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[P E R S P E C T I V E S]

REFLECTIONS ON 15 YEARS OF GW LAW—OXFORD INTERNATIONAL HUMAN RIGHTS LAW PROGRAM

Ralph Steinhardt, Professor of Law and International Affairs and Arthur Selwyn Miller
Research Professor of Law

Fifteen years ago, GW Law and Oxford University jointly launched an intensive summer school in international human rights law. The logistics of the annual one-month program were complicated because it was the Law School's first experiment with a foreign program and one of Oxford's first ABA-approved joint projects in legal education.



But the time had come when it was meaningful to speak of practicing international human rights law, just as prior generations could speak of practicing tax law or family law or real

estate law. A program in human rights advocacy could be both idealistic and pragmatic.

Of course, unlike those other fields, human rights law is sometimes considered the

triumph of hype over experience, a kind of utopian moralizing with more rhetorical than doctrinal power. My co-founder—Dr. Andrew Shacknové of the Oxford

continued on page 2

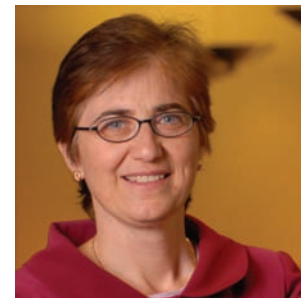


FALL 2009

- 1 PERSPECTIVES
- 1 VIEWPOINT
- 3 RECENT EVENTS
- 4 PROFILES
- 5 HONORS AND RECOGNITION
- 5 WHAT'S NEW
- 6 OUR HISTORY
- 7 IN PRINT
- 8 ON THE AGENDA

[V I E W P O I N T]

In this issue of *Perspectives*, we examine our rich tradition and history and provide insight into some of our activities and programs. The lead article examines 15 years of GW Law's path-breaking international human rights program with Oxford University. Professor Ralph Steinhardt, the program co-founder and co-director, reflects on the establishment of the program and its evolution during a formative period of international human rights law.



ASSOC. DEAN SUSAN KARAMANIAN

continued on page 3

continued from page 1

faculty—and I knew that the interesting, difficult trick for lawyers was finding effective techniques for enforcing the law that exists, developing law when it was needed, and (perhaps most important) maintaining a sense of engagement and hope in the face of human rights violations around the world.

The GW Law—Oxford program has run every year since 1995, and over 1100 students have graduated from it. The students have been a talented and diverse group including U.S. law students, experienced lawyers, judges, military lawyers, government officials from around the world, and lawyers for intergovernmental institutions like the U.N. High Commissioner for Refugees. Every year, there has also been a smattering of graduate students in related fields, along with professors, journalists, community organizers, artists, ministers, and rabbis. Many of the students are themselves survivors of human rights abuse. And from that diversity, we have tried to create a human rights commu-

nity; although that community exists temporarily at one of the most beautiful universities on earth, it has long-term staying power. Today, the graduates of the GW Law—Oxford program constitute one of the largest human rights advocacy networks in the world.

Every teacher realizes and celebrates the fact that some of the most important education goes on beyond the classroom, over a meal or late at night, in conversations and arguments among the students themselves. In this program, we work very consciously to assemble a global faculty to get those conversations started. We invite these people to join the faculty because they are committed to human rights, because they stand at the front rank of scholars and advocates, and because they are among the best classroom teachers we can find. The students study with the very people who litigated (or decided) the cases they're analyzing or who wrote the books and articles they're reading.

In years past, for example, many of GW Law's best professors have also taught on the program: Tom Buergenthal (now on the International Court of Justice), Paul Butler, Susan Karamanian, Greg Maggs, and Peter Raven-Hansen. The program faculty also has included many non-GW Law professors like Richard Goldstein, a former justice on the South African Constitutional Court and the first prosecutor at the Yugoslav and Rwandan War Crimes Tribunals; Harold Koh, former assistant secretary of state for human rights, former dean of Yale Law School, and now the legal adviser at the U.S. Department of State; Navi Pillay, now the U.N. high commissioner for human rights; Patricia Sellers, the legal advisor for gender crimes in the Office of the Prosecutor for the International Criminal Tribunals for the

former Yugoslavia and Rwanda; Radhika Coomaraswamy, the former special rapporteur on violence against women and the current U.N. special representative for children and armed conflict; Sarah Cleveland, director of the Human Rights Institute at Columbia Law School; Juan Mendez, former president of the Inter-American Commission on Human Rights and now the U.N. secretary general's special representative on the prevention of genocide; Patrick Thornberry, a member of the U.N. Committee on the Elimination of Racial Discrimination; and Paul Hoffman, one of the leading human rights litigators in the United States.

