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Fall 2004

DIPL 6032 International Trade Law

Neena G. Shenai

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Whitehead School of Diplomacy and International Relations Seton Hall University

International Trade Law
Fall 2004
Monday 6:15-8:25 p.m.
Room: MH 11

Professor Neena G. Shenai
Email: shenaine@shu.edu
Telephone: 212-264-1960 (w)
Office Hours: 5:30-6:00 & 8:30-9:00 p.m. Monday
& by appointment

This course will cover international trade law, focusing on the World Trade Organization and U.S. domestic trade law. The course will consist of analysis and in-depth discussion of the texts of the WTO Agreements, WTO jurisprudence, and U.S. case law. Topics covered will include dispute settlement, tariffs and non-tariff barriers, the most favored nation principle, regionalism, national treatment, safeguards, antidumping, subsidies, environment, health & safety, developing countries, and the other “trade &” issues. The course also will look at international trade law within the broader concept of globalization and public international law.

Required Reading

John H. Jackson, William J. Davey, & Alan O. Sykes, Legal Problems of International Economic Relations: Cases, Materials, and the Text on the National and International Regulation of Transnational Economic Relations (4th ed. 2002) and Document Supplement. Other assigned articles as noted in the syllabus will be posted on the website. You must bring your Document Supplement to class with you. You may also want to bring the textbook.

Resources

In addition to the assigned readings and attached supplemental reading list, please peruse and familiarize yourself with some of the main international trade websites:

www.wto.org
www.ustr.gov
www.usitc.gov
www.ita.doc.gov
www.worldtradelaw.net
www.worldtradeonline.com

Also, reading the *New York Times*, *Wall Street Journal*, *The Economist*, *Inside U.S. Trade*, and other publications that cover current issues will be helpful in your overall comprehension of the subject.

Grading & Assignments

Paper (15-20 pages) on a topic of your choice	40%
due November 15 in class	
one page précis outlining paper due October 4 in class	
Final Examination -- date TBA	40%
Class Participation	20%

Academic and Professional Integrity Statement (also in Student Handbook)

All forms of dishonesty, whether by act or omission, including, but not limited to, cheating, plagiarism and knowingly furnishing false information to the University, are prohibited. Intentional disruption or obstruction of teaching, research or administrative proceedings is prohibited. University sanctions may extend to suspension and dismissal.

Work submitted in courses must be the product of the efforts of the student presenting the work, and contributions of others to the finished work must be appropriately acknowledged. The presentation of another's work as one's own is a serious violation of the academic process, and it is penalized accordingly. The decision on the appropriate penalty is in the first instance the professor's, and it may extend to a failing grade for the course.

A student should refer to the Academic and Professional Integrity Policy of his/her major school or college.

Syllabus

1. September 13: Introduction & Economics

Readings:

- Jackson Ch. 1 (pp. 1-39)
- John Cassidy, "Winners and Losers: The Truth about Free Trade," *The New Yorker*, August 2, 2004.

2. September 20: International Law & U.S. Law

Readings:

- Jackson Chs. 3 (pp. 58-62, 72-77(top), 78(bottom)-99, 105(bottom)-106(top), 113-116(top)); Ch. 5 (pp. 170-201(bottom)).

3. September 27 (no class, makeup TBA): Legal Structure of the WTO/GATT System & Introduction to Dispute Settlement

Readings:

- Jackson Ch. 6 (pp. 208-241, 244-245), Ch. 7 (pp. 246-289, 305-307(top), 309(bottom)-313(top), 317(bottom)-335(bottom)).
- Agreement Establishing the World Trade Organization (Doc. Supp.)
- GATT Article XXIII Nullification and Impairment (Doc. Supp.)
- Understanding on Rules and Procedures Governing the Settlement of Disputes ("WTO Dispute Settlement Understanding") (Doc. Supp.)

