CHICAGO JOURNAL OF INTERNATIONAL LAW

Volume 5, Number 1, Spring 2004

Articles

The Empirical and Theoretical Underpinnings of the Law Merchant

Reflections on the Historical Origins and Economic Structure of the Law Merchant
Richard A. Epstein

Medieval and Early Modern Lex mercatoria: An Attempt at the probation diabolica
Charles Donahue, Jr.

Order within Law, Variety within Custom: he Character of the Medieval Merchant Law
Emily Kadens

Lex Mercatoria–Hoist with Its Own Petard?
Celia Wasserstein Fassberg

Do Codification and Private International Law Leave Room for a New Law Merchant?
Mark D. Rosen

Justice, Institutions, and Multiple Equilibria
Roger B. Myerson

Impersonal Exchange without Impartial Law: The Community Responsibility System
Avner Greif

Two-Tier Market Institutions
Avinash Dixit

The Law Merchant in the Modern Age: Institutional Design and International Usages under the CISG
Clayton P. Gillette

The Relative Costs of Incorporating Trade Usage into Domestic versus International Sales Contracts
Avery Wiener Katz

The Role of the Red Cross in the Development of International Humanitarian Law

The International Committee of the Red Cross and the Development of International Humanitarian Law
Francois Bugnion

The International Committee of the Red Cross and Its Contribution to the Development of International Humanitarian Law in Specialized Instruments
Knut Dormann and Louis Maresca

Roundtable Symposium: Problems of Religious Nationalism

Parading Protestants and Consenting Catholics in Northern Ireland: Communal Conflict, Contested Public Space, and Group Rights
Dominic Bryan
Religious Nationalism and the Palestinian-Israeli Conflict: Examining Hamas and the Possibility of Reform
Sara Roy

The Mural-Covered Wall: On Separation and the Future of Jews and Palestinians in Israel/Palestine and the Diaspora
Marc H. Ellis

Perspectives
Without Reservation
Gregory F. Jacob

International Commercial Arbitration: Reflections at the Crossroads of the Common Law and Civil Law Traditions
Javier H. Rubinstein

Developments
Universalism, Relativism, and Private Enforcement of Customary International Law
Patrick D. Curran

Using “Norms” to Change International Law: UN Human Rights Laws Sneaking in through the Back Door?
Troy Rule

Forward unto the Digital Breach: Exploring the Legal Status of Tomorrow’s High-Tech Warriors
Adam Sherman

Sovereignty and the Southern African Development Community
Benjamin Sirota

Matter of Law, Question of Policy: Kosovo’s Current and Future Status under International Law
Epaminontas E. Triantafilou

Tension between the Cartagena Protocol and the WTO: The Significance of Recent WTO Developments in an Ongoing Debate
Patrick J. Vallely

COLUMBIA JOURNAL OF INTERNATIONAL AFFAIRS

Volume 57, Number 1, Fall 2003

Concepts of Governance

“Good Governance”: The Metamorphosis of a Policy Metaphor
Martin Doornbos

Local and Global: International Governance and Civil Society
Julie Fisher
The Private Side of Global Governance
Shareen Hertel

*Strong and Weak States: Cases of Governance*

Frederic C. Deyo and Kaan Agartan

The Precarious Revolution: Unchanging Institutions and the Fate of Reform in Iran
Farhad Kazemi

Beyond the Orthodox Paradox: The Breakup of State-Business Coalitions in 1980s Turkey
Isik Ozel

“If I Do These Things, They Will Throw Me Out”: Economic Reform and the Collapse of Indonesia’s New Order
Benjamin Smith

Development Without Equality
An Interview with Raul Domingos

Institutionalizing Global Wars: State Transformations in Colombia, 1978-2002
Francisco Gutiérrez

