A. Jacobs, 2014-03-20 During the global economic crisis of 2008 countries around the world used national policy spaces to respond to the crisis in ways that shed new light on the possibilities for linkages between international trade and human rights This book introduces the idea of policy space as an innovative way to reframe recent developments in global governance It brings together a wide ranging group of leading experts in international law trade human rights political economy international relations and public policy who have been asked to reflect on this important development in globalization Their multidisciplinary contributions provide explanations for the changing global landscape for national policy space clearly illustrate instances of this change and project the future paths for policy development in social and economic policy spaces especially with reference to linkages between international trade and human rights in countries from the Global North as well as Brazil China and India

China's Influence on Non-Trade Concerns in International Economic Law Paolo Farah, Elena Cima, 2016-10-14 This volume examines the range of Non Trade Concerns NTCs that may conflict with international economic rules and proposes ways to protect them within international law and international economic law Globalization without local concerns can endanger relevant issues such as good governance human rights right to water right to food social economic cultural and environmental rights labor rights access to knowledge public health social welfare consumer interests and animal welfare climate change energy environmental protection and sustainable development product safety food safety and security Focusing on China the book shows the current trends of Chinese law and policy towards international standards The authors argue that China can play a leading role in this context not only has China adopted several reforms and new regulations to address NTCs but it has started to play a very relevant role in international negotiations on NTCs such as climate change energy and culture among others While China is still considered a developing country in particular from the NTCs point of view it promises to be a key actor in international law in general and more specifically in international economic law in this respect This volume assesses taking into consideration its special context China's behavior internally and externally to understand its role and influence in shaping NTCs in the context of international economic law

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