4. October 4 Tariffs, Quotas, and NTB's

Readings:

- Jackson Ch. 8(pp. 338-363(top), 369-372(top), 376(bottom)-378/386), Ch. 9 (pp. 387-414)
- Agreement on Agriculture (Doc. Supp.)
- Agreement on Textiles and Clothing (Doc. Supp.)
- WTO Discussion Papers No. 5 – Global Textiles and Clothing Industry Post the Agreement on Textiles and Clothing (2004). (skim)

5. October 11 MFN & Regionalism

Readings:

- Jackson Ch. 10(pp. 415-438, 442-446), Ch. 11(pp. 447-472), Ch. 4 (pp. 142-149(top), 153-154, 165-168(bottom))
- GATT Articles I and XXIV (Doc. Supp.)
- U.S. International Trade Commission, The Impact of Trade Agreements: Effect of the Tokyo Round, U.S.-Israel FTA, U.S. Canada FTA, NAFTA, and the Uruguay Round on the U.S. Economy, Chapter 2 (Investigation No. TA-211101, Publication 3621, August 2003). Read pp. 7-18, skim pp. 18-26, read pp. 26-38.

- Mario E. Carranza, *Latin American Perspective: Mercosur, the Free trade Area of the Americas, and the Future of U.S. Hegemony in Latin America*, 27 Fordham Int'l L.J. 1029 (2004).

6. October 18 National Treatment & Government Procurement

Readings:

- Jackson Ch. 12 (pp. 479-531)
- GATT Article III (Doc. Supp.)
- Agreement on Government Procurement (Doc. Supp.)

7. October 25 Safeguards

Readings:

- Jackson Ch. 15 (pp. 604-630(bottom), 635(notes) – 671(top))
- GATT Article XIX (Doc. Supp.)
- Agreement on Safeguards (Doc. Supp.)
- Case study on the U.S. Steel Safeguards: (for some of the documents below, the original links have been disabled; hence, the various US embassy sites)
 - Imposition of Tariffs:
 - Steel Products Proclamation (March 5, 2002)
<http://www.whitehouse.gov/news/releases/2002/03/20020305-7.html>
 - Announcement by President concerning the tariffs (March 5, 2002)
<http://www.whitehouse.gov/news/releases/2002/03/20020305-6.html>
 - General Background Information <http://japan.usembassy.gov/e/p/tp-ec0458.html>
 - USTR Report Submitted to Congress
<http://seoul.usembassy.gov/wwwwh4566.html>
 - Ambassador Zoellick's Op-Ed – “The Reigning Champions of Free Trade, *The Financial Times* (March 13, 2002).
http://www.ustr.gov/Document_Library/Op-eds/2002/Reigning_Champions_of_Free_Trade.html
 - *Rust Never Sleeps*, *The Economist* (March 7, 2002).
 - Exclusions
 - Department Commerce and USTR press release on final exclusions (March 21, 2003).
http://www.ita.doc.gov/media/PressReleases/0303/steel_ex_032103.html
 - Commerce & USTR fact sheet on exclusions
http://www.ita.doc.gov/media/FactSheet/0303/fs_steel_ex_032103.html
 - WTO Ruling
 - *Cold Steel*, *The Economist* (November 13, 2003).
 - *WTO Interim Panel Rejects U.S. Steel Safeguard in Limited Ruling*, Inside U.S. Trade (March 28, 2003).
 - *Appellate Body Largely Upholds Ruling Against U.S. 201 Tariffs*, Inside U.S. Trade (November 14, 2003).
 - Repeal

- *Scrapped*, The Economist (December 5, 2003).
- USTR Fact Sheet
http://www.ustr.gov/assets/Trade_Sectors/Manufacturing/Steel/asset_upload_file135_5253.pdf
- Presidential Statement on Steel Proclamation
<http://www.whitehouse.gov/news/releases/2003/12/20031204-5.html>
- *Sparks Fly Over Steel*, The Economist (November 13, 2003).

