

1. Record Nr.	UNINA9910450778003321
Titolo	Constitutionalism, multilevel trade governance and social regulation // edited by Christian Joerges and Ernst-Ulrich Petersmann
Pubbl/distr/stampa	Oxford ; ; Portland, OR : , : Hart Publishing, , 2006
ISBN	1-4725-6377-8 1-280-82930-3 9786610829309 1-84731-286-1
Edizione	[1st ed.]
Descrizione fisica	1 online resource (592 p.)
Collana	Studies in international trade law ; ; 9
Disciplina	343.087
Soggetti	Foreign trade regulation Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Multilevel trade governance in the WTO requires multilevel constitutionalism / Ernst-Ulrich Petersmann -- Democratic legitimacy of transnational trade governance : a view from political theory / Patricia Nanz -- Dispute settlement under GATT and WTO : an empirical enquiry into a regime change / Achim Helmedach and Bernhard Zangl -- The appellate body's "response" to the tensions and interdependencies between transnational trade governance and social regulation / Christiane Gerstetter -- Why co-operate? civil society participation at the WTO / Jens Steffek and Claudia Kissling -- Participatory transnational governance / Rainer Nickel -- Non-traditional patterns of global regulation : is the WTO "missing the boat"? / Joost Pauwelyn -- Conflicts and comity in transnational governance : private international law as mechanism and metaphor for transnational social regulation through plural legal regimes / Robert Wai -- Fixing the codex? global food-safety governance under review / Thorsten Huller and Matthias Leonhard Maier -- Precautionary principle in support of practical reason : an argument against formalistic interpretations of the precautionary principle / Alexia Herwig -- Beyond the science/democracy dichotomy : the World Trade

Organization sanitary and phytosanitary agreement and administrative constitutionalism / Elizabeth Fischer -- Administrative globalism and curbing the excess of state / Damian Ch almers -- New device for creating international legal normativity : the WTO technical barriers to trade agreement and "international standards" / Robert Howe -- Empire's drains : sources of legal recognition of private standardisation under the TBT agreement / Harm Schepel -- Global environmental governance and the WTO : emerging rules through evolving practice : the CBD-Bonn guidelines / Christine Godt -- Environmental policies and the WTO Committee on Trade and Environment : a record of failure? / Ulrike Ehling -- Facing the global hydra : ecological transformation at the global financial frontier : the ambitious case of the global reporting initiative / Oren Perez -- Constitutionalism in postnational constellations : contrasting social regulation in the EU and in the WTO / Christian Joerges.

Sommario/riassunto

"This is a book about the ever more complex legal networks of transnational economic governance structures and their legitimacy problems. It takes up the challenge of the editors' earlier pioneering works which have called for more cross-sectoral and interdisciplinary analyses by scholars of international law, European and international economic law, private international law, international relations theory and social philosophy to examine the interdependences of multilevel governance in transnational economic, social, environmental and legal relations. Two complementary strands of theorising are expounded. One argues that globalisation and the universal recognition of human rights are transforming the intergovernmental "society of states" into a cosmopolitan community of citizens which requires more effective constitutional safeguards for protecting human rights and consumer welfare in the national and international governance and legal regulation of international trade. The second emphasises the dependence of the functioning of international markets and liberal trade on governance arrangements which respond credibly to safety and environmental concerns of consumers, traders, political and non-governmental actors. Enquiries into the generation of international standards and empirical analyses of legalization and judicialisation practices form part of this agenda. The perspectives and conclusions of the more than 20 contributors from Europe and North-America cannot be uniform. But they converge in their search for a constitutional architecture which limits, empowers and legitimises multilevel trade governance, as well as in their common premise that respect for human rights, private and democratic self-government and social justice require more transparent, participatory and deliberative forms of transnational 'cosmopolitan democracy'."--Bloomsbury Publishing.
