

Arizona might have expected a decent respect for those objectives.

Today, they do not get it. The Court invalidates Arizonans' efforts to ensure that in their State, "[t]he people . . . possess the absolute sovereignty." *Id.*, at 274, 84 S.Ct. 710 (quoting James Madison in 4 Elliot's Debates on the Federal Constitution 569–570 (1876)). No precedent compels the Court to take this step; to the contrary, today's decision is in tension with broad swaths of our First Amendment doctrine. No fundamental principle of our Constitution backs the Court's ruling; to the contrary, it is the law struck down today that fostered both the vigorous competition of ideas and its ultimate object—a government responsive to the will of the people. Arizonans deserve better. Like citizens across this country, Arizonans deserve a government that represents and serves them all. And no less, Arizonans deserve the chance to reform their electoral system so as to attain that most American of goals.

Truly, democracy is not a game. See *ante*, at 2826. I respectfully dissent.



**GOODYEAR DUNLOP TIRES
OPERATIONS, S.A., et
al., Petitioners,**

v.

**Edgar D. BROWN et ux., co-admin-
istrators of the Estate of Julian
David Brown, et al.**

No. 10–76.

Argued Jan. 11, 2011.

Decided June 27, 2011.

Background: Estates of two minor North Carolina residents killed in bus accident

that occurred in France brought action in North Carolina state court against various subsidiaries of United States tire manufacturer, including subsidiaries based in Luxembourg, Turkey and France. Foreign subsidiaries moved to dismiss for lack of personal jurisdiction. The Superior Court, Onslow County, Gary E. Trawick, J., denied motions, and the subsidiaries appealed. The North Carolina Court of Appeals, 199 N.C.App. 50, 681 S.E.2d 382, affirmed, and certiorari was granted.

Holdings: The Supreme Court, Justice Ginsburg, held that:

- (1) North Carolina courts lacked specific jurisdiction to adjudicate action, and
- (2) subsidiaries were not subject to general jurisdiction in North Carolina.

Reversed.

1. Constitutional Law ⇌3962

A state court's assertion of jurisdiction exposes defendants to the State's coercive power, and is therefore subject to review for compatibility with the Fourteenth Amendment's Due Process Clause. U.S.C.A. Const.Amend. 14.

2. Courts ⇌13.4(3)

A court may assert general jurisdiction over foreign sister-state or foreign-country corporations to hear any and all claims against them when their affiliations with the State are so continuous and systematic as to render them essentially at home in the forum State. U.S.C.A. Const. Amend. 14.

3. Courts ⇌13.3(8)

In contrast to general, all-purpose jurisdiction, specific jurisdiction is confined to adjudication of issues deriving from, or connected with, the very controversy that

ditional notions of fair play and substantial justice’ ” (quoting *Milliken v. Meyer*, 311 U.S. 457, 463, 61 S.Ct. 339, 85 L.Ed. 278 (1940))). Opinions in the wake of the path-marking *International Shoe* decision have differentiated between general or all-purpose jurisdiction, and specific or case-linked jurisdiction. *Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 414, nn. 8, 9, 104 S.Ct. 1868, 80 L.Ed.2d 404 (1984).

[2, 3] A court may assert general jurisdiction over foreign (sister-state or foreign-country) corporations to hear any and all claims against them when their affiliations with the State are so “continuous and systematic” as to render them essentially at home in the forum State. See *International Shoe*, 326 U.S., at 317, 66 S.Ct. 154. Specific jurisdiction, on the other hand, depends on an “affiliatio[n] between the forum and the underlying controversy,” principally, activity or an occurrence that takes place in the forum State and is therefore subject to the State’s regulation. von Mehren & Trautman, *Jurisdiction to Adjudicate: A Suggested Analysis*, 79 Harv. L.Rev. 1121, 1136 (1966) (hereinafter von Mehren & Trautman); see Brilmayer et al., *A General Look at General Jurisdiction*, 66 Texas L.Rev. 721, 782 (1988) (hereinafter Brilmayer). In contrast to general, all-purpose jurisdiction, specific jurisdiction is confined to adjudication of “issues deriving from, or connected with, the very controversy that establishes jurisdiction.” von Mehren & Trautman 1136.

[4, 5] Because the episode-in-suit, the bus accident, occurred in France, and the tire alleged to have caused the accident was manufactured and sold abroad, North Carolina courts lacked specific jurisdiction to adjudicate the controversy. The North Carolina Court of Appeals so acknowledged. *Brown v. Meter*, 199 N.C.App. 50, 57–58, 681 S.E.2d 382, 388 (2009). Were

the foreign subsidiaries nonetheless amenable to general jurisdiction in North Carolina courts? Confusing or blending general and specific jurisdictional inquiries, the North Carolina courts answered yes. Some of the tires made abroad by Goodyear’s foreign subsidiaries, the North Carolina Court of Appeals stressed, had reached North Carolina through “the stream of commerce”; that connection, the Court of Appeals believed, gave North Carolina courts the handle needed for the exercise of general jurisdiction over the foreign corporations. *Id.*, at 67–68, 681 S.E.2d, at 394–395.

A connection so limited between the forum and the foreign corporation, we hold, is an inadequate basis for the exercise of general jurisdiction. Such a connection does not establish the “continuous and systematic” affiliation necessary to empower North Carolina courts to entertain claims unrelated to the foreign corporation’s contacts with the State.

I

On April 18, 2004, a bus destined for Charles de Gaulle Airport overturned on a road outside Paris, France. Passengers on the bus were young soccer players from North Carolina beginning their journey home. Two 13-year-olds, Julian Brown and Matthew Helms, sustained fatal injuries. The boys’ parents, respondents in this Court, filed a suit for wrongful-death damages in the Superior Court of Onslow County, North Carolina, in their capacity as administrators of the boys’ estates. Attributing the accident to a tire that failed when its plies separated, the parents alleged negligence in the “design, construction, testing, and inspection” of the tire. 199 N.C.App., at 51, 681 S.E.2d, at 384 (internal quotation marks omitted).

Goodyear Luxembourg Tires, SA (Goodyear Luxembourg), Goodyear Lastikleri