8. November 1 Antidumping

Guest Lecturer: The Honorable Timothy Stanceu, Judge, U.S. Court of International Trade

Readings:

- Jackson Ch. 16 (pp. 676-708, 721(middle)-726, Ch.17 (pp. 727-766)
- GATT Article VI (Doc. Supp.)
- Agreement on the Implementation of Article VI of the GATT 1994 ("Antidumping Agreement") (Doc. Supp.)
- United States – Continued Dumping and Subsidy Offset Act of 2000, Report of the Appellate Body, WT/DS217/AB/R, WT/DS234/AB/R, Adopted January 27, 2003 (case note) [http://www.law.georgetown.edu/ijel/cases/US-CDSOA\(casenote\)\(ab\).doc](http://www.law.georgetown.edu/ijel/cases/US-CDSOA(casenote)(ab).doc)

9. November 8 Subsidies and Countervailing Duties

Readings:

- Jackson, Ch. 18 (pp. 767-831, 845-848)
- GATT Article VI (Doc. Supp.)
- Agreement on Subsidies and Countervailing Measures (Doc. Supp.)
- United States-Countervailing Measures Concerning Certain Products from the EC, Report of the AB, WT/DS212/AB/R (January 8, 2003) (case note)
[http://www.law.georgetown.edu/ijel/cases/US-Countervailing\(casenote\)\(ab\).doc](http://www.law.georgetown.edu/ijel/cases/US-Countervailing(casenote)(ab).doc)
- United States – Final Dumping Determination On Softwood Lumber From Canada, WT/DS264/AB/R (August 11, 2004) (specific paras. TBA)
http://www.wto.org/english/tratop_e/dispu_e/264abr_e.doc
- United States — Subsidies on Upland Cotton, WT/DS267/R (September 8, 2004). (specific paras. TBA) http://www.wto.org/english/tratop_e/dispu_e/267r_a_e.doc

10. November 15 Article XX & Trade and Environment, SPS, TBT

Readings:

- Jackson Chs. 13 (pp. 532-574), Ch. 14 (pp. 575-595)
- GATT Article XX (Doc. Supp.)
- Agreement on the Application of Sanitary and Phytosanitary Measures (Doc. Supp.)
- Agreement on Technical Barriers to Trade (Doc. Supp.)
- WTO Case on TBT: *EC - Trade Description of Sardines*, DS 231, Appellate Body Report (edited)(September 26, 2002). [http://www.law.georgetown.edu/ijel/cases/EC-Sardines\(abr\)\(ab\).doc](http://www.law.georgetown.edu/ijel/cases/EC-Sardines(abr)(ab).doc)

- WTO Case on SPS: Japan - Measures Affecting the Importation of Apples, DS 245, Appellate Body Report (edited) (November 26, 2003).
[http://www.law.georgetown.edu/iel/cases/Jap-Apples\(abr\)\(ab\).doc](http://www.law.georgetown.edu/iel/cases/Jap-Apples(abr)(ab).doc)

11. November 22 GATS, TRIPs, Competition Policy & Investment (“Singapore Issues”)

Readings:

- Jackson Chs. 19(pp. 853-863, 885-894(middle), 899-912), Ch. 20 (pp. 921-927, 951-952, 960-968), Ch. 23 (pp. 1107-1136), Ch. 24 (pp. 1136-37, 1146)
- Agreement on Trade-Related Aspects of Intellectual Property Rights (Doc. Supp.)
- General Agreement on Trade in Services (Doc. Supp.)
- Singapore Ministerial Declaration, December 13, 1996 (WT/MIN(96)/DEC)

12. November 29 Developing Countries, Doha Development “Round”

Readings:

- Jackson Ch. 25 (pp. 1167-1196), Ch. 27 (pp. 1221-1227(top))
- Jagdish Bhagwati, *Don't Cry for Cancun*, Foreign Affairs, January/February 2004, at 52-63.
- Benjamin William Mkapa, *Cancun's False Promise: A View from the South* (Response to Bhagwati), Foreign Affairs, May/June 2004, at 133-135.
- European Communities – Conditions for the Granting of Tariff Preferences to Developing Countries, WT/DS246/AB/R, 7 April 2004, paras. 100-103; 126-191.
- Doha Development Agenda materials
 - Peruse the WTO website at http://www.wto.org/english/tratop_e/dda_e/dda_e.htm
 - In particular, see:
 - July 2004 Package 7/2004
http://www.wto.org/english/tratop_e/dda_e/dda_package_july04_e.htm
 - Text of the July 2004 Package
http://www.wto.org/english/tratop_e/dda_e/draft_text_gc_dg_31july04_e.htm and explanation
http://www.wto.org/english/news_e/news04_e/dda_package_sum_31july04_e.htm
 - Cancun Ministerial Conference 9/2003
http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_e.htm
 - Draft Cancun Ministerial Text
http://www.wto.org/english/thewto_e/minist_e/min03_e/draft_decl_e.htm and concluding ministerial statement
http://www.wto.org/english/thewto_e/minist_e/min03_e/min03_20_e.doc
 - Doha Ministerial 11/2001
 - Doha Ministerial Declaration
http://www.wto.org/english/thewto_e/minist_e/min01_e/mindecl_e.htm and explanation
http://www.wto.org/english/tratop_e/dda_e/dohaexplained_e.htm

and how negotiations are organized

http://www.wto.org/english/tratop_e/dda_e/work_organize.htm

13. December 6 Linkages – Environment, Labor, Human Rights, National Security; Outsourcing; Sovereignty; & Review

Readings:

- Jackson Ch. 21 (pp. 997-1050(middle))
- John O. McGinnis & Mark L. Movsesian, *The World Trade Constitution*, 114 Harv. L. Rev. 511 (2000).
- Daniel W. Drezner, *The Outsourcing Bogeyman*, Foreign Affairs, May/June 2004, at 22.
- Thomas J. Manley & Ambassador Luis Laredo, *International Labor Standards in free Trade Agreements of the Americas*, 18 Emory Int'l L. Rev. 85 (2004).

Supplemental Reading List (incl. items in class readings)

Books

Stephen D. Krasner, Defending the National Interest: Raw Materials Investments and U.S. Foreign Policy (1978).

Economic Casualties: How U.S. Foreign Policy Undermines Trade, Growth, and Liberty (Solveig Singelton & Daniel T. Griswold, eds., 1999).

Jagdish Bhagwati, Free Trade Today (2002).

Joseph E. Stiglitz, Globalization and Its Discontents (2002).

Stephen D. Krasner, Globalization, Power and Authority (2003).

International Law Decisions in National Courts (Thomas M. Franck & Gregory H. Fox, eds., 1996).

International Trade Law and the GATT/WTO Dispute Settlement System (Ernst-Ulrich Petersmann ed. 1997)

Jagdish Bhagwati, Lectures on International Trade, (2d ed. 1998).

Thomas L. Friedman, The Lexus and the Olive Tree: Understanding Globalization (1999).

Robert Gilpin, The Challenge of Global Capitalism: The World Economy in the 21st Century (2000).

The EU, the WTO, and the NAFTA: Towards a Common Law of International Trade?, (J.H.H. Weiler ed., 2000).

Robert E. Hudec, The GATT Legal System and World Trade Diplomacy (2d ed. 1990).

U.S. International Trade Commission, The Impact of Trade Agreements: Effect of the Tokyo Round, U.S.-Israel FTA, U.S. Canada FTA, NAFTA, and the Uruguay Round on the U.S. Economy, (Investigation No. TA-211101, Publication 3621, August 2003).

John H. Jackson, The Jurisprudence of GATT & the WTO (2000).

Michael J. Trebilcock & Robert Howse, The Regulation of International Trade (2d ed. 1999).

Anne Kreuger, The WTO as an International Organization (1998).

Trading Blocks: Alternative Approaches to Analyzing Preferential Trade Agreements (Jagdish Bhagwati, et al. eds., 1999)

Articles

Dapo Akande & Sope Williams, *International Adjudication on National Security Issues: What Role for the WTO?*, 43 Va. J. Int'l L. 365 (2003).

Alberto Alemanno, *Judicial Enforcement of the WTO Hormones Ruling Within the European Community: Toward EC Liability for the Non-Implementation of WTO Dispute Settlement Decisions?*, 45 Harv. Int'l L. J. 547 (2004).

Alberto Alvarez-Jimenez, *Emerging WTO Competition Jurisprudence and its Possibilities for Future Development*, 24 NW. J. Int'l L. & Bus. 441 (2004).

Rubens Antonio Barbosa, *Latin American Perspective: The Free Trade Area of the Americas and Brazil*, 27 Fordham Int'l L.J. 1017 (2004).

Jagdish Bhagwati, *Don't Cry for Cancun*, Foreign Affairs, January/February 2004, at 52.

Raj Bhala, *Marxist Origins of the "Anti-Third World" Claim*, 24 Fordham Int'l L.J. 132 (2001).

Jeffrey S. Beckington, *The World Trade Organization's Dispute Settlement Resolution in US-Anti-dumping Act of 1916*, 34 Vand. J. Transnat'l L. 199 (2001).

Mario E. Carranza, *Latin American Perspective: Mercosur, the Free trade Area of the Americas, and the Future of U.S. Hegemony in Latin America*, 27 Fordham Int'l L.J. 1029 (2004).

John Cassidy, *Winners and Losers: The Truth about Free Trade*, The New Yorker, August 2, 2004, at 26.

Steve Charnovitz, *Triangulating the World Trade Organization*, 96 Am. J. Int'l L. 28 (2002).

Steven P. Croley & John H. Jackson, *WTO Dispute Settlement Procedures, Standard of Review, and Deference to National Governments*, 90 Am. J. Int'l L. 193 (1996).

Donald R. Dinan, *An Analysis of the United States-Cuba "Havana Club" Rum Case Before the World Trade Organization*, 26 Fordham Int'l L.J. 337 (2003).

Daniel W. Drezner, *The Outsourcing Bogeyman*, Foreign Affairs, May/June 2004, at 22.

Jeffrey L. Dunoff, *The WTO in Transition: Of Constituents, Competence and Coherence*, 33 Geo. Wash. Int'l L. Rev. 979 (2001).

James P. Durling & Simon N. Lester, *Original Meanings and the Film Dispute: the Drafting History, Textual Evolution, and Application of the Non-violation Nullification or Impairment Remedy*, 32 Geo. Wash. J. Int'l L. & Econ. 211 (2000).

Peter D. Ehrenhaft, *Is Interface of Antidumping and Antitrust Law Possible?*, 34 Geo. Wash. Int'l L. Rev. 363 (2003).

Susan Esserman & Robert Howse, *The WTO on Trial*, Foreign Affairs, January/February 2003.

Daniel C. Esty, *Revitalizing Environmental Federalism*, 95 Mich. L. Rev. 570 (1996).

Aaron Xavier Fellmath, *Secrecy, Monopoly, and Access to Pharmaceuticals in International Trade Law: Protection of Marketing Approval Data under the TRIPs Agreement*, 45 Harv. Int'l L. J. 443 (2004).

Thomas C. Fischer, *A Commentary on Regional Institutions in the Pacific Rim: Do APEC and ASEAN Still Matter?*, 13 Duke J. Comp. & Int'l L. 337 (2003).

Peter L. Fitzgerald, *Massachusetts, Burma, and the World Trade Organization: A Commentary on Blacklisting, Federalism, and Internet Advocacy in the Global Trading Era*, 34 Cornell Int'l L.J. 1 (2001).

