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Corporations and Transnational Human Rights Litigation Human Rights Litigation Against Multinationals in Practice Strategic Human Rights Litigation International Human Rights Litigation in United States Courts Transnational Human Rights Litigation International Human Rights Litigation: A Guide for Judges Human Rights Strategic Human Rights Litigation Business and Human Rights Lawyers Beyond Borders International Law and Domestic Human Rights Litigation in Africa Transnational Corporations and Human Rights Transnational Human Rights Litigation Public Interest Lawyering Human Rights Human Rights Litigation and the Domestication of International Human Rights Standards in Sub-Saharan Africa Litigating Religions Strategic Human Rights Litigation The European Convention of Human Rights Regime Lawyers, Lawsuits, and Legal Rights Torture as Tort The Performance of Africa's International Courts Corporations and Human Rights Model Rules of Professional Conduct American Transitional Justice New Technologies for Human Rights Law and Practice Brown v. Board of Education The Inter-American Human Rights System Climate Change Litigation: Global Perspectives Unleashing Rights Strategic Litigation Impacts: Insights from Global Experience Sustainable Management of Natural Resources The Business and Human Rights Landscape Litigating Health Rights International Trade Law Jurisdiction, Immunity and Transnational Human Rights Litigation The Litigation State Civil Responsibility for Gross Human Rights Violations Transnational Legal Activism in Global Value Chains Rights-based Litigation, Urban Governance and Social Justice in South Africa

This book is the fifth volume in the European Environmental Law Forum (EELF) Book Series. The EELF is a non-profit initiative established by environmental law scholars and practitioners from across Europe aiming to support intellectual exchange on the development and implementation of international, European and national environmental law in Europe. One of the activities of the EELF is the organisation of an annual conference.00The fifth EELF Conference dedicated to ?Sustainable Management of Natural Resources ? Legal Instruments and Approaches? was held in Copenhagen from the 30th of August to the 1st of September 2017 at the Faculty of Science, University of Copenhagen, in collaboration with the Department of Law, Aarhus University.0This book is a collection of peer reviewed contributions addressing various legal aspects of sustainable management of natural resources. Natural resources are in this book understood in broad terms encompassing biodiversity, water, air and soil, as well as raw materials. Based on the contributions, it can be asserted that despite many efforts there is still a long way to go in order to achieve sustainable management of natural resources. Making ecosystem integrity ultimately the bottom-line for sustainable development requires not only dedication in the design and coherence of (environmental) legislation at international, EU and national level, but also a strong commitment to the implementation and enforcement of the legislation. Thus, it is necessary to carefully consider how different legal instruments and approaches may pave the way for the sustainable management of natural resources. "Prompted by an unprecedented rise of litigation since the 1990s, this book examines how the European Convention of Human Rights (ECHR) system and the Strasbourg Court interact with states and non-governmental actors to influence domestic change. Focusing on European Court of Human Rights litigation and state implementation of judgments related to minority discrimination and asylum/migration, it argues that a fundamental transformation of the Convention system has been under way. Repeat and strategic litigation, shifting methods of supervision and state implementation to remedy systemic violations, and above all the growing engagement of civil society and non-governmental actors, have prompted a distinctive trend of human rights experimentalism. The emergence of experimentalism has profound implications for the legitimacy, effectiveness and further reform of the ECHR system. This study provides an original constitutive account of regional human rights regimes and how they are activated by societal actors to claim rights, advance case law, and pressure for domestic legal and policy change. It will be of interest to international law and international relations scholars, political scientists, specialists on the ECHR, the Strasbourg Court, as well as to scholars interested in the human rights of immigrants and minorities"-- Written by leading human rights litigators and theorists, this treatise offers a comprehensive analysis of human rights litigation in U.S. courts under the Alien Tort Statute and related provisions, including jurisprudential complexities and litigation guidance. The book includes discussion of the Alien Tort Statute, the Torture Victim Protection Act, and less common jurisdictional bases. The issues raised by suing corporations are also discussed. Separate chapters address lawsuits against the U.S. and foreign governments. A section on defenses includes analysis of topics such as immunities, forum non conveniens, and the intervention of the executive branch. The final section discusses litigation strategies. Focusing on highly topical issues such as torture, arbitrary detention, privacy, and discrimination, this book will help readers to understand for themselves the controversies and complexities behind human rights. This book examines ways of holding multinational corporations liable for offshore human rights abuses in the courts of the companies' home States. The catalyst for this volume was a request to Scott (York U. Law School, Toronto) from Sudanese exiles for advice on transnational avenues for seeking justice against members of their government. The 26 contributions address the frames and