

Contributors

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Bibliography

- Abbott, Frederick M. *Law and Policy of Regional Integration: The NAFTA and Western Hemispheric Integration in the World Trade Organization*. Alphen aan den Rijn, The Netherlands: Kluwer Law International, 1995.
- Abbott, Frederick M. "Integration without Institutions: The NAFTA Mutation of the EC Model and the Future of the GATT Regime." *American Journal of Comparative Law* 40 (1992):917–928.
- Acosta Romero, Miguel. "Mexican Federalism: Conception and Reality." *Public Administration Review* 42, no.2 (1982):399–404.
- Afilalo, Ari. "Meaning, Ambiguity and Legitimacy: Judicial (Re-) Construction of NAFTA Chapter 11." *Northwest Journal of International Law and Business* 25 (2005):279.
- Alter, Karen. *Establishing the Supremacy of European Law*. Oxford: Oxford University Press, 2001.
- Alvarez, Guillermo Aguilar. "The New Face of Investment Arbitration: NAFTA Chapter 11." *Yale Journal of International Law* 28 (2003):365.
- Anderson, Greg. "The Fragmentation and Intergration of North American Governance: Border Security and Economic Policy for the Obama Administration." *SPP Briefing Papers, Focus on the United States* 2 (2009):4.
- Anderson, Kenneth. "Book Review: Squaring the Circle? Reconciling Sovereignty and Global Governance through Global Government Networks, Review of *a New World Order*, by Anne-Marie Slaughter." *Harvard Law Review* 118 (2005):1255–1312.
- Armstrong, Kenneth. "Legal Integration: Theorising the Legal Dimension of European Integration." *Journal of Common Market Studies* 36 (1998):2.
- Arroyo, Diego P. Fernández. "L'influence des conventions internationales sur l'actualisation du droit international privé: Le cas latino-américain" In *The Responsiveness of Legal Systems to Foreign Influences*, edited by the Swiss Institute of Comparative Law. Zurich: Schulthess, 1992.
- Arthurs, Harry W and Kreklewich, Robert. "Law, Legal Institutions, and the Legal Profession in the New Economy." *Osgoode Hall Law Journal* 39 (1996): 34.
- Atwood, Barbara, Silveira, Graciela Jasa, LaViolette, Nicole and Oldham, Tom "Crossing Borders in the Classroom: A Comparative Law Experiment in Family Law." *Journal of Legal Education* 55 (2005):542–559.

- Ayllón, Sergio López and Fierro, Héctor Fix, "La modernización del sistema jurídico (1970–2000)" in Elisa Servín, *Del nacionalismo al neoliberalismo, 1940–1994*, Historia crítica de las modernizaciones en México. México: Fondo de Cultura Económica, 2010.
- Bailey, John. "Centralism and Political Change in Mexico: The Case of National Solidarity" In *Transforming State-Society Relations in Mexico: The National Solidarity Strategy*, edited by Wayne Cornelius, Ann Craig, and Jonathan Fox. La Jolia, CA: Center for US-Mexican Studies, 1994.
- Barnard, Catherine and Joanne Scott, editors. *The Law of the Single European Market: Unpacking the Premises*. Oxford: Hart Publishing, 2002.
- Barnard, Catherine. "The EU Agenda for Regulating Labour Markets: Lessons from the UK in the Field of Working Time" In *Law and Governance in an Enlarged European Union*, edited by George Bermann and Katherine Pistor. Oxford: Hart Publishing, 2004.
- Beach, Derek. "Why governments comply: An integrative compliance model that bridges the gap between instrumental and normative models of compliance." *Journal of European Public Policy* 12, no. 1 (2005):1–30.
- Beavers, Emilie. "Bankruptcy Law Harmonization in the NAFTA Countries: The Case of the United States and Mexico." *Columbus Business Law Review* 9565 (2003):966.
- Bermann, George and Pistor, Katherine. "Introduction" In *Law and Governance in an Enlarged European Union*, edited by George Bermann and Katherine Pistor. Oxford: Oxford Hart Publishing, 2004.
- Berry, John. "Official Multiculturalism" In *Language in Canada*, edited by Edwards John. Cambridge: Cambridge University Press, 1998.
- Bieber, Roland and Vaerini, Micaela "Implementation and Compliance: Stimulus for New Governance Structures" In *The Accession Countries: Law and Governance in an Enlarged European Union*, edited by George Bermann and Katherine Pistor. Oxford: Hart Publishing, 2004.
- Bjorklund, K. "NAFTA Chapter 11: Contract Without Privity: Sovereign Offer and Investor Acceptance." *Chicago Journal of International Law* 2 (2001):183–186.
- Bonell, Michael. "The UNIDROIT principles of international commercial contracts: Why? What? How?" *Tulane Law Review* 69 (1995):1121.
- Bonell, Michael. *An International Restatement of Contract Law*. 2nd ed. Irvington-on-Hudson, NY: Transnational Publishers, 1997.
- Borchard, Edwin. *The Diplomatic Protection of Citizens Abroad*. New York: Banks Law Publishing Co, 1915, 330.
- Bothwell, Robert. *Canada and Quebec: One Country, Two Histories*. Vancouver: University of British Columbia Press, 1998.
- Brierley, John E. C. "Canadian Acceptance of International Commercial Arbitration." *Maine Law Review* 40 (1988):287.
- Hamilton, Brison, W. "The use of Roman law in Virginia courts." *American Journal of Legal History* 28 (1984):135.

- Brower, II and Charles, H. "Structure, Legitimacy, and NAFTA's Investment Chapter." *Vanderbilt Journal of Transnational Law* 36 (2003):37–66.
- Brownlie, Ian. *Principles of Public International Law*. 6th ed. New York: Oxford University Press, 2003, 502–5.
- Buscaglia, Edgardo. *Intellectual Property Rights and Business Investment in Less Developed Countries*, paper presented at "Conference on Vietnam in 2001: Prospects for Economic and Social Progress," Washington DC, November 16–17 2001.
- Burgess, Casey. Comment, An Anglo-NAFTA Union: Does it Make Sense?, 8-FALL L. & Bus. Rev. Am. 685 (2002).
- Burke-White, William W. "Regionalization of International Criminal Law Enforcement: A Preliminary Exploration." *Texas International Law Journal* 38, no. 729 (2003):731.
- Burley, Anne-Marie and Mattli, Walter "Europe before the Court: A Political Theory of Regional Integration." *International Organization* 47 (1993):41–65.
- Burton, Leslie A. "Toward an International Bankruptcy Policy in Europe: Four Decades in Search of a Treaty." *Annual Survey of International and Comparative Law* 5 (1998):236.
- Burton, Matthew. "Assigning the Judicial Power to International Tribunals: NAFTA Binational Panels and Foreign Affairs Flexibility." *Virginia Law Review* 88 (2002):1529.
- Buxbaum, R. and Hopt, K. *Legal Harmonization and the Business Enterprise*. Berlin: Walter de Gruyter, 1988, 271.
- Cabranes, Jose A. "The Inter-American System: Its Development and Strengthening. Oceana Publications, book Review." *International and Comparative Law Quarterly* 16 (1967):563.
- Cairns, Alan C. "The Governments and Societies of Canadian Federalism." *Canadian Journal of Political Science* 10, no. 4 (1977):696–699.
- Camp, Roderic Ai. *Politics in Mexico: The Democratic Consolidation*. New York: Oxford University Press, 2006.
- Carbonneau, Thomas. *Cases and Materials on International Litigation and Arbitration*. St. Paul: Thomson/West, 2005.
- Castel, J.G. *Canadian Conflict of Laws, 3rd edition*. Toronto: Butterworths, 1994.
- Castro, Leonel Pereznieta and Silva, Jorge Alberto Silva. *Derecho Internacional Privado: Parte Especial*. Mexico City: Oxford University Press, 2000, at 213.
- Chayes, A. *The New Sovereignty: Compliance with International Regulatory Agreements*. Cambridge, MA: Harvard University Press, 1996.
- Cheever, Daniel S. and Haviland, H. Field Jr. *American Foreign Policy and the Separation of Powers*. Cambridge: Harvard University Press, 1962.
- Chung, Suh-Yong. "Is the Mediterranean Regional Cooperation Model Applicable to Northeast Asia?" *International Environmental Law Review* 363 (1999):395.
- Cnossen, Sijbren. *Reform and Harmonization of the Company Tax Systems in the European Union*. Rotterdam: Research Centre for Economic Policy, 1996.

- Cockfield, Arthur J. "Tax Integration Under NAFTA: Resolving the Conflict Between Economic and Sovereignty Interests." *Stanford Journal of International Law* 34 (1998), 39.
- Cockfield, Arthur J. "Transforming the Internet Into a Taxable Forum: A Case Study in E-Commerce Taxation." *Minnesota Law Review* 85 (2001):1171, 1263–1265.
- Cockfield, Arthur J. "Who watches the watchers? a Law and Technology Perspective on Government and Private Sector Surveillance." *Queen's Law Journal* 364 (2003):376–381, 385.
- Cockfield, Arthur J. *NAFTA Tax Law and Policy: Resolving the Clash between Economic and Sovereignty Interests*. Toronto: University of Toronto Press, 2005, 105–127.
- Cockfield, Arthur J. "The rise of the OECD as informal world tax authority through national responses to e-commerce tax challenges." *Yale Journal of Law and Technology* 18 (2006):136.
- Jr, Coe and Jack, J. "The State of Investor-State Arbitration—Some Reflections on Professor Brower's Plea for Sensible Principles." *American University International Law Review* 20 (2005):929–941.
- Cohen, Joshua and Sabel, Charles. "Directly-Deliberative Polyarchy." *European Law Journal* 3, no. 4 (1997), 313.
- Commission, Jeffery P. "Precedent in Investment Treaty Arbitration—A Citation Analysis of a Developing Jurisprudence." *Journal of International Arbitration* 24 (2007):129, 135–36.
- Cone, Sydney M. III. *International Trade in Legal Services*. London: Little, Brown and Company, 1996.
- Connolly, William E. *The Terms of Political Discourse*. 2nd ed. Princeton, NJ: Princeton University Press, 1983.
- Cook, David C. "Prospects for a North American Bankruptcy Agreement." *Southwestern Journal of Law and Trade in the Americas* 2, no. 81 (1995):95, 119, 120.
- Corry, J. A. "Constitutional Trends and Federalism" In *Evolving Canadian Federalism*, edited by A. R. M. Lower. Durham, NC: Duke University Press, 1958.
- Corsi, Jerome R. *The Late, Great, USA: NAFTA, the North American Union, and the Threat of a Coming Merger with Mexico and Canada*. New York: Threshold Editions, 2009.
- Cotterell, Roger. "The Concept of Legal Culture" In *Comparing Legal Cultures*, edited by David Nelken. Aldershot/Brookfield, VT/Singapore/Sydney: Dartmouth, 1997.
- Cram, Laura. "From 'integration by Stealth' to 'good governance' in EU social policy" In *Innovative Governance in the European Union: The Politics of Multilevel Policymaking*, edited by Ingeborg Tömmel and Amy Verdun. Lynne: Reinner, 2009.
- Crawford, James. *The International Law Commission's Articles on State Responsibility: Introduction, Text and Commentaries*. Cambridge: Cambridge University Press, 2002, 14–15.
- Cremona, Marise. "The 'Dynamic and Homogeneous' EEA: Byzantine Structures and Variable Geometry." *European Law Review* 19 (1994):508–509.

- Dargan, Dean. "COMMENT, the Emergence of Mechanisms for Cross Border Insolvencies in Canadian Law." *Connecticut Journal of International Law* 17 (2001):107.
- Dawson, Frank Griffith and Head, Ivan L. *International Law National Tribunals and the Rights of Aliens*. Syracuse: Syracuse University Press, 1973, 2–3.
- De Burca, Gráinne and Joanne Scott, editors. *Law and New Governance in the EU and US*. Oxford: Hart, 2006.
- De Mestral, Armand and Winter, Jan. "Giving Direct Effect to NAFTA." *IRPP, The Art of the State* 2, no. 6 (2004):35–98.
- Delmas-Marty, Mireille. "Le pluralisme ordonné et les interactions entre ensembles juridiques." *Dalloz* 14 (2006):951.
- Diller, Matthew and Morawetz, Nancy. "Intracircuit Nonacquiescence and the Breakdown of the Rule of Law: A Response to Estreicher and Revesz." *Yale Law Journal* 99 (1990):801.
- Drahozal, Christopher R. "New Experiences of International Arbitration in the United States." *American Journal of Comparative Law* 54 (2006):233.
- Drumbl, Mark. "Amalgam in the Americas: A Law School Curriculum for Free Markets and Open Borders." *San Diego Law Review* 35 (1998):1053.
- Duff, Ivo D. editor. *Subsidiarity within the European Community*. London: Federal Trust, 1993.
- Duina, Francesco. *The Social Construction of Free Trade: The European Union, NAFTA and Mercosur*. Princeton: Princeton University Press, 2006.
- Edwards, Denis J. "Fearing Federalism's Failure: Subsidiarity in the European Union." *American Journal of Comparative Law* 44, no. 4 (1996):38–79.
- Egan, Michelle. "Governing the Single Market: From Coordination to Regulation" In Amy Verdun and Ingor Toemmels eds., Forthcoming Lynne Rienner, 2007.
- Egan, Michelle. *Constructing a European Market: Standards, Regulation and Governance*. Oxford: Oxford University Press, 2001.
- Egan, Michelle, editor. *Creating a Transatlantic Marketplace*. Manchester: Manchester University Press, 2005.
- Egan, Michelle. *Single Markets: Economic Integration in Europe and the United States*. Oxford: Oxford University Press, Forthcoming.
- Ekeland, Ivar. *Mathematics and the Unexpected*. Chicago: University of Chicago Press, 1988.
- Elazar, Daniel. "Civil War and the Preservation of American Federalism." *Publius* 1, no. 1 (1971):39–58.
- Environmentalists in Battle to be Heard in Pesticide Case*, Toronto Star, Apr. 27, 2009 at A13.
- Estella, Antonio. *The EU Principle of Subsidiarity and Its Critique*. Oxford: Oxford University Press, 2005.
- Estin, Ann. "Embracing Tradition: Pluralism in American Family Law." *Maryland Law Review* 63 (2004):540.
- Estreicher, Samuel and Revesz, Richard. "Nonacquiescence by Federal Administrative Agencies." *Yale Law Journal* 98 (1989):679.