James Thuo Gathii, *Insulating Domestic Policy Through International Legal Minimalism: A Recharacterization of the Foreign Affairs Trade Doctrine*, 25 u. Pa. J. Int'l Bus. L. 1 (2004).

Andrew T. Guzman, *Global Governance and the WTO*, 45 Harv. Int'l L. J. 303 (2004).

Robert E. Hudec, *The New WTO Dispute Settlement Procedure: An Overview of the First Three Years*, 8 Minn. J. Global Trade 1 (1999).

J. Steven Jarreau, *Interpreting the General Agreement on Trade in Services and the WTO Instruments Relevant to the International Trade of Financial Services: The Lawyer's Perspective*, 25 N.C. J. Int'l L. 1 (2000).

John H. Jackson, *Sovereignty-Modern: A New Approach to an Outdated Concept*, 97 Am. J. Int'l L. 782 (2003).

John H. Jackson, *The Perils of Globalization and the World Trading System*, 24 Fordham Int'l L.J. 371 (2001).

John H. Jackson, *The Great 1994 Sovereignty Debate: United States Acceptance and Implementation of the Uruguay Round Results*, 36 Colum. J. Transnat'l L. 157 (1998).

J. Patrick Kelly, *Judicial Activism at the World Trade Organization: Developing Principles of Self-Restraint*, 22 Nw. J. Int'l L. & Bus. 353 (2002).

Kevin C. Kennedy, *A WTO Agreement on Investment: A Solution in Search of a Problem?*, 24 U. Pa. J. Int'l Econ. L. 77 (2003).

John H. Knox, *The Judicial Resolution of Conflicts Between Trade and the Environment*, 28 Harv. Env't'l L. Rev. 1 (2004).

Thomas J. Manley & Ambassador Luis Laredo, *International Labor Standards in free Trade Agreements of the Americas*, 18 Emory Int'l L. Rev. 85 (2004).

John O. McGinnis & Mark L. Movsesian, *Response: Against Global Governance in the WTO*, 45 Harv. Int'l L. J. 353 (2004).

John O. McGinnis, *The Appropriate Hierarchy of Global Multilateralism and Customary International Law: The Example of the WTO*, 44 Va. J. Int'l L. 229 (2003).

Benjamin William Mkapa, *Cancun's False Promise: A View from the South* (Response to Bhagwati in Foreign Affairs, January/February 2004), Foreign Affairs, May/June 2004, at 133.

Victor Mosoti, *The WTO Agreement on Government Procurement: A Necessary Evil in the Legal Strategy for Development in the Poor World*, 25 U. Pa. J. Int'l Bus. L. 593 (2004).

David Palmeter & Petros C. Mavroidis, *The WTO Legal System: Sources of Law*, 92 Am. J. Int'l L. 398 (1998).

Supachai Panitchpakdi, *The Evolving Multilateral Trade System in the New Millenium*, 33 Geo. Wash. Int'l L. Rev. 419 (2001).

Robert A. Pastor, *North America's Second Decade*, Foreign Affairs, January/February 2004, at 124.

P.J. Patterson, *Caribbean Perspective: The Free Trade Area of the Americas and Smaller Economies*, 27 Fordham Int'l L.J. 899 (2004).

Joost Pauwelyn, *The Role of Public International Law in the WTO: How Far Can We Go?*, 95 Am. J. Int'l L. 535 (2001).

Hans-Joachim Priess & Christian Ptischas, *Protection of Public Health and the Role of the Precautionary Principle under WTO Law: A Trojan Horse before Geneva's Walls?*, 24 Fordham Int'l L.J. 519 (2001).

Arie Reich, *The WTO as a Law-Harmonizing Institution*, 25 U. Pa. J. Int'l Bus. L. 321 (2004).

Jane A. Restani & Ira Bloom, *Interpreting International Trade Statutes: Is the Charming Betsy Sinking?*, 24 Fordham Int'l L.J. 1533 (2001).