In Search of Democratic Governance in Central America
Carlos Sojo

Partnerships in East Timor
Rebecca E. Engel

Healing Governance? Four Health NGOs in War-Torn Eastern Congo
Dennis Dijkzeul

Living Without a Government in Somalia
An Interview with Mark Bradbury

Building a State in Iraq: Is There a Good Precedent?
An Interview with Simon Chesterman

*The Andrew Wellington Cordier Essay*

Stabilizing Macedonia: Conflict Prevention, Development, and Organized Crime
Philip Gounev

*Book Reviews*

Private Authority and International Affairs and The Emergence of Private Authority and Global Governance
Tim Büthe

Taxation Without Representation in Contemporary
COLUMBIA JOURNAL OF TRANSNATIONAL LAW

Volume 42, Number 2, 2004

Articles

Guantanamo
Diane Marie Amann

Rights, Culture and Crime: The Role of Rule of Law for the Women of Afghanistan
Mark A. Druml

Punitive Damages: A Comparative Analysis
John Y. Gotanda

Mending the Web: Universal Jurisdiction, Humanitarian Intervention and the Abrogation of Immunity by the Security Council
Jonathan H. Marks

Agency Costs in International Human Rights
David H. Moore

Essay

War, Profits and the Vacuum of Law: Privatized Military Firms and International Law
P.W. Singer

Commentary

What's So Special About Multinational Enterprises?: A Comment on Avi-Yonah
Merritt B. Fox

Notes

Chechnya and the Right of Self-Determination
Cherylyn Brandt Ahrens

COMMON MARKET LAW REVIEW

Volume 41, Issue 2, 2004

Editorial: Celebrating forty years

The evolution of the European legal order
“In the Union we trust”: Trust-enhancing principles of Community law

The EU and the individual: Fundamental rights in the Draft Constitutional Treaty

The relationship between the Member States and the European Union/European Community

The principle of institutional balance

The European Union’s judicial system

The internal market and the four freedoms

A view from the mountain: 40 years of developments in EC competition law

Re(de)fining the notion of State aid in Article 87 (1) of the EC Treaty

Harmonization of private law: Do we need it?

Equality of treatment, non-discrimination and social policy: Achievements in three themes

The Union as a global actor: Roles, models and identity

The Economic and Monetary Union: Law and institutions

The evolution of the Third Pillar from Maastricht to the European constitution: Institutional aspects

Concluding speech

CONNECTICUT JOURNAL OF INTERNATIONAL LAW

Volume 19, Number 1, Fall 2003

HUMAN RIGHTS VIOLATIONS BY MULTINATIONAL CORPORATIONS AND INTERNATIONAL LAW: WHERE FROM HERE?, Surya Deva.

"THIS ISN'T LIKE ANY OTHER LEGAL QUESTION": A BRIEF HISTORY OF NAZI LAW BEFORE U.K. AND U.S. COURTS, David Fraser.

STATUS OF TALIBAN AND AL QAEDA SOLDIERS: ANOTHER VIEWPOINT, Lawrence Azubuike.

PEACE WITH JUSTICE? WAR CRIMES AND ACCOUNTABILITY IN THE FORMER YUGOSLAVIA, Robert Whitman, Cara D. Cutler.

LIKE OIL AND WATER: THE WTO AND THE WORLD'S WATER RESOURCES,
Rona Nardone.

RIGHTS UNDER FIRE: THE INADEQUACY OF INTERNATIONAL HUMAN RIGHTS
INSTRUMENTS IN COMBATING DOWRY MURDER IN INDIA,
Meghana D. Shah.

