Updates for Spring 2010

**Law 5502 Corporate Taxation** – will be offered Spring 2010 but *not* during the 2010-2011 academic year. Juniors interested in this course are encouraged to enroll Spring 2010.

**Law 5323 Comparative Constitutional Law** – Professor Santiago Legarre

This is a short introduction to the vast field of Comparative Constitutional Law. Rather than survey a myriad of topics at a superficial level, we will examine select foundational questions in constitutional theory as a basis for comparing US Constitutional Law to foreign approaches. We will focus on two central issues: judicial review (including stare decisis in common and civil law) and private property (and its restrictions during crises and emergencies). Furthermore, in order to focus our comparative analysis, particular attention will be given to Argentinean Constitutional Law.

*Dates of Course – Tues Feb 2, Wed Feb 3, Thurs Feb 4, Tues Feb 9, Wed Feb 10, Thurs Feb 11 – Exam Thurs Feb 18*

**Law 5786 International Trade, Investment and Human Rights** – Professor Sheldon Leader

This course looks at the interaction between principles governing international trade and investment on the one hand, and principles governing respect for human rights on the other. International trade and investment has two different impacts on basic rights: either they are instruments to strengthen respect for those rights, as we will see when trade sanctions are imposed to force a country to comply with certain standards; or they can be a medium by which those rights are weakened, as we will see when considering the problem of competition between countries and regions wanting to attract investment or sell commodities on the most favorable terms.

These relationships between rights and trade are examined in i) the global standards set by the GATT/World Trade Organization; ii) two regional contexts of the North American Free Trade Agreement and the European Union; and iii) investment agreements between multinational companies and states. In addition, we examine the standards developed by bodies such as the International Labor Organization and other relevant sources that are drawn upon in the debates and decisions fixing connections between trade/investment standards and rights.

Along with the law, attention is paid to the moral, political, and economic arguments that provide an essential framework to understanding the concrete issues. We deal with the differences between the existence, scope and weight of fundamental rights; their relation to other interests and objectives, such as wealth creation, the sovereignty of states etc.; the distinction between political rights and social rights; universality vs local validity for fundamental rights; spatial vs functional aspects of universal fundamental rights. From that point we pass to a consideration of the institutions involved, and from then to a
detailed treatment of some concrete issues and real cases so as to see the practical effect of linking trade and fundamental rights. This sections dealing with basic rights focus on trade/ investment and: labor rights; protection of the environment; and intellectual property.

**Topic Outline**

I. Trade, Standards, and Rights: Background Issues
II. The opening of markets; the integration of markets; and the protection of basic rights and standards
III. Free trade, investment and fundamental rights: WTO; transnational investment agreements
IV. Market integration and fundamental rights: The European Union.
V. Trade, investment and issues of sustainable development:
VI. The impact on basic rights

*Dates of Course – Mon Mar 29, Wed Mar 31, Wed Apr 7, Fri Apr 9, Mon Apr 12, Wed Apr 13 – Exam Mon Apr 19*

**Law 5336 Gaming Law** – pending faculty approval –