- Estreicher, Samuel and Revesz, Richard. "The Uneasy Case Against Intracircuit Nonacquiescence: A Reply." *Yale Law Journal* 99 (1990):831.
- Falkner, Gerda et al. *Complying With Europe: EU Harmonization and Soft Law in the Member States*. Cambridge: Cambridge University Press, 2006.
- Fantz, Ashley. "La lucha contra el narco en México: muertos a cambio de millones," *CNN*, January 20, 2012. <http://mexico.cnn.com/nacional/2012/01/20/la-lucha-contra-el-narco-en-mexico-muertos-a-cambio-de-millones>.
- Faria, Jose Angelo Estrella. "The Relationship Between Formulating Agencies in International Legal Harmonization: Competition, Cooperation, or Peaceful Coexistence?" *Loyola Law Review* 51 (2005), 253.
- Fenwick, C.G. "The Inter-American Institute for International Legal Studies." *American Journal of International Law* 58 (1964):122, 125.
- Fierro, Héctor Fix y Sergio López Ayllón. "¿Muchos abogados, pero poca profesión? Derecho y profesión jurídica en el México contemporáneo" In *Del gobierno de los abogados al imperio de las leyes. Estudios sociojurídicos sobre educación y profesión jurídicas en el México contemporáneo*, edited by Fix Héctor Fierro. México: UNAM, 2006.
- Fish, Stanley. *There's No Such Thing as Free Speech: And It's a Good Thing Too*. New York: Oxford University Press, 1994.
- Fitzpatrick, John P. "The Future of the North American Free Trade Agreement: A Comparative Analysis of the Role of Regional Economic Institutions and the Harmonization of Law in North America and Western Europe." *Houston Journal of International Law* 19, no.1 (1996):8, 23, 90–2.
- Fix-Fierro, Héctor and Ayllón., Sergio López "The Impact of Globalization on the Reform of the State and the Law in Latin America." *Houston Journal of International Law* 19 (1997):785–791.
- Folsom, H. *NAFTA: A Problem-Oriented Casebook*. Portland, OR: West Group, 2000, 460–496.
- Franck, Susan D. "International Decision: Occidental Exploration & Prod. Co. v. Rep. of Ecuador." *American Journal of International Law* 99 (2005):675–679.
- Franck, Susan D. "The Legitimacy Crisis in Investment Treaty Arbitration: Privatizing Public International Law through Inconsistent Decisions." *Fordham Law Review* 73 (2005):1521, 1576–81.
- Freeman, Alwyn V. *The International Responsibility of States for Denial of Justice*. New York: Kraus Reprint Co, 1970, 52–57.
- Gagnon, Alain-G. *Au Dela de la revolution tranquille*. Montréal: VLB, 1992.
- Gal-Or, Noemi. "Private Party Direct Access: A Comparison of the NAFTA and the EU Disciplines." *British Columbia International and Comparative Law Review* 21, no.1 (1998):5–8.
- Gantz, David A. "The evolution of FTA Investment Provisions: From NAFTA to the United States–Chile Free Trade Agreement." *American University International Law Review* 19 (2004):679, 724–7.
- Gantz, David A. "International decision: Pope & Talbot, Inc. v. Canada." *American Journal of International Law* 97 (2003):937, 949–50.

- Garrett, Geoffrey et al. "The European Court of Justice, National Governments, and Legal Integration in the European Union." *International Organization* 52 (1998):149–150.
- Garrett, Geoffrey, Kelemen, Daniel and Schulz, Heiner. "Legal Politics in the European Union." *International Organization* 52, no. 1 (Winter 1998):149–176.
- Genderson, Bruce R. "Settlements in Hatch-Waxman Act Patent Litigations: Resolving Conflicting Intellectual Property and Antitrust Concerns." *Sedona Conference Journal* 3 (Fall 2002):43, 46–47.
- Gendreau, Ysolde. "Copyright Harmonization in the European Union and in North America." *Columbia-VLA Journal of Law and Arts* 20 (1995):37.
- Glenn, H. Patrick. "Reconciling Legal Regimes: Legal Relations of States and Provinces in North America." *Arizona Journal of International and Comparative Law* 15 (1998):255.
- Glenn, H. Patrick. "Conciliation of Laws in the NAFTA Countries." *Louisiana Law Review* 60 (2000):1103, 1105, 1112.
- Glenn, H. Patrick. "North America as a Medieval Legal Construction." *Global Jurist Advances* 2, no.1 (2001):3–4.
- Glenn, H. Patrick. "Conflicting Laws in a Common Market? The NAFTA Experiment." *Chicago-Kent Law Review* 76 (2001):1789–1819.
- Glenn, H. Patrick. "Comparative Law and Legal Practice: On Removing the Borders." *Tulane Law Review* 75 (2001):977.
- Glenn, H. Patrick. "A North American Transformative Judgment?" *Canadian Bar Review* 81 (2002):469.
- Glenn, H. Patrick. "Harmony of Laws in the Americas." *University of Miami Inter-American Law Review* 34 (2003):223, 225–6, 229, 232, 237, 241, 243, 245–6.
- Glenn, H. Patrick. "The ALI/UNIDROIT Principles of Transnational Civil Procedure as Global Standards for Adjudication?" *Uniform Law Review* 19 (2004):829.
- Glenn, H. Patrick. *On Common Laws*. Oxford: Oxford University Press, 2005.
- Glenn, H. Patrick. "Transnational Common Laws." *Fordham International Law Journal* 29 (2006):457–471.
- Glenn, Patrick H. "Divided Justice? Judicial Structures in Federal and Confederal States." *South Carolina Law Review* 46 (1995):819.
- Goldfarb, Danille. *The Canada-Mexico Conundrum: Finding Common Ground*. Background, Border Papers, C.D. Howe Institute, 2005.
- Gordon, Michael Wallace. "Economic Integration in North America: An Agreement of Limited Dimensions but Unlimited Expectations." *Modern Law Review* 56 (1993):157.
- Godlieb, Allan. *The Washington Diaries 1981–1989*. Toronto: McClelland and Stewart, 2006.
- Grabbe, Heather. *The EU's Transformative Power. Europeanization through Conditionality in Central and Eastern Europe*. New York: Palgrave Macmillan, 2006.
- Gravelle, Jane G. "International Tax Competition: Does it Make a Difference for Tax Policy?" *National Tax Journal* 39 (1986):375.

