

COLLOQUIUM: INTERNATIONAL LAW IN AMERICAN COURTS

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International law has recently assumed an unprecedented importance in international politics and American law. In the last few years, the Supreme Court has looked to international decisions and law for support in interpreting the American constitution. At the same time, claims based on violations of international law against not just aliens, but the American government and American corporations, have appeared with increasing frequency in the lower federal courts. Finally, critics have sought to use international law, most recently in the Supreme Court, as a way to constrain American efforts in the war on terrorism.

We will first consider the status to be accorded to international law. We will also discuss the proliferation of international law and institutions since the end of World War II and particularly since the end of the Cold War. The focus will then shift to American law, particularly the federal system, to examine whether and how it might incorporate international legal norms. Seminar materials will include classic texts on international and constitutional law, as well as recent selections on modern international law.

John Yoo joined the faculty at Boalt Hall School of Law in 1993. From 2001 to 2003, he served as a deputy assistant attorney general in the Office of Legal Counsel at the U.S. Department of Justice, where he worked on issues involving foreign affairs, national security and the separation of powers. He is the author of *War, Peace, and the Constitution* (2004). Evan Wallach is a judge on the Court of International Trade who teaches the law of war as an adjunct professor at George Mason and other law schools. He is a combat veteran of Vietnam, and during the Persian Gulf War served in the Pentagon as an Attorney/Advisor in the International Affairs Division of the Office of the Judge Advocate General of the Army where he dealt with operational law issues and participated in war crimes investigations. He is the webmaster of an on-line law of war text at www.lawofwar.org.



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