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Washington and Lee University School of Law
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Born: December 29, 1934, in Washington, D.C.

Family: Married; two grown children by previous marriage

Nationality: U.S.A.

Education: Yale University, B.A. 1957

University of California (Berkeley)
LL.B. 1960 (later changed to J.D.)
Order of the Coif; Assistant Notes and
Comments Editor, California Law Review

Employment: Judge Advocate, U. S. Air Force, 1961-64
(Honorable Discharge with rank of Captain)

Associate, Covington & Burling, Washington, D. C.,
1964-67 (General practice; international claims)

Assistant Professor, Associate Professor and
Professor of Law, University of Colorado, 1967-74,
with a year's leave (1970-71) as a graduate
research student in economics at the London School
of Economics and Political Science.

Visiting Professor and Professor of Law, U.C.L.A.,
1973-78.

Visiting Professor of Law, Washington & Lee, fall
1977.

Professor of Law and Director, Frances Lewis Law
Center, Washington & Lee, 1978-83.

Visiting Professor of Law, University of Michigan,
spring 1983.

Dean and Professor of Law, Washington & Lee, 1983-88.

Visiting Professor of Law, Cornell, fall 1988.

John A. Ewald Distinguished Visiting Professor, University of Virginia School of Law, spring 1989.

Law School Association Alumni Professor, Washington & Lee, 1990-2005; Emeritus since 2005.

Visiting Woodruff Professor, University of Georgia School of Law, spring 1996.

Fromm Chair in International and Comparative Law, Hastings College of the Law, fall 1997.

Visiting John J. Sparkman Chairholder, University of Alabama School of Law, spring 2007.

Courses:

International Law; International Organizations; Foreign Relations Law of the United States; Conflict of Laws; Contracts.

Scholarly journal editorship:

Board of Editors, American Journal of International Law, 1984-1996; 1998-2003; Honorary Editor, 2003-present

Published books:

The American Society of International Law's First Century: 1906-2006 (Martinus Nijhoff, 2006)

International Organizations in Their Legal Setting, 2d edition (West Publishing Co., 1993), with documents volume (1993) and Teacher's Manual (1993)

Prior Consultation in International Law: A Study of State Practice (Univ. Press of Virginia, 1983)

International Organizations in Their Legal Setting: Documents, Comments and Questions (West Publishing Co., 1977), with Teacher's Manual (1977), and Supplement (1981)

Unpublished teaching materials:

Current International Law (set of teaching materials for basic international law course)

Published scholarly articles and chapters in books:

Fuzzy Logic and the Sliding Scale Theorem, 53 Alabama L. Rev. 421 (2002)

The Formative Years of the American Society of International Law, 90 Am. J. Int'l L. 559 (1996)

The Security Council's First Fifty Years, 89 Am. J. Int'l L. 506 (1995)

Claims Settlement and The United Nations Legal Structure, in The United Nations Compensation Commission 103 (13th Sokol Colloq. on Private Int'l Law, Richard B. Lillich ed., 1995)

Chapter on Specialized Law-Making Processes, in 1 United Nations Legal Order 109 (Oscar Schachter & Christopher C. Joyner eds., 1995)

Chapter on Shipping, in 2 id. 715

Chapter on Aviation, in 2 id. 825

The United States Commitment to the Norms of the United Nations and Its Related Agencies, 1 Transnat'l L. & Contemp. Probs. 125 (1991)

Admission of "Palestine" as a Member of a Specialized Agency and Withholding the Payment of Assessments in Response, 84 Am. J. Int'l L. 218 (1990)

Some Lingering Questions About Article 60 of the Vienna Convention on the Law of Treaties, 22

Cornell Int'l L. J. 549 (1989)

Alien Tort Claims, Sovereign Immunity and International Law in U. S. Courts, 82 Am. J. Int'l L. 323 (1988)

Custom on a Sliding Scale, 81 Am. J. Int'l L. 146 (1987)

A Wishful Thinker's Rehearing in the Hague Case, 10 Hofstra L. Rev. 1059 (1982)

NATO Consultations as a Component of National Decisionmaking, 73 Am. J. Int'l L. 372 (1979)

