A sharp distinction is usually drawn between public international law, concerned with the rights and obligations of states with respect to other states and individuals, and private international law, concerned with issues of jurisdiction, applicable law and the recognition and enforcement of foreign judgments in international private law disputes before national courts. Through the adoption of an international systemic perspective, Dr Alex Mills challenges this distinction by exploring the ways in which norms of public international law shape and are given effect through private international law. Based on an analysis of the history of private international law, its role in US, EU, Australian and Canadian federal constitutional law, and its relationship with international constitutional law, he rejects its conventional characterisation as purely national law. He argues instead that private international law effects an international ordering of regulatory authority in private law, structured by international principles of justice, pluralism and subsidiarity.

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THE CONFLUENCE OF PUBLIC AND PRIVATE INTERNATIONAL LAW

Justice, Pluralism and Subsidiarity in the International Constitutional Ordering of Private Law

ALEX MILLS
Any one watching keenly the stealthy convergence of human lots, sees a slow preparation of effects from one life on another, which tells like a calculated irony on the indifference or the frozen stare with which we look at our unintroduced neighbour.

George Eliot, *Middlemarch* (1874), Chapter XI
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ABBREVIATIONS

ECHR  European Convention for the Protection of Human Rights and Fundamental Freedoms 1950
ECJ  European Court of Justice
ICCPR  International Covenant on Civil and Political Rights 1966
ICJ  International Court of Justice
ICSID  International Centre for Settlement of Investment Disputes
ICTY  International Criminal Tribunal for the Former Yugoslavia
ILC  International Law Commission
PCIJ  Permanent Court of International Justice
WTO  World Trade Organization