foundations of human rights cases; jurisdiction and immunity; choice of law and causes of action; evolving international law on recourse against non-state actors; legitimacy, intervention, and forging of national histories; and the borders of tort theory. Includes tables of cases and legislation. Appends the UN Convention Against Torture, the US code on Alien Tort Claims and Torture Victims Protection Act, provisions of Private International Law (UK, 1995), and an update on developments related to the discussion of the Pinochet case. Distributed in the US by ISBS. c. Book News Inc. This book examines the potential of litigation as a strategy to advance the right to health by holding governments accountable for these obligations. It asks who benefits both directly and indirectly—and what the overall impacts on health equity are. Included are case studies from Costa Rica, South Africa, India, Brazil, Argentina and Colombia. Of the 1.65 million lawsuits enforcing federal laws over the past decade, 3 percent were prosecuted by the federal government, while 97 percent were litigated by private parties. When and why did private plaintiff-driven litigation become a dominant model for enforcing federal regulation? The Litigation State shows how government legislation created the nation's reliance upon private litigation, and investigates why Congress would choose to mobilize, through statutory design, private lawsuits to implement federal statutes. Sean Farhang argues that Congress deliberately cultivates such private lawsuits partly as a means of enforcing its will over the resistance of opposing presidents. Farhang reveals that private lawsuits, functioning as an enforcement resource, are a profoundly important component of American state capacity. He demonstrates how the distinctive institutional structure of the American state--particularly conflict between Congress and the president over control of the bureaucracy--encourages Congress to incentivize private lawsuits. Congress thereby achieves regulatory aims through a decentralized army of private lawyers, rather than by well-staffed bureaucracies under the president's influence. The historical development of ideological polarization between Congress and the president since the late 1960s has been a powerful cause of the explosion of private lawsuits enforcing federal law over the same period. Using data from many policy areas spanning the twentieth century, and historical analysis focused on civil rights, The Litigation State investigates how American political institutions shape the strategic design of legislation to mobilize private lawsuits for policy implementation. The purpose of this guide is to help federal judges adjudicate civil cases alleging human rights violations under domestic and international law. In the common vernacular, the phrase "human rights" often is construed broadly to encompass many forms of civil rights and constitutional claims. The focus here is narrower. This guide addresses cases with an international dimension brought in federal court pursuant to specific U.S. statutes that provide jurisdiction over such claims. These cases include rights-based legal disputes involving foreign plaintiffs or defendants, cases involving violations occurring abroad, and cases relying on international human rights law. Related products: Find more resources about Human Rights here: <https://bookstore.gpo.gov/catalog/human-rights> This casebook provides a comprehensive, accessible, and up-to-date analysis of international human rights law. It emphasizes the relationship between the international, regional, and national legal systems (with a particular focus on the United States), features an intellectual and historical development of the idea of human rights, and analyzes recent developments in areas including corporate responsibility, terrorism and human rights, the rights of refugees, international criminal law, and the role of NGOs.The first edition has been comprehensively revised and updated to address important and "hot button" issues and topics in international human rights law. These include:an introductory case study on human rights, extraordinary renditions and extraterritorialityextensive coverage of regional human rights systems and NGOs terrorism and human rightshuman rights litigation in U.S. courts corporations and human rightsrefugee lawthe right to health Written by a team of leading scholar/practitioners including a former Appellate Body member, PhD economist and former WTO Secretariat Lawyer, International Trade Law covers all aspects of WTO law. Appropriate for a two- to three-hour international trade course, the third edition covers trade in goods, services, and intellectual property, in 22 succinct chapters of around 30 pages, carefully excerpting leading cases, providing basic introductions, probing questions and real life problems. This book balances positive and normative perspectives, mixing legal texts and panel/Appellate Body decisions with analysis of economic and policy challenges faced by the international trading system. The Third Edition has been updated to include recent political and economic events, issues and policy debates, and supplements new developments in case law with additional questions and a revised Teacher's Manual. Hallmark features of International Trade Law: • Prepared by three leading WTO scholars – providing a balanced international and methodological perspective • Up-to-date, discriminating case selection presents both classic cases and recent doctrine • Contextualizes international trade issues with insights into key economic factors at work • Key WTO cases are edited and presented to illustrate and teach central concepts and doctrine • Illuminating introductory and explanatory material throughout • Helpful summaries of key teaching points are included in each chapter • Well-crafted questions stimulate class discussion on policy issues •

Manageable length for two- and three-credit courses • Adaptable to graduate-level courses in international trade • Comprehensive Teachers Manual with answers to questions as well as teaching suggestions, tips, and supplementary material appropriate for class discussion • Complemented by a thorough and up-to-date documents supplement The Third Edition has been revised to include: • Third author added: Jennifer Hillman, former member of the WTO Appellate Body and the US International Trade Commission, now Professor at Georgetown Law • Major revision of trade remedy chapters (dumping, subsidies, safeguards) with new hands-on practical problems • Completely revised chapter on technical barriers to trade (TBT) taking account of new jurisprudence post-2012 (US – Clove Cigarettes, US - Tuna II, US – COOL, EC – Seal) • New text on post-2008 trade collapse, global value chains • Updated statistics on WTO dispute settlement, free trade agreements, developing countries • Discussion of 2015 US Trade Promotion Authority, mega-regionals including TPP and TTIP, 2014 Trade Facilitation Agreement • Includes summaries of new, major cases such as Canada – Feed-in Tariff, EC – Seal, Peru – Agricultural Products, China – Rare Earths Empirical look at human rights litigation This book analyses the accountability of European home States for their failure to secure the human rights of victims from host States against transnational enterprises. It argues for a reconfiguration of the relationship between multinational enterprises and individuals, both of which have been profoundly changed by globalisation. Enterprises are now supranational entities with numerous affiliates all over the world. Likewise, individuals are increasingly part of a global community. Despite this, the relationship between the two is deregulated. Addressing this gap, this study proposes an innovative business and human rights litigation strategy. Human rights advocates could file a test case against a European home State, at the European Court of Human Rights, for its failure to secure the rights of victims vis-à-vis European multinational enterprises. The book illustrates why such a strategy is needed, and points to the lack of effective legal remedies against European multinationals. The goal is to empower victims from developing countries against European States which are failing to hold multinational enterprises accountable for human rights abuses. Unleashing Rights is a study of the animal rights movement's efforts to advance social reform through the deployment of legal language and practices. The study looks at how prevailing understandings of rights language have shaped the attempt to put forth the idea that animals have rights, and how this attempt, in turn, offers the opportunity to reconstruct the meaning of rights. The book also examines the way litigation has influenced the movement's activities and opportunities for success. Presented here is an investigation of the legal system through a decentered, cultural approach. Legal languages and practices are viewed as a part of everyday life--constructed, used, and interpreted not only by those who run official legal institutions but also by everyday people with a legal consciousness. Using this approach, the book questions whether the deployment of rights and litigation by animal rights advocates has challenged prevailing legal meaning. Looking to both the constitutive and instrumental aspects of law, and to how each informs the other, Unleashing Rights finds that the resort to rights and litigation has advanced movement goals and contributed to alternative constructions of legal meaning. The study concludes that despite their many constraints, both rights talk and litigation are powerful resources for those who seek change, especially when used by strategically minded activists. Unleashing Rights is a book that illustrates the relationship between law, social movement activism, and social change. The book joins the ongoing debate within public law scholarship that is concerned with the effectiveness of legal strategies and languages. The book also speaks to those interested in the general study of social movements and in the particular study of the animal rights movement. With its cultural approach focused on rights language and the construction of meaning, the work will be of interest to the disciplines of law and political science, as well as those who study sociology, anthropology, and philosophy. Helena Silverstein is F. M. Kirby Assistant Professor of Government and Law, Lafayette College. This account of business-related human rights violations details the barriers victims face when seeking remedies and offers policy solutions. 2004 marks the fiftieth anniversary of the Supreme Court's unanimous decision to end segregation in public schools. Many people were elated when Supreme Court Chief Justice Earl Warren delivered *Brown v. Board of Education of Topeka* in May 1954, the ruling that struck down state-sponsored racial segregation in America's public schools. Thurgood Marshall, chief attorney for the black families that launched the litigation, exclaimed later, "I was so happy, I was numb." The novelist Ralph Ellison wrote, "another battle of the Civil War has been won. The rest is up to us and I'm very glad. What a wonderful world of possibilities are unfolded for the children!" Here, in a concise, moving narrative, Bancroft Prize-winning historian James T. Patterson takes readers through the dramatic case and its fifty-year aftermath. A wide range of characters animates the story, from the little-known African Americans who dared to challenge Jim Crow with lawsuits (at great personal cost); to Thurgood Marshall, who later became a Justice himself; to Earl Warren, who shepherded a fractured Court to a unanimous decision. Others include segregationist politicians like Governor Orval Faubus of Arkansas; Presidents Eisenhower, Johnson, and Nixon; and controversial Supreme Court justices such as William Rehnquist and Clarence Thomas. Most