The Roles of Due Process and Full Faith and Credit in Choice of Law, 62 Cornell L. Rev. 94 (1976)

Act of State Exceptions and Choice of Law, 44 U. Colo. L. Rev. 173 (1972) and Addendum, id. 379 (1973)

Technological Challenge to the Shared Environment: United States Practice, 66 Am. J. Int'l L. 290 (1972) (awarded Francis Deak Prize for meritorious AJIL article by a young scholar)

Effective Pollution Control in Industrialized Countries: International Economic Disincentives, Policy Responses and the GATT, 70 Mich. L. Rev. 859 (1972)

International Economic Development: The Emergent Issues, 64 Am. J. Int'l L. 106 (1970)

Extended Risk and Latin American Housing Guaranties: Foreign Assistance Through Business Risk Protection for Private Enterprise, 53 Va. L. Rev. 285 (1967)

Published scholarly commentaries and other relatively short works:

ASIL Insights on various international law topics

of current interest, on line at
<www.asil.org/insights>

International Law and the Report of the High-Level U.N. Panel on Threats, Challenges and Change, 10 International Peacekeeping: The Yearbook of International Peace Operations 163 (2006)

The Avena Case in the International Court of Justice and the U.S. Response, 17 Fed. Sentencing Rptr. 223 (2005)

U.S. Obligations to the United Nations, in The Oxford Companion to American Law 815 (2002)

United Nations Governance of Post-conflict Societies: A Plea for Good Faith and Informed Decision-Making, 95 Am. J. Int'l L. 579 (2001)

Restitution as a Remedy in U.S. Courts for Violations of International Law, 95 Am. J. Int'l L. 341 (2001)

Zschernig v. Miller and the Breard Matter, 92 Am. J. Int'l L. 704 (1998)

The Future of International Human Rights: An Introduction to the Conference Papers, 55 Wash. & Lee L. Rev. 661 (1998)

A Mythical State's Attitude Toward the Role of the United Nations in Maintaining and Restoring Peace, 26 Ga. J. Int'l & Comp. L. 43 (1996)

Comparative Advantage and the United Nations in Situations of Conflict, 26 Ga. J. Int'l & Comp. L. 73 (1996)

The Degrees of Self-Determination in the United Nations Era, 88 Am. J. Int'l L. 304 (1994)

Environment and Trade Measures After the Tuna/Dolphin Decision, 49 Wash. & Lee L. Rev. 1221 (1992)

Standing to Challenge Human Endeavors That Could Change the Climate, 84 Am. J. Int'l L. 525 (1990)

Alternative Dispute Resolution in International Law, 15 Transnational Perspectives, No. 2, at 8 (1989)

Understanding the Act of State Doctrine's Effect, 82 Am. J. Int'l L. 58 (1988)

Federal Statutes, Executive Orders and "Self-Executing Custom," 81 Am. J. Int'l L. 371 (1987)

Nicaragua v. United States as a Precedent, 79 Am. J. Int'l L. 652 (1985)

The U. N. Economic & Social Council, 5 Encyc. of Public Int'l L. 310 (1983)

Some Comments on Professor Rodes' Draft Convention, 39 Wash. & Lee L. Rev. 373 (1982)

A Statutory Approach to Implied Warranties on New Residential Construction, 36 Wash. & Lee L. Rev. 1075 (1979) (Frances Lewis Law Center project; co-authored)

The Quest for Competence in Another Discipline-- One Law Professor's Experience, 24 J. Legal Educ. 354 (1972)

Law Firms Could Better Serve the Poor, 55 A.B.A. J. 232 (1969)

Published book reviews:

Review of Gross & Ní Aoláin, Law in Times of Crisis: Emergency Powers in Theory and Practice (2006), 101 Am. J. Int'l L. 688 (2007)

Review of Klabbers, An Introduction to International Institutional Law (2002), 98 Am. J. Int'l L. 216 (2004)

Review of Sands & Klein, Bowett's Law of

International Institutions (5th ed. 2001), 96 Am. J. Int'l L. 741 (2002)

