

CALS SEMINAR SERIES: ASIA & INTERNATIONAL LAW

11 December 2014, Thursday ✦ 12.00pm – 2.00pm ✦

Lunch will be provided

Federal Bartholomew Conference Room, NUS (BTC)

The Missionary and the Merchant: How the US and China Use International Economic Law

by Asst Prof Timothy Webster
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ABSTRACT

Mainstream legal scholars view international economic law from predominantly legal or economic lenses; a treaty effectuates its purposes to the extent it guarantees legal protections or enhances economic activity.

This paper challenges that view by comparing the Bilateral Investment Treaties (BITs), and Free Trade Agreements (FTAs), of the US and China. Each country pursues a wide variety of additional interests through signing and ratifying treaties. For the US, these treaties promote foreign policy objectives such as the spread of democracy, human rights and private property; promotion of US corporate interests; and domestic legal reform of the partner country. For China, these treaties have accelerated China's integration with the rest of the world; advanced its status and political recognition within the international community; and permitted China to retain regulatory authority amidst challenges to its economic sovereignty.

This paper concludes with observations about the ongoing US-China BIT negotiations.

ABOUT THE SPEAKER



Tim Webster is an assistant professor of law at Case Western Reserve University. He writes about the intersections of international law and the domestic legal orders of East Asia. He has testified before Congress, written for the popular media, and published in leading academic journals, most recently the *American Journal of Comparative Law*, *Columbia Journal of Transnational Law* and *Michigan Journal of International Law*. Webster is a Term Member of the Council on Foreign Relations, and a Public Intellectuals Fellow with the National Committee on U.S.-China Relations. He has won grants from the Asia Foundation and Taiwan's Ministry of Foreign Affairs.

Webster was previously a lecturer at Yale Law School, and senior fellow at its China Law Center. He clerked for a federal judge in Boston, and practiced international dispute resolution in Tokyo and New York.

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Lunch is provided and admission is Free

Closing date of registration: 9 December 2014