Americans still see *Brown* as a triumph--but was it? Patterson shrewdly explores the provocative questions that still swirl around the case. Could the Court--or President Eisenhower--have done more to ensure compliance with *Brown*? Did the decision touch off the modern civil rights movement? How useful are court-ordered busing and affirmative action against racial segregation? To what extent has racial mixing affected the academic achievement of black children? Where indeed do we go from here to realize the expectations of Marshall, Ellison, and others in 1954? Human rights literature has tended to exclude religious foundations from the realm of human rights. This has led to a lack of progress which confuses our understanding of the relationship between human rights and religion: this book argues that by paying close attention to developments in human rights litigation we can make theoretical progress. Rights-based Litigation, Urban Governance and Social Justice in South Africa considers the overlap between legal and everyday struggles for social and spatial justice in the particular context of Johannesburg, South Africa. Drawing from literature across disciplines of law, urban geography and urban planning, as well as from reported case-law concerning the invocation of constitutional rights in Johannesburg and other South African cities, the book critically examines whether, and to what extent, the invocation of legal rights before South African courts have contributed to the advancement of social justice in the city. It considers the impact of the legal assertion of different constituent aspects of the so-called "right to the city" on the many people simultaneously performing the right, the governance structures responsible for enabling and facilitating its enjoyment and, thirdly, the physical place in which it is performed. Drawing broad conclusions on the utility of rights-based litigation for the achievement of social change and spatial justice, this book will be of interest to students and scholars of South Africa, constitutional law, human rights law, regulatory law, sociology of rights, studies of law and society, urban studies, urban geography, governance studies, and development studies. This book provides a thorough review of multinational human rights litigation in various countries where such litigation has been pursued, predominantly on behalf of victims in the Global South. It covers cases relating to environmental damage, occupational disease, human rights abuses involving complicity with state security, and in the context of supply chains. The volume is edited by Richard Meeran, who pioneered the first series of tort-based multinational parent company cases in the 1990s and whose firm, Leigh Day, has been at the forefront of this area for almost 30 years. Contributions come from highly experienced legal practitioners in the countries in question who have run many of the key ground-breaking cases, and who understand the opportunities and hurdles that arise in practice. They provide their perspectives and insights into the features of the relevant laws, procedures, and practical considerations in their respective legal systems. Chapters address the potential legal remedies that are available; the legal, procedural, and practical obstacles to justice including funding; as well as strategic issues. This developing area of corporate legal accountability has increasingly become an integral part of the field of business and human rights, which has grown significantly in recent decades. This collection is an essential guide to the field. This book examines, from the perspective of public international law, various issues and difficulties faced by human rights advocates in their effort to seek redress transnationally for victims of human rights abuses through the means mainly of bringing legal action against alleged violators of human rights. The central concern is whether and how remedies can be obtained in respect of human rights violations committed by foreign nationals outside the territory of the forum State, especially where the State in whose territory such offences were committed, or the national State of the alleged offender, is unable or unwilling to exercise jurisdiction. The book examines the core issues involved in such type of transnational human rights litigation including: the extent and limitations of universal jurisdiction in current international law; the scope of individual criminal liability and how far current international law has allowed such liability to be canvassed and enforced in various fora. It goes on to discuss the current exclusion of criminal proceedings from the law on State immunity, absolute immunity for senior State officials even where international crimes are involved and the failure as yet of national courts to give judicial cognizance to the argument of jus cogens. Before finally considering the issue of immunity before international tribunals with a view to seeing how far international tribunals can provide a viable alternative avenue for solving the difficulties envisaged. In showing how current international law is inadequate in dealing with the type of extra-forum-State human rights violations, Xiaodong Yang demonstrates that a fundamental change in current international law is needed before the protection of human rights can truly achieve an international dimension. Despite international conventions and human rights declarations, millions of people have suffered and continue to suffer torture, slavery, or violent deaths, with no remedy or recourse. They have fallen, in essence, "below the law," outside of law's protection. Often violated by their own governments, sometimes with support from transnational corporations, or nations benefiting from human rights violations, how can these victims find justice? *Lawyers Beyond Borders* reveals the inner workings of the advances and retreats in the quest for redress and restoration of human rights for