It is an honor to introduce these people every year, let alone to serve on a faculty with them.

The work is intense for all concerned, and students routinely report working harder in the summer program than they do during the rest of the academic year. The reading assignments can be long, complicated, and gut-wrenching. Visiting speakers and faculty panel presentations, as well as a human rights film series, offer important perspectives on the cases and treaties that lie at the heart of the educational program. Despite the work—or maybe because of it—students have often reported that the program changed their lives or made them better lawyers. Many have gone on to have significant careers in the field. Some have even married people they met at Oxford. And for its part, Oxford has developed a master's program on the basis of its experience with the summer school, the first time that has happened in its 1,000-year history.

If there is a human inspiration behind this program, it has to be Eleanor Roosevelt. Her work on the Universal Declaration of Human Rights in 1948 helped to



PROFESSOR RALPH STEINHART, CO-FOUNDER AND CO-DIRECTOR OF THE GW LAW—OXFORD INTERNATIONAL HUMAN RIGHTS LAW PROGRAM

articulate a single, radical idea: that human beings have rights simply by virtue of being human. They have these rights not as a matter of grace from governments or generosity or good public relations or luck. To be human is to be assured a certain minimum level of respect and dignity that limits what governments can do, or allow others to do, to people.

That this idea would eventually get a legal dimension, and especially an international legal dimension, hardly means that human rights violations stop. Just as tort law doesn't prevent all accidents, and homicide laws don't prevent all murders, no law can prevent its own violation.

But I want my students not to lose the sense of surprise that, by historical standards, human rights received unprecedented protection yesterday. Torture has gone from being a lawful commonplace occurrence, defined without shame as a public punishment for crimes real or imagined, to an unlawful though not eradicated scourge, so shameful as to require denial, cover ups, investigation, and sanction. What we teach now, in other words, is that the law is in place to seek accountability when violations occur and to guide the decisions that will minimize abuse in the first place. ★



INTERNATIONAL AND
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{ RECENT EVENTS }

In addition to hosting colloquia, conferences, and lectures, GW Law has been an active convener of half-day roundtables covering specific topics in international and comparative law. Faculty members have taken the lead in developing a theme around their areas of interest, establishing a format conducive for discussion and the free exchange of ideas, arranging for key attendees to submit papers, and ensuring the attendance of participants who are prepared to work through interesting issues in a relatively informal manner. Professor David Fontana launched the first roundtable, the **Comparative Constitutional Law Roundtable**, in 2007, and it has now become a regular event on the first Friday of March. Professors Edward T. Swaine and Sean Murphy are the organizers of the **Potomac Foreign Relations Law Roundtable**, which has been held each year in early May.

The **Comparative Constitutional Law Roundtable** brings together comparative constitutional law scholars to discuss major issues in the field in the context of specific papers. About 20 to 30 scholars are invited,



PROFESSOR BRUCE ACKERMAN FROM YALE LAW SCHOOL AT THE 2008 COMPARATIVE CONSTITUTIONAL LAW ROUNDTABLE.

with three or four of them asked to present papers. Fontana is careful in selecting presenters and participants. As he describes it, “[w]e have tried to involve a mix of presenters, from those starting their careers to those more senior,” and he also seeks the same balance in terms of substance, involving “those writing about structural issues to those writing more about individual rights issues.” For example, a relatively junior scholar could have his or her paper critiqued by established leaders, such as Mark Tushnet or Vicki Jackson, while another luminary, such as Bruce Ackerman, may present a paper that is critiqued by a new professor. According to Fontana, the format allows for “greater participation in dialogue among all participants. It makes the experience more like a seminar than a lecture.” In fact, the Comparative Constitutional Law Roundtable has proven so successful that it has an established core of attendees. As Fontana has remarked, “I have been pleasantly surprised by the continued dedication and interest in attending from such a cross-section of brilliant scholars of comparative constitutional law.”

