

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

tion is fairly regarded as at home. See Brilmayer 728 (identifying domicile, place of incorporation, and principal place of business as “paradig[m]” bases for the exercise of general jurisdiction).

Since *International Shoe*, this Court’s decisions have elaborated primarily on circumstances that warrant the exercise of specific jurisdiction, particularly in cases involving “single or occasional acts” occurring or having their impact within the forum State. As a rule in these cases, this Court has inquired whether there was “some act by which the defendant purposefully avail[ed] itself of the privilege of conducting activities within the forum State, thus invoking the benefits and protections of its laws.” *Hanson v. Denckla*, 357 U.S. 235, 253, 78 S.Ct. 1228, 2 L.Ed.2d 1283 (1958). See, e.g., *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286, 287, 297, 100 S.Ct. 559, 62 L.Ed.2d 490 (1980) (Oklahoma court may not exercise personal jurisdiction “over a nonresident automobile retailer and its wholesale distributor in a products-liability action, when the defendants’ only connection with Oklahoma is the fact that an automobile sold in New York to New York residents became involved in an accident in Oklahoma”); *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 474–475, 105 S.Ct. 2174, 85 L.Ed.2d 528 (1985) (franchisor headquartered in Florida may maintain breach-of-contract action in Florida against Michigan franchisees, where agreement contemplated ongoing interactions between franchisees and franchisor’s headquarters); *Asahi Metal Industry Co. v. Superior Court of Cal., Solano Cty.*, 480 U.S. 102, 105, 107 S.Ct. 1026, 94 L.Ed.2d 92 (1987) (Taiwanese tire manufacturer settled product liability action brought in California and sought indemnification there from Japanese valve assembly manufacturer; Japanese company’s “mere awareness . . . that the components it manufactured, sold, and delivered

outside the United States would reach the forum State in the stream of commerce” held insufficient to permit California court’s adjudication of Taiwanese company’s cross-complaint); *id.*, at 109, 107 S.Ct. 1026 (opinion of O’Connor, J.); *id.*, at 116–117, 107 S.Ct. 1026 (Brennan, J., concurring in part and concurring in judgment). See also Twitchell, *The Myth of General Jurisdiction*, 101 Harv. L.Rev. 610, 628 (1988) (in the wake of *International Shoe*, “specific jurisdiction has become the centerpiece of modern jurisdiction theory, while general jurisdiction plays a reduced role”).

In only two decisions postdating *International Shoe*, discussed *infra*, at 2855–2857, has this Court considered whether an out-of-state corporate defendant’s in-state contacts were sufficiently “continuous and systematic” to justify the exercise of general jurisdiction over claims unrelated to those contacts: *Perkins v. Benguet Consolidated Mining Co.*, 342 U.S. 437, 72 S.Ct. 413, 96 L.Ed. 485 (1952) (general jurisdiction appropriately exercised over Philippine corporation sued in Ohio, where the company’s affairs were overseen during World War II); and *Helicopteros*, 466 U.S. 408, 104 S.Ct. 1868, 80 L.Ed.2d 404 (helicopter owned by Colombian corporation crashed in Peru; survivors of U.S. citizens who died in the crash, the Court held, could not maintain wrongful-death actions against the Colombian corporation in Texas, for the corporation’s helicopter purchases and purchase-linked activity in Texas were insufficient to subject it to Texas court’s general jurisdiction).

B

To justify the exercise of general jurisdiction over petitioners, the North Carolina courts relied on the petitioners’ placement of their tires in the “stream of commerce.” See *supra*, at 2852. The