- Hall, Peter. "Policy Paradigms, Social Learning and the State: The Case of Economic Policy-Making in Britain." *Comparative Politics* 25 (2003):275–296.
- Hanf, Dominik. "Legal Concept and Meaning in the Internal Market" In *The EU Internal Market in Comparative Perspective*, edited by Jacques Pelkmans et al. Brussels: Peter Lang, 2008.
- Hansen, Patricia Isela. "Judicialization and Globalization in the North American Free Trade Agreement." *Texas International Law Journal* 38 (2003):489, 493.
- Harrison, Kathryn. ed. *Racing to the Bottom? Provincial Interdependence in the Canadian Federation*. Vancouver: UBC Press, 2006.
- Hart, H.L.A. *The Concept of Law*. 2nd ed. Oxford: Clarendon Press, 1994.
- Hart, Michael. "Is There Scope for Enhancing the Mobility of Labour Between Canada and the United States?" Paper prepared for Industry Canada, March 2004. <http://www.ic.gc.ca/eic/site/eas-aes.nsf/eng/ra01934.html>.
- Hatzopoulos, V. "Legal Aspects of the Internal Market in Services" In *The EU Internal Market in Perspective*, edited by Jacques Pelkmans et al. Brussels: College of Europe/Peter Lang Series, 2008.
- Helliwell, John F. "Do National Borders Matter for Quebec's Trade." *Canadian Journal of Economics* 29, no. 3 (1996):507–522.
- Heritier, Adrienne. "The Accommodation of Diversity in European Policymaking and its Outcomes." *Journal of European Public Policy* 3 (1996):149–167.
- Heritier, Adrienne. *Policy-Making and Diversity in Europe: Escaping from Gridlock*. Cambridge: Cambridge University Press, 1999.
- Hoeflich, Michael H. *Roman and Civil Law and the Development of Anglo-American Jurisprudence in the Nineteenth Century*. Athens, GA: University of Georgia Press, 1997.
- Hogg, Peter W. *Canadian Constitutional Law*. Toronto: Carswell, 1992.
- Homant, Danielle. "Mexico: Constitutional and Political Implications of the 1995 Natural Gas Regulations." *Tulsa Journal of Comparative and International Law* 4 (1997):233–274.
- Hubauer, Gary Clyde and Schott, Jeffrey J. *NAFTA Revisited: Achievements and Challenges*. Washington, D.C: Institute for International Economics, 2005.
- Hufbauer, Gary Clyde. Institute for International Economics, Remarks at the annual policy conference of the Canadian Association for Business Economics, Washington, D.C, March 30, 2001.
- International Institute for the Unification of Private Law. *Principles of International Commercial Contracts*. Rome: Unidroit, 1996.
- Ireland, Michael J. and Gartner, Scott Sigmund. "Time to Fight: Government Type and Conflict Initiation in Parliamentary Systems." *Journal of Conflict Resolution* 45, no.5 (2001):547–568.
- Jackson, Craig L. "Social Policy Harmonization and Worker Rights in the European Union: A Model for North America?" *North Carolina Journal of International Law and Commercial Regulation* 21, no. 1 (1995):34.
- Jordan, Andrew, Wurzel, Rüdiger K. W. and Zito, Anthony. "The Rise of 'New' Policy Instruments in Comparative Perspective: Has Governance Eclipsed Government?" *Political Studies* 53, no. 3 (2005):477–496.

- Joy, Richard James. *Canada's Official Languages: The Progress of Bilingualism*. Toronto: University of Toronto Press, 1992.
- Joyner, Conrad. "A Liberal Dilemma: Presidential Power and the Separation of Powers." *Western Political Quarterly* 27, no. 4 (1974):593–596.
- Kar, Dev. *Mexico: Illicit Financial Flows, Macroeconomic Imbalances, and the Under-ground Economy*. Washington, DC: Global Financial Integrity, 2012.
- Karamanian, Susan L. "Beyond Courts: Harmonizing Practice and Principles in North America through Investor-State Arbitration." *Norte América* 2 (2007):161.
- Karamanian, Susan L. "Dispute Settlement under NAFTA Chapter 11: A Response to the Critics in the United States" In *The Sword and the Scales: The United States and International Courts and Tribunals*, edited by Cesare Romano. Cambridge: Cambridge University Press, 2009.
- Kelemen, Daniel R. "The Limits of Judicial Power: Trade-Environment Disputes in the GATT/WTO and the EU." *Comparative Political Studies* 34 (2001):622–650.
- Keohane, Robert O. and Nye, Joseph S. Jr. "Transgovernmental Relations and International Organizations." *World Politics* 27 (1974):39–62.
- Khumalo, Sandile. *International Response to the UNCITRAL Model on Cross-Border Insolvency*, International Insolvency Institute, 2004, www.iiiglobal.org.
- King, Jr., Henry, T. et al. "Dispute Settlement Under the North American Free Trade Agreement." reprinted in *International Law* 26 (1992):855.
- Klessner, Joseph L. "Electoral Competition and the New Party System in Mexico." *Latin American Politics and Society* 47, no. 2 (2005):103–142.
- Knox, John H. "The 2005 Activity of the NAFTA Tribunals." *American Journal of International Law* 100 (2006):429.
- Kocourek, A. "Sources of Law in the United States of North America and Their Relation to Each Other." *American Bar Association Journal* 18 (1932):676.
- Kohler, Thomas C. "Lessons from the Social Charter: State, Corporation, and the Meaning of Subsidiarity." *University of Toronto Law Review* 43, no. 3 (1993):613–615.
- Kohler-Koch, Beate. "The Strength of Weakness: The Transformation of Governance in the EU" In *The Future of the Nation State*, edited by Sverker Gustavsson and Leif Lewin. London/New York: Routledge, 1996.
- Korn, David E. et al. "A New History and Discussion of the 180-day Exclusivity." *Food and Drug Law Journal* 64 (2009):335.
- Korn, Jessica. *The Power of Separation: American Constitutionalism and the Myth of the Legislative Veto*. Princeton: Princeton University Press, 1996.
- Jr., Kossick and Robert, M. "Litigation in the United States and Mexico: A Comparative Overview." *University of Miami Inter-American Law Review* 31 (2000):24.
- Kox, Henk and Lejour, Arjan 2007. "Prospects of Integrating Service Markets" in EU presentation/paper at the CTR Conference Towards a Transatlantic Service Market February 2007 (based on analysis for the Dutch Bureau of Economic Policy Analysis).
- Kozolchyk, Boris. "The UNIDROIT Principles as a Model for the Unification of the Best Contractual Practices in the Americas." *American Journal of Comparative Law* 46 (1998):151.

- Landheer-Cieslak, Christelle. *La religion devant les juges français et québécois de droit civil*. Yvon Blais/Bruylant, forthcoming.
- Lagos, Enrique "The Coexistence of Legal Systems in the Americas from and OAS Perspective." Paper presented at the University of Ottawa, October 20, 2000.
- Leonard, Bruce E. "Developments and Trends in International Restructurings and Insolvencies." *Canadian International Lawyer* 3 (1993):140–145.
- Lehner, Moris. "EC Law and the Competence to Abolish Double Taxation" In *Tax Treaties and EC Law*, edited by Michael Lang, Josef Schuch, and Claus Staringer. Alphen aan den Rijn, The Netherlands: Kluwer Law International, 1997.
- Levi-Faur, D. "The Global Diffusion of Regulatory Capitalism." *The Annals of the American Academy of Political and Social Sciences* 598 (2005):12–32.
- Levy, Daniel C. and Bruhn, Kathleen. *Mexico: The Struggle for Democratic Development*. Berkeley: University of California Press, 2006.
- Lijphart, Arend. *Parliamentary versus Presidential Government*. Oxford: Oxford University Press, 1992.
- Lillich, Richard B. "The Current Status of the Law of State Responsibility for Injuries to Aliens" In *International Law of State Responsibility for Injuries to Aliens*, edited by Richard B. Lillich. Charlottesville: University Press of Virginia, 1983.
- Loukidelis, David. "Privacy and the USA Patriot Act: Implications for British Columbia Public Sector Outsourcing" Office of the Information and Privacy Commissioner (2004) http://www.oipcbc.org/sector_public/usa_patriot_act/patriot_act.htm, accessed July 2012
- Lowenfeld, Adreas F. "Binational Dispute Settlement under Chapter 19 of the Canada-United States Free Trade Agreement: An Interim Appraisal." *New York University Journal of International and Political* 24 (1991):269.
- Lucie, Patricia. "The Enduring Significance of the Civil War Constitutional Amendments" In *Legacy of Disunion: The Enduring Significance of the American Civil War*, edited by Susan-Mary Grant and Peter J. Parish. Baton Rouge: Louisiana State University Press, 2003.
- Luhmann, Niklas. *Law as a Social System*. Oxford: Oxford University Press, 2004.
- McCormick, Neil. *Questioning Sovereignty: Law, State and Nation in the European Commonwealth*. Oxford: Oxford University Press, 1999.
- Majone, Giandomenico. "From Positive to the Regulatory State: Causes and Consequences of Changes in the Mode of Governance." *Journal of Public Policy* 17, no. 2 (1997):139–167.
- Majone, Giandomenico. *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth*. Oxford: Oxford University Press, 2005.
- Malcolmson, Patrick and Myers, Richard. *The Canadian Regime*. Toronto: University of Toronto Press, 2005.
- McDaniel, Paul R. "Formulary Taxation in the North American Free Trade Zone." *Tax Law Review* 49 (1994):691, 715.
- McHugh, James T. *Comparative Constitutional Traditions*. New York: Peter Lang, 2003.

