

Leading scholars explore status of international law

Authors Jack L. Goldsmith and Eric A. Posner joined other top international law scholars last fall to discuss and critique *The Limits of International Law*, recently published by Oxford University Press. The symposium was co-sponsored by the *Georgia Journal of International and Comparative Law* and the Dean Rusk Center – International, Comparative and Graduate Legal Studies.

Woodruff Chair Daniel M. Bodansky, who together with Rusk Professor Peter J. Spiro, was instrumental in convening the conference, said *The Limits of International Law* is aimed at a wide audience and has contributed to a healthy debate about the role of international law. “The book articulates a skeptical attitude towards international law held by important members of the [George W.] Bush administration, which needs to be taken seriously, but also

subjected to serious critical analysis,” he said.

The book’s basic claim, according to Goldsmith, is that international law reflects nothing more than the self-interested action of states. “We take [this] assumption and push the plane as far as it can go and see how much of international law can be explained.”

Spiro said it was important to host this forum as this is a time of tremendous ferment in international law, both on the ground and in scholarship. “The book represents a flashpoint among academics confronting the new reach of international law. The symposium discussion was at a high theoretical level, but this is clearly an area in which the theory has important real-world implications.”

Commentaries from the conference will be published in the winter edition of the *Georgia Journal of International and Comparative Law*.

Co-author of The Limits of International Law Jack Goldsmith (right) discusses his view that international law is a function of one of four strategic relationships: coincidence of interest (when nations have the same interests independently of each other), coercion (when powerful states exert their influence over other states), cooperation (where states forgo their own short-term interests in favor of medium-term interests shared with other states) and coordination (agreement on basic methods of communication and protocol). Eric Posner, his partner in writing the book, is to Goldsmith’s left.



The well-respected international law scholars who participated in the conference were: (l. to r.) David Golove (New York University School of Law), Allen Buchanan (Sanford Institute of Public Policy at Duke University), Peter Spiro (Georgia Law), Kal Raustiala (UCLA School of Law and Program on Global Studies), Dan Bodansky (Georgia Law), Andrew Guzman (Boalt Hall School of Law, University of California-Berkeley), Jack Goldsmith (Harvard Law School), Eric Posner (University of Chicago School of Law), Margaret McGuinness (University of Missouri School of Law) and Philippe Sands (University College London, Faculty of Laws).