Due to the growing number of public and academic controversies involving how international law applies in the United States, Professors Edward Swaine and Sean Murphy organized their first **Potomac Foreign Relations Law Roundtable** in May 2007. They’ve hosted a roundtable each year since. Both have government experience. Murphy worked for nine years at the U.S. Department of State, Office of the Legal Adviser, and Swaine worked there as well and before that at the U.S. Department of Justice. Their government



IN THE FOREGROUND, PROFESSOR DUNCAN HOLLIS OF TEMPLE UNIVERSITY LAW SCHOOL, GW LAW PROFESSOR EDWARD T. SWAINE, AND DAVID ABRAMOWITZ, CHIEF COUNSEL, HOUSE FOREIGN AFFAIRS COMMITTEE.

contacts and those of other GW Law faculty and the experience of the faculty have made it possible to tap into the dozens of people in the executive and legislative branches who offer real value to academics conducting research on foreign relations law.

GW Law’s expertise and its Washington location have made it possible to host discussions that, according to Swaine, “generate a kind of cross-pollination between government lawyers and the academy.” Like the Comparative Constitutional Law Roundtable, the number of attendees is fairly manageable, so everyone has a reasonable chance to share her or his expertise. Many of the participants know one another, and they all have a strong command of the topics. The familiarity, according to Swaine, “allows us to dispense with formalities and get right into the subjects at hand. We begin each discussion with a critical appraisal of a draft paper or cutting-edge topic, and then we open the floor to an open exchange.” The topics covered have included the treatment of international judicial precedent; the judicial enforcement of treaty rights and, in addition, the interna-

tional legal obligation to open courts to the vindication of treaty rights; diplomatic assurances; interstate compacts; the standards for finding law applicable in Alien Tort Statute cases; legislative involvement in foreign-state immunity determinations; and the division of war powers between the president and Congress. Swaine and Murphy seek a balance of participants from different academic institutions in the Washington area, as well as from the executive branch, the legislative branch, and the policy community. According to Swaine, one of the unanticipated developments is “finding terrific young academics and civil servants who have contributed a great deal.” Like Fontana, Swaine and Murphy are impressed with the willingness of extraordinarily busy people to participate in the roundtable each year. As Swaine remarks, “[i]t isn’t easy to tear yourself away from the Hill when Congress is in session or to spend an evening or two reading academic papers when you’re also responsible for drafting briefs. But some of the busiest people also have the most to offer, so we’ve been fortunate indeed to keep them involved.” ★

[PROFILES]

ANJA SEIBERT-FOHR

LL.M 1999; SJD 2004

GW Law's SJD program has produced a number of outstanding academics in international and comparative law. A recent graduate who is a rapidly rising scholar in the field of public international law is Anja Seibert-Fohr. Since 2000, Anja has been a senior researcher at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany. She also heads the Institute's Minerva Research Group and teaches international law courses at the Law Faculty of Heidelberg University. Oxford University Press recently published as a monograph *Prosecuting Serious Human Rights Violations*, which is based, in part, on her SJD dissertation. Her scholarly research is focused primarily on international human rights, international criminal law, and comparative constitutional law.

Like many foreign lawyers educated at GW Law, Anja took an interesting path to Foggy Bottom. Serendipity played a role. After finishing her second degree in law in Germany, she was in Geneva conducting research on the U.N. Human Rights Committee. She happened to meet then GW Law Professor Thomas Buergenthal, a former Committee member. Impressed by his scholarship and personal kindness, Anja applied to GW Law's LL.M. program. From her early days studying law in Germany, she knew she wanted to be a law professor and she decided that the LL.M. degree would help her with this objective.

Although Anja had already studied international law in Germany, she found her studies at GW Law, with its faculty full of energy and excitement, enriching and inspiring. She believes "to become a truly international lawyer, research in a foreign country is almost indispensable, and GW Law is really an exciting place in this field of law."

Tom Buergenthal, who taught human rights and international law at GW Law before he left to serve as a judge at the International Court of Justice, advised Anja on her master's thesis, and through his teaching he inspired her research then and today. Anja also served as a research assistant to the late Professor Louis B. Sohn. Taking advantage of GW Law's diverse student body and of her desire to stimulate a cross-cultural dialogue, Anja initiated and organized the GW Law lecture series "Legal Systems of Our World."