- McHugh, James T. "North American Federalism and its Legal Implications." *Nortéamerica* 3, no. 1 (2009):55.
- McKenzie, Kenneth J. "A Race to the Bottom in Provincial Business Taxation in Canada?" In *Racing to the Bottom? Provincial Interdependence in the Canadian Federation*, edited by Kathryn Harrison. Vancouver: UBC Press, 2006.
- Meadwell, Hudson. "Institutions and Political Rationality" In *New Institutionalism: Theory and Reality*, edited by André Lecours. Toronto: University of Toronto Press, 2005.
- Mertus, Julie and Breier-Sharlow, Elizabeth. "Power, Legal Transplants and Harmonization." *University of Detroit Mercy Law Review* 81 (2004):477.
- Meyer, Michael C., Sherman, William L. and Deeds., Susan M. *The Course of Mexican History*. New York: Oxford University Press, 2006.
- Miller, Robert Ryal. *Mexico: A History*. Norman: University of Oklahoma Press, 1989.
- Mistelis, Loukas A. "Regulatory Aspects: Globalization, Harmonization, Legal Transplants, and Law Reform—Some Fundamental Observations." *International Law* 34 (2000):1055, 1061–2.
- Moll, Frederic J. "The Legal & Technological Advantages of a North American Perimeter in the War Against Terrorism: How the Implementation of a Schengen-Type System Will Best Serve the Security Interests of the United States and Canada." *Syracuse Science and Technology Law Report* 2 (2004):204.
- Molle, Willem. *The Economics of European Integration: Theory, Practice, Policy 5th edition*. Burlington, VT: Ashgate Publishing Company, 2006.
- Moore, Sally F. "History and the Redefinition of Custom on Kilimanjaro" In *History and Power in the Study of Law: New Directions in Legal Anthropology*, edited by June Starr and Jane Collier. Ithaca, NY/London: Cornell University Press, 1989.
- Morris, Stephen D. "Reforming the Nation: Mexican Nationalism in Context." *Journal of Latin American Studies* 31, no.2 (1999):363–397.
- Mount, Graeme S. and Mahant., Edelgard E. "Review of Recent Literature on Canadian-Latin American Relations." *Journal of Interamerican Studies and World Affairs* 27, no.2 (1985):127–151.
- Moyers, Bill. *Talking Trade in Secret*, Wash. Post, February 23, 2002 at A19.
- Moyer, Homer E. "Chapter 19 of the NAFTA: Binational Panels as the Trade Courts of Last Resort." *International Law* 27 (1993):707.
- Nadelmann, Kurt H. "Ignored State Interests: The Federal Government and International Efforts to Unify Rules of Private Law." *University of Pennsylvania Law Review* 102 (1954):323–5,329–32.
- Nelson, Todd C. and Kozolchik, Boris. *Harmonization of the Secured Financing Laws of the NAFTA Partners: Focus on Mexico*. Tucson, AZ: National Law Center for Inter-American Trade, 1998.
- Nielsen, Anne et al. "The Cross Border Insolvency Concordat: Principles to Facilitate the Resolution of International Insolvencies." *American Banker Law Journal* 70 (1996):533.
- Niglia, Leone. "The Non-Europeanisation of Private Law." *European Review of Private Law* 4 (2001):575.

- Niglia, Leone. "Taking Comparative Law Seriously: Europe's Private Law and the Poverty of the Orthodoxy." *American Journal of Comparative Law* 54 (2006):401,417.
- Oliveros, Carolita L. and Jaglom, Andre R. "International Distribution Issues: Contract Materials." *Options for Developing a Foreign Market* SK068, ALI-ABA (2005):851.
- Olson, Eric L. and Wilson, Christopher E. Beyond Merida: The Evolving Approach to U.S.-Mexico Security Cooperation. *Working Paper Series on U.S.-Mexico Security Cooperation*, Woodrow Wilson International Center for Scholars, Mexico Institute (2010).
- Oquendo, Angel R. "NAFTA's Procedural Narrow Mindedness: The Panel Review of Antidumping and Countervailing Duty Determinations under Chapter 19." *Connecticut Journal of International Law* 11 (1995):61-62.
- Oquendo, Angel R. "The Comparative and the Critical Perspective in International Agreements." *UCLA Pacific Basin Law Journal* 15 (1997):239-40, 254.
- Pallemarts, Marc. *The Aarhus Convention at Ten: Interactions and Tensions Between Conventional International Law and EU Environmental Law*. Groningen, The Netherlands: Europa Law Publishing, 2009.
- Pan, Eric J. "Assessing the NAFTA Chapter 19 Binational Panel System: An Experiment in International Adjudication." *Harvard International Law Journal* 40 (1999):379.
- Panitch, Leo. "Rethinking the Role of the State" In *Globalization: Critical Reflections*, edited by James H. Mittelman. Boulder, CO: Lynne Rienner, 1996.
- Pastor, Robert A. "The Future of North America." *Foreign Affairs* 87, no. 4 (July/August 2008):84.
- Pastor, Robert A. "A North American Community." *Norteamerica* 1, no. 1 (January 2006):209.
- Pastor, Robert A. "North America's Second Decade." *Foreign Affairs* 83, no. 1 (2004):124-135.
- Pastor, Robert A., *The North American Idea: A Vision of a Continental Future*. New York: Oxford University Press, 2011.
- Pastor, Robert A. "NAFTA is Not Enough: Steps toward a North American Community" In *The Future of North American Integration*, edited by Peter Haskin and Robert E. Litan. Washington, D.C: Brookings Institution Press, 2002.
- Pastor, Robert. *Toward a North American Community: Lessons from the Old World for the New*. Washington D.C: Institute of International Economics, 2001.
- Pastor, Manuel Jr. and Wise, Carol "The Lost Sexenio: Vicente Fox and the New Politics of Economic Reform in Mexico." *Latin American Politics and Society* 47, no.4 (2005):135-160.
- Paulsson, Jan. *Denial of Justice in International Law*. Cambridge: Cambridge University Press, 2005.
- Pelkmans, Jacques. "Economic Concept and Meaning of the International Market" In *The EU Internal Market in Comparative Perspective*, edited by Jacques Pelkmans et al. Brussels: Peter Lang Publishers, 2008.

