

ABSTRACTS

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BOOKS

International Intellectual Property Law Casebook (with Doris Estelle Long)
(publication expected 1999).

The proposal for this casebook won out over several competing proposals submitted to the West Group in the course of the past two or three years. Its organization will reflect the other two books on international intellectual property that I have co-authored with Professor Doris Long.

Alien Tort Claims Statute (with Ralph G. Steinhardt) (1999).

This is a collection of the leading articles on a subject of huge current interest. I have written an analytical introduction just for this book, and Professor Steinhardt has written a conclusion. The book includes one of my previously published articles.

International Law Theory: Collected Papers, Volume 3 (publication expected 1999).

The first two volumes in this series of Collected Papers omitted articles devoted to the pure theory of international law. This volume picks up those articles. A generous Preface has been contributed by Professor Richard A. Falk.

European Union Law Anthology (with Karen V. Kole) (1998).

A comprehensive anthology on current European Union law issues. It is designed for American law students, and includes many European articles not available on Lexis or Westlaw.

International Intellectual Property Law (with Doris Estelle Long) (1997).

A comprehensively organized collection of edited articles for the international practitioner, distributed internationally by Kluwer Law.

International Law Studies: Collected Papers, Volume Two (1997).

This is the second volume of a projected five or six-volume series. Subjects included: environmental law, human rights, criminal law, foreign relations, political science and international law, and a study of international law.

Analytic Jurisprudence Anthology (1996)

This reader in analytic jurisprudence has chapters on positivism, natural law, legal realism, legal indeterminacy, formalism, pragmatism, and justice. There is substantial

new material that I have written for this volume, including short essays, introductions, questions, and comments.

International Intellectual Property Anthology (with Doris Estelle Long) (1996).

This is the first book that coherently organizes the field of international intellectual property. Topics include copyright and droit morale, trademark, trade secrets, patents, cultural property, treaties, registration, harmonization, and the economic interests of developed vs. developing nations. Professor Long and I have written new material for this volume, including introductions, short essays, questions, and comments.

Introduction to Law and Legal Reasoning (1996).

This is a reworked and expanded edition (with a new chapter) of the orientation lectures I gave to the entering freshman class at Northwestern in the 1980s, previously published under the misleadingly titled **How to Understand the Law**.

International Environmental Law Anthology (with Kirsten Engel) (1995).

This 678-page collection takes up the sources of international law, transboundary pollution, trade in hazardous wastes, ecological effects of war, biodiversity, desertification and deforestation, law of the sea, the atmosphere, Antarctica, and environmental ethics. In addition to organizing this material, Professor Engel and I have written introductions to the various chapters.

International Law and Political Reality: Collected Papers, Volume One (1995).

This is the first volume of a projected five or six-volume series. My previous essays are reprinted, with new introductions to provide continuity. The subjects herein are: The Vietnam War, other wars and interventions, nuclear weapons and technology, and minority rights.

CHAPTERS IN BOOKS

Megatrends in the Use of Force, in **The Law of Armed Conflict: Into the Next Millennium** (Naval War College International Law Studies, Volume 71) 1-16 (1998)
An estimation of broader trends impacting on the military use of force in the next century. The series is an internationally distinguished collection published by the Naval War College and distributed free of charge to libraries throughout the world.

Purposeful Ambiguity as International Legal Strategy: The Two China Problem, in Jerzy Makarczyk (ed.) **Theory of International Law at the Threshold of the 21st Century: Essays in honour of Krzysztof Skubiszewski** 109-121 (1996).

An international law analysis of the diplomatic and military maneuverings in the Taiwan Strait in March 1996.

ARTICLES

Legal and Moral Dimensions of Churchill's Failure to Warn, *Cardozo Law Review* (publication in 1999).

Based on remarks at Cardozo Symposium on the Holocaust: Moral & Legal Issues Unresolved 50 Years Later

Cross-Country Adoption, *Christian Century* (Publication in 1999)

Based on a speech I gave on December 10, 1998.

Brave New Scholarship, *Journal of Legal Education* (Publication in 1999)

Law and War, *35 UN Chronicle* (1998) (Publication in December 1998 issue no.4)

Cross-Country Adoption: A Call to Action, *73 Notre Dame Law Review (Propter Honoris*

Respectum issue honoring Professor Mary Ann Glendon) 1239(1998)

Based on a speech I gave at Notre Dame Law School in 1997, this paper, in honor of Mary Ann Glendon, outlines an international regime to facilitate the cross-country adoption of unwanted children.

Physician Assisted Suicide in **6 American Society of International Law Human Rights**. 1 (Winter 1996).

Takes up the questions whether there is a human right to commit suicide, and if so whether others, including physicians, may assist the commission of the suicide.

The Global Economy and "Economic" Human Rights in **6 American Society of International Law Human Rights**. 1 (Spring 1996).

Discussion of the Ricardan doctrine of "comparative advantage" and its effect on the standard of living of workers at home and abroad.

The Injustice of Dynamic Statutory Interpretation, **64 University of Cincinnati Law Review** 911-935 (1996).

This essay is the written version of the Robert Marx Lectures that I gave at Cincinnati Law School. It argues that any attempt to interpret statutes according to present policies is unfair to litigants whose transactions arose in the past.

Israel's Air Strike against the Osiraq Reactor: A Retrospective, **10 Temple International and Comparative Law Journal** 259-264 (1996).

This is a follow up to an essay I wrote in 1987 arguing for the legality of Israel's air strike on the Iraqi reactor, a position which was in the extreme minority at the time.

Human Rights as Part of Customary International Law: A Plea for Change of Paradigms, **25 Georgia Journal of International and Comparative Law** 47-98 (1995/96).

This essay, part of a symposium held at Georgia Law School, criticizes Professor Henkin's opening address on the sources of human rights law, and develops my own alternative approach.

The Moral and Legal Basis for Sanctions in 19 **Fletcher Forum** 19 (1995).

This is part of a symposium issue on sanctions. I discuss the nature, purpose, efficacy, and range of sanctions, growing out of the concept of an "escalation ladder" that I invented in a 1963 report which was then popularized by Hermann Kahn.

World Conferences and the Cheapening of International Norms in 1 **St. Louis-Warsaw Transatlantic Law Journal** 9 (1995).

Drawing upon my experiences as a delegate to the first "Earth Summit" held in Rio in 1992, I criticize the failure of the burgeoning "world conference" movement to prioritize discussions. The inevitable result is ambiguous language that pleases everyone but solves nothing.

The Path of International Law, in 1 **Journal International Legal Studies** 1 (1995).

I was asked to write this essay as the inaugural piece in a new law review. I take a critical look at the growing number of law reviews in the field of international law, and offer some suggestions for student editors to improve the value and efficacy of their publications.

On the Connection Between Law and Justice in Joel Feinberg & Hyman Gross (eds.), **Philosophy of Law** 19-30 (5th ed. 1995).

This is a reprint in the leading text in its field of a substantial part of an earlier essay of mine that had been published in a law-review symposium honoring Edgar Bodenheimer.

The Speluncean Explorers: Further Proceedings, in Joel Feinberg & Hyman Gross (eds.), **Philosophy of Law** 549-53 (5th ed. 1995).

This is a reprint in the leading text in its field of part of an earlier essay of mine that had been published in the **Stanford Law Review**.

The Expatriation Tax and International Human Rights in 6 **Currents: International Trade Law J** 8 (1995).

This argues that the proposed expatriation tax does not infringe upon the international human right of persons to leave their own country.

Individual Freedom in a World Increasingly Dominated by Multilateral Corporations in 5 **American Society of International Law Human Rights** 1 (Winter 1995).

Discussion of whether there is a danger of overly downsizing governments in light of the increasing power and lack of accountability of international corporations.

The Exit Tax in 5 **American Society of International Law Human Rights**. 1 (Spring 1995).

Implications of the proposed I.R.S. expatriation tax. This essay grew out of a report I prepared for the Department of Justice, which was shown to Senator Moynihan and (I was told) helped change his mind to supporting the proposed legislation.

Housing Rights, 5 **American Society of International Law Human Rights**. in 1 (Fall 1995).

My opposition to the proposed convention on human habitation, on the ground that lobbying for a "right" to housing takes attention and energy away from more pressing human rights and is economically preposterous.

Rev. 3/15/99