

Globalism, Trade and Virginia

by Stuart S. Malawer, special editor

GLOBALISM AND GLOBALIZATION DEFINE THIS DECADE. They determine economic and political relationships among countries and affect state and national policies. This issue of *Virginia Lawyer* explores three areas of importance to international practice today—global trade and the environment, national security and individual rights, and trade and investment activities of the Commonwealth of Virginia.

My article examines two significant aspects of global trade today—the role of World Trade Organization litigation and United States-China trade relations. In another article, Catherine P. MacKenzie of Oxford University assesses recent developments in international environmental law and, in particular, the regulation of toxic substances and hazardous waste.

Robert H. Wagstaff, also of Oxford, discusses surveillance and individual rights under U.S. and British law. He examines habeas corpus in this comparative context. He assesses U.S. and British developments post-9/11, after a decade of historical judicial and government action, and with new governments and administrations in both Great Britain and the United States.

James S. Cheng, Virginia secretary of commerce and trade, describes Governor Robert F. McDonnell's international initiatives as central to promoting Virginia's economic development. Paul H. Grossman Jr., director of international trade for the Virginia Economic Development Partnership, advises lawyers in this process.

While some economists opposed state incentives, the federal courts upheld them. The old debate between those for and against state incentives was often held in the context of economic war among the states and "beggar-thy-neighbor" policies. But in the twenty-first century it is not competition between North Carolina and Virginia that is critical. It is global competition between Virginia and aggressive foreign governments. Virginia has opted for proactive policies to promote global trade and investment to ensure economic welfare of its citizens. These state policies are critical in this global era of hyper competitiveness. More trade means more jobs.

The International Practice Section hopes these articles will serve as an introduction to these critical issues.

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