- Pelkmans, Jacques. "European Industrial Policy" In *International Handbook on Industrial Policy*, edited by Sandrine Labory and Patrizio Bianchi. Northampton: Edward Elgar Publishing, 2006.
- Pelkmans, Jacques. "Mutual Recognition in Goods and Services: An Economic Perspective College of Europe." *BEPP Series Briefing* no.2 (December 2002).
- Peters, B Guy. "Forms of informality: Identifying Informal Governance in the European Union." *Perspectives on European Politics and Society* 7, no.1 (2006):25–40.
- Pious, Richard M. and Pyle, Christopher H. *The President, Congress, and the Constitution: Power and Legitimacy in American Politics*. Mankato, MN: The Free Press, 1984.
- Pottow, John. "Procedural Incrementalism: A Model for International Bankruptcy." *Virginia Journal of International Law* 45, no. 4 (2005):937.
- Pressman, Jeffery and Wildavsky, Aaron. *Implementation: How Great Expectations in Washington are dashed in Oakland; or, Why It's Amazing that Federal Programs Work at All*. Berkeley: University of California Press, 1984.
- Qureshi, Asif H. "Trade Related Aspects of International Taxation: A New WTO Code of Conduct?" *Journal of World Trade* 161 (1996):30.
- Radaelli, Claudio M. "The Diffusion of Regulatory Impact Analysis in OECD Countries: Best Practices or Lesson-Drawing?" *European Journal of Political Research* 43, no. 5 (2004):725–749.
- Radaelli, Claudio. "Getting to Grips with Quality in the Diffusion of Regulatory Impact Assessment in Europe." *Public Money and Management* 24, no. 5 (2004):271–276.
- Radaelli, Claudio. "The Code of Conduct Against Harmful Tax Competition: Open Method of Coordination in Disguise?" *Public Administration* 81, no. 3 (2003):513–531.
- Radaelli, Claudio. "The Politics of Regulatory Impact Analysis in the OECD Countries: Best Practice and Lesson-Drawing." Paper presented at workshop on Regulatory Impact Analysis in Comparative Perspective, CARR, LSE, London, March 11, 2002, <https://www.wbginvestmentclimate.org/uploads/16.RIARadaelli.pdf>, accessed July 2012.
- Radelli, Claudio M. "Governing European Regulation the challenges ahead." *RSC Policy Paper* no. 98/3. Florence: European University Institute, 1998.
- Radaelli, Claudio and De Francesco, Fabrizio. *Regulatory Quality in Europe: Concepts, Measures and Policy Processes*. Manchester: Manchester University Press, 2006.
- Raz, Joseph. *The Authority of Law: Essays on Law and Morality*. Oxford: Clarendon Press, 1979.
- Reimann, Mathias, editor. *The Reception of Continental Ideas in the Common Law World*. Berlin: Duncker and Humblot, 1993.
- Renda, Andrea. *EU Impact Assessment: Does the Commission Have the Numbers?* Brussels: CEPS Policy Brief, 2005.
- Renteln, Allison D. *The Cultural Defense*. New York: Oxford University Press, 2005.

- Riesenfeld, Stefan. "The Influence of German Legal Theory on American Law: The Heritage of Savigny and His Disciples." *American Journal of Comparative Law* 37 (1989):1.
- Ring, Diane M. "Commentary: Prospects for a Multilateral Tax Treaty." *Brooklyn Journal of International Law* 26 (2001):1699.
- Robert, Maryse. *Negotiating NAFTA: Explaining the Outcome in Culture, Textiles, Autos and Pharmaceuticals*. Toronto: University of Toronto Press, 2000.
- Root, Elihu. *President's Address*, ASIL Pro. 21 (Apr. 28–30, 1910).
- Rosenthal, Donald B. and Hoefler, James M. "Competing Approaches to the Study of American Federalism and Intergovernmental Relations." *Publius* 19, no. 1 (1989):1–23.
- Rourke, Francis E. "Bureaucracy in the American Political Order." *Political Science Quarterly* 102, no. 2 (1987):217–232.
- Rowat, D.C. "Recent Developments in Canadian Federalism." *Canadian Journal of Economics and Political Science* 18, no. 1 (1952):1.
- Rubio, Luis. *Mas Alla del Tratado*, La Jornada (Mexico City), Sept. 26, 1992.
- Sartori, Giovanni. "Neither Presidentialism nor Parliamentarism" In *The Failure of Presidential Democracy*, edited by Juan J. Linz and Arturo Valenzuela. Baltimore: Johns Hopkins University Press, 1994.
- Schaefer, Guenther. "Institutional Choices: The Rise and Fall of Subsidiarity." *Futures* 23 (1991):681–687.
- Scharpf, Fritz. "The European Social Model: Coping with the Challenges of Diversity." *Journal of Common Market Studies* 40, no. 4 (2002):645–670.
- Scharpf, Fritz. *Governing Europe*. Oxford: Oxford University Press, 1999.
- Scharpf, Fritz W. "The Joint-Decision Trap. Lessons from German Federalism and European Integration." *Public Administration* 66 (1988):239–287.
- Schepel, Harm. *The Constitution of Private Governance*. Oxford: Hart Publishing, 2005.
- Schmidt, Ronald H. and Gruben, William C. October "Ejido Reform and the NAFTA." *Federal Reserve Bank of San Francisco Economic Letter*, 1992.
- Schmidt, Susanne K. "Mutual Recognition as a New Mode of Governance." *Journal of European Public Policy* 14, no. 5 (2007):667–681.
- Sciarra, Silvana. "The Convergence of European Labour and Social Rights: Opening to the Open Method of Coordination" In *Law and Governance in an Enlarged European Union*, edited by Bermann and Pistor. Oxford: Hart Publishing, 2004.
- Scott, James Brown. "The Gradual and Progressive Codification of International Law." *American Journal of International Law* 21 (1927):417.
- Slaughter, Anne-Marie. *A New World Order*. Princeton and Oxford: Oxford University Press, 2004.
- Slaughter, Ann Marie. "Disaggregated Sovereignty: Toward the Public Accountability of Global Government Networks." *Government and Opposition* 39, no. 2 (Spring 2004):159–190.
- Slemrod, Joel. "Tax Cacophony and the Benefits of Free Trade" In *Fair Trade and Harmonization: Prerequisites for Free Trade?* edited by Jagdish N. Bhagwati and Robert E. Hudec. vol. 2 Legal Analysis, Cambridge, MA: MIT Press, 1996.