those whom international legal-political systems have failed. The process of justice begins in the US, with a handful of human rights lawyers steeped in the American tradition of advancing civil rights through civil litigation. As the civil rights movement gained traction and an ample supply of lawyers, this small cadre turned their attention toward advancing international human rights, via the US legal system. They sought to build another piece of the rights revolution, this time for survivors of egregious human rights violations in faraway lands. These cases were among the most unlikely to be slated for victory: The abuses occurred abroad; the victims are aliens, usually with few, if any, resources; the perpetrators are politically powerful, resourced, and well connected, often members of governments, militaries, or multinational corporations. The legal and political systems' structures are mostly stacked against these survivors, many who bear the scars of trauma and terror. *Lawyers Beyond Borders* is about agency. It is about how, in the face of powerful interests and seemingly insurmountable obstacles—political, psychological, economic, geographical, and physical—a small group of lawyers and survivors navigated a terrain of daunting barriers to begin building, case-by-case, new pathways to justice for those who otherwise would have none. Strategic human rights litigation (SHRL) is a growing area of international practice yet one that remains relatively under-explored. Around the globe, advocates increasingly resort to national, regional and international courts and bodies 'strategically' to protect and advance human rights. This book provides a framework for understanding SHRL and its contribution to various forms of personal, legal, social, political and cultural change, as well as the many tensions and challenges it gives rise to. It suggests a reframing of how we view the impact of SHRL in its multiple

dimensions, both positive and negative. Five detailed case studies, drawn predominantly from the author's own experience, explore litigation in a broad range of contexts (genocide in Guatemala; slavery in Niger; forced disappearance in Argentina; torture and detention in the 'war on terror'; and Palestinian land rights) to reveal the complexity of the role of SHRL in the real world. Ultimately, this book considers how impact analysis might influence the development of more effective litigation strategies in the future. This book analyzes the role of strategic human rights litigation in the dissemination and migration of transnational constitutional norms and provides a detailed analysis of how transnational human rights advocates and their local partners have used international and foreign law to promote abolition of the death penalty and decriminalization of homosexuality. The "sharing" of human rights jurisprudence among judges across legal systems is currently spreading emerging norms among domestic courts and contributing to the evolution of international law. While prior studies have focused on international and foreign citations in judicial decisions, this global migration of constitutional norms is driven not by judges but by legal advocates themselves, who cite and apply international and foreign law in their pleadings in pursuit of a specific human rights agenda. Local and transnational legal advocates form partnerships and networks that transmit legal strategy and comparative doctrine, taking advantage of similarities in postcolonial legal and constitutional frameworks. Using examples such as the abolition of the death penalty and decriminalization of same-sex relations, this book traces the transnational networks of human rights lawyers and advocacy groups who engage in constitutional litigation before domestic and supranational tribunals in order to embed international human rights norms in local contexts. In turn, domestic human rights litigation influences the evolution of international law to reflect state practice in a mutually reinforcing process. Accordingly, international and foreign legal citations offer transnational human rights advocates powerful tools for legal reform. Public Interest Lawyering is the first comprehensive analysis of public interest lawyering that is suitable as a law school elective text and/or advanced legal profession courses and seminars. Drawing upon a range of theoretical and empirical perspectives, this timely textbook examines the lives of public interest lawyers, the clients and causes they serve, the contexts within which they work, the strategies they deploy, and the challenges they face today. Features: The first comprehensive overview of the broad range of contemporary issues faced by public interest lawyers in any American law school text. Thorough discussion of important theoretical issues about the scope and definition of public interest lawyering. Addresses American public interest law from a historical perspective with focus on current issues. Expansive examination of the settings in which public interest practice occurs, including nonprofit organizations, government agencies, and private law firms. Presents the advantages and limits of different legal strategies in public interest practice, including lobbying, public education, community organizing, and community economic development. Addresses contemporary challenges of public interest law in context, including economics and financing, legal ethics, the role of legal education, and the globalization of public interest practice. Discusses critiques of public interest law, including a reflection about the role of lawyers in social movements that addresses contemporary critiques. Ethical obligations of public interest lawyers. Explores special issues related to lawyer-client relations in social change contexts. Extensive coverage of: Models of law reform organizations. Conservative cause lawyering. Government lawyers. The economics of social change lawyering. Global social change lawyering. This