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DATE AND PLACE OF BIRTH:

January 10, 1937. New York City.

EDUCATION:

A.B., Cornell University, 1958.
J.D., Harvard University, 1961.
Ph.D., Columbia University, 1968.
Social Science Council Research Fellow in Nonparametric Statistics,
University of Michigan, 1968.

ACADEMIC HONORS:

Phi Beta Kappa, Phi Kappa Phi, Cornell University, 1957.
Distinction and High Honors, Cornell University, 1958.
Editor, Harvard Law Review, 1959-61.
Magna cum laude, Harvard Law School, 1961.
Woodrow Wilson Fellowship, 1967-68.
Certificate of Merit, American Society of International Law for
Perkins-Bauer Teaching Professorship, Northwestern University School of Law, 1985.
Carl H. Fulda Award 1987-1988 for Outstanding Achievement in International Law,
University of Texas, 1988.
Stanford Clinton Sr. Research Professorship, Northwestern University School of Law,
1989.
Leighton Chair, Northwestern University, 1990-date.
Robert H. Marx Lecturer, University of Cincinnati, 1996.
Human Rights Advocacy Award, Northwestern University Center for International

Human Rights, 1998
Fellow, NU Center for the Humanities, 1999-2000

TEACHING EXPERIENCE:

Wellesley College:

Instructor in Political Science, 1963-66.

University of Oregon:

Visiting Professor of Law, 1973-74.

Cardozo Law School (Yeshiva University):

Visiting Professor of Law, Fall Semester 1986.

Northwestern University:

Assistant Professor of Law and Political Science, 1968-1971.

Associate Professor of Law, 1971-74.

Lecturer on Professional Ethics, School of Medicine, 1976-1991.

Professor of Law, 1974-date.

Courses taught include: Constitutional Law, Justice, International Law, Environmental Law, Torts, Jurisprudence, Legal Ethics, International Human Rights, International Intellectual Property

PROFESSIONAL ASSOCIATIONS AND ACTIVITIES:

American Bar Association. Member of the Council, Section of International Law and Practice, 1985-88. Chair, Committee on International Courts, 1984-86. Co-Chair, InterBar Study Group on the Independence of Lawyers and Judges, 1985-87.

American Journal of International Law. Board of Editors, 1981-1994.

American Society of International Law. Chair, 1985 Annual Meeting. Chair, Nominating Committee 1980. Member of the Executive Council, 1980-83. Chair: Ad Hoc Committee on Compulsory Jurisdiction of the World Court, 1984. Member and Advisory Editor, Guiding Principles of International Law Project (MacArthur Foundation), 1989. Representative to the Earth Summit, Rio de Janeiro, 1992. Chair, Committee on Governance, 1995. Co-chair, Task Force on Terrorism and International Law, 2002-

American Society for Political and Legal Philosophy. Member, 1972-.

Association of American Law Schools. Secretary (1984) and President (1986), International Law Section. President (1984), Jurisprudence Section.

Chicago Council on Foreign Relations, Chicago Committee, 1999-

Human Rights Interest Group, American Society of International Law.
Founder (1985), Chair, 1985-1997.

International Law Association. Member, 1982-.

International League for Human Rights. Member, 1971-1990.

Journal of International Legal Studies, Advisory Editor, 1995-.

Jurist <http://jurist.law.pitt.edu/>, Contributing Editor, 2001-

Jurist Hotline <http://jurist.law.pitt.edu/hotline/>, Contributor, 2006-

Lawyer's Committee on Nuclear Policy, Member of the Consultative Council, 1982-.

Transnational Publishers Inc., Board of Editors, 1984-.

World Habeas Corpus. Executive Director, 1975-1984.

BIOGRAPHIES IN:

Who's Who in America.

Who's Who in American Law.

Who's Who in American Education.

Who's Who in Public International Law.

PRINCIPAL LITIGATION:

Lead counsel for plaintiff, **Lars Erik Gustav Lindstrom v. Jerome F. Graber, Warden**,
(203 F.3d 470, C.A.7 (Ill.), 7th Cir. Ct. of Appeals, 1999-2001) (international extradition)

Lead counsel for defendant, **Prosecutor v. Kovacevic**, International Criminal Tribunal
for Former Yugoslavia 1998 (IT-97-24-T) (first case charging a Serb with genocide).

Co-Counsel for relator, **State of Missouri ex rel. Rashid v. The Honorable Bernhardt C. Drumm**, 824 S.W.2d 497 (E. Dist. 1992).

Counsel for plaintiffs, **Nelson v. Saudi Arabia**, 923 F.2d 1528 (11th Cir. 1991) (first
American decision finding subject-matter jurisdiction over foreign sovereign for
tort committed in sovereign's territory).

Counsel for Applicant, **Kamasinski v. Austria**, European Court of Human Rights (1989) (first American attorney to argue before this court).

Counsel for plaintiff, **Branion v. Gramly**, 855 F.2d 1266 (7th Cir. 1988).

Counsel for appellant, **Carmichael v. United Technologies Corp.**, 835 F.2d 10 (5th Cir. 1988).

Counsel for plaintiff, **Flynn v. Secretary of State George Shultz**, 748 F.2d 1186 (7th Cir. 1985).

Co-Counsel for plaintiffs, **Von Dardel v. Union of Soviet Socialist Republics**, 623 F. Supp.246 (D.D.C. 1985) (the "Raoul Wallenberg Case")

Counsel for plaintiff, **Frolova v. Union of Soviet Socialist Republics**, 558 F. Supp. 358 (N.D. Ill. 1983), 761 F.2d 370 (7th Cir. 1985).

Co-Counsel for plaintiffs, **Ethiopia & Liberia v. Union of South Africa**, International Court of Justice, 1966 ICJ Rep. 6.

Counsel for defendants-appellants, **United States v. Baranski**, 484 F.2d 556 (7th Cir. 1973) (Section of Military Selective Service Act held unconstitutional)

PUBLISHED WORKS

A. BOOKS

International Law Sources: Collected Papers, Volume 3 (2004)

International Intellectual Property Coursebook (with Doris Estelle Long) (2000)
with **2002 Supplement to Coursebook** and **2002 Documents Supplement to Coursebook**

The Alien Tort Claims Act: An Analytical Anthology (with Ralph G. Steinhardt) (1999)

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

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

International Law Studies: Collected Papers Volume Two (1997)

Analytic Jurisprudence Anthology (1996)

Introduction to Law and Legal Thinking (1996)

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

[International Environmental Law Anthology](#) (with Kirsten Engel) (1995)

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

[International Law Coursebook](#) (1994)

International Law Anthology (1994)

[Justice and the Legal System](#) (with Arthur Jacobson) (1992)

How to Understand the Law (1989)

International Law: Process and Prospect (1987. Second edition, 1995)

Jurisprudence: A Descriptive and Normative Analysis of Law(1984)

[Assyrian Case for Autonomy](#) (1982)

International Law and World Order (1980) (with Burns Weston & Richard Falk).
Second edition, 1990

Basic Documents in International Law and World Order (1980) (with Burns
Weston & Richard Falk). Second edition, 1990

**Desegregation from Brown to Alexander: An Exploration of Supreme
Court Strategies** (1978) (with Stephen Wasby & Rosemary Metrailer)

Environment and the Law of the Sea (1974) (with John L. Hargrove)

[The Judiciary and Vietnam](#) (1972) (with Robert O'Neil)

[The Concept of Custom in International Law](#) (1971) The author has a few copies of this
book, which is out of print, and would be willing to donate a copy to a major library which does not have a
copy in its collection

The Realities of Vietnam (1968) (with Christopher Beal)

The Legality of the Use of Force Short of War (1963) (with Robert von Mehren)

B. BOOKS UNDER CONTRACT

International Law Today: A Reader, (West, in process, Spring 2006)

International Law as a Complex Self-Regulating System (publication expected 2007)

The Concept of Custom in International Law: 2nd Revised and Expanded Edition (publication expected 2006)

International Law Litigation: Collected Papers, Vol. 4 (publication expected 2007)

CHAPTERS

International Law from a Machiavellian Perspective, *in* Realism in the Pre- and Post-Cold War World, W. David Clinton ed., Louisiana State University Press (in process, 2006)

International Law as an Autopoietic System, pp.335-399 *in* Rüdiger Wolfrum & Volker Röben (eds.), (Max-Planck Institut für ausländischen öffentlichen Recht und Völkerrecht Beiträge 177), Developments of International Law in Treaty Making, Berlin, Heidelberg, Springer, 2005.