After graduating with highest honors from the LL.M. program, Anja was admitted into the SJD program and Professor Buergenthal was her dissertation advisor. Anja was fortunate to receive funding from GW Law's Rule of Law Center and the German Academic Exchange Service (DAAD). For many years, GW Law has provided full scholarships to graduate students who demonstrate the potential and commitment to help promote the rule of law. Scholars are now known as Thomas Buergenthal Scholars, in honor of Judge Buergenthal who helped establish the program and who has dedicated his life to the development of the law. With funding in hand, Anja worked

intensely on her dissertation, which focused on the role of amnesties under international law. The defense was held at Oxford University in 2004 when Judge Buergenthal was there for the GW Law-Oxford International Human Rights Program. Professor Ralph Steinhardt and Associate Dean Susan Karamanian also participated.

Anja's academic focus has not caused her to lose sight of real-life issues. She is now working on a project on judicial independence in cooperation with the Organization for Security and Cooperation in Europe (OSCE). The project involves analyzing state reports and performing an assessment of the state of judicial independence in OSCE member states to develop strategies to strengthen judicial independence in former Soviet countries. Anja says it has helped to build bridges between the academy and practice by steering legal discourse to current problems and feeding insights from the academy into OSCE work. It enables her to continue facilitating dialogue, which she started at GW Law through her student lecture series.

Another interesting aspect of her work is the comparative dimension. Anja is finding that more of her time is focused on foreign legal systems. Her current book project examines judicial selection from a comparative perspective. A more long-term research agenda concentrates on human rights and international criminal law and connects international law with comparative constitutional law—the two areas in which she has worked for years. The long-term project also plays well into some of her affiliations, such as her board membership in the International Criminal Law Roundtable for Germany, Austria, and Switzerland and her coordination of the



ANJA SEIBERT-FOHR

International Max Planck Research School on Retaliation, Mediation, and Punishment. And it fits perfectly with a course on international criminal law, which she has been teaching in the joint master's of comparative law program of the University of Mannheim and Adelaide University since 2003. Her teaching is a source of inspiration as she notes that the "curiosity and eagerness of students in class reinforce my passion for teaching and remind me why I chose this career path."

Not one to get pinned down in one narrow field, Anja manages to find time to serve as co-editor of the Max Planck Commentaries on World Trade Law, which has been well received. In 2008, she received an honorary award for outstanding researchers from the prestigious Max Planck Society for the Advancement of Sciences. She also stays busy acting as a legal consultant to the German Foreign Ministry.

In reflecting on the good fortune of having been educated on two continents, Anja notes that, "Having received my legal training in Europe and the United States helps me to see and understand current issues from different perspectives and to help to reconcile both." ★

[HONORS AND RECOGNITION]

Associate Dean Susan L. Karamanian was elected president of the Washington Foreign Law Society.

Professor Michael Matheson was re-elected to the board of editors of the *American Journal of International Law*.

Hon. Pedro Pierluisi (J.D. '84) was recently elected resident commissioner of Puerto Rico.

Hon. Mary Schapiro (J.D. '80) was appointed by President Barack Obama as chairman of the U.S. Securities and Exchange Commission.

Professor Dinah Shelton was elected the U.S.-nominated member to the Inter-American Commission on Human Rights. She was also recently elected vice president of the American Society of International Law.

Hon. Tshering Wangchuk (LL.M. '02) was named a justice to the first Supreme Court of Bhutan.

Luke Wilson (J.D. '09), who is clerking at the International Court of Justice, was named GW Law's First Gruber Foundation International Law Fellow. ★

[VIEWPOINT]

continued from page 1

The issue also profiles two new faculty members, Professor David Freestone, the former deputy general counsel at the World Bank and a leading expert in the law of climate change, and Professor Eleanor Brown, recently a Reginald F. Lewis Fellow at Harvard Law, who brings to GW Law expertise in development and immigration. We profile two alumni, Anja Seibert-Fohr, a researcher at the Max Planck

Institute for Comparative Public Law and International Law in Heidelberg, Germany, and Hsiang Che-Chun, a 1925 LL.B. graduate who was the prosecutor for China at the Tokyo Trial. We also focus on two successful workshops, one in comparative constitutional law under the leadership of Professor David Fontana and the other in U.S. foreign relations law under the direction of Professors Sean Murphy and Edward Swaine. ★

[WHAT'S NEW]

ELEANOR BROWN AND DAVID FREESTONE JOIN THE GW LAW FACULTY



ELEANOR BROWN

We are pleased to welcome Professor Eleanor Brown, previously the Reginald F. Lewis Fellow at Harvard Law School, and David Freestone, Lobingier Visiting Professor of Comparative Law and Jurisprudence and the former deputy general counsel of the World Bank, to the GW Law faculty.

