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"Directors as Trustees of the Nation? India's Corporate Governance and Corporate Social Responsibility Reform Efforts"

Seattle University Law Review, Vol. 34, No. 4, 2011
UC Davis Legal Studies Research Paper No. 261

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Corporate law in India has been fundamentally transformed since the early 1990s. In conjunction with significant economic liberalization, the Indian government has introduced a series of corporate law reforms aimed, in part, at creating a system of transparent, ethical, and accountable corporate functioning. Early reforms sought to implement rules and practices that addressed traditional corporate governance concerns, in other words the relationship between firm managers and shareholders and the relationship among different groups of shareholders, particularly majority and minority shareholders. More recently, not only has the Indian government implemented laws to address corporate governance matters, but it has also started addressing the corporate social responsibility (CSR) area.

This Article argues that the Indian government's corporate governance and CSR efforts, while laudable in some respects, are problematic in their approach to the governance of Indian companies and reflect a view of the ownership and governance of Indian companies that does not necessarily address the fundamental governance issues that arise in Indian firms. India's proposed corporate law reforms suggest imposition of detailed corporate governance rules without necessarily assisting directors in addressing the majority-minority agency problems of controlled companies. Moreover, India's proposed CSR guidelines may further hamper independent directors and exacerbate some of the problems that this Article discusses with respect to majority-minority agency costs.

"Immigration Law and the U.S.-Mexico Border"

University of Arizona Press, Forthcoming
UC Davis Legal Studies Research Paper No. 260

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Americans from radically different political persuasions agree on the need to “fix” the “broken” US immigration laws to address serious deficiencies and improve border enforcement. In *Immigration Law and the US-Mexico Border*, Kevin Johnson and Bernard Trujillo focus on what for many is at the core of the entire immigration debate in modern America: immigration from Mexico.

In clear, reasonable prose, Johnson and Trujillo explore the long history of discrimination against US citizens of Mexican ancestry in the United States and the current movement against “illegal aliens” - persons depicted as not deserving fair treatment by US law. The authors argue that the United States has a special relationship with Mexico by virtue of sharing a 2,000-mile border and a “land-grab of epic proportions” when the United States “acquired” nearly two-thirds of Mexican territory between 1836 and 1853.

The authors explain US immigration law and policy in its many aspects - including the migration of labor, the place of state and local regulation over immigration, and the contributions of Mexican immigrants to the US economy. Their objective is to help thinking citizens on both sides of the border to sort through an issue with a long, emotional history that will undoubtedly continue to inflame politics until cooler, and better-informed, heads can prevail. The authors conclude by outlining possibilities for the future, sketching a possible movement to promote social justice. Great for use by students of immigration law, border studies, and Latino studies, this book will also be of interest to anyone wondering about the general state of immigration law as it pertains to our most troublesome border.

"Deconstructing CEDAW's Article 14: Naming and Explaining Rural Difference"

William & Mary Journal of Women and the Law, Vol. 17, p. 347, 2011
UC Davis Legal Studies Research Paper No. 248

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The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the first human rights instrument to recognize explicitly rural-urban difference. It does so by enumerating specific rights for rural women in Article 14 and also by mentioning their needs in relation to Article 10 on education. In this Essay, I examine the Convention's Travaux Préparatoires to better understand the forces and considerations that led to the inclusion of Article 14 and its recognition of rural people and places. I also assess Article 14's particular mandates in light of both that drafting history and CEDAW's other provisions, and I consider the assumptions implicit in the Convention's embrace of rural exceptionalism. In addition, I offer some thoughts on the expressive significance of the particular rights accorded to rural women, as well as of the explicit acknowledgment of this group – and, by extension, rural populations in their entirety – in this widely ratified treaty. I thus discuss what CEDAW implies about the character of rurality and rural-urban difference. Finally, I argue that CEDAW provides a framework for spatial equality, in addition to the more obvious and comprehensive one for gender equality. This Essay therefore fills a void in the legal scholarship on CEDAW, which often mentions Article 14 in inventories of the Convention's provisions, but which has largely ignored both its meaning and significance.

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