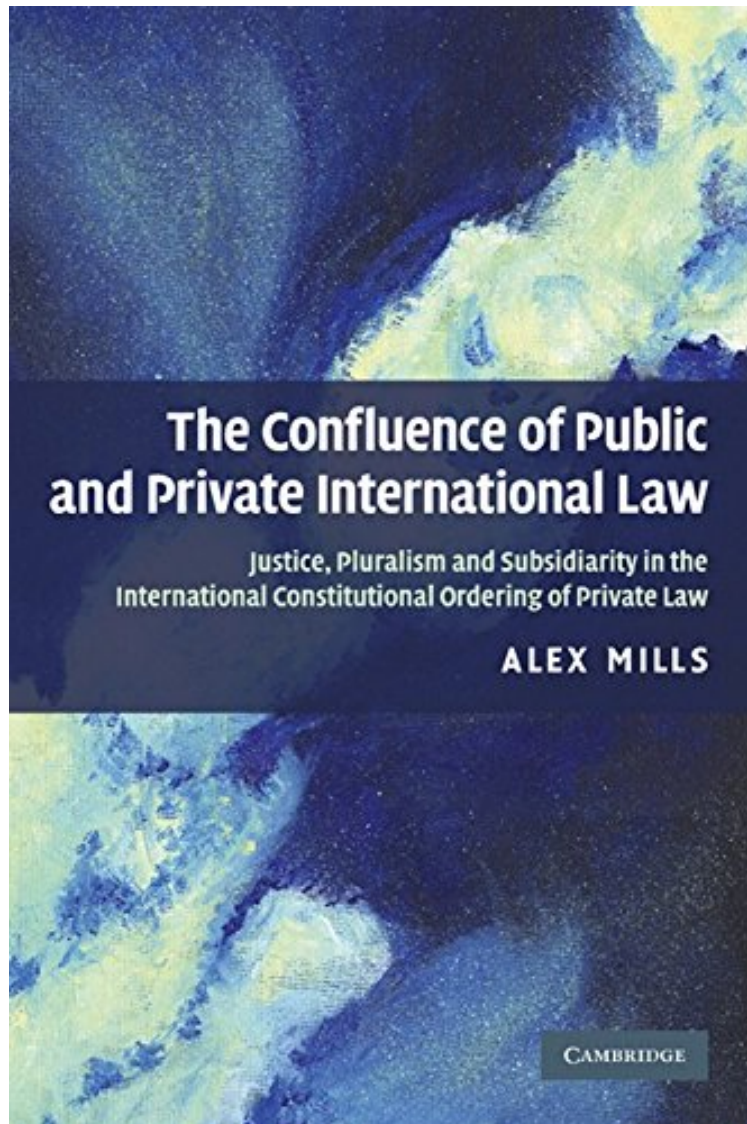


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# The Confluence of Public and Private International Law: Justice, Pluralism and Subsidiarity in the International Constitutional Ordering of Private Law

*Dr Alex Mills*

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**Dr Alex Mills : The Confluence of Public and Private International Law: Justice, Pluralism and Subsidiarity in the International Constitutional Ordering of Private Law** before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Confluence of Public and Private International Law: Justice, Pluralism

and Subsidiarity in the International Constitutional Ordering of Private Law:

A sharp distinction is usually drawn between public international law, concerned with the rights and obligations of states with respect to other states and individuals, and private international law, concerned with issues of jurisdiction, applicable law and the recognition and enforcement of foreign judgments in international private law disputes before national courts. Through the adoption of an international systemic perspective, Dr Alex Mills challenges this distinction by exploring the ways in which norms of public international law shape and are given effect through private international law. Based on an analysis of the history of private international law, its role in US, EU, Australian and Canadian federal constitutional law, and its relationship with international constitutional law, he rejects its conventional characterisation as purely national law. He argues instead that private international law effects an international ordering of regulatory authority in private law, structured by international principles of justice, pluralism and subsidiarity.

'...extremely well written, well argued and well researched. ... it employs an approach to private international law which can be summed up as 'back to basics,' stripping away the layers of case law and jurisprudence to re-evaluate what private international law is for. ... there is every likelihood that Mills will be one of those very rare creatures: a genuine scholar of both public and private international law ...' - Lloyd's Maritime and Commercial Law Quarterly

'This is a highly interesting and persuasive work, exploring themes and ideas that have either never gained the mainstream approval of private international (or public international) scholars, or that simply have never been examined in such detail before ... highly recommended.' conflictolaws.net

'Alex Mills is one of a new generation of scholars who take seriously the global legal pluralism they see around them rather than futilely seeking its elimination. In his detailed and useful book, *The Confluence of Public and Private International Law*, Mills convincingly argues that so-called 'public' and 'private' international law are two sides of the same coin and always have been. ... There is much to like in this book. Mills is thorough in his survey of legal doctrine from the United Kingdom, the United States, Canada, Australia and the European Union. He does a nice job with the history of private international law and its derivation from law of nations concepts. And he successfully analyses the relationship between private international law doctrines and the fragmented authority intrinsic to federalist systems. Indeed, he even goes so far as to argue that the constitutional ordering in a federalist system holds useful lessons in designing a quasi-constitutionalist structure for analysing transnational conflicts questions. Although such links between federalism and global legal pluralism have been explored by others, Mills makes a worthwhile contribution to this burgeoning literature. ... I expect that all such future work will benefit from his insights.' Transnational Legal Theory

About the Author Alex Mills is the Slaughter and May Lecturer in Law at Selwyn College, University of Cambridge.