CONTENTS

List of contrib	utors	ix	·
Introduction	1		
TSVI KAHANA	AND	ANAT	SCOLNICO

Our rights, but whose duties? Re-conceptualizing rights in the era of globalization

JEAN THOMAS

- On suffering and societal constitutionalism: at the border of international investment arbitration and human rights DAVID SCHNEIDERMAN
- Beware: boundary crossings 43 JOSÉ E. ALVAREZ
- Dialogue and constitutional duty 4 94 MARK TUSHNET
- Positive obligations, positive rights, and constitutional amendment 109 VICKI C. JACKSON
- 6 Privatizing public rights: common law and state action in the **United States** 129

HELEN HERSHKOFF

Abdications of sovereignty in state action and horizontal effect jurisprudence 149

JOHAN VAN DER WALT

Hybrid state accountability and hybrid rights: positive rights, exclusion, and state action in Canada 173 TSVI KAHANA

vii

- 9 Human rights and derivative rights: the European Convention on Human Rights and the rights of corporations 194

 ANAT SCOLNICOV
- Judicial review and Human Rights Act review in contracted-out public services: options for litigation in English law 215
 A.C.L. DAVIES
- 11 Privatization and human rights in the United Kingdom 233
 STEPHANIE PALMER
- 12 Principles of public fiduciary administration 251
 PAUL B. MILLER
- Human rights indicators and boundaries of accountability and opportunity 271

MEGAN DERSNAH AND RON LEVI

Bibliography 290 Index 324