AJILUnbound

VOL. 108	March 2014-Jul	y 2015
	CONTENTS	PAGE
Symposium: Nico Krisch, "The Age of Global Public Goods"	Decay of Consent: International Law in an	
Age of Global Public Goods	e Decay of Consent: International Law in an Eyal Benvenisti & George W. Downs mment on Nico Krisch's The Decay of Consent	1
110111 Contract to Status. 11 Con	Tom Ginsburg	8
·	ssion of the International Law Commission ernational Law Commission's Work	
	Jacob Katz Cogan	4
The International Law Commis	ssion Reinvents Itself? Kristina Daugirdas	79
Symposium: Remedies For Harr Remedies for Harm Caused by	· -	
UN Accountability for Haiti's	Bruce Rashkow	10
	urzban, Beatrice Lindstrom, & Shannon Jonsson	17
	José Alvarez	22
Symposium: The End of Treatie Collective Decision-making in		
	Timothy Meyer	30
-	Are Premature, but Customary International	. 20
Law May Have Outlived In	ts Usefulness Joel P. Trachtman langeable Instruments of National Policy	<i>i</i> 36
	Bart M. J. Szewczyk	41
The Fall and Rise of Peace Tre	Tanisha M. Fazal	46
Increasing Relevance of Treation	<u> </u>	. 50
An Empirical Look at U.S. Tre	raty Practice: Some Preliminary Conclusions	52
7 III Empiricai Look at U.S. Tie	Cindy Galway Buys	s 57

<u>Treaty Stasis</u>	
The Expansion of International Law Beyond Treaties Brian Israel	63
Humberto Cantú-Rivera	70
The Successes and Challenges for the European Court, Seen from the Outside	
Laurence R. Helfer	74
Agora: Bond v. United States Bond, Clear Statement Requirements, and Political Process	
Curtis A. Bradley Bond v. United States and Congress's Role in Implementing Treaties	83
William S. Dodge	86
The Bond Court's Institutional Truce Monica Hakimi	89
Symposium: "The Idea of Effective International Law"	
The Idea of Effective International Law: Continuing the Discussion Vijay Padmanabhan	91
How Compliance Understates Effectiveness Timothy Meyer	93
Varieties of Effectiveness: What Matters? Liam Murphy	99
"Effectivity" in International Law: Self-Empowerment Against Epistemological Claustrophobia Jean d'Aspremont	103
Symposium on the Uniting for Peace Resolution "Uniting for Peace': Does it Still Serve Any Useful Purpose?	
Larry D. Johnson He Got It Almost Right	106
Frederic L. Kirgis What Does the Uniting for Peace Resolution Mean for the Role of the UN	116
Security Council? The Legalizing and Legitimizing Function of UN General Assembly	118
Resolutions Uniting for "Peace" in the Second Cold War: A Response to Larry Johnson	123
Boris N. Mamlyuk Comment on Larry Johnson, "Uniting for Peace"	129
Henry Richardson	135
Symposium: The True Meaning of Force The True Meaning of Force	
The True Meaning of Force – A Reply to Mary Ellen O'Connell The True Meaning of Force – A Reply to Mary Ellen O'Connell	141
Tom Ruys	148
The True Meaning of Force: A Further Response to Tom Ruys in the Interest of Peace Mary Ellen O'Connell	153

Response to Richard Stewart, "Remedying Disregarding Global	
Regulatory Governance" David Zaring	145
Symposium: Elephant Law	
Introduction to Symposium	
Jacqueline Peel	155
Aligning Frames for Elephant Extinction: Towards a New Role for the	100
United Nations André Nollkaemper	158
Elephant Poaching and Ivory Trafficking as a Threat to the Peace	150
Anne Peters	162
Delegitimizing Ivory: The Case for an Ivory Trade Ban Treaty	102
Rachelle Adams	166
Symposium: Reflections on Customary International Law and the International Law Commission's Project	
<u>Identifying the Rules for Identifying Customary International Law</u>	
Sean D. Murphy	169
<u>Identifying International Organizations' Contributions to Custom</u>	
David M. DeBartolo	174
<u>Does Custom Have a Source?</u>	
Daniel Bodansky	179
Identifying Customary International Law: First Thoughts on the ILC's	
<u>First Steps</u> Edward T. Swaine	184
The Potential Impact on Investment Arbitration of the ILC's Work on	
Customary International Law Jeremy K. Sharpe	188
Some Observations on the Draft Conclusions on Identification of	
Customary Law Provisionally Adopted by the ILC's Drafting	
Committee at the Sixty-Sixth Session (2014) Bernard H. Oxman	193
Identifying the Rules for Identifying Customary International Law: Response	
Michael Wood & Omri Sender	196
Customary International Law: A Moral Judgment-based Account	
John Tasioulas	XXX
Symposium: Recognition of Governments and Customary International Law	
Introduction to Symposium	
James Gathii	199
From Free Town to Cairