This course examines law in the context of recent trends which have increasingly integrated the world’s social and economic systems. Globalization means greater interdependence and less national autonomy. It occurs as international flows of capital, goods, services, and people increase. Transactions, interactions and relationships that formerly occurred within national boundaries now occur across them. But transactions and relationships involving capital, goods, services and people are not self-sustaining. Rather, they are supported and regulated by an institutional foundation that typically centers on the legal system. As part of globalization, particular legal and institutional forms are also spreading throughout the world. Because the legal and institutional frameworks that support these transactions exist primarily at the level of the nation-state, a governance mismatch has emerged. Globalization means that more is going on between national jurisdictions than within them, and tensions arise between competing institutional models. Thus, globalization motivates both an extension of legal systems (into the international interstices), and a confrontation between different legal systems that can be resolved conflictually (one model replaces the other) or concordantly (e.g., legal harmonization). Either outcome leads to institutional convergence. We consider a number of different kinds of law but focus especially on commercial law, quasi-legal trade agreements (e.g., WTO), and commercially-relevant quasi-legal institutions (ADR). We pay attention to legal developments in developing and transitional economies, and also consider how the international community deals with a significant common problem like global climate change.

**Seminar Preparation**

All participants are expected to have done the required readings for every class, and be prepared to discuss them. We will begin each class session with a short informal discussion of news items and current events relevant to the course themes.

**Seminar Requirements**

Students will be required to: 1. participate in class discussion; 2. lead discussion in one class session; 3. write a 2 page (maximum) paper proposal due Feb 8; 4. write a final paper on a topic of their own choosing (subject to my approval). The final paper is due at noon, Monday March 12 (maximum length [not including references]: 12 pages or 3000 words). You will receive further instructions later in the quarter. General participation is worth 20%, discussion leadership is worth 20%, and the final paper is worth 60%.

**Leading Seminar Discussion**
When leading discussion, you will have to summarize the readings and then pose a set of key questions for discussion. These questions will have to be emailed to the rest of the class (including me) the day before class, so we all have a chance to ruminate on them. After the class is underway, we’ll figure out who is responsible for what, and when.

**Books (available at Norris)**


**Week 1  Introduction to Globalization: what is it? How long has it been going on? (No student leads discussion the first week)**


**Week 3  Globalization of Law**


Braithwaite and Drahos, *Global Business Regulation*, Ch 7 (Property and Contract), Ch 8 (Financial Regulation), Ch 9 (Corporations and Securities)

**Week 4  Socio-Legal Theories of Globalization**

Braithwaite and Drahos. *Global Business Regulation*. Chapters 1-6, 23-26


Week 5 Institutions, Legal Institutions and Globalization


Recommended


Week 6 Agents of Globalization

John Braithwaite and Peter Drahos. Global Business Regulation. Chapters Ch 20, 21, 22.


Week 7 Law, Economic Development, and Legal Transplants


Week 8 Law and globalization in East Asia and the Transition Economies


Recommended


**Week 9 Globalization and the Environment**


**Recommended**