DENVER JOURNAL OF INTERNATIONAL LAW AND POLICY

Volume 32, Number 1

Acknowledging Our International Criminals: Henry Kissinger and East Timor
Brandon Mark

Whistleblowing in a Foreign Key: The Consistency of Ethics Regulation Under Sarbanes-Oxley with the WTO GATS Provisions
Stewart M. Young

Immigration Legislation Pursuant to Threat to US National Security
Ruchir Patel

Dual-Use Free Trade Agreements: The Contemporary Alternative to High-Tech Export Controls
Michael D. Klaus

Book Review, NGO's with an Attitude and Bayonets: A Consideration of Transnational Criminal Organizations
John D. Becker

Book Note, International Law and Sustainable Development: Past Achievements and Future Challenges
Melissa Clack

FLETCHER FORUM OF WORLD AFFAIRS

Winter Issue 2004

In Their Own Words : The 2004 U.S. Presidential Candidate son Foreign Policy

Weapons of Mass Destruction and the Proliferation Dilemma

Mohamed ElBaradei
In-depth Interview with the Director General of the International Atomic Energy Agency

Michael Moodie
Confronting the Biological and Chemical Weapons Challenge:
The Need for an “Intellectual Infrastructure

Matthew Meselson and Julian Robinson
A Draft Convention to Prohibit Biological and Chemical Weapons under International Criminal Law

James R. Holmes and Janne E. Nolan
Operation Iraqi Freedom and the Future of Nonproliferation

Perspectives on Terrorism from Asia, the United States, and the Middle East

Zachary Abuza
The State of Jemaah Islamiya

Simon S. C. Tay
Asia and the United States after 9/11: Primacy and Partnership in the Pacific

Susan E. Rice

Nabil Fahmy
The Global Challenges in the Middle East Region: An Egyptian Perspective

Global Challenge: Trafficking in Persons, Humanitarian Intervention, and Energy Policy

Linda Smith and Mohamed Mattar
Creating International Consensus on Combating Trafficking in Persons as a Human Rights Violation: U.S. Policy, the Role of the UN, and Global Responses and Challenges

Emily Schroeder
The Kosovo Crisis: Humanitarian Imperative versus International Law

Selma Stern
Turkey’s Energy and Foreign Policy

Books

Heaven on Earth: The Rise and Fall of Socialism
By Joshua Muravchik
Reviewed by Robert Kokta

China’s New Rulers: The Secret Files
By Andrew J. Nathan and Bruce Gilley
Reviewed by John Sweda

Social Change in Iran: An Eyewitness Account of Dissent, Defiance, and New Movements for Rights
By Behzad Yaghmaian
Reviewed by Roham Alvandi
FLORIDA STATE UNIVERSITY JOURNAL OF TRANSNATIONAL LAW AND POLICY

Volume 13, Number 2, Spring 2004

ARTICLES

Terence P. Stewart and Caryn B. Schenewerk

"Strangers in a Strange Land" — Transnational Litigation, Foreign Judgment Recognition, and Enforcement in Ontario
Antonin I. Pribetic

Establishing the Truth on Facts: Has the Chinese Civil Process Achieved This Goal?
Zhong Jianhua and Yu Guanghua

The Dam Controversy: Does the Endangered Species Act Apply Internationally to Protect Foreign Species Harmed by Dams on the Colorado River?
Bridget Kellogg

When Her Feet Touch the Ground: Conflict Between the Roma Familistic Custom of Arranged Juvenile Marriage and Enforcement of International Human Rights Treaties
Jeff Timmerman

Year in Review: The International Environmental Community Celebrates a Series of Successes but Laments the One that Got Away
Ronald C. Smith, Tikun A.S. Gottschalk, Jeff Timmerman & Jennifer Ringsmuth

State Regulation of Cruise Ship Pollution: Alaska's Commercial Passenger Vessel Compliance Program as a Model for Florida
Stephen Thomas, Jr.

