

# WILJ 2004 Symposium

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## March 5-6, 2004 -- Fluno Center, University of Wisconsin "Speaking Law to Power: International Law and Foreign Policy"

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### OVERVIEW

The Symposium asks:

- What is the relationship between the practice of international law and the conduct of foreign relations?
- 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?

"*Speaking Law to Power: International Law and Foreign Policy*," draws its inspiration from Professor Bilder's seminal 1962 article on "The Office of the Legal Adviser: The State Department Lawyer and Foreign Affairs," 56 American Journal of International Law 633 (1962), and his subsequent work in this area. Through this Symposium we hope to continue and expand on a tradition Professor Bilder has helped develop. To do that and address the questions posed above, we have invited a distinguished panel of international lawyers who have studied and lived with these issues in and outside of government.

The papers will be published in the Wisconsin International Law Journal.

### Additional Information:

Please contact, Margo Alpert, Symposium Editor for more information and registration details.

### Wisconsin International Law Journal Symposium Dedication

This year's symposium is dedicated to Foley & Lardner Emeritus **Professor Richard Bilder**, who has taught international law at the University of Wisconsin since 1965, and has had a distinguished career and been a leading scholar in that field.

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## Confirmed Symposium Speakers

Philip Allott, Cambridge University  
Nathaniel Berman, Brooklyn Law School  
Hilary Charlesworth, Australia National University  
Thomas Franck, New York University  
Jochen Frowein, Max Planck Institute, Heidelberg, Germany  
David Kennedy, Harvard University  
Martti Koskenniemi, University of Helsinki  
Liliana Obregon, Universidad de los Andes, Bogota, Colombia  
William D. Rogers, Arnold & Porter  
Miriam Sapiro, Summit Strategies International, LLC

## Chair and Staff

Honorary Chair: **Professor Thomas Franck**  
Murry and Ida Becker Professor Emeritus at New York University Law School,  
former President of the American Society of International Law

Program Chair: **Professor David Trubek**  
University of Wisconsin Voss-Bascom Professor of Law,  
Director, Center for World Affairs and the Global Economy (WAGE)

## 2004 Symposium Schedule

### Friday, March 4, 2004

**3:00 Opening Ceremony & Welcome**

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

**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**

**Philip Allot**, Reader in  
International Public Law and  
Fellow at Trinity College,  
Cambridge  
University. "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**

**William D. Rogers** Senior  
Partner in Arnold & Porter's and  
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,  
and former member of the  
National Security Council Staff.  
"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**

**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**

**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 "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.