

Cyberlaw Cases Gerald R Ferrera

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examines the law and politics surrounding the bakke case a case claiming reverse discrimination considered by many as the most important civil rights decision since the end of segregation

in addition greene details ford s rise to prominence within the republican party chronicles the president s problematic relations with his staff the new democratic congress and ronald reagan sheds new light on the selection and performance of vice president nelson rockefeller offers new insights into the election of 1976 and provides the first in depth look at ford s clemency program for vietnam era draft evaders

the united states is accustomed to accepting waves of migrants who are fleeing oppressive conditions and political persecution in their home countries but in the 1960s and 1970s the flow of migration reversed as over fifty thousand americans fled across the border to canada to resist military service during the vietnam war or to escape their homeland s hawkish society unguarded border tells their stories and in the process describes a migrant experience that does not fit the usual paradigms rather than treating these american refugees as unwelcome foreigners canada embraced them refusing to extradite draft resisters or military deserters and not even requiring passports for the border crossing and instead of forming close knit migrant communities most of these émigrés sought to integrate themselves within canadian society historian donald w maxwell explores how these americans in exile forged cosmopolitan identities coming to regard themselves as global citizens a status complicated by the canadian government s attempts to claim them and the u s government s eventual efforts to reclaim them unguarded border offers a new perspective on a movement that permanently changed perceptions of compulsory military service migration and national identity

how does it come about that a certain firm dominates a market can an understanding of this process lead to a more effective enforcement of competition law that is the question approached in this compelling book the author reviews the european union s eu s article 102 case law comparing it with united states us provisions demonstrating that new ways of looking at market power are needed today s tech giants differ from older monopolies he clarifies the role of dominant firms in the competitive process proposing that conduct should be scrutinized differently depending on the source of market power rather than using the same approach for all dominant undertakings supporting his contention that the legal consequences that derive from holding a dominant position cannot be disassociated from the sources of that market power that a dynamic understanding of dominance requires looking both forwards and backwards in time the author examines such sources of dominance as the following statutory dominance derived from explicit protectionist measures or subtler geoeconomic strategies legacy firms such as the telecommunications or transport industries natural monopolies e g the exploitation of a mine investment efforts undertaken in a competitive environment intangible resources such as timing reputation experience innovation capabilities or managerial processes lucky monopolies and anticompetitive behavior on the road to dominance drawing insights from eu and us case law industrial organization scholarship and strategic management literature the book resolves questions related to the role that the origins of market power have played and

should play in the enforcement of eu competition rules against dominant firms it concludes with a list of policy recommendations bringing the application of article 102 tfeu against dominant firms more in line with the objective of protecting the competitive process with its focus on how eu competition law enforcement should be fine tuned to adequately incorporate the origins of firm dominance into the analysis of single firm behavior the book makes a major contribution to the analysis of anticompetitive effects practitioners competition authorities and academics in competition law will greatly appreciate the book s combination of legal analysis and recommendations for policy reform

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