

**CURTIS A. BRADLEY**  
William Van Alstyne Professor  
Duke University School of Law  
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Durham, N.C. 27708  
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## **EDUCATION**

**Harvard Law School**, Cambridge, Massachusetts  
J.D. 1988, *magna cum laude*

**University of Colorado**, Boulder, Colorado  
B.A. 1985, *summa cum laude* in Political Science

## **PROFESSIONAL EXPERIENCE**

**Legal Adviser's Office, U.S. Department of State**  
*Counselor on International Law*, January 2004 – December 2004

**Covington & Burling**, Washington, D.C.  
*Associate*, October 1991 – May 1995

**The Hon. Byron R. White**, United States Supreme Court  
*Law Clerk*, July 1990 – June 1991

**Arnold & Porter**, Denver, Colorado  
*Associate*, September 1989 – June 1990

**The Hon. David M. Ebel**, U.S. Court of Appeals for the Tenth Circuit  
*Law Clerk*, July 1988 – June 1989

## **TEACHING EXPERIENCE**

**Duke Law School**  
*Professor*, Summer 2005 – Present

**Harvard Law School**  
*Bemis Visiting Professor of International Law*, January 2008 – May 2008

**University of Virginia School of Law**  
*Professor, Summer 2000 – Summer 2005*

**University of Virginia School of Law**  
*Visiting Professor, Summer 1999 – Spring 2000*

**University of Colorado School of Law**  
*Associate Professor, Fall 1995 – Spring 1999*

## **AREAS OF EXPERTISE**

International Law  
U.S. Foreign Relations Law  
National Security Law  
Federal Jurisdiction  
International Litigation  
Presidential Power  
Counterterrorism Law

## **PUBLICATIONS**

### **Books:**

HISTORY'S CONSTITUTION: HOW GOVERNMENTAL PRACTICES DEFINE THE SEPARATION OF POWERS (work in progress to be published by Oxford University Press)

CUSTOM IN CRISIS: INTERNATIONAL LAW IN A CHANGING WORLD (work in progress to be published by Cambridge University Press; co-editing with Ingrid Wuerth of Vanderbilt Law School)

INTERNATIONAL LAW IN THE U.S. LEGAL SYSTEM (Oxford University Press 2013)

FOREIGN RELATIONS LAW: CASES AND MATERIALS (Wolters Kluwer) (5th ed. 2014) (with Jack Goldsmith of Harvard Law School)

FEDERAL COURTS AND THE LAW OF FEDERAL-STATE RELATIONS (Foundation Press) (8th ed. 2014) (with Peter Low and John Jeffries, Jr., both of the University of Virginia School of Law)

PRESIDENTIAL POWER STORIES (Foundation Press 2009) (co-edited with Christopher Schroeder of Duke Law School)

## **Book Chapters:**

*Treaty Signature*, in OXFORD GUIDE TO TREATIES (Duncan Hollis ed., 2012)

*The Story of Ex parte Milligan: Military Trials, Enemy Combatants, and Congressional Authorization*, in PRESIDENTIAL POWER STORIES (Foundation Press 2009)

## **Articles:**

*Constructed Constraint and the Constitutional Text*,  
Duke Law Journal, Volume 64 (forthcoming) (with Neil Siegel of Duke Law School)

*Treaty Termination and Historical Gloss*,  
Volume 92, Texas Law Review, pp. 773-835 (2014)

*Presidential Power, Historical Practice, and Legal Constraint*,  
Volume 113, Columbia Law Review, pp. 1097-1161 (2013) (with Trevor Morrison of Columbia Law School)

*Historical Gloss and the Separation of Powers*,  
Volume 126, Harvard Law Review, pp. 411-85 (2012) (with Trevor Morrison)

*Attorney General Bradford's Opinion and the Alien Tort Statute*,  
Volume 106, American Journal of International Law, pp. 509-30 (2012)

*International Law and the U.S. Common Law of Foreign Official Immunity*,  
Supreme Court Review, pp. 213-72 (2011) (with Larry Helfer of Duke Law School)

*Mandatory Versus Default Rules: How Can Customary International Law Be Improved?*, Volume 120, Yale Law Journal Online, pp. 421-54 (2011) (with Mitu Gulati of Duke Law School)

*Judicial Oversight, Justice, and Executive Discretion Bounded by Law*, Nomos (2011)