Professor Brown has conducted research on issues of development and emerging markets. She has worked for the Caribbean Investment

Fund, L.P., the first pan-Caribbean private equity fund in the British Commonwealth Caribbean, and she was chairman of the Trade Board, the government entity with historical responsibility for aspects of Jamaica's importation policies. Brown writes about the intersection of U.S. immigration and global development policies, and she has been published in the *Yale Law Journal*, *New York University Law Review*, *the New York Times*, and *the Los Angeles Times*. Brown, a former Rhodes Scholar and law clerk on the D.C. Circuit Court of Appeals, is a graduate of Brown University (B.A.), Oxford University (M.Phil.), and Yale University (J.D.).



DAVID FREESTONE

Professor Freestone joined the Law School in 2009, after retiring from The World Bank, where he had been deputy general counsel and previously chief counsel and head of the Environment and International Law Group. He is a senior adviser to the U.S.A. Multilateral Office of the International Union of Nature and Natural Resources (IUCN), a visiting professor at the U.N. University Institute of Advanced Studies, and on the list of experts in environmental law

appointed by the secretary general of the Permanent Court of Arbitration in The Hague. Before joining the Bank in 1996, he held a faculty chair in international law at the University of Hull in the United Kingdom, where he is still an honorary professor. He has written widely on international environmental law and law of the sea and is the founding editor of the *International Journal of Marine and Coastal Law* and a member of the editorial boards of the *British Yearbook of International Law*, *International Yearbook of Environmental Law*, and *European Yearbook of Environmental Law*. He is general editor of a new monograph series, *Legal Aspects of Sustainable Development*. He is the 2007 winner of the Elizabeth Haub Gold Medal for Environmental Law. ★

HSIANG CHE-CHUN (LL.B. 1925)

A few years ago, the son of one of our graduates from China indicated he wanted to visit his father's alma mater. The son, a mathematics professor named Xiang Longwan from Shanghai Jiao Tong University, mentioned that his father had obtained the LL.B. degree from GW Law in 1925. This seemed remarkable. First, most of our foreign alumni had pursued the LL.M. degree or, its predecessor, the M.C.L. degree, and not the first degree in law. Second, we wondered, "Why and how did someone from China make his way to GW Law in the early 1920s and graduate with the LL.B. degree?"

The story became even more important to our international and comparative law program when Longwan mentioned that his father was the prosecutor for China at the International Military Tribunal for the Far East, commonly known as the Tokyo Trial. The son sought a letter from GW Law confirming that his father was our graduate.

We found Mr. Hsiang's file, which indicated he had transferred from Yale Law School to GW Law in the early 1920s. Then-Dean of Yale Law School Thomas W. Swan had asked then-GW Law Dean William C. Van Vleck to accept Mr. Hsiang as a transfer student; Mr. Hsiang had graduated from Yale College with a B.A. in 1920. According to Dean Swan, Mr. Hsiang had been president of the Yale Chinese Students' Club, president of the Yale Cosmopolitan Club, secretary of the Joint Committee of Eight Chinese People's Organizations during the Washington Conference, and associate editor of the *Chinese Students' Monthly*. He had then enrolled in Yale Law School. Mr. Hsiang transferred to GW Law, and while here he

also worked at the Library of Congress. Based on our files, we were able to provide the son a formal letter confirming his father's graduation from GW Law in 1925.

Our files did not establish why Mr. Hsiang came to the United States, let alone prestigious Yale College, and how he funded his U.S. studies. His son, Longwan, recently presented a talk at Tokyo University, where he gave some clues. According to Longwan, his father went to the predecessor of Tsinghua University in a preparatory program to study in the United States. After graduating from Yale College, he enrolled in Yale Law School. He had learned about an opportunity at the Library of Congress, which helped secure necessary funding for him to complete his legal studies at GW Law.

GW Law professor and China law specialist Don Clarke looked into the issue and identified a

possible source of funds for Mr. Hsiang's U.S. education, the Boxer Rebellion Indemnity Scholarship Program. The U.S. government had received reparations from the Qing Empire for damages due to the Boxer Rebellion. The amount the U.S. received, however, exceeded the damages, and after negotiations the administration of President Theodore Roosevelt established a fund to educate Chinese students in the United States. Tsinghua had helped prepare students under the program during the exact time that Mr. Hsiang was at Tsinghua. Longwan has now confirmed to us that his father was the beneficiary of the Boxer Rebellion Indemnity Scholarship Program.