International Law, Cybernetics, and Cyberspace, *in* Computer Network Attack and International Law (Naval War College International Law Studies, v.76) 59-71 (2002)

On Genocide, *in* International Law across the Spectrum of Conflict: Essays in Honour of Professor L.C. Green on the Occasion of his Eightieth Birthday (Naval War College International Law Studies, v.75) 119-130 (2000)

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)

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).

The Relation of the Individual to the State in the Era of Human Rights, *in* M. Gibney (ed.), **World Justice? U.S. Courts and International Human Rights** 161 (1991).

National Prosecution for International Crimes, *in* 3 M.C.Bassiouni (ed.), International Criminal Law, 2d ed. 217 (1999).

United States Experience at the International Court of Justice (with Mary Ellen O'Connell), *in* L.F. Damrosch (ed.), **The International Court of Justice at a Crossroads** 403 (1987).

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ARTICLES

[The Contribution of the Infield Fly Rule to Western Civilization \(and Vice Versa\)](#), 100 **Northwestern University Law Review** (Centennial Issue) 189-200 (2006)

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[**International Law and Regulation of the Internet**](#), 89 *Kentucky Law Journal* 575-579 (2001)

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[**Brave New Scholarship**](#), 49 *Journal of Legal Education* 143-149 (1999)

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[**International Law and Kosovo**](#), 33 *United Nations Law Reports* 112 (1999)

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[**Customary International Law: A Reformulation**](#), 4 *International Legal Theory* 1-6 (1998)

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

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Georgia Journal of International and Comparative Law 47-98 (1995)

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[On the Connection Between Law and Justice](#), 26 University of California at Davis
Law Review 527 (1993), reprinted in part in Joel Feinberg & Hyman Gross
(eds.), *Philosophy of Law* 19-30 (5th ed. 1995)

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Law Review 757 (1992)

[Counterintuitive Consequences of "Plain Meaning."](#) 33 Arizona Law Review
529 (1991)

[International Criminal Law and the Macro-Micro Problem](#), 15 Nova Law Review
343 (1991).

[It's a Bird, It's a Plane, It's Jus Cogens!](#) 6 Connecticut Journal of International Law 1
(1991)

[Torture as Raison d'Etat](#), 10 Criminal Justice Ethics 40 (1991)

[Rethinking Legal Education](#), 74 Marquette Law Review 1 (1990)

[**Whales: Their Emerging Right to Life**](#) (co-author Sudhir K. Chopra), 85 American Journal of International Law 21 (1991)

[**Self-Regulation of Judicial Misconduct Could be Mis-Regulation**](#), 89 Michigan Law Review 609 (1990)

[**Harmful Speech and the Culture of Indeterminacy**](#), 32 William & Mary Law Review 207 (1990)

[**Pragmatic Indeterminacy**](#), 85 Northwestern Law Review 148 (1990)

[**Aspects of Deconstruction: Refuting Indeterminacy With One Bold Thought**](#), 85 Northwestern Law Review 113 (1990)

[**The Imposition of Attorney Sanctions for Claims Arising From the U.S. Air Raid on Libya**](#), 84 American Journal of International Law 705 (1990)

[**Aspects of Deconstruction: Thought Control in Xanadu**](#), 84 Northwestern Law Review 1086 (1990)

[**Aspects of Deconstruction: The Failure of the Word "Bird,"**](#) 84 Northwestern Law Review 536 (1990)

[**The Ultimate Injustice: When a Court Misstates the Facts**](#), 11 Cardozo Law Review 1313 (1990)

[**Aspects of Deconstruction: The "Easy Case" of the Under-aged President**](#), 84 Northwestern Law Review 250 (1990)

[**The Invasion of Panama was a Lawful Response to Tyranny**](#), 84 American Journal of International Law 516 (1990)

[**Do We Owe a Duty to Future Generations to Preserve the Global Environment?**](#) 84 American Journal of International Law 190 (1990)

[**A New Political Truth: Exposure to Sexually Violent Materials Causes Sexual Violence**](#) 31 William & Mary Law Review 575 (1990)

[**International Law in the Curriculum**](#), 2 Pace Yearbook of International Law 83 (1990).

[**Can Any Legal Theory Constrain Any Judicial Decision?**](#) 43 University of Miami Law Review 513 (1989)

[**Is International Law Part of Natural Law?**](#) 9 Vera Lex 8 (1989).

[**As Gregor Samsa Awoke One Morning from Uneasy Dreams He Found Himself Transformed into an Economic Analyst of Law**](#), 83 Northwestern Law Review 1012 (1989)

[**International Law in the Public Forum: The New York Times and the Libyan Chemical Weapons Plant**](#), 83 American Journal of International Law (1989)

[**Can Legislatures Constrain Judicial Interpretation of Statutes?**](#) 75 Virginia Law Review 561 (1989)

[**What Does it Mean To Be an Internationalist?**](#) 10 Michigan Journal of International Law 102 (1989).

[**The Relation of the Individual to the State in the Era of Human Rights**](#), 24 Texas Journal of International Law 1 (1989)

[**Custom and Treaty: A Response to Professor Weisburd**](#), 21 Vanderbilt Journal of International Law 459 (1988).

[**A Brief Rejoinder**](#), 21 Vanderbilt Journal of International Law 489 (1988).

[**State Responsibility for the Exportation of Nuclear Power Technology**](#) (with Kirsten Engel), 74 Virginia Law Review 1011 (1988)

[**The Theory of Customary International Law**](#), 1988 Proceedings American Society of International Law 242

[**International Human Rights at the Close of the Twentieth Century**](#), 22 International Lawyer 167 (1988).

[**The Alien Tort Statute and the Founding of the Constitution**](#), 82 American Journal of International Law 62 (1988)

[**The Decline and Fall of Law Teaching in the Age of Student Consumerism**](#), 37 Journal of Legal Education 461 (1987)

[**The President and International Law: A Missing Dimension**](#), 81 American Journal of International Law 375 (1987)

[**Trashing Customary International Law**](#), 81 American Journal of International Law 101 (1987)

[**Superior Orders vs. Command Responsibility**](#), 80 American Journal of International Law 604 (1986)

[Public International Law as a Career](#), 1 American University Journal of International Law and Policy 5 (1986)

[The United States Should Accept, by a New Declaration, the General Compulsory Jurisdiction of the World Court](#), 80 American Journal of International Law 331 (1986).

[Whither Jurisprudence?](#) 6 Cardozo Law Review 971 (1985)

[The Moral Dilemma of Positivism](#), 20 Valparaiso University Law Review 43 (1985)

[Nicaragua and International Law: The "Academic" and the "Real."](#) 79 American Journal of International Law 657 (1985)

[Is International Law Really "Law"?](#) 79 Northwestern Law Review 1293 (1985)

[Modifying U.S. Acceptance of the Compulsory Jurisdiction of the World Court](#), 79 American Journal of International Law 385 (1985)

[Judge Bork's Concept of the Law of Nations is Seriously Mistaken](#), 79 American Journal of International Law 92 (1985)

[Three Models of Legal Ethics](#) (co-author Edward J. Eberle), 27 St. Louis University Law Journal 761 (1983).