*Customary International Law and Withdrawal Rights in an Age of Treaties*,  
Volume 21, Duke Journal of Comparative and International Law, pp. 1-30 (2010) (with Mitu Gulati)

*State Action and Corporate Human Rights Liability*,  
Volume 85, Notre Dame Law Review, pp. 1823-38 (2010)

*Withdrawing from International Custom,*  
Volume 120, Yale Law Journal, pp. 202-75 (2010) (with Mitu Gulati)

*The United States and Human Rights Treaties: Race Relations, the Cold War,  
and Constitutionalism,*  
Volume 9, Chinese Journal of International Law, pp. 321-44 (2010)

*Foreign Sovereign Immunity and Domestic Officer Suits,*  
Volume 13, Green Bag 2d, pp. 137-51 (2010) (with Jack Goldsmith)

*Foreign Sovereign Immunity, Individual Officials, and Human Rights Litigation,*  
Volume 13, Green Bag 2d, pp. 9-23 (2009) (with Jack Goldsmith)

*The United States, Israel, and Unlawful Combatants,*  
Volume 12, Green Bag 2d, pp. 397-411 (2009)

*Self-Execution and Treaty Duality,*  
The Supreme Court Review, pp. 131-82 (2008)

*Intent, Presumptions, and Non-Self-Executing Treaties,*  
Volume 102, American Journal of International Law, pp. 540-51 (2008)

*The Concept of International Delegation,*  
Volume 71, Law & Contemporary Problems, pp. 1-36 (2008) (with Judith Kelley  
of Sanford School of Public Policy)

*Unratified Treaties, Domestic Politics, and the U.S. Constitution,*  
Volume 48, Harvard International Law Journal, pp.307-36 (2007)

*The Military Commissions Act, Habeas Corpus, and the Geneva Conventions,*  
Volume 101, American Journal of International Law, pp.322-44 (2007)

*Sosa, Customary International Law, and the Continuing  
Relevance of Erie,*  
Volume 120, Harvard Law Review, pp. 870-936 (2007)  
(with Jack Goldsmith and David Moore of BYU Law School)

*The Federal Judicial Power and the International Legal Order,*  
The Supreme Court Review, pp. 59-113 (2006)

*Presidential Signing Statements and Executive Power,*  
Volume 23, Constitutional Commentary, pp. 307-64 (2006)  
(with Eric Posner of the University of Chicago Law School)

*The War on Terrorism: International Law, Clear Statement Requirements, and Constitutional Design*,  
Volume 118, Harvard Law Review, pp. 2683-97 (2005) (with Jack Goldsmith)

*Congressional Authorization and the War on Terrorism*,  
Volume 118, Harvard Law Review, pp. 2047-2133 (2005) (with Jack Goldsmith)

*Executive Power Essentialism and Foreign Affairs*,  
Volume 102, Michigan Law Review, pp. 545-648 (2004)  
(with Professor Martin Flaherty of Fordham Law School)

*International Delegations, the Structural Constitution, and Non-Self-Execution*,  
Volume 55, Stanford Law Review, pp. 1557-96 (2003)

*The Juvenile Death Penalty and International Law*,  
Volume 52, Duke Law Journal, pp. 485-557 (2003)

*The Alien Tort Statute and Article III*,  
Volume 42, Virginia Journal of International Law, pp. 587-648 (2002)

*The Constitutional Validity of Military Commissions*,  
Volume 5, Green Bag 2d, pp. 249-58 (2002)  
(with Jack Goldsmith)

*World War II Compensation and Foreign Relations Federalism*,  
Volume 20, Berkeley Journal of International Law, pp. 282-95 (2002)

*The Costs of International Human Rights Litigation*,  
Volume 2, Chicago Journal of International Law, pp. 457-73 (2001)

*Universal Jurisdiction and U.S. Law*,  
University of Chicago Legal Forum, pp. 323-50 (2001)

*The Treaty Power and American Federalism, Part II*,  
Volume 99, Michigan Law Review, pp. 98-133 (2000)

*Treaties, Human Rights, and Conditional Consent*,  
Volume 149, Pennsylvania Law Review, pp. 399-468 (2000)  
(with Jack Goldsmith)

*Customary International Law and Private Rights of Action*,  
Volume 1, Chicago Journal of International Law, pp. 421-29 (2000)

*Chevron Deference and Foreign Affairs*,  
Volume 86, Virginia Law Review, pp. 649-726 (2000)