The Realpolitik of Empire
Tikkun A. S. Gottschalk

BOOK REVIEWS

Greening NAFTA: The North American Commission for Environmental Cooperation
Robert C. Hale

Environmental Negotiator Handbook
David W. Childs

FOREIGN AFFAIRS

May/June Issue 2004

The Outsourcing Bogeyman
According to the election-year bluster of politicians and pundits, the outsourcing of American jobs to other countries has become a problem of epic proportion. Fortunately, this alarmism is misguided. By Daniel W. Drezner

Foreign Policy for a Democratic President
To restore U.S. global standing — which is essential in checking the spread of lethal weapons and winning the war on terrorism — the next Democratic president must recognize the obvious: that means are as important as ends. By Samuel R. Berger

Native Son: Samuel Huntington Defends the Homeland
In Who Are We?, Samuel Huntington turns his formidable intellect to the challenges posed by immigration. Unfortunately, he has abandoned the clear-eyed realism of his past work. By Alan Wolfe

HARVARD INTERNATIONAL LAW JOURNAL

Volume 45, Number 1, Winter 2004

ARTICLES

From Legal Transplants to Legal Translations: The Globalization of Plea Bargaining and the Americanization Thesis in Criminal Procedure
Máximo Langer

The Dynamics of International Trade Finance Regulation: The Arrangement on Officially Supported Export Credits
Janet Koven Levit

The Piracy Analogy: Modern Universal Jurisdiction’s Hollow Foundation
Eugene Kontorovich

Crossroads in the Great Race: Moving Beyond the International Race to Judgment in Disputes over Artwork and Other Chattels
Jennifer M. Anglim

JEAN MONNET WORKING PAPERS

Number 1, 2004

Author: Damien Geradin and Nicolas Petit

Title: The Development of Agencies at EU and National Levels: Conceptual Analysis and Proposals for Reform

JOURNAL OF INTERNATIONAL ARBITRATION

Volume 21, Issue 2, 2004

The Conduct of an International Arbitration: Do the Rules Make a Difference?
The Global Information Society and Online Dispute Resolution: A New Dawn for Dispute Resolution

The State of International Commercial Arbitration in Southern Africa: Tangible Yet Tantalizing Progress

Applicable Time Zones for Deadlines in International Arbitration Proceedings

Arbitration in Latvia: Urgent Need for Statutory Reform

Due Process in Arbitration: A Finnish Perspective

---

**JOURNAL OF INTERNATIONAL ECONOMIC LAW**

**Volume 7, Issue 2, June 2004**

A BRIDGE TOO FAR: THE FALL OF THE FIFTH WTO MINISTERIAL CONFERENCE IN CANCÚN AND THE FUTURE OF TRADE CONSTITUTION
Sungjoon Cho

INTERNATIONAL IMPLICATIONS OF THE ALIEN TORT STATUTE
Gary Clyde Hufbauer and Nicholas K.Mitrokostas

SEPARATING MYTH FROM REALITY ABOUT CORPORATE RESPONSIBILITY LITIGATION
Harold Hongju Koh

MINI-SYMPOSIUM: INTERNATIONAL PUBLIC GOODS AND THE TRANSFER OF TECHNOLOGY UNDER A GLOBALIZED INTELLECTUAL PROPERTY REGIME - INTRODUCTION TO THE SYMPOSIUM
Keith E.Maskus and Jerome H.Reichman

THE GLOBALIZATION OF PRIVATE KNOWLEDGE GOODS AND THE PRIVATIZATION OF GLOBAL PUBLIC GOODS
Keith E.Maskus and Jerome H.Reichman

THE REGULATION OF PUBLIC GOODS
Peter Drahos

ISSUES POSED BY A WORLD PATENT SYSTEM
John H.Barton

DO STRONGER PATENTS INDUCE MORE LOCAL INNOVATION?
Lee G.Branstetter

LEGAL PERSPECTIVES ON TRADITIONAL KNOWLEDGE: THE CASE FOR INTELLECTUAL PROPERTY PROTECTION
Thomas Cottier and Marion Panizzon

EXPANSIONIST INTELLECTUAL PROPERTY PROTECTION AND REDUCTIONIST COMPETITION RULES: A TRIPS PERSPECTIVE
Hanns Ullrich

INTERNATIONAL INTELLECTUAL PROPERTY LAW AND THE PUBLIC DOMAIN OF SCIENCE
Graeme B. Dinwoodie and Rochelle Cooper Dreyfuss

