

ANNOUNCING THE ANNUAL SYMPOSIUM
OF THE WISCONSIN INTERNATIONAL LAW JOURNAL

*Speaking Law to Power:
International Law and Foreign Policy*



THE UNIVERSITY
of
WISCONSIN
MADISON

March 5-6, 2004

**Fluno Center for Executive Education
University of Wisconsin – 601 University Avenue – Madison, WI**

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DEDICATED TO:

Richard Bilder, Foley & Lardner Emeritus Professor of Law

PROGRAM OVERVIEW: The symposium brings world-famous international lawyers from six countries to the UW campus to explore the relationship between the practice of international law and the conduct of foreign relations. Symposium papers will be published by the Wisconsin International Law Journal in a special issue. How does international law affect policy, and policy affect the practice of international lawyers?

How do international lawyers inside and outside government interact with policy makers?

What channels of communication exist between those who teach international law in the academy and those who practice international law in various settings?

How does the field of international law cope with the tension between theory and practice, commitment and realpolitik?

What is the responsibility of the international lawyer within government when confronted with an apparent clash between policy and law?

How do these issues affect the various roles played by international lawyers (judge, advisor, activist, academic)?

How are these issues dealt with in different national political and legal cultures and traditions?

Thank you!

The Symposium Committee of the Wisconsin International Law Journal wishes to thank all of the sponsors for their support in producing the 2004 Symposium, *Speaking Law to Power: International Law and Foreign Policy*. Thank you for attending the Symposium. Your participation contributes to the on-going worldwide exchange of ideas on the relationship between academics and policy-makers in the field of international law.

Sincerely,

Wisconsin International Law Journal Symposium Committee

Margo Alpert

Anna Mickelson

Dorothy Weber

Heinz Klug, Faculty Advisor to the Wisconsin International Law Journal

A special thank you to **Professor David Trubek, Patrick Cottrell, and Pam Hollenhorst** for all their hard work in creating this symposium.

DEDICATION: Richard Bilder is Foley & Lardner-Bascom Professor of Law Emeritus at the University of Wisconsin-Madison, where he has taught since 1965. He was educated at Williams College and Harvard University Law School and was a Fulbright Scholar at Cambridge University in England. He served as an attorney in the Office of the Legal Adviser at the U.S. Department of State before becoming a professor at the University of Wisconsin, where his areas of expertise include international and foreign relations law, international organizations, admiralty law, contracts and torts. Among other positions, Professor Bilder has served as Vice-President of the American Society of International Law, on the Board of Editors of the American Journal of International Law, on the Executive Council of the Law of the Sea Institute, as Chair of the International Law Association's Committee on Diplomatic Protection of Persons and Property, on U.S. delegations to international conferences and as an arbitrator in international and domestic disputes. He also served as Rapporteur of the Joint Committee on the Role of the Legal Adviser of the Department of State established by the American Branch of the International Law Association and the American Society of International Law. He is the author of *Managing the Risks of International Agreement* (University of Wisconsin Press, 1981), and of a number of articles and other scholarly publications. Richard Bilder is not only a leading scholar, but also a respected teacher and admired colleague. The University of Wisconsin Law School community is pleased to dedicate this symposium in his honor.

SCHEDULE

FRIDAY, MARCH 5, 2004

3:00 OPENING CEREMONY & WELCOME

Kenneth B. Davis, Jr., Dean, University of Wisconsin Law School.

Gilles Bosquet, Dean, University of Wisconsin International Institute

David M. Trubek, Professor of Law and Director of the Center for World Affairs and the Global Economy (WAGE).

3:30 INTRODUCTION: "AN OUTSIDER LOOKS AT FOREIGN OFFICE CULTURE"

Thomas M. Franck, Murry and Ida Becker Professor of Law Emeritus and former Director of the Center for International Studies at New York University Law School.

4:00-5:30 PANEL 1: INTERNATIONAL LAW AND FOREIGN POLICY IN EUROPE

MODERATOR: Greg Shaffer, Professor of International Law, University of Wisconsin Law School

Philip Allot, Professor of International Public Law, Cambridge University and Fellow at Trinity College, Cambridge.

"Ontology and Deontology: The Government Legal Advisor's Role is Not a Happy One"

Jochen Frowein, Professor Emeritus of International Law at the University of Heidelberg and past Director of the Max Planck International Law Institute.

"Influencing Foreign Policy Decisions by Proper Legal Advice: The Special Case of Germany"

5:30-6:30 Reception

SATURDAY, MARCH 6, 2004

9:00-11:00 PANEL 2: INTERNATIONAL LAW AND FOREIGN POLICY IN THE UNITED STATES

MODERATOR: Brady Williamson, LaFollette Godfrey & Kahn, and Lecturer, University of Wisconsin Law School.

William D. Rogers, Senior Partner, Arnold & Porter; former Under Secretary of State for Economic Affairs.

“Policy Making and International Law in the U.S. State Department: Reflections of a Lawyer Turned Policy-Maker”

Miriam Sapiro, President, Summit Strategies International, former member of the National Security Council Staff and adjunct professor at NYU School of Law.

“The Politics of International Law: The Role of the International Lawyer in the U.S. Government”

11:00-11:15 Break

11:15-1:15 PANEL 3: THEORY MEETS PRACTICE

MODERATOR: Michael Barnett, Professor of Political Science and Director of International Studies Program, University of Wisconsin – Madison.

Martti Koskenniemi, Professor of International Law and Director of the Eric Castrén Institute of International Law and Human Rights at the University of Helsinki.

“Codification in the Age of Functional Specialization”

Nathaniel Berman, Professor of International Law, Brooklyn Law School.

“The Legitimacy of Defiance: from Krishna Menon to George Bush”

1:15-2:30 Lunch break

2:30-4:30 PANEL 4: POLITICS MEETS LAW

MODERATOR: Sumudu Atapattu, Adjunct Faculty and Visiting Scholar, Institute of International Studies of the University of Wisconsin Law School.

Hilary Charlesworth, Professor and Director of the Centre for International and Public Law, Australian National University.

“Dialogue of the Deaf? International Lawyers and the Invasion of Iraq”

Liliana Obregon, Professor of Law and Director of the International Law Program, University of Los Andes Law School, Bogota', Colombia.

“The Colluding Worlds of the Lawyer, the Scholar, and the Policy Maker: A View of International Law from the Periphery”

4:30-5:00 CLOSING REMARKS: David W. Kennedy, Manley O. Hudson Professor and Director of the European Law Research Center, Harvard Law School.

5:00-5:15 A FINAL WORD: Professor Richard B. Bilder, Foley & Lardner-Bascom Emeritus Professor of Law, University of Wisconsin Law School.