- Smiley, Donald V. and Watts, Ronald L. *Intrastate Federalism in Canada*. Toronto: University of Toronto Press, 1985.
- Smith, James F. "Confronting Differences in the United States and Mexican Legal Systems in the Era of NAFTA." *United States-Mexico Law Journal* 1 (1993):94–97.
- Snell, J. *Goods and Services in EC Law: A Study of the Relationship between the Freedoms*. Oxford: Oxford University Press, 2002.
- Sohn, Louis B. and Baxter, R.R. "Convention on the International Responsibility of States for Injuries to Aliens" In *Recent Codification of the Law of State Responsibility for Injuries to Aliens*, edited by F.V. Garcia-Amador, Louis B. Sohn & R.R. Baxter. Alphen aan den Rijn, The Netherlands: Kluwer Law International, 1974.
- Sornarajah, M. *The Settlement of Foreign Investment Disputes*. Alphen aan den Rijn, The Netherlands: Kluwer Law International, 2000.
- Sparaco, Pierre. "Belgium to Swissair: See You in Court." *Aviation Week and Space Technology* 155, no. 2 (2001):44.
- Spitz, Laura. "At the Intersection of North American Free Trade and Same Sex Marriage." *UCLA Journal of International Law and Foreign Affairs* 9 (2004):186, 188.
- Spitz, Laura. "The Gift of Enron: An Opportunity to Talk About Capitalism, Equality, Globalization, and the Promise of a North American Charter of Fundamental Rights." *Ohio State Law Journal* 66 (2005):315, 328, 338, 359,370, 372–3, 396.
- Stein, Peter. "The attraction of the civil law in post-revolutionary America." *Virginia Law Review* 52 (1996):403.
- Stephanson, Anders. *Manifest Destiny: American Expansionism and the Empire of Right*. New York: Hill and Wang, 1995.
- Sun, Jeanne-Mey and Pelkmans, Jacques "Regulatory Competition in the Single Market." *Journal of Competitive Market Studies* 67 (1995):33.
- Sweeney, James A. "Margins of Appreciation: Cultural Relativity and the European Court of Human Rights in the Post-Cold War Era." *International and comparative law quarterly* 54 (2005):459–474.
- Symeonides, S. "The American Choice-of-Law Revolution in the Courts: Today and Tomorrow." *Recueil des Cours* 298 (2002):1.
- Tallberg, Jonas. "Paths to Compliance: Enforcement, Management, and the European Union." *International Organization* 56, no. 3 (2002):609–643.
- Teubner, Gunther. *Law as an Autopoietic System*. Oxford/Cambridge, MA: Blackwell, 1993.
- Thuronyi, Victor. "International Tax Cooperation and a Multilateral Treaty." *Brooklyn Journal of International Law* 26 (2001):1641.
- Traynor, Michael. "Conflict of Laws, Comparative Law, and the American Law Institute." *American Journal of Comparative Law* 49 (2001):402.
- Trebilcock, Michael and Leng, Jing. "The Role of Formal Contract Law and Enforcement in Economic Development." *Virginia Law Review* 92 (2006):1517.
- Trieb, Oliver. *Implementation: Living Reviews of European Governance*. Vienna: Institute for Advanced Studies, Department of Political Science, 2006.
- Trubek, David M. et al. "Global Restructuring and the Law: Studies of the Internationalization of Legal Fields and the Creation of Transnational Arenas." *Case Western Reserve Law Review* 44 (1994):407, 410.

- UEAPME's. Position Paper on Free Movement of Goods in the Non-Harmonised Area –Mutual recognition Elements for a legislative approach. Brussels, http://www.ueapme.com/docs/pos_papers/2006/060717_pp_free_movement_goods.pdf.
- UNICE. Paper on Regulatory Reform, Brussels 1995.
- Villarreal, Angeles M. and Lake, Jennifer E. Security and Prosperity Partnership of North America: An Overview and Selected Issues. *CRS Report for Congress*, Congressional Research Service (2010).
- Van de Kerchove, Michel and Ost, François *Le système juridique entre ordre et désordre..* Paris: Presses Universitaires de France, 1988.
- Van Gerven, Walter. "A Common Law for Europe: The Future Meeting the Past." *European Review of Private Law* 4 (2001):485,491.
- Van Harten, Gus. *Investment Treaty Arbitration and Public Law*. Oxford, NY: Oxford University Press, 2008, 87.
- Vargas, A. "An introductory Lesson to Mexican Law: From Constitutions and Codes to Legal Culture and NAFTA." *San Diego Law Review* 41 (2004):1337, 1366–7, 1370–1.
- Vargas, J. A. "Enforcement of Judgments in Mexico: The 1988 Rules of the Federal Code of Civil Procedure." *Northwestern Journal of International Law and Business* 14 (1994):376.
- Voet, Martin A. *The Generic Challenge*. Boca Raton, FL: Brown Walker Press, 2005.
- Von Wobeser, Claus. "Enforcement of Arbitration Agreements in Latin America: Mexico" In *Enforcement of Arbitration Agreements in Latin America*, edited by B. M. Cremades. Alphen aan den Rijn: Kluwer Law International, 1999.
- Waldron, Jeremy. "Is the Rule of Law an Essentially Contested Concept (in Florida?)" *Law and Philosophy* 21 (2002):137–164.
- Walker, Andrew J. "Conflict of Laws Analysis for the Era of Free Trade." *American University International Law Review* 20 (2005):1147–8, 1152–3.
- Weiler, J. H. H. "The Transformation of Europe." *Yale Law Journal* 100 (1991):2403.
- Weiler, J. H. H. "A Quiet Revolution: The European Court of Justice and Its Interlocutors," *Comparative Political Studies*, 26(4) (1994), 510–534.
- Westbrook, Jay Lawrence. "Creating International Insolvency Law." *American Bankruptcy Law Journal* 563 (1996):1996.
- Westbrook, Jay Lawrence. "A Global Solution to Multinational Default." *Michigan Law Review* 98 (2000):2276.
- Westbrook, Jay L. "Multinational Enterprises in General Default: Chapter 15, The ALI Principles, and The EU Insolvency Regulation." *American Bankruptcy Law Journal* 76 (2002):1, 5.
- Whittington, Keith E. *Political Foundations of Judicial Supremacy: The Presidency, the Supreme Court, and Constitutional Leadership in U.S. History*. Princeton, NJ: Princeton University Press, 2007.
- Wilson, John. "Mexico: New Secured Transactions and Commercial Registry Laws." *Inter-American Trade Report* 7 (2000):1815.
- Wilson, John D. and Wildasin, David "Capital tax competition: Bane or boon." *Journal of Public Economics* 88 (2003):1063, 1078.

- Wind, Marlene. "The European Union as a Polycentric Polity: Returning to a Neo-Medieval Europe" In *European Constitutionalism Beyond the State*, edited by J. Weiler and Marlene Wind. Cambridge: Cambridge University Press, 2003.
- Wood, B. Dan. "Federalism and Policy Responsiveness: The Clean Air Case." *Journal of Politics* 53, no. 3 (1991):851–859.
- Woolcock, Stephen. *The Single European Market: Centralization or Competition Among National Rules?*. Royal Institute of International Affairs, 1994.
- Zamora, Stephen. "Allocating Legislative Competence in the Americas: The Early Experience under NAFTA and the Challenge of Hemispheric Integration." *Houston Journal of International Law* 19 (1997):620–621.
- Zamora, Stephen. "The Americanization of Mexican Law: Non-Trade Issues in the North American Free Trade Agreement." *Law and Policy in International Business* 24 (1993):409–11, 416, 446.
- Zamora, Stephen. "NAFTA and the Harmonization of Domestic Legal Systems: The Side Effects of Free Trade." *Arizona Journal of International and Comparative Law* 12 (1995):401, 404, 406–7.
- Zamora, Stephen et al. *Mexican Law*. New York: Oxford University Press, 2004.
- Zimmerman, Joseph F. *Contemporary American Federalism: The Growth of National Power*. New York: Praeger, 1992.
- Zito, Anthony et al. "New Instruments of Environmental Governance: Patterns and Pathways of Change." *Environmental Politics* 12, no. 1 (2003):3–24.