*Pinochet and International Human Rights Litigation*,  
Volume 97, Michigan Law Review, pp. 2129-84 (1999)  
(with Jack Goldsmith)

*A New American Foreign Affairs Law?*,  
Volume 70, University of Colorado Law Review, pp. 1089-1107 (1999)

*Breard, Our Dualist Constitution, and the Internationalist Conception*,  
Volume 51, Stanford Law Review, pp. 523-59 (1999)

*The Status of Customary International Law in U.S. Courts—  
Before and After Erie*,  
Volume 26, Denver Journal of International Law and Policy, pp. 807-26 (1998)

*The Abiding Relevance of Federalism to U.S. Foreign Relations*,  
Volume 92, American Journal of International Law, pp. 675-79 (1998)  
(with Jack Goldsmith)

*The Treaty Power and American Federalism*,  
Volume 97, Michigan Law Review, pp. 390-461 (1998)

*Federal Courts and the Incorporation of International Law*,  
Volume 111, Harvard Law Review, pp. 2260-75 (1998) (with Jack Goldsmith)

*The Charming Betsy Canon and Separation of Powers: Rethinking the  
Interpretive Role of International Law*,  
Volume 86, Georgetown Law Journal, pp. 479-537 (1998)

*The Current Illegitimacy of International Human Rights Litigation*,  
Volume 66, Fordham Law Review, pp. 319-69 (1997) (with Jack Goldsmith)

*Territorial Intellectual Property Rights in an Age of Globalism*,  
Volume 37, Virginia Journal of International Law, pp. 505-85 (1997)

*Customary International Law as Federal Common Law:  
A Critique of the Modern Position*,  
Volume 110, Harvard Law Review, pp. 815-76 (1997) (with Jack Goldsmith)

#### **Book Reviews:**

*A Review of Kal Raustiala, Does the Constitution Follow the Flag?*,  
Volume 104, American Journal of International Law, pp. 146-50 (2010)

*Terror and the Law: The Limits of Judicial Reasoning in the Post-9/11 World*,  
Foreign Affairs (July/August 2008)

*Foreign Affairs and Domestic Reform: A Review of Mary L. Dudziak, Cold War Civil Rights*, Volume 87, Virginia Law Review, pp. 1475-90 (2001)

*A Review of John Rogers, International Law and United States Law*, Volume 93, American Journal of International Law, pp. 756-59 (1999)

*International Civil Litigation in United States Courts*, Volume 37, Virginia Journal of International Law, pp. 233-45 (1993) (with Jack Goldsmith)

### **Short Essays and Other Writings:**

*Federalism, Treaty Implementation, and Political Process: Bond v. United States*, Volume 108, American Journal of International Law (forthcoming 2014)

*Emergency Power and Two-Tiered Legality*, Volume 63, Duke Law Journal Online, pp. 1-14 (2013)

American Society of International Law Insight, *Supreme Court Holds That Alien Tort Statute Does Not Apply to Conduct in Foreign Countries* (April 2013)

*Clear Statement Rules and Executive War Powers*, Volume 33, Harvard Journal of Law & Public Policy, pp. 139-48 (2009)

*The Bush Administration and International Law: Too Much Lawyering and Too Little Diplomacy*, Volume 4, Duke Journal of Constitutional Law & Public Policy, pp. 57-75 (2009)

American Society of International Law Insight, *Foreign Officials and Sovereign Immunity in U.S. Courts* (March 2009)

*Enforcing the Avena Decision in U.S. Courts*, Volume 30, Harvard Journal of Law & Public Policy, pp. 119-25 (2006)

Case Comment, *Sanchez-Llamas v. Oregon*, Volume 100, American Journal of International Law, pp. 882-88 (2006)

*Military Commissions and Terrorist Enemy Combatants*, Volume 2, Stanford Journal of Civil Rights & Civil Liberties, pp. 253-57 (2006)

“Parsing the Commander in Chief Power: Three Distinctions,” in PROCEEDINGS OF THE 100TH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (2006)

*Medellin v. Dretke: A Debate*,  
43 Colum. J. Transnat'l L. 667 (2005)

Entry on "Missouri v. Holland,"  
in *FEDERALISM IN AMERICA: AN ENCYCLOPEDIA* (Greenwood Press 2005)

"Federalism and the Treaty Power,"  
in *PROCEEDINGS OF THE 98TH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW* (2004)

American Society of International Law Insight, *U.S. Announces Intent Not to Ratify International Criminal Court Treaty* (May 2002)