Hannes L. Schloemann & Stefan Ohlhoff, "Constitutionalization" and Dispute Settlement in the WTO: National Security as an Issue of Competence, 93 Am. J. Int'l L. 424 (1999).

G. Richard Shell, *The Trade Stakeholders Model and Participation by Nonstate Parties in the World Trade Organization*, 25 U. Pa. J. Int'l Bus. L. 703 (2004).

Hale Sheppard, *The Andean Trade Preference Act: Past Accomplishments and Present Circumstances Warrant its Immediate Renewal and Expansion*, 34 Geo. Wash. Int'l L. Rev. 743 (2003).

Deborah E. Siegel, *Legal Aspects of the WTO/IMF Relationship: The Fund's Articles of Agreement and the WTO Agreements*, 96 Am. J. Int'l L. 561 (2002).

Anne-Marie Slaughter, Andrew S. Tulumello, & Stepan Wood, *International Law and International Relations Theory: A New Generation of Interdisciplinary Scholarship*, 92 Am. J. Int'l L. 367 (1998).

Alan O. Sykes, *TRIPS, Pharmaceuticals, Developing Countries, and the Doha "Solution,"* 3 Chi. J. Int'l L. 47 (2002).

Symposium: The Boundaries of the WTO, 96 Am. J. Int'l L. 1 (2002).

- Jose E. Alvarez, *Foreword*, 96 Am. J. Int'l L. 1 (2002).
- David W. Leebron, *Linkages*, 96 Am. J. Int'l L. 5 (2002).
- Kyle Bagwell, Petros C. Mavroidis, and Robert W. Staiger, *It's a Question of Market Access*, 96 Am. J. Int'l L. 56 (2002).
- Joel P. Trachtman, *Institutional Linkage: Transcending "Trade And . . ."*, 96 Am. J. Int'l L. 77 (2002).
- Robert Howse, *From Politics to Technocracy – and Back Again: The Fate of the Multilateral Trading Regime*, 96 Am. J. Int'l L. 94 (2002).
- John H. Jackson, *Afterword: The Linkage Problem – Comments on Five Texts*, 96 Am. J. Int'l L. 118 (2002).
- Debra P. Steger, *Afterword: The "Trade And . . ." Conundrum – A Commentary*, 96 Am. J. Int'l L. 135 (2002).
- Jose E. Alvarez, *The WTO as Linkage Machine*, 96 Am. J. Int'l L. 146 (2002).

Daniel K. Tarullo, *Norms and Institutions in Global Competition Policy*, 94 Am. J. Int'l L. 478 (2000).

Joel P. Trachtman & Philip M. Moremen, *Costs and Benefits of Private Participation in WTO Dispute Settlement: Whose Right Is It Anyway?*, 44 Harv. Int'l L.J. 221 (2003).

Joel P. Trachtman, *International Regulatory Competition, Externalization, and Jurisdiction*, 34 Harv. Int'l L.J. 47 (1993).

Detlev F. Vagts, *The United States and its Treaties: Observance and Breach*, 95 Am. J. Int'l L. 313 (2001).

Kenneth J. Vandeveld, *The Political Economy of a Bilateral Investment Treaty*, 92 Am. J. Int'l L. 621 (1998).

Carlos M. Vasquez, *Symposium: Marbury and its Legacy: Judicial Review in International Organizations: Judicial Review in the United States and in the WTO: Some Similarities and Differences*, 36 Geo. Wash. Int'l L. Rev. 587 (2004).

Carlos M. Vasquez & John H. Jackson, *Symposium Issue on WTO Dispute Settlement Compliance: Some Reflections on Compliance with WTO Dispute Settlement Decisions*, 33 Law & Pol'y Int'l Bus. 555 (2002).

Peter K. Yu, *The Harmonization Game: What Basketball Can Teach About Intellectual Property and International Trade*, 26 Fordham Int'l L.J. 218 (2003).