Primary Sources and Uncredited Monographs

- C, European Parliament and Council Directive 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, [1995] O.J.L. 281/31.
- General Agreement on Tariffs and Trade, Apr. 10, 1947, vol. 55 United Nations Tax Service at 188.
- International Trade Canada, Dispute Settlement NAFTA- Chapter 11—Investment, "NAFTA Chapter 11 Arbitration between Pope & Talbot, Inc. and Canada" (June 26, 2000).
- Copenhagen Economics. Denmark Final Report, 2005. *Economic Impact of the Proposal for a Directive on Service in the International market* http://ec.europa.eu/internal_market/services/docs/services-dir/studies/2005-01-cph-study_en.pdf (accessed September 2, 2005).
- Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, December 13, 2007 *Official Journal of the European Union*, C 306/12 (December 12, 2007).
- American Bar Association: Section of International Law, Section Recommendation and Report: Dispute Settlement under a North American Free Trade Agreement, *International Law* 26, 855(1992).
- National Law Center for Inter-American Free Trade, *Transshipment and other threats to the enforcement of Intellectual Property Rights in Canada and Mexico* (2004) The

- entire review of this study is taken from the NLCIFT's website at <http://db.natlaw.com/pubs/purchase/intellproi.htm> (accessed July 2012).
- Federal Judicial Center, *International Insolvency*, 2001.
- International Bar Association, *Cross-Border Insolvency Concordat*, downloaded from the International Insolvency Institute www.iiglobal.org June 5, 2006.
- United States Department of State, *European Union Profile*, Fact Sheet: Bureau of European and Eurasian Affairs, Washington, D.C., May 25, 2006 <http://2001-2009.state.gov/p/eur/rls/fs/104648.htm> (accessed July 2012).
- Trade Act of 2002, Pub. L. No. 107-210, 2102, 116 Stat. 933, 994 (2002).
- Uruguay Treaty Concerning the Encouragement and Reciprocal Protection of Investments, 44 I.L.M. 268.
- NAFTA Free Trade Commission, Notes of Interpretation of Certain Chapter 11 Provisions (July 31, 2001), <http://www.international.gc.ca/trade-agreements-accords-commerciaux/disp-diff/nafta-interpr.aspx?lang=en&view=d> [Interpretation], accessed July 2012.
- Treaty Between The Government of the United States of America and the Government of [Country] Concerning the Encouragement and Reciprocal Protection of Investment, www.state.gov/documents/organization/38710.pdf [hereinafter U.S. Model BIT]; U.S.-Chile Free Trade Agreement, June 6, 2003 <http://www.U.S.tr.gov/trade-agreements/free-trade-agreements/chile-fta/final-text> [hereinafter U.S.-Chile FTA].
- Uruguay Treaty Concerning the Encouragement and Reciprocal Protection of Investments, 44 I.L.M. 268.
- North American Free Trade Agreement, December 17, 1992, Can-Mex.-U.S., art. 102(2), 32 I.L.M. 289, 544 U.S. 431 (2005).
- North American Free Trade Agreement, December 17, 1992, Can.-Mex.-U.S., Chapter 11, 32 I.L.M. 289, 635 [hereinafter NAFTA Chapter 11].
- Council Directive 98/5 EC, 1998 O.J. (L 77) 36.
- Council on Foreign Relations, "Building a North American Community: Report of an Independent Task Force" (New York: 2005) at 22, <http://www.cfr.org/publication/8102>.
- Convention on the Recognition and Enforcement of Foreign Arbitral Awards 21 U.S.T. 2517, T.I.A.S. No. 6997, 330 U.N.T.S. 3.
- OECD Regulatory Reform: Overview, Paris: OECD 1996.
- Manderldkern Group Report Final Report, Brussels, November 13, 2001.
- European Commission (2002b). Report from the Commission to the Council and European Parliament on the state of the internal market for services COM 2001 444 final Brussels July 30, 2002.
- European Commission Mutual Recognition in the Context of the Follow-up to the Action Plan for the Single Market. Communication from the Commission to the Council and the European Parliament. COM (99) 299 final, June 16, 1999.
- European Commission Communication "A framework for target-based tripartite contracts and agreements between the Community, the States and regional and local authorities" COM (2002) 709 final.

- European Commission (2002a) Communication: Simplifying and improving the regulatory environment, 278 Final, June 5, 2002.
- North American Free Trade Agreement (NAFTA), December 8, 1993, 107 Stat. 2057, 32 I.L.M. 289.
- Dictamen de las Comisiones unidas de Justicia, Salud y Seguridad Social y Estudios Legislativos Segunda, de Senado de la República, Gaceta del Senado, April 27, 2006. http://www.senado.gob.mx/sgsp/gaceta/59/3/2006-04-271/assets/documentos/salud_penal_procedpen.pdf (accessed March 2012).
- “Aprueba Senado ley que permite portación mínima de drogas” *El Universal*, April 28, 2006 <http://www.senado.gob.mx/index.php?ver=sp&mn=4&sm=2&cf=2006/4/27>, last accessed June 2012.
- La Presidencia de la República reconoce el trabajo que el Congreso de la Unión realice en torno a las reformas a la Ley General de Salud y a los Códigos Penal Federal y Federal de Procedimientos Penales) <http://fox.presidencia.gob.mx/actividades/comunicados/?contenido=24768>
- “Under U.S. Pressure, Mexico President Seeks Review of Drug Law” *New York Times*, May 4, 2006.
- Diario Oficial de la Federación* June 18, 2008, June 6, 2011 and June 10, 2011.
- United States Government Accountability Office. Mérida Initiative. “The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures”, Report to Congressional Requesters, July, 2010. <http://www.gao.gov/new.items/d10837.pdf>.
- Savage, Charlie. “Documents Reveal Reactions to Disputed A.T.F. Investigations in Arizona” *The New York Times*, October 31, 2011; “Gun Walking the Mexican Border” *The New York Times*, November 6, 2011.
- Radilla-Pacheco v. Mexico*, Series C., no. 205, Judgment of November 23, 2009.
- Consulta a trámite, expediente Varios 912/2010, Suprema Corte de Justicia de la Nación.
- Resolution of expediente varios 912/2010, <http://www2.scjn.gob.mx/red2/expedientes/>
- Sessions of March 12 and 13, 2012—from there it is necessary to provide the type and number of the case: Varios 912/2010 (last accessed June 2012).
- http://www.scjn.gob.mx/pleno/paginas/ver_taquigraficas.aspx (accessed March 2012)
- The justices were debating the case: Contradicción de tesis 293/2011 (Pleno, S.C.J.N.).
- Amparo directo 8/2011 (Primera Sala, S.C.J.N., June 29, 2011), Amparo en revisión 195/2010 (Tercer Tribunal Colegiado en materia civil del primer circuito).
- Amparo en revisión 2160/2009 (Primera Sala, S.C.J.N., September 8, 2010), Amparo en revisión 131/2009 (Primera Sala, S.C.J.N., May 27, 2009).
- Amparo en revisión 560/2007 (Primera Sala, S.C.J.N. October 31, 2007) Contradicción de tesis 40/2007 (Primera Sala, June 13, 2007).
- Arbitration in Mexico: <http://www.gdca.com.mx>.
- Mexican Supreme Court, Sessions of March 12 and 13, 2012. http://www.scjn.gob.mx/pleno/paginas/ver_taquigraficas.aspx.
- Controversia Constitucional 21/2006 (Pleno, S.C.J.N, March 24, 2008).

Controversia Constitucional 54/2009 (Pleno, S.C.J.N, May 27, 2010).

Controversia Constitucional 72/2008 (Pleno, S.C.J.N. May 12, 2011).

Controversia Constitucional 21/2006 (Pleno, S.C.J.N, March 24, 2008).

Controversia Constitucional 54/2009 (Pleno, S.C.J.N, May 27, 2010).

Controversia Constitucional 72/2008 (Pleno, S.C.J.N. May 12, 2011).

Comisión Nacional para la Protección y Defensa de los Usuarios de Servicios
Financieros http://e-portalif.condusef.gob.mx/reca/_index.php.

Procuraduría Federal del Consumidor <http://burocomercial.profeco.gob.mx/BC/faces/inicio.jsp>, accessed July 2012.

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