*The "Pinochet Method" and Political Accountability*,  
Volume 3, Green Bag, Second Series, pp. 5-10 (Autumn 1999)

### **OP-ED ARTICLES**

*Rights Case Gone Wrong: A Ruling Imperils Firms and U.S. Diplomacy*,  
Washington Post, April 19, 2009 (with Jack Goldsmith)

*Signing Statements: It's a President's Right*, Boston Globe, Aug. 3, 2006 (with Eric Posner)

### **ACADEMIC SPEECHES AND PRESENTATIONS**

Participant and Organizer, Yale-Duke Roundtable on Foreign Relations Law, "A New Separation of Powers in Foreign Affairs?", Yale Law School, October 2014

Faculty Workshop, "Constructed Constraint and the Constitutional Text,"  
Columbia Law School, October 2014

Faculty Workshop, "Constructed Constraint and the Constitutional Text,"  
Duke Law School, September 2014

Panelist, "Domestic Human Rights Enforcement After *Kiobel*," Annual Meeting  
of the American Society of International Law, Washington, D.C., April 2014

Paper Presenter, Annual International Law in Domestic Courts Interest Group  
Workshop, Yale Law School, December 2013

Testified in the Senate Foreign Relations Committee on appropriate reservations  
for the UN Convention on the Rights of Persons with Disabilities, November  
2013



Paper Presenter and Organizer, Roundtable on “The Role of Custom, Convention, and Tradition in U.S. Constitutional Law,” Duke Law School, November 2013

Panelist, “Do We Need a New AUMF?,” American Bar Association’s 23rd Annual Review of the Field of National Security Law, Washington, D.C., October 2013

Paper Presenter and Organizer, Conference on “The Role of Opinio Juris in Customary International Law,” Duke-Geneva Institute in Transnational Law, University of Geneva, July 2013

Constitutional Law Workshop, “Presidential Power, Historical Practice, and Legal Constraint,” University of Chicago Law School, April 2013

Panelist, “Foreign Treaties, Federal Power, and States’ Rights,” Duke Law School, March 2013

Panelist, “Customary International Law: What is its Role in the U.S. Legal System,” American Society of International Law, Washington, D.C., March 2013

Presentation, “International Law in the U.S. Legal System,” Legal Adviser’s Office of the U.S. State Department, Washington, D.C., March 2013

Public Lectures, “International Law and American Constitutionalism: Reflections on 20 Years of Controversy,” University of Virginia School of Law, Duke Law School, University of North Carolina School of Law, University of Cincinnati College of Law, and University of Chicago Law School, February through April 2013

Panelist, “International Human Rights in the Supreme Court: *Kiobel v. Royal Dutch Petroleum*,” Duke Law School, February 2013

Participant, Seminar on Customary International Law, Lauterpacht Centre, Cambridge University, United Kingdom, January 2013

Commentator, Annual ASIL International Law in Domestic Courts Interest Group Workshop, December 2012, Duke Law School

Commentator, Federalism Panel, Junior Faculty Federal Courts Workshop, William & Mary Law School, October 2012

Discussant, “Foreign Relations and International Law,” American Society of International Law Midyear Meeting and Research Forum, Athens, Georgia, October 2012

Co-organizer of Conference, “Are Government Institutions Constrained by Law?”, Columbia Law School, September 2012

Presenter, “Approaches of National Courts to Engagement with International Law,” International Law Association Conference in Sofia, Bulgaria, August 2012

Faculty Workshop, “Historical Gloss and the Separation of Powers,” University of Colorado School of Law, April 2012

Moderator and Paper Presenter, “Custom and Law Symposium,” Duke Law School, February 2012

Presentation, “International Delegations,” Georgetown University Foreign Relations Law Workshop, Washington, D.C., February 2012

Faculty Workshop, “Historical Gloss and the Separation of Powers,” Duke Law School, January 2012

Panelist, “War, Terror, and the Federal Courts, Ten Years After 9/11,” Annual Meeting of the American Association of Law Schools, January 2012

Panelist, Plenary Session on “War,” Annual Meeting of the American Association of Law Schools, Washington, D.C., January 2012

Panelist, “Reassessing International Law Scholarship,” American Society of International Law, Washington, D.C., January 2012

Keynote Speaker, Second International Seminar on National Security Law, Centro de Investigacion Seguridad Nacional, Mexico City, Mexico, November 2011