Review of Magliveras, Exclusion from Participation in International Organizations: The Law and Practice Behind Member States' Expulsion and Suspension of Membership (1999), 95 Am. J. Int'l L. 734 (2001)

Review of Fassbender, UN Security Council Reform and the Right of Veto: A Constitutional Perspective (1998), 93 Am. J. Int'l L. 975 (1999)

Review of Malone, Decision-Making in the UN Security Council: The Case of Haiti, 1990-1997 (1998), and of Sarooshi, The United Nations and the Development of Collective Security: The Delegation by the UN Security Council of its Chapter VII Powers (1999), 93 Am. J. Int'l L. 970 (1999)

Review of von Mangoldt, Rittberger & Knipping (eds.), The United Nations System and Its Predecessors (2 vols., 1997), 93 Am. J. Int'l L. 265 (1999)

Review of Sato, Evolving Constitutions of International Organizations (1996), 92 Am. J. Int'l L. 153 (1998)

Review of Simma (ed.), The Charter of the United Nations: A Commentary (1994), 90 Am. J. Int'l L. 333 (1996)

Review of Blum, Eroding the United Nations Charter (1993), 88 Am. J. Int'l L. 552 (1994)

Review of Bertrand, The Third Generation World Organization (1989), 86 Am. J. Int'l L. 183 (1992)

Review of Bailey, The Procedure of the UN Security Council (2d ed. 1988), 84 Am. J. Int'l L. 300 (1990)

Review of Amerasinghe, The Law of the International Civil Service, 83 Am. J. Int'l L.

674 (1989)

Review of D'Amato, *International Law: Process and Prospect*, 82 Am. J. Int'l L. 370 (1988)

Review of Osmanczyk, *The Encyclopedia of the United Nations and International Agreements*, 80 Am. J. Int'l L. 740 (1986)

Review of Osieke, *Constitutional Law and Practice in the International Labour Organization*, 80 Am. J. Int'l L. 417 (1986)

Review of McWhinney, *United Nations Law Making: Cultural and Ideological Relativism and International Law Making for an Era of Transition*, 79 Am. J. Int'l L. 1089 (1985)

Review of Scoles & Hay, *Conflict of Laws*, 33 J. Legal Educ. 394 (1983)

Review of Rubin & Graham (eds.), *Environment and Trade: The Relation of International Trade and Environmental Policy*, 31 Am. J. Comp. L. 373 (1983)

Review of Hingorani, *Prisoners of War* (2d ed.), 77 Am. J. Int'l L. 211 (1983)

Review of Stone, *Israel and Palestine: Assault on the Law of Nations*, 76 Am. J. Int'l L. 875 (1982)

Review of *Essays on International Law and Relations in Honour of A. J. P. Tammes*, 71 Am. J. Int'l L. 189 (1978)

Review of Metzger, *Lowering Nontariff Barriers: U. S. Law, Practice and Negotiating Objectives*, 22 UCLA L. Rev. 517 (1974)

Scholarly and professional panels:

Panelist on Law-Making and Standard-Setting by UN Specialized Agencies, in Panel on UN Law-Making and Standard-Setting, Conference on Global Issues Facing the United Nations, Columbia University Law

School, June 2004

Panelist on History of the American Society of International Law in a panel on The State of the American Society of International Law, 2003 ASIL Annual Meeting

Organizer and moderator, Conference on The Future of International Human Rights, Washington and Lee University School of Law, March 1998

Presenter on The Role of Intergovernmental Organizations in Global Governance, at Academic Council on the United Nations System (ACUNS)-American Society of International Law (ASIL) Workshop, Brown University, July 1996

Panel chair, Lawyers as Statesmen: 20th Century U.S. Attitudes Towards International Law, and panelist on Elihu Root, James Brown Scott and the Early Years of the ASIL, 1996 ASIL Annual Meeting (published in 1996 ASIL Proc. 139)

Panelist on The United Nations Security Council: Has Time Come for a Change?, at Academic Roundtable in International Law, University of Georgia School of Law, March 1996

Member of 2 panels at Colloquium on the Role of the United Nations in the Maintenance of Peace Before and After the Year Two Thousand, University of Georgia School of Law, March 1995 (papers published in Ga. J. Int'l & Comp. L., cited above)

Panelist on The Maturing of the International Court of Justice, in Panel on The Year in International Law, 1994 ASIL Annual Meeting (published in 1994 ASIL Proc. 464)

Presenter on International Law in the Time of the United Nations, at ACUNS-ASIL Workshop, Brown University, July 1993

Panel chair, Self-Determination of Peoples and Politics, 1992 ASIL Annual Meeting (published in 1992 ASIL Proc. 369)

Panelist on Enforcement by the Specialized Agencies in a panel on Compliance and Enforcement in the United Nations System, 1991 ASIL Annual Meeting (published in 1991 ASIL Proc. 434)

Panelist on the humanitarian law of war, Virginia Military Institute, February 1991

Panel chair, International Law: The Year in Review, 1990 ASIL Annual Meeting (published in 1990 ASIL Proc. 130)

Panelist on Lawmaking by U.N. Specialized Agencies, National Conference on the United States and the United Nations, Washington, D.C., November 1989

Panelist, New Prospects and Initiatives for a Revived United Nations, 1989 ASIL Annual Meeting (published in 1989 ASIL Proc. 447, 455)

Panelist on the World Court and Other Peaceful Means of Settling Disputes, Structures for Peace Convocation, Washington, D.C., February 1989

Panelist, Conference on The Internationalization of Private Practice and Legal Education, SUNY Buffalo, October 1988

Panelist, Conference on Teaching About International Organizations, Fletcher School of Law and Diplomacy, October 1987

Panelist on Congress and the World Court, Committee on World Order Under Law, 1987 A.B.A. Annual Meeting

Panel chair, The Jurisprudence of the [International] Court in the Nicaragua Decision, 1987 ASIL Annual Meeting (published in 1987 ASIL Proc. 258)

Panelist on the International Labor Organization in a panel on the United Nations System, Committee on World Order Under Law, 1986 Annual Meeting of

the American Bar Association

Panel chair, United Nations Mediation of Regional Conflicts, 1986 ASIL Annual Meeting (published in 1986 ASIL Proc. 135)

One of the principal presenters, Association of American Law Schools conference on teaching international and comparative law, October 1984

Panelist on Orderly Marketing Agreements, 1978 ASIL Annual Meeting (published in 1978 ASIL Proc. 2)

Lectureship:

Delivered 19 international law lectures at universities and institutes in the U.K., April-May 1991, under Elliot/Winant Lecture-Fellowship of the British-American-Canadian Associates.

Reports for professional associations:

Co-author of study of the International Labor Organization by A.B.A. Working Group on Review of U.N. Specialized Agencies, approved by A.B.A. House of Delegates, Aug. 1995; published in 30 Int'l Lawyer 653 (1996) and in John E. Noyes (ed.), The United Nations at 50: Proposals for Improving Its Effectiveness 107 (1997).

Report on U.S. withholding of dues from U.N., prepared for a committee of the American Society of International Law (1989); printed in ASIL Newsletter, July-Sept. 1989, at p. 4.

Report on prospective U.S. withholding of dues from U.N. specialized agencies that admit "Palestine" as a member, prepared for a committee of the ASIL (1989).

Professional society memberships:

American Society of International Law
(Executive Council, 1976-79, 1985-87, 1994-present; Vice President, 1985-87; Secretary,

1994-present; Executive Committee, 1994-present; Chair, Search Committees for new Executive Director, 1991 & 1993, and member of the Search Committee, 2001; Chair, Ad Hoc Committee on Relations Between ASIL and Int'l Law Students Association, 1993-94; Chair, Ad Hoc Committee on Executive Directorship, 2001)

American Law Institute

American Branch, International Law Association

Colorado and Virginia Bars (inactive).

Editor and frequent author of ASIL Insights, 1993-2006 (short pieces designed to educate the media, the public and students on international law aspects of current events, posted on the ASIL web site, <www.asil.org/insights>); member of various international law study groups from time to time; speaker on international law topics to lay groups.