At both GW Law and Yale, Mr. Hsiang studied international law. After he completed his degrees in the U.S., he returned to China and taught at a couple of universities, including Peking University. According to Longwan, upon his father's return to China he became interested in seeking limits on the role of

foreign powers in China, and he succeeded in abolishing the practice of trials by foreign consulates. He was then named a chief prosecutor in Shanghai.

During World War II, Mr. Hsiang fled Shanghai by pretending to be a paper merchant and lived in the mountains with his family in Southern Hunan. He was later named the prosecutor there. After the Japanese surrender, he was appointed a judge in Shanghai and then commissioned to organize the Chinese team for the Tokyo Trial.

According to Longwan, Mr. Hsiang was recommended to Chiang Kai-Shek to be either the judge or prosecutor. As Longwan has written, Mr. Hsiang wanted to be the prosecutor to "disclose to the entire world the dreadful war crimes perpetrated by the Japanese military." Mr. Hsiang recommended Mei Ju-Ao, who had received his B.A. from Stanford University and his law degree from a school in Chicago, as the Chinese-nominated judge



HSIANG CHE-CHUN (LL.B. 1925)

to the Tokyo Trial.

The results of the trial are well known, with a number of defendants found guilty and given substantial sentences. Yet, the Tokyo Trial has been criticized for its failure to focus on the Japanese Emperor Hirohito and also on the use of certain germ warfare.

After the trial, Mr. Hsiang returned to China. He refused appointments as chief prosecutor to the Supreme Court and as a justice on the Supreme Court. Instead, he taught in Shanghai, including at Fudan University, and he retired from Shanghai Finance and Economics College. He survived the Cultural Revolution and in the 1980s took an active role in talking about the Tokyo Trial and helping with a memorial to the victims of the Nanking Massacre. He died at the age of 96 in 1987.

The story of Mr. Hsiang has many lessons, but one important one involves U.S. funding of foreign scholars to study in the United States. Mr. Hsiang's time at Yale and GW Law enabled him to work in English and aided his understanding of the common law tradition, which helped with the presentation of his case. A proud Chinese national, he had become an ambassador for China while in the U.S., and his diplomatic skills served him well as he pursued his duties as an international prosecutor. The Boxer Rebellion Indemnity Program has been criticized for being an arm of U.S. interests. Motives aside, allowing foreign students to study in the U.S. and have a meaningful educational experience can have a profound effect on the world. This was clearly true in Mr. Hsiang's case and his studies in America have benefited many, including the Chinese victims of World War II. ★



IN PRINT

Recent publications by GW Law faculty:

Francesca Bignami, "The Case for Tolerant Constitutional Patriotism: The Right to Privacy Before the European Courts," 41 *Cornell Int'l L. J.* 211 (2008)

Naomi Cahn, "Women's Security/State Security," in *Security: A Multidisciplinary Normative Approach* (Cecilia Bailliet ed.) (Brill 2009)

Steve Charnovitz, *Global Warming and the World Trading System* (Peterson Institute 2009) (with Gary Clyde Hufbauer and Jisun Kim); "Resist U.S. Protectionism: The Top Trade Priority for the G20," in *Rebuilding Global Trade: Proposals for a Fairer, More Sustainable Future* (ICTSD 2009); "An Introduction to the Trade and Environment Debate," in *Handbook on Trade and the Environment* (Edward Elgar 2009)

Bradford R. Clark, "The Federal Common Law of Nations," 109 *Colum. Law Rev.* 1 (2009) (with Anthony J. Bellia, Jr.)

Donald C. Clarke (ed.), *China's Legal System: New Developments, New Challenges* (Cambridge University Press 2008); "The Private Attorney-General in China: Potential and Pitfalls," 8 *Washington University Global Studies Law Review* 241 (2009)

David Fontana, "The Permanent and Presidential Transition Models of Political Party Policy Leadership," 3 *New U. L. Rev. Colloquy* 393 (2009); "Honduras and Constitutional Democracy," *The New Republic* (July 10, 2009)

David Freestone (ed.), *Legal Aspects of Carbon Trading: Kyoto, Copenhagen and Beyond* (Oxford University Press 2009) (with Charlotte Streck)

Susan L. Karamanian, "Dispute Settlement under NAFTA Chapter 11: A Response to the Critics in America" in *The Sword and the Scales: The United States and International Courts and Tribunals* (Cesare Romano ed.) (Cambridge University Press 2009)