Participant, Duke Law Roundtable on Global Public Goods, October 2011

Moderator and Participant, Duke-Harvard Foreign Relations Law Workshop, Harvard Law School, October 2011

Panelist, “Ten Years After 9/11: The Legal Landscape of the ‘War on Terror’”, Duke Law School, September 2011

Panelist, “9/11 and the Law—Ten Years Later,” University of Virginia Law School, September 2011

Panelist, “Suing Foreign Officials under the Alien Tort Statute,” as part of a conference on “Official and Municipal Liability for Constitutional and International Torts Today,” Fordham Law School, April 2011

Paper Presenter, Annual International Law in Domestic Courts Workshop, University of Virginia School of Law, December 2010

International Law Workshop, “International Law and the U.S. Common Law of Foreign Official Immunity,” Hebrew University in Jerusalem, December 2010

Moderator and Participant, Duke-Harvard Foreign Relations Law Workshop, Duke Law School, November 2010

Panelist, “Foreign Official Immunity After *Samantar v. Yousuf*,” International Law Association’s International Law Weekend, New York, October 2010

Debate, “Withdrawing from International Custom: A Critical Discussion,” Yale Law School, September 2010

Public Lectures, “The United States and International Human Rights Law,” and “The United States and the International Criminal Court,” Wuhan University’s Institute of International Law, Wuhan, China, April 2010

Moderator, Panel on “International Human Rights Law, Foreign Sovereign Immunity, and National Courts,” Annual Meeting of the American Society of International Law, March 2010

Participant and Paper Presenter, International Law Scholarship Roundtable, Washington University in St. Louis, February 2010

Participant, International Law Scholarship Roundtable on “Opting Out of Customary International Law,” Duke Law School, January 2010

Commentator, “Maintaining or Restoring the Rule of Law After September 11, 2001,” Annual Meeting of the American Society of Political and Legal Philosophy, New Orleans, January 2010

Panelist and Paper Presenter, “Re-examining Customary International Law and the Federal Courts,” Annual Meeting of the American Association of Law Schools, New Orleans, January 2010

Participant and Paper Presenter, Annual International Law in Domestic Courts, Hastings Law School, December 2009

Participant, International Law Scholarship Roundtable, Duke Law School, October 2009

Moderator and Participant, Duke-Harvard Foreign Relations Law Workshop, Harvard Law School, October 2009

Faculty Workshop, "Withdrawing from International Custom,"  
Duke Law School, September 2009

Panelist and Paper Presenter, Conference on "Legal Aspects of the Fight Against  
Terrorism," Ono Academic College, Tel Aviv, Israel, June 2009

Faculty Workshop, "The United States, Israel, and Unlawful Combatants,"  
Duke Law School, May 2009

Moderator, "Rethinking the U.S. Relationship to the International Criminal  
Court," Duke Law School, April 2009

Panelist, "War Powers and the Executive," Annual Federalist Society Student  
Symposium, Yale Law School, February 2009

Constitutional Law Workshop, "Self-Execution and Treaty Duality,"  
Georgetown Law Center, February 2009

Participant, Annual International Law in Domestic Courts Workshop, Temple  
Law School, December 2008

Public Lecture, "The Bush Administration and International Law," Duke Law  
School, November 2008

Moderator and Participant, Duke-Harvard Foreign Relations Law Workshop,  
Duke Law School, September 2008

Participant, Supreme Court Review, Duke Law School, September 2008

Participant, Panel Discussion on *Boumediene v. Bush*, Duke Law School,  
June 2008

Panelist, "The Politics of Teaching International Law," Annual Meeting of the  
American Society of International Law, April 2008

Faculty Workshop, "The Story of *Ex parte Milligan*," Harvard Law School,  
March 2008

Commentator on "Freedom's Battle: The Origins of Humanitarian Intervention"  
by Garry Bass, International Law and International Relations Seminar,  
Weatherhead Center for International Affairs, Harvard University, March 2008

Paper Presenter, Annual International Law in Domestic Courts Workshop,  
University of Texas School of Law, December 2007

Faculty Workshop, “The Story of Ex parte Milligan,” University of Virginia School of Law, November 2007

Moderator and Participant, Foreign Relations Law Workshop, Harvard Law School, November 2007

Presentation, “Military Detention in the War on Terrorism,” University of Chicago Law School, May 2007

Moderator, Panel on “Detaining Terrorists: Habeas Corpus Concerns,” Conference on “Confronting Terrorism Here and Abroad: Which Way Forward?,” Duke University, April 2007