INTELLECTUAL PROPERTY RIGHTS AND DISPUTE SETTLEMENT IN THE WORLD TRADE ORGANIZATION
Wilfred J. Ethier

RECOGNIZING PUBLIC GOODS IN WTO DISPUTE SETTLEMENT: WHO PARTICIPATES? WHO DECIDES? - THE CASE OF TRIPS AND PHARMACEUTICAL PATENT PROTECTION
Gregory Shaffer

EC LIABILITY FOR NON-IMPLEMENTATION OF WTO DISPUTE SETTLEMENT DECISIONS - ARE THE DICE CAST?
Geert A. Zonnekeyn

JOURNAL OF WORLD TRADE

Volume 38, Issue 1, 2004

The Regulatory Philosophy of International Trade Law
Abuse and Discretion–The Impact of Antidumping and Countervailing Duty Proceedings on Brazilian Exports to the United States
Are Eco-Labels Consistent with WTO Agreements?
Environmental Goods and Services–Defining Negotiations or Negotiating Definitions?
Unreal Federal Clauses of the WTO Treaty–A Case for Removing the `Apparent
Greening Trade in the Americas–Recommendations for the FTAA Negotiations
Open Trade With the US Without Compromising Canada

NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW AND POLITICS

Volume 35, Number 3

Thomas M. Franck and Stephen H. Yuhani, The United States and the International Criminal Court: Unilateralism Rampant,

JUNIOR FELLOWS’ NOTES

Margo Kaplan, Carats and Sticks: Pursuing War and Peace Through the Diamond Trade
Jacob S. Kreilkamp, U.N. Postconflict Reconstruction
Owen Philop Lefkon, Culture Shock: Obstacles to Bringing Conflict Prevention Under the Wing of U.N. Development . . . and Vice Versa
Christopher J. Le Mon, Unilateral Intervention by Invitation in Civil Wars: The Effective Control Test Tested
Eleanor Lumsden, *An Uneasy Peace: Multilateral Military Intervention in Civil Wars*

Anna Roberts, "Soldiering on in Hope": United Nations Peacekeeping in Civil Wars

**Book Annotations**

**TEMPLE INTERNATIONAL AND COMPARATIVE LAW JOURNAL**

**Volume 18, Number 1, Spring 2004**

**ARTICLES**

Domain Name Dispute Resolution in China - A Comprehensive Review
Xue Hong

THE E-COMMERCE LEGAL ENVIRONMENT IN CHINA: STATUS IN QUO AND ISSUES?
Fuping Gao

HEALTH LAW TEACHING AND RESEARCH IN CHINESE LAW SCHOOLS: RESULTS OF A PRE-SARS SURVEY
Dzung Tran, Wang Zhengzhi, Xu Fenglei, and Scott Burris

**NOTES & COMMENTS**

THE QUEBEC-SECESSION ISSUE, WITH AN EMPHASIS ON THE ‘CULTURAL’ SIDE OF THE EQUATION
Stephen Alvstad

EXTRATERRITORIAL APPLICATION OF THE MARITIME DRUG LAW ENFORCEMENT ACT IN UNITED STATES V. SUERTE
Michael Costa, III

CHINA’S COMPLIANCE WITH WTO REQUIREMENTS WILL IMPROVE THE EFFICIENCY AND EFFECTIVE IMPLEMENTATION OF ENVIRONMENTAL LAWS IN CHINA
Meixian Li

FOLLOWING THE MONEY TRAIL: CAN AMERICAN LAWYERS USE AMERICAN AND INTERNATIONAL DISCOVERY PROCEDURES TO PROVE THE LINK BETWEEN INTERNATIONAL TERRORIST ACTS AND THE FINANCIERS?
Kellie McGowan

