

This volume brings together leading international scholars – from various mainstream as well as critical and interdisciplinary perspectives – to explore the historical and contemporary normative frameworks, public and private actors, and contested power relations in the ever-expanding field of transnational law. Drawing upon the groundbreaking contributions of Philip Jessup in the wake of World War II, the volume points to the innovations of current scholarship that analyse transborder legal processes as collective and discursive practice. Since many aspects of transnational law are largely unregulated by state governments, the volume rightly asks to what degree does transnational law contribute to today's crises of democratic governance. Given what is at stake, the volume is essential reading for scholars and practitioners grappling with the increasing complexities of transnational legal formations in the twenty-first century.

Eve Darian-Smith, Professor and Chair, Global and International Studies, University of California Irvine, and author of the award-winning book *Laws and Societies in Global Contexts: Contemporary Approaches* (Cambridge University Press)

From Jessup's first insights on transnational law, itself situated somewhere between the public and private international legal varieties, emerges the riddle of the 'in-between': inter-legalities, inter-normativities, intertextualities. Further questions arise: How do we understand law beyond the state, across geographical and disciplinary boundaries, if not as a motley assemblage of claims to legitimacy, soft and hard, crossing and muddling familiar boundaries, aspiring to both global and subnational validity? What exactly is being globalized as law today? What epistemologies are available in order to capture its transformations? This stimulating collection of very diverse 'multi-dimensional' viewpoints from around the world – by pragmatists, pluralists, feminists, postcolonialists, comparatists, historians – engages a wide selection of topics, including data flows, arbitration, sports law, environmental regulation, dispute resolution, family and others – through an equally ample range of conceptual and, indeed, emotional registers – comity, cooperation but also the drama, the unseen, the darker legacy – to enrich our legal imaginaries.

Professor Horatia Muir Watt, École de droit, Sciences Po, Paris

Jessup magisterially named a phenomenon that promises to saturate the world – the magnetic pull of law towards arrays of problems whose solution extends beyond the state. The seemingly endless proliferation of actual and aspirant legal orders in the transnational demands precisely the relentlessly creative, critical and constructive reflections in this timely volume. It is all here – transnational law as texts and institutions, form and function, drama and symbol, emotion and reason, fact and value, as it confronts food security, global sustainability, terrorism, sport and the family, and much else. No mere jurists' playground, *Many Lives* presses legal scholars into lively conversation

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with social scientists who also grapple with law's insatiable reach to problem-solving worldwide. *Many Lives* is a singular achievement and worthy of searching reflection by scholars and transnational lawmakers alike.

Terence C. Halliday, Research Professor, American Bar Foundation,
and co-author, *Global Lawmakers: International Organizations
in the Crafting of World Markets*

Transnational law is more than and different from public international law. This idea encompasses a whole world of facts, of instruments and of thoughts. Over the past sixty years, transnational law has ventured far beyond the circles of international lawyers as it continues to resonate with efforts in political science, theory and philosophy to conceptualize political order and democratic legitimacy across the nation state's boundaries. The gift of writings presented here to Jessup and to the legal community at the sixtieth anniversary of the first publication of *Transnational Law* sketches and revisits this history and idea in a truly congenial way – dense, thoughtful and inspiring.

Professor Stefan Grundmann, European University Institute and
Humboldt University, Faculty of Law, Berlin

THE MANY LIVES OF TRANSNATIONAL LAW

In 1956, International Court Justice judge Philip Jessup highlighted the gaps between private and public international law and the need to adapt the law to border-crossing problems. Today, sixty years later, we still ask what role transnational law can play in a deeply divided, postcolonial world, where multinationals hold more power and more assets than many nation states. In searching for suitable answers to pressing legal problems such as climate change law, security, poverty and inequality, questions of representation, enforcement, accountability and legitimacy become newly entangled. As public and private, domestic and international actors compete for regulatory authority, spaces for political legitimacy have become fragmented, and the state's exclusivist claim to be law's harbinger and place of origin is under attack.

Against this background, transnational law emerges as a conceptual framework and method laboratory for a critical reflection on the forms, fora and processes of lawmaking and law contestation today.

PEER ZUMBANSEN is the founding director of the Transnational Law Institute at King's College London and teaches at King's and Osgoode Hall Law School, Toronto. He is the series editor of Cambridge Studies in Transnational Law and co-editor-in-chief of *Transnational Legal Theory*.

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The Many Lives of Transnational Law

CRITICAL ENGAGEMENTS WITH JESSUP'S
BOLD PROPOSAL

Edited by
PEER ZUMBANSEN
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Preface and Acknowledgements

The here-collected essays engage with transnational law across and beyond many of these poles. The contributors include legal scholars, anthropologists, political scientists and cultural theorists who met at King's College London for a conference to commemorate the sixtieth anniversary of Philip Jessup's landmark Storrs Lectures on transnational law at Yale Law School in 1956. In the process of writing the chapters for this book, some of the contributors found themselves taking these lectures by Jessup, who was at the time of their delivery a professor of international law and would later become appointed to the International Court of Justice, as point of origin for what has grown into much more of what might have been visible or imaginable at the time. Others understood his original text as a reference to a particular constellation of international legal theory and doctrine and policymaking, inviting both retrospective as well as future-oriented re-imagination. Altogether, the here-convened scholarship engages, challenges and refracts transnational law – with and well beyond Jessup's original and, arguably, bold proposal. As the scholars in this book show, the significance of transnational law lies foremost in its power to draw us into its immense conceptual promise as a framework through which to scrutinize the form(s) and the promise but also the limitations of law in a differentiated and deeply divided world.

The original conference was generously supported and hosted by the Dickson Poon School of Law, under the auspices of the Transnational Law Institute (TLI), and brought to life by its fearless coordinator at the time, Miss Helen Bhandari. To her and the wonderful colleagues at the school and the institute, who make such special events possible and memorable, and especially to the TLI fellows and affiliates Nik Eder, Ada Fama, Farnush Chadery, Marius Nordby, Laura Knöpfel and Irene Valones, who helped in the organization of a wonderful conference, I am very much indebted. Further

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