is the first book offering a comprehensive historical and contemporary analysis of the emerging business and human rights field. The growing field of "human rights" litigation in the world today : context, trends, opportunities, and challenges -- Understanding impact -- Case study : Hadijatou Mani v Niger : slavery before the ECOWAS court -- Case study : Plan de Sanchez v Guatemala : genocide in Guatemala -- Case study : arbitrary detention and extraordinary rendition : litigating the War on Terror? -- Case study : justice for enforced disappearance in Argentina -- Case study : litigating Palestinian land rights -- Litigating strategically and meeting the challenges This volume brings together innovative work from emerging and leading scholars in international law and political science to critically examine the impact of the Inter-American Human Rights System (IAHRS). By leveraging a variety of theoretical frameworks and methodological approaches, the contributors assess the impact of the IAHRS on domestic human rights change in Latin America. More specifically, the book provides a nuanced analysis of the System's impact by examining the ways in which the IAHRS influences domestic actors and political institutions advancing the realisation of human rights. This work will be of interest to students and scholars of human rights and Latin American politics, as well as to those engaged with the nexus of international law and domestic politics and the dynamics of international and regional institutions. This ground-breaking volume provides analyses from experts around the globe on the part played by national and international law, through legislation and the courts, in advancing efforts to tackle climate change, and what needs to be done in the future. Published under the auspices of the British Institute of International and Comparative Law (BIICL), the volume builds on an event convened at BIICL, which brought together academics, legal practitioners and NGO representatives. The volume offers not only the insights from that event, but also additional materials, solicited to offer the reader a more complete picture of how climate change litigation is evolving in a global perspective, highlighting both opportunities, and constraints. The performance of international courts has traditionally been judged against criteria of compliance and effectiveness. Whilst these are clearly desirable objectives for litigants before Africa's international courts, this book shows that we must look beyond these criteria to fully appreciate the impact of these courts. This book shows how litigants use their participation in international litigation to achieve other objectives: to amplify political disputes with their governments, to build their movement, to educate the public about their cause, and to challenge the status quo. Chapters in this collection show how these courts act as coordination points for opposition political parties to name and shame dominant parties for violation of their organizational rights. Others demonstrate how Africa's international courts serve as transitional justice mechanisms in which truth telling about ongoing conflict and authoritarian governance receives significant attention. This attention serves as a platform to galvanize resistance against continued authoritarian rule, especially from outside the conflict countries. Ultimately, the book shows that these courts must be judged against new and broader criteria, and understood as increasingly important venues for waging political, social, environmental, and legal struggles. Strategic human rights litigation (SHRL) is a growing area of international practice yet one that remains relatively under-explored. Around the globe, advocates increasingly resort to national, regional and international courts and bodies ?strategically? to protect and advance human rights. This book provides a framework for understanding SHRL and its contribution to various forms of personal, legal, social, political and cultural change, as well as the many tensions and challenges it gives rise to. It suggests a reframing of how we view the impact of SHRL in its multiple dimensions, both positive and negative. Five detailed case studies, drawn predominantly from the author's own experience, explore litigation in a broad range of contexts (genocide in Guatemala; slavery in Niger; forced disappearance in Argentina; torture and detention in the ?war on terror?; and Palestinian land rights) to reveal the complexity of the role of SHRL in the real world. Ultimately, this book considers how impact analysis might influence the development of more effective litigation strategies in the future"-- Can human rights be enforced against corporations? This work analyses different enforcement mechanisms. It examines one of the most powerful instruments: the Alien Tort Claims Act (ATCA) litigation in the United States. The ATCA has been used as one of the chief weapons in a 21st-century battle over corporate responsibility in the age of globalization. For instance, the ATCA has been invoked to seek compensation from German companies in respect of forced labor during the Holocaust. Further examples include claims relating to genocide against a Canadian company, forced labor claims against a US company and numerous others. The ATCA litigation often refers to the «law of nations», but do the US courts interpret this term consistently with other accepted interpretations of international law? The short answer to that question is 'no'. However, in the absence of enforceable international law mechanisms, this lacuna needs to be filled. Domestic litigation of matters that are inherently transnational in character, as occurs in ATCA human rights litigation, represents a viable mechanism to enforce human rights. Natalie Davidson offers an alternative account of Alien Tort Statute litigation by revisiting the field's two seminal cases, *Filártiga* (filed 1979) and *Marcos* (filed 