Panelist, National Press Club Briefing on the Military Commissions Act and International Law, Washington, D.C., March 2007

Presentation for Judges, “Detention and Habeas Issues,” for Conference on War on Terrorism, Duke Law School, March 2007

International Law Workshop, “Unratified Treaties, Domestic Politics, and the U.S. Constitution,” Stanford Law School, March 2007

International Law Workshop, “Unratified Treaties, Domestic Politics, and the U.S. Constitution,” Georgetown Law Center, March 2007

International Law Workshop, “Unratified Treaties, Domestic Politics, and the U.S. Constitution,” University of Georgia School of Law, February 2007

Commentator, Winter Roundtable, “The Law and Politics of International Cooperation,” Vanderbilt Law School, January 2007

Panelist, “Congressional Power and the Military Commissions Act of 2006,” American Association of Law Schools Annual Meeting, January 2007

Panelist, “The Bush Presidency and the Constitution,” American Association of Law Schools Annual Meeting, January 2007

Commentator, Annual International Law in Domestic Courts Workshop, University of San Diego Law School, December 2006

Moderator and Participant, Foreign Relations Law Workshop, Duke Law School, October 2006

Faculty Workshop, “Unratified Treaties, Domestic Politics, and the U.S. Constitution,” Florida State University School of Law, October 2006

International Law Workshop, “Unratified Treaties and the U.S. Constitution,”  
Harvard Law School, October 2006

International Law Workshop, “*Sosa*, Customary International Law, and the  
Continuing Relevance of *Erie*,” Northwestern University School of Law,  
September 2006

Faculty Workshop, “Presidential Signing Statements and Executive Power,”  
Duke Law School, August 2006

Summer Workshop, “Unratified Treaty Amendments and Constitutional Process,”  
Duke Law School, June 2006

Participant, Symposium on “Legitimacy in International Law,” Max Planck  
Institute on International and Comparative Law, Heidelberg, Germany,  
June 2006

Workshop, “*Sosa*, Customary International Law, and the Continuing  
Relevance of *Erie*,” University of Chicago Law School, May 2006

Chair, Panel on “The Powers of the Commander in Chief in the Struggle  
Against Terrorism,” 100th Annual Meeting of the American Society of  
International Law, March 2006

Participant and Organizer, Workshop on “Delegating Sovereignty: Constitutional  
and Political Perspectives,” Duke Law School, March 2006

Panelist, “Enforceability of International Tribunals’ Decisions in the U.S.,”  
Annual National Federalist Society Student Symposium, February 2006

Panelist, “Civil Rights on a Cruise: *Spector v. Norwegian Cruise Lines*,”  
American Association of Law Schools Annual Meeting, January 2006

Panelist, “Federal Courts and the War on Terrorism,” American Association of  
Law Schools Annual Meeting, January 2006

Commentator, Annual International Law in Domestic Courts Workshop,  
Vanderbilt Law School, December 2005

Presentation for Federalist Society, “*Sosa*, Customary International Law, and  
Federal Common Law,” Wake Forest Law School, November 2005

Moderator, Foreign Relations Law Workshop, Harvard Law School,  
October 2005

Presentation for Federalist Society, “Sosa, Customary International Law, and Federal Common Law,” University of Chicago Law School, October 2005

Panelist, “Update on the Global War on Terror,” Duke Law School, September 2005

Panelist, “The Legacy of Justice O’Connor,” Duke Law School, August 2005

Workshop, “Unratified Treaties and the Constitution,” University of Chicago Law School, May 2005

Panelist, Harvard Law Review Symposium, “Congressional Authorization and the War on Terrorism,” April 2005

Panel Moderator, Panel on “The President and International Law in the War on Terrorism,” Conference on “Strategies for the War on Terrorism: Taking Stock,” Duke Law School, April 2005

Presentation for Judges, “Detention Issues,” for Conference on War on Terrorism, Duke Law School, March 2005

Presentation for Judges, “The Alien Tort Statute,” Federal Judicial Center Program, Williamsburg, Virginia, March 2005

Panel Moderator, Conference on “Beyond the U.S. War on Terrorism: Comparing Domestic Legal Remedies to an International Dilemma,” University of Virginia School of Law, February 2005

Participant in Debate on *Medellin v. Dretke*, Columbia Law School, February 2005

