

BETWEEN INTERESTS AND LAW

We could not have a global economy without a system to resolve commercial disputes across borders, but the international regime that performs this key role bears little resemblance to other pillars of the global economy. A hybrid of private arbitral institutions, international treaties, and domestic laws and courts, the regime for commercial dispute resolution shows that effective transborder institutions can take a variety of forms.

This book offers the first comprehensive social-scientific account of this surprisingly effective regime. It maps and explains the web of institutions traders use to resolve disputes, tracing their evolution since the Industrial Revolution, both at the global level and in the United States, Argentina, and China.

The book shows how both political economic approaches and sociolegal theories have shaped institutional outcomes. Whereas economic interests have been the chief determinants, legal processes have played a key role in shaping the form institutions take. The regime for commercial dispute resolution therefore remains between interests and law.

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The Politics of Transnational Commercial Disputes

THOMAS HALE





CAMBRIDGEUNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107083622

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First published 2015

A catalogue record for this publication is available from the British Library

ISBN 978-1-107-08362-2 Hardback

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For those who taught me, and who teach me still





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ACKNOWLEDGMENTS

There is so much that goes into making a book, and the doctoral dissertation from which it grew, that it is difficult to know where to begin acknowledging the various building blocks on which the present study sits. However, one may start, as the analysis that follows does, with the imperatives of material needs. I am deeply thankful for research support from Princeton's Department of Politics and from several of the university's centers: the Program in Latin American Studies, the Program in East Asian Studies, the Program in International and Regional Studies, and the Political Economy Research Program. The Department of Government at the London School of Economics was a generous host for much of the writing process, and Oxford's Centre for International Studies and Global Economic Governance Programme hosted a key workshop to interrogate and improve a late draft.

However, as the reader will discover in the following chapters, ideas and epistemic communities can be just as important as material needs. Indeed, this is much more true in scholarship than in commercial dispute resolution. I am therefore grateful to the individuals who discussed those ideas and formed that community at Princeton, the London School of Economics, and Oxford. These include, without prejudice as to order, Lauge Poulsen, Noel Johnson, Emily Jones, Taylor St. John, Mareike Kleine, John Wagner Givens, Walter Mattli, Duncan Snidal, Kalypso Nicolaidis, Ngaire Woods, and Mathias Koenig-Archibugi. In the research process, I was guided by an even wider group of individuals who were rich in knowledge and generous with time, including Cao Lijun, Anthony Dicks, Loukas Mistelis, Alejando Garro, and Horacio Grigera Naón. Tim Büthe and several anonymous reviewers provided generous and constructive comments on the draft manuscript.

I am most grateful, however, to the individuals who have taught, advised, and mentored me at Princeton and elsewhere. These include Christina Davis as a graduate advisor, Andrew Moravcsik and Helen Milner on my dissertation committee, and, most significantly, Robert O.

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ACKNOWLEDGMENTS

Keohane as my dissertation advisor. His unflinching rigor tore down weak versions of my ideas, and his extraordinary intellectual generosity helped me build stronger versions from the rubble. David Held and Anne-Marie Slaughter, though not deeply involved in this book, did much to lay the intellectual foundation on which it stands. It has been my great fortune and privilege to work with scholars who not only lead their fields but rank the success of their students high among their many accolades. I have often felt both humbled and inspired by this generosity. The book is dedicated to them.

Finally, but most fundamentally, material and ideational inputs require an author. But an author cannot subsist on research alone, though sometimes it may seem that he does. This book would not have been possible without my partner, my parents, my expanding family, and my friends. On the surface, one can identify some tensions between this element of life and the exigencies of research. On a more profound level, however, it is the bedrock on which this work sits. For all this and more, I am grateful.