AUSSIE RULES: UNIVERSAL JURISDICTION OVER INTERNET DEFAMATION
Bryan Werley

**THE SWISS REVIEW OF INTERNATIONAL ECONOMIC RELATIONS**

**Issue I 2004**

Betrachtungen zur Aussenwirtschaftspolitik - International Economic Relations: Notes & Comments

Glania, Guido; Various Approaches for Institutional Reforms within the WTO
Artikel - Articles

Buchs, Thierry D.; Consequences of Financial Globalization for Policy Making

Herzer, Dierk; Zur Problematik der theoretischen Rechtfertigung einer Exportdiversifizierungsstrategie

Frey, René L.; Kilchenmann, Christoph; Krautter, Nicolai; Das öffentliche Beschaffungswesen aus volkswirtschaftlicher Sicht

VANDERBILT JOURNAL OF TRANSNATIONAL LAW

Volume 37, Number 3, May 2004

Commentary

Turning to Tacitus
James Bacchus

Articles

Labor Standards on Cypriot Ships: Myth and Reality
Iliana Christodoulou-Varotsi
Dmitri A. Pentsov

Hale E. Sheppard

Speech

Reconstruction and Constitution Building in Iraq
A. Kevin Reinhart
The Honorable Gilbert S. Merritt

NOTES

Nicole DiSalvo

Enhancing the Legitimacy of the World Trade Organization: Why the United States and the European Union Should Support the Advisory Centre on WTO Law
Andrea Greisberger

Towards a Comprehensive Response to the Transnational Migration of Unaccompanied Minors in the United States
Carolyn J. Seuling

VIRGINIA JOURNAL OF INTERNATIONAL LAW

Volume 44, Number 2, Winter 2004
Beyond the Democratic Peace: Solving the War Puzzle
John Norton Moore

The Vienna Convention on the Law of Treaties in U.S. Treaty Interpretation
Evan Criddle

The Domestic Origins of International Agreements
Rachel Brewster

Realist Theory and Real Constraints
Claire R. Kelly

Note
Creating Borders on the Internet: Free Speech, the United States, and International Jurisdiction
Cherie Dawson

WORLD COMPETITION

Volume 27, Issue 1, 2004

Editor’s Note
The Interface Between Competition Policy and International Trade Liberalisation. Looking into the Future: Applying a New Virtual Anti-Trust Standard

Private Antitrust Enforcement in Europe: A Policy Analysis and Reality Check

State Aid in the Framework of the EU Position after Kyoto: An Analysis of Allowances Granted under the CO2 Emissions Allowance Trading Directive

Ferring Revisited: the Altmark Case and State Financing of Public Service Obligations

The EU Leniency Programme Comes of Age

Recent Developments in Criminal Enforcement of US Antitrust Laws

The Liner Shipping Block Exemptions in European Law: Has the Tide Turned?

Book Reviews

WORLD TRADE AND ARBITRATION MATERIALS

Volume 16, Issue 2, 2004


World Trade Organization (WTO) Trade Policy Review Mechanism - Turkey 17 and 19 December 2003
World Trade Organization (WTO) Trade Policy Review Mechanism - Chile 2 and 4 December 2003

International Centre for Settlement of Investment Disputes (ICSID) Azurix Corp. v. The Argentine Republic Decision on Jurisdiction 8 December 2003

International Centre for Settlement of Investment Disputes (ICSID) SGS Société Générale de Surveillance v. Islamic Republic of Pakistan Decision of the Tribunal on Objections to Jurisdiction, 6 August 2003

Court Decisions, Canada, Ontario Superior Court of Justice In the Matter of An Arbitration Pursuant to Chapter Eleven of the North American Free Trade Agreement (“NAFTA”) Between Marvin Roy Feldman Karpa and the United Mexican States 3

Court Decisions, United States, U.S. Court of Appeals, 5th Circuit Bridas v. Government of Turkmenistan 9 September 2003