Sean D. Murphy, *International Law: Cases and Materials* (Thompson West 5th ed. 2009) (with Lori Damrosch, Louis Henkin & Hans Smit); "Criminalizing Humanitarian Intervention," 41 *Case W. Res. J. Int'l L.* (2009); "The International Legality of U.S. Military Cross-Border Operations from Afghanistan into Pakistan," in 84 *Int'l L. Studies* (U.S. Naval War College) (2009); "Protean Jus ad Bellum," 27 *Berkeley J. Int'l Law* (2009); "Are States Obligated Under International Law to Open Their Courts for the Vindication of Treaty Rights?," in *The Role of Domestic Courts in Treaty Enforcement: A Comparative Study* (Derek Jinks ed.) (Cambridge University Press 2009)

Renee Lettow Lerner, *History of the Common Law: The Development of Anglo-American Legal Institutions* (Aspen 2009) (with John H. Langbein and Bruce P. Smith)

Thomas Schoenbaum, *Peace in Northeast Asia: Resolving Japan's Territorial and Maritime Disputes with China, Korea and the Russian Federation* (Edward Elgar 2008)

Steve Schooner & Chris Yukins, "Tempering 'Buy American' In The Recovery Act—Steering Clear Of A Trade War," *Government Contractor* (Mar. 2009); "Public Procurement: Focus on People, Value for Money and Systemic Integrity, Not Protectionism," in *The Collapse of Global Trade, Murky Protectionism, and the Crisis: Recommendations for the G20* (VoxEU.org Mar. 5, 2009)

Dinah Shelton, *Nutshell on International Human Rights Law* (4th ed. 2009) (with Thomas Buergenthal and David Stewart); "Form, Function, and the Powers of International Courts," 9 *Chi. J. Int'l L.* 537 (2009); "Freedom of Expression in Human Rights Law," 55 *Scandinavian Studies* (2009)

John A. Spanogle, *International Business Transactions: A Problem Oriented Casebook* (10th ed. West 2009) (with Ralph H. Folsom, Michael Wallace Gordon, and Peter L. Fitzgerald)

Ralph G. Steinhardt, *International Human Rights Lawyering: Cases and Materials* (West 2009) (with Paul L. Hoffman and Christopher G. Camponovo) ★

{ ON THE AGENDA }

SEPTEMBER

1, 4 pm: Seán Aylward, secretary general of the Irish Department of Justice, Equality and Law Reform, “Anti-Terror: The Irish Experience.”

2, noon: Vito Cozzoli, Italy’s Chief Counsel of the Legal Department at the Chamber of Deputies (Italian Parliament), “Data Protection in EU and Comparative Perspective with a Focus on EU Case Law.”

8, noon: International and Comparative Law Colloquium. Professor Hari Osofsky, Washington & Lee University Law School, “Diagonal Climate Regulation:

Implications for the Obama Administration.”

30, noon: GW Law and the Constitution Project present Ron Goldfarb’s *In Confidence* with GW Law Professors Jeffrey Rosen and Orin Kerr and Meredith Fuchs, general counsel, National Security Archives.

OCTOBER

13, 4 pm: Hon. Clovis Maksoud, former League of Arab States ambassador to the United Nations.

15-16: GW Law Review presents “Judicial Review: Historical Debate, Modern Perspectives & Comparative Approaches,” including Hon. Anthony M.

Kennedy, associate justice, U.S. Supreme Court; Professor Nelson Lund, George Mason University School of Law; Professor Ran Hirschl, University of Toronto Law School; and Professor Mark Tushnet, Harvard Law School.

19-20: U.S. State Department Advisory Committee on Private International Law Luncheon speaker on October 19 is Anne-Marie Leroy, senior vice president and group general counsel, The World Bank.

21, 4 pm: U.S. Secretary of Homeland Security Hon. Janet Napolitano.

NOVEMBER

2, noon: International and Comparative Law Colloquium. Professor Claire Wright, Thomas Jefferson School of Law.

JANUARY

11, noon: International and Comparative Law Colloquium. Professor Thomas Ginsburg, University of Chicago Law School.

FEBRUARY

4, noon: International and Comparative Law Colloquium. Professor Ryan Goodman, New York University School of Law.

APRIL

5, noon: International and Comparative Law Colloquium. Professor Robert D. Sloane, Boston University School of Law. ★

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