Paper Presenter, Third Annual Workshop of the American Society of International Law’s Interest Group on International Law in Domestic Courts, Georgetown Law Center, December 2004

Panelist, “International Law and the War Power,” American Constitution Society Conference on “Terrorism and the Rule of Law,” University of Chicago School of Law, October 2004

Panelist, “The Alien Tort Statute After *Sosa v. Alvarez-Machain*: What Future for International Human Rights Litigation in U.S. Courts?,” University of Virginia School of Law, September 2004

Panelist, Training Session on Treaties Within the U.S. Legal System, Legal Adviser’s Office, U.S. Department of State, May 2004

Panelist, “Treaties in U.S. Law – New Debates on Old Ideas?,” 98th Annual Meeting of the American Society of International Law, April 2004

Panel Moderator, Conference on “International Law and Practice in American Constitutionalism,” University of Virginia School of Law, March 2004

Panelist, Training Session on Customary International Law, Legal Adviser’s Office, U.S. Department of State, February 2004

Commentator, Second Annual Workshop of the American Society of International Law’s Interest Group on International Law in Domestic Courts, University of Maryland School of Law, December 2003

Student Summer Workshop, “Detention of Alleged Enemy Combatants After September 11,” University of Virginia School of Law, July 2003

Summer Faculty Workshop, “Unratified Treaties and the Constitution,” University of Virginia School of Law, June 2003

Panelist, “Courts, Sovereignty, and Human Rights,” Princeton Program in Law and Public Affairs, on “Globalization, Democracy, and Regulation,” May 2003

Faculty Colloquium, “Executive Power Essentialism and Foreign Affairs,” University of Virginia School of Law, March 2003

Panelist, “Treaties, Enforcement, and U.S. Sovereignty,” Stanford Law School, February 2003

Paper Presenter, First Annual Workshop of the American Society of International Law’s Interest Group on International Law in Domestic Courts, Fordham Law School, December 2002

Participant, “War and the Constitution,” Georgetown University Law Center, October 2002

Presentation, “What We Know and Don’t Know About Federalism and Foreign Affairs,” Office of the Legal Adviser, U.S. State Department, September 2002

Panelist, “The Constitution in the Age of Globalization,” AALS/APSA Conference on Constitutional Law, June 2002

Participant, “Antiterrorism Law,” Princeton Program in Law and Public Affairs, May 2002

Summer Faculty Workshop, “International Delegations and the Structural Constitution,” University of Virginia School of Law, May 2002



Panelist, "Combating Terrorism," University of Virginia School of Law, March 2002

Panelist, "Alien Tort Claims Act," Federalist Society National Lawyers Convention, Washington, D.C., November 2001

Workshop, "The Juvenile Death Penalty and International Law," University of Chicago Law School, November 2001

Presentation for Federalist Society, "World War II Compensation and Foreign Relations Federalism," University of Chicago Law School, November 2001

Panelist, "International Law in the American Law School," 95th Annual Meeting of the American Society of International Law, April 2001

Chair, "The U.S. Death Penalty: History and International Perceptions," 95th Annual Meeting of the American Society of International Law, April 2001

Panelist, "Should U.S. Courts Entertain Claims Against Foreign Governments and Leaders?," Conference on "American Sovereignty: Issues for the New Administration and the New Decade," American Enterprise Institute, Washington, D.C., April 2001

Panelist, Stefan A. Riesenfeld Symposium, "Fifty Years in the Making: World War II Reparation and Restitution Claims," Boalt Hall School of Law, March 2001

Paper Presenter, "The Juvenile Death Penalty and International Law," Faculty Retreat, University of Virginia School of Law, January 2001

Panelist, "Frontiers of Jurisdiction: The Promise and Perils of Universal Jurisdiction," University of Chicago Legal Forum, 15th Annual Symposium, November 2000

Presenter, "International Perspectives on the Death Penalty," London Sessions, Annual Meeting of the American Bar Association, July 2000

Panelist, "International Law in Domestic Litigation," 94th Annual Meeting of the American Society of International Law, April 2000

Panel Moderator, Conference on "Domestic and International Enforcement of Human Rights Norms at the Turn of the Century: Pinochet and the International Criminal Court," University of Virginia School of Law, April 2000

Panelist, Conference on “International Law and the Dilemma of Accountability,”  
University of Virginia School of Law, February 2000

Faculty Colloquium, “The U.S. Treaty-makers, International Human Rights  
Law, and Conditional Consent,” Notre Dame Law School, February 2000