1986), lawsuits ostensibly concerned with torture in Paraguay and the Philippines, respectively. Combining legal analysis, archival research and ethnographic methods, this book reveals how these cases operated as transitional justice mechanisms, performing the transition of the United States and its allies out of the Cold War order. It shows that US courts produced a whitewashed history of US involvement in repression in the Western bloc, while in Paraguay and the Philippines the distance from US courts allowed for a more critical narration of the lawsuits and their underlying violence as symptomatic of structural injustice. By exposing the political meanings of these legal landmarks for three societies, Davidson sheds light on the blend of hegemonic and emancipatory implications of international human rights litigation in US courts. This open access book documents and analyses the various interventions – legal, political, and even artistic – that followed the Ali Enterprises factory fire in Karachi, Pakistan, in 2012. It illuminates the different substantive and procedural aspects of the legal proceedings and negotiations between the various local and transnational actors implicated in the Ali Enterprises fire, as well as the legal and policy reforms sparked by the incident. This endeavour serves to embed these legal cases and reform efforts in the larger context of human and labour rights protection and global value chain governance. It also offers a concrete case study relevant for ongoing debates around the role of transnational approaches in making human rights litigation, advocacy, and law reform more effective. In this regard, the book interrogates and critically reflects on such legal campaigns and local and transnational reform work with a view to future transformative legal and social activism. "Burke drills deep into America's unique culture of litigation and is rewarded with a powerful insight: it is not the public or even lawyers that are so darn litigious, but American law itself. This meticulous, dispassionate book stands not only to advance the debate but—I hope—to reshape it."—Jonathan Rauch, author of *Government's End: Why Washington Stopped Working* "Lawyers, Lawsuits, and Legal Rights is a fascinating study of the American penchant for public policies that rely on lawsuits to get things done. Burke's analysis is insightful and original. This book compellingly shows that litigious policies have deep roots in our Constitution, culture, and politics."—Charles Epp, author of *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective* "Burke's authoritative book demonstrates that the highly litigious American system is not an isolated anomaly but in fact fits in with deeply-rooted elements of American political culture. Where citizens of other countries rely on expert or bureaucratic judgment to resolve disputes, Americans turn to the courts. Equally novel and compelling, *Lawyers, Lawsuits, and Legal Rights* marshals an impressive set of evidence and delivers a refreshingly well-written look at the state of American litigation."—Frank R. Baumgartner, co-author of *Agendas and Instability in American Politics* This book analyzes the role of strategic human rights litigation in the dissemination and migration of transnational constitutional norms and provides a detailed analysis of how transnational human rights advocates and their local partners have used international and foreign law to promote abolition of the death penalty and decriminalization of homosexuality. The "sharing" of human rights jurisprudence among judges across legal systems is currently spreading emerging norms among domestic courts and contributing to the evolution of international law. While prior studies have focused on international and foreign citations in judicial decisions, this global migration of constitutional norms is driven not by judges but by legal advocates themselves, who cite and apply international and foreign law in their

pleadings in pursuit of a specific human rights agenda. Local and transnational legal advocates form partnerships and networks that transmit legal strategy and comparative doctrine, taking advantage of similarities in postcolonial legal and constitutional frameworks. Using examples such as the abolition of the death penalty and decriminalization of same-sex relations, this book traces the transnational networks of human rights lawyers and advocacy groups who engage in constitutional litigation before domestic and supranational tribunals in order to embed international human rights norms in local contexts. In turn, domestic human rights litigation influences the evolution of international law to reflect state practice in a mutually reinforcing process. Accordingly, international and foreign legal citations offer transnational human rights advocates powerful tools for legal reform. The book investigates the development under international human rights law with regards to human rights protection with the overall objective to develop an argument for a future international regime of civil liability for individual and corporate perpetrator of gross human violations. The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts. "African civil law countries are traditionally described as monist and common law countries as dualist. This book illustrates that the monism-dualism dichotomy is too simplistic, in particular in the field of human rights. Academics and practitioners from across the continent illustrate how domestic courts in Africa have engaged with international human rights law to interpret or fill gaps in national bills of rights. The authors also consider the challenges encountered in increasing the use of international human rights law by African domestic courts."--Back cover. Provides a roadmap for understanding the relationship between technology and human rights law and practice. This title is also available as Open Access.

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