

Constitutionalisation of the WTO

- Background Reading -

General Overview	<ul style="list-style-type: none">- Thomas Cottier and Maya Hertig, "The Prospects of 21st Century Constitutionalism" (2004) 7 Max Planck Yearbook of United Nations Law 261;- Jeffrey L. Dunoff, and Joel P. Trachtman, <i>Ruling the World?: Constitutionalism, International Law, and Global Governance</i> (Cambridge University Press 2009);- Klaus Arminingeon, Karolina Milewicz, Simon Peter and Anne Peters, "The constitutionalisation of trade law", in Thomas Cottier, Panagiotis Delimatsis, <i>The Prospects of International Trade Regulation From Fragmentation to Coherence</i>, (Cambridge University Press, 2011).
Constitutional dimension of the WTO Institutional Architecture John J. Jackson	<ul style="list-style-type: none">- <i>The World Trading System: Law and Policy of International Economic Relations</i> (MIT Press 1989);- <i>The World Trade Organization: Constitution and Jurisprudence</i> (London The Royal Institute of International Affairs 1998);- "Emerging Problems of the WTO Constitution: Dispute Settlement and Decision Making in the Jurisprudence of the WTO", in Philip Ruttley (ed), <i>Liberalisation and Protectionism in the World Trading System</i> (Cameron May 1999);- <i>The Jurisprudence of GATT and the WTO: Insights on Treaty Law and Economic Relations</i> (Cambridge University Press 2000);- "The WTO "Constitution" and Proposed Reforms: Seven "Mantras" Revisited" (2001) 4 Journal International Economic Law 67;- <i>Sovereignty, the WTO and Changing Fundamentals of International Law</i> (Cambridge University Press 2006).
Constitutionalism as Normative Commitments to protect Human Rights and Market Freedoms Ernst-Ulrich Petersmann	<ul style="list-style-type: none">- "Constitutionalism and International Organizations" (1997) 17 Northwestern Journal of International Law & Business 398;- "The WTO Constitution and the Millennium Round", in Marco Bronckers and Reinhard Quick (ed), <i>New Directions in International Economic Law: Essays in Honor of John H. Jackson</i> (Kluwer 2000);- "The WTO Constitution and Human Rights" (2000) 3 Journal International Economic Law 19;- with Joerges, <i>Constitutionalism, Multilevel Trade Governance and International Economic Law</i> (Hart Pub. 2011);- <i>International Economic Law in the 21st Century : Constitutional Pluralism and Multilevel Governance of Interdependent Public Goods</i> (Hart Pub. 2012).
WTO Dispute Settlement as the Engine of WTO Constitutionalism Deborah Z. Cass	<ul style="list-style-type: none">- "The "Constitutionalization" of International Trade Law: Judicial Norm-Generation as the Engine of Constitutional Development in International Trade" (2001) 12 European Journal International Law 39;- <i>The Constitutionalization of the World Trade Organization: Legitimacy, Democracy, and Community in the International Trading System</i> (Oxford University Press 2005).
WTO Constitutionalism and International Functional Coherence In the Fragmentation of International Law Joel P. Trachtman	<ul style="list-style-type: none">- <i>The Economic Structure of International Law</i> (Harvard University Press 2008);- "The Constitution of the WTO" (2006) 17 European Journal of International Economic Law 623;- <i>The Future of International Law Global Government</i> (Cambridge University Press 2014).
More Critical views in the WTO Constitutional Literature	<ul style="list-style-type: none">- with Kalypso Nicolaidis, "Legitimacy and Global Governance: Why Constitutionalizing the WTO is a Step Too Far", in Roger B. Porter et al. (ed), <i>Efficiency, Equity and Legitimacy: The Multilateral Trading System at the Millennium</i> (Brookings Institute Press 2001);- Jeffrey L. Dunoff, "Constitutional Conceits: The WTO's 'Constitution' and the Discipline of International Law" (2006) 17 European Journal International Law 647;- Douglas R. Nelson, "Prospects for Constitutionalization of the WTO" (2015) 14 World Trade Review 135.