Public Presentation, “National Sovereignty vs. Human Rights: The Case of  
Augusto Pinochet,” University of Virginia School of Law,  
November 1999

Faculty Colloquium, “Chevron Deference and Foreign Affairs,” University of  
Virginia School of Law, November 1999

Public Presentation, “Customary International Law as Federal Common Law,”  
Duke University School of Law, October 1999

Faculty Colloquium, “Chevron Deference and Foreign Affairs,” Duke University  
School of Law, October 1999

Public Presentation, “National Sovereignty vs. Human Rights: The Case of  
Augusto Pinochet,” William & Mary School of Law, September 1999

Faculty Colloquium, “Chevron Deference and Foreign Affairs,” William & Mary  
School of Law, September 1999

Luncheon Presentation, “Pinochet and International Human Rights Litigation,”  
International Law Committee of Colorado Bar Association, March 1999

Participant, Conference on “Delegating Sovereignty: Constitutional and Legal  
Implications of U.S. Participation in Treaty Regimes,” New York University  
School of Law, February 1999

Introductory Presentation, University of Colorado Law Review Symposium,  
“Foreign Affairs Law at the End of the Century,” January 1999

Faculty Colloquium, “Breard, Our Dualist Constitution, and the Internationalist  
Conception,” University of Colorado School of Law, September 1998

Faculty Colloquium, “The Treaty Power and American Federalism,” University  
of Colorado School of Law, March 1998

Panelist, 1997 Sutton Colloquium, University of Denver School of Law,  
April 1997

Faculty Colloquium, “The Charming Betsy Canon and Separation of Powers,”  
University of Colorado School of Law, March 1997

Panelist, International Human Rights Law Symposium, Fordham Law School,  
February 1997

Principal Presenter, International Intellectual Property Law Symposium,  
University of Virginia School of Law, January 1997

Luncheon Presentation, “Territorial Intellectual Property Rights in an Age of  
Globalism,” International Law and Intellectual Property Law Committees of  
Colorado Bar Association, October 1996

Faculty Colloquium, “Customary International Law as Federal Common Law,”  
University of Colorado School of Law, February 1996

Luncheon Presentation, “Customary International Law as Federal Common Law,”  
International Law Committee of Colorado Bar Association, November 1995

### **MISCELLANEOUS TEACHING ACTIVITIES**

Chesley Distinguished Visiting Professor of Law, University of Cincinnati  
College of Law, March 2013

Taught two-day seminar for federal judges at Duke Law School on “International  
Human Rights Law in the U.S. Legal System,” April 2011

Taught two-week portion of seminar in Hong Kong on “National Views of  
International Law,” Asia-America Institute in Transnational Law, July 2010

Taught short course at the University of Toronto Law School on “International  
Human Rights Litigation in U.S. Courts,” September 2009

Regular instructor in Duke Law School’s yearly program for judges on “Law and  
National Security in the War on Terrorism”

Taught short course at the University of Chicago Law School on “Legal Issues in  
the War on Terrorism,” April-May 2006

Taught two-day course for federal and state judges entitled, “Grotius, Vattel,  
and Modern International Law,” in conjunction with George Mason’s Law &  
Economics Center, Fall 2004

Served as Director of English Studies at The Hague Academy of International  
Law, Summer 2004

Taught three-week course for judges entitled, “International Law in American Courts,” at the University of Virginia School of Law, Summer 2003

### **ASSOCIATIONS, APPOINTMENTS, AND AWARDS**

Reporter for the American Law Institute’s Restatement (Fourth) of the Foreign Relations Law of the United States

Member, Board of Editors, American Journal of International Law

Member, Secretary of State’s Advisory Committee on International Law, U.S. Department of State

Elected Member, American Law Institute

Member, Council for the Section on International Law, American Bar Association

Co-Director of Center for International and Comparative Law, Duke Law School, 2006-08, 2010-12

Member, Executive Board of Duke’s Center for Law, Ethics, and National Security

Member, International Law Association Study Group on the Principles on the Application of International Law by Domestic Courts

Senior Associate Dean for Academic Affairs, Duke Law School, 2007-09, 2012-present

Recipient of Dean’s Award for Enhancement of Intellectual Life, 2012

Recipient of Dean’s Award for Institutional Service, 2011

Recipient of Dean’s Award for Faculty Collaboration, 2006

District of Columbia and Colorado Bar Associations