[The Purposive Dimension of International Law](#), 9 Brooklyn Journal of International Law 311 (1983)

[The Frolova Case: A Practitioner's View](#), 1 New York Law School Human Rights Annual 33 (1983)

[Israel's Air Strike Upon the Iraqi Nuclear Reactor](#), 77 American Journal of International Law 584 (1983)

[An Alternative to the Law of the Sea Convention](#), 77 American Journal of International Law 281 (1983)

[The Concept of Human Rights in International Law](#), 82 Columbia Law Review 1110 (1982)

[Legal Uncertainty](#), 71 California Law Review 1 (1983)

[Lon Fuller and Substantive Natural Law](#), 26 American Journal of Jurisprudence 202 (1981)

[**The Speluncean Explorers—Further Proceedings**](#), 32 Stanford Law Review 467 (1980), reprinted in part in Joel Feinberg & Hyman Gross (eds.), Philosophy of Law 549 (5th ed. 1995)

[**Judicial Legislation**](#), 1 Cardozo Law Review 63 (1979)

[**Disqualification of Counsel—The Westinghouse Litigation**](#), 61 Chicago Bar Record 88 (1979).

[**Are Human Rights Good for International Business?**](#) 1 Northwestern Journal of International Law & Business 22 (1979)

[**Contemporary Views of the Sources of International Law: The Effect of U.S. Resolutions on Emerging Legal Norms**](#), 1979 Proceedings of the American Society of International Law 300

[**The Limits of Legal Realism**](#), 87 Yale Law Journal 468 (1978)

[**Can/Should Computers Replace Judges?**](#) 11 Georgia Law Review 1277 (1977)

[**The Functions of Oral Argument in the United States Supreme Court**](#) (with Stephen L. Wasby & Rosemary Metrailler), 62 Quarterly Journal of Speech 410 (1976).

[**Obligation to Obey the Law: A Study of the Death of Socrates**](#), 49 Southern California Law Review 1079 (1976)

[**Towards a Reconciliation of Positivism and Naturalism: A Cybernetic Approach to a Problem of Jurisprudence**](#), 14 Western Ontario Law Review 171 (1975)

[**The "Bad Samaritan" Paradigm**](#), 70 Northwestern Law Review 798 (1975)

[**International Law and Rawls' Theory of Justice**](#), 5 Denver Journal of International Law 525 (1975)

[**Elmer's Rule: A Jurisprudential Dialogue**](#), 60 Iowa Law Review 1129 (1975)

[**The Impact of Impact Statements Upon Agency Responsibility: A Prescriptive Analysis**](#) (with James H. Baxter), 59 Iowa Law Review 195 (1973)

[**Written Statement of the International League for the Rights of Man Filed with the International Court of Justice in the Namibia Question**](#) (with Arthur Rovine), 4 New York University Journal of International Law & Politics 335 (1971).

[**The Content of International Law as Psychological Data**](#), 10 Columbia Journal of Transnational Law 66 (1971).

[**Environmental Degradation and Legal Action**](#), 26 Bulletin of the Atomic Scientists 24 (1970), *reprinted in* The Environmental Law Handbook (Norman Laudau & Paul Rheingold eds. 1971).

[**Brief for Constitutional Lawyers' Committee on Undeclared War as Amicus Curiae, Massachusetts v. Laird**](#) (with Richard Cummings, Harrop Freeman, Jon M. Van Dyke, Lawrence Sager & Lawrence Velvel), 17 Wayne Law Review 79 (1971)

[**The Relation of Theories of Jurisprudence to International Politics and Law**](#), 27 Washington & Lee Law Review 257 (1970)

[**The Massachusetts Antiwar Bill**](#), 42 New York State Bar Journal 639 (1970).

[**The Authoritativeness of Custom in International Law**](#), 53 Rivista Di Diritto Internazionale 491 (1970)

[**On Consensus**](#), 8 Canadian Yearbook of International Law 104 (1970)

[**Massachusetts in the Federal Courts: The Constitutionality of the Vietnam War**](#), 4 Journal of Law Reform 11 (1970)

[**Manifest Intent and the Generation by Treaty of Customary Rules of International Law**](#), 64 American Journal of International Law 892 (1970)

[**Machiavelli's View of International Law**](#), 5 Justinian Law Journal 31 (1970).

[**War Crimes and Vietnam: The Nuremburg Defense and the Military Service Resister**](#) (with Harvey L. Gould & Larry D. Woods), 57 California Law Review 1055 (1969), *reprinted in* 3 The Vietnam War and International Law 407 (Richard A. Falk ed. 1972)

[**Vietnam and Public International Law**](#), 2 Vanderbilt International Law Review 100 (1969).

[**The Concept of Special Custom in International Law**](#), 63 American Journal of International Law 211 (1969)

[**Consent, Estoppel and Reasonableness: Three Challenges to Universal International Law**](#), 10 Virginia Journal of International Law 1 (1969)

[**Wanted: A Comprehensive Theory of Custom in International Law**](#), 4 Texas International Law Forum 28 (1968).

[**Psychological Constructs in Foreign Policy Prediction**](#), 11 Journal of Conflict Resolution 294 (1967)

[Legal and Political Strategies of the South West Africa Litigation](#), 4 Law in Transition Quarterly 8 (1967), *reprinted in* The South West Africa/Nambia Dispute: Documents and Scholarly Writings (Jon Dugard ed. 1973)

[International Law—Content and Function: A Review](#), 11 Journal of Conflict Resolution 504 (1967).

[Legal Aspects of the French Nuclear Tests](#), 61 American Journal of International Law 66 (1967)

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Deterring the French Tests (with Eleanor Roberts), 34 The Correspondent 55 (1965).

[Treaties as a Source of General Rules of International Law](#), 3 Harvard International Law Journal 1 (1962)

E. SHORTER ARTICLES AND COMMENTARY

[Old Approaches to International Law](#), 36 Harvard Journal of International Law 509 (1995)

[Minutes of the Faculty Meeting](#), 1992 B.Y.U.L. Rev. 359 (Reprinted in Amicus humoriae : an anthology of legal humor)

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[The Authority of the United States Executive to Interpret, Articulate or Violate the Norms of International Law](#), 1986 Proceedings of the American Society of International Law 297.

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[Professor Nagel's Reflections on Cardozo](#), 2 Cardozo Law Review 589 (1981).

[Comment on Professor Falk's Remarks](#), 1981 Proceedings of the American Society of International Law 279.

[Contemporary Views of the Sources of International Law: The Effect of U.N. Resolutions on Emerging Legal Norms](#), 1979 Proceedings of the American Society of International Law 300.

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Congress, The Constitution and Presidential War, 9 Society 4 (1972).

[The Interpretation of Treaties](#), 1969 Proceedings of the American Society of International Law 135

Commentary on the Civil Rights Movement, 30 The Correspondent 88 (1964)

F. BOOK REVIEWS

Rebecca J. Cook, Human Rights of Women: National and International Perspectives, 89 American Journal of International Law 840 (1995)

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The Structure and Process of International Law: Essays in Legal Philosophy Doctrine and Theory, 34 Journal of Legal Education 742 (1984).

Human Rights, European Politics, and the Helsinki Accord: The Documentary Evolution of the Conference on Security and Co-Operation in Europe 1973-1975 (6 vols.), 78 American Journal of International Law 960 (1984)

G.J.H. von Hoff: Rethinking the Sources of International Law, 78 American Journal of International Law 937 (1984)

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Israel and Palestine: Assault on the Law of Nations? 91 Yale Law Journal 1725 (1982).

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United States Legislation on Foreign Relations and International Commerce, 71 American Journal of International Law 200 (1978).

E.B.F. Midgley: The Natural Law Tradition and the Theory of International Relations, 72 American Political Science Review 804 (1978).

Philip C. Jessup: The Price of International Justice, 69 American Political Science Review 375 (1975).

Edgar Bodenheimer: Power, Law, and Society, A Study of the Will to Power and the Will to Law, Washington University Law Quarterly 375 (1974).

What Washington Said: Administration Rhetoric and the Vietnam War, 68 American Journal of International Law 793 (1974).

H.W.A. Thirlway: International Customary Law and Codification, 67 American Journal of International Law 357 (1973).

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[Against the Crime of Silence](#), 57 California Law Review 1033 (1969).

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[Martin Shapiro: Law and Politics in the Supreme Court](#), 53 California Law Review 713 (1965).

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G. ENCYCLOPEDIA ARTICLES

[Justice](#), in The Philosophy of Law: An Encyclopedia

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[Anglo-Saxon Law](#) (co-author Stephen B. Presser), The Guide to American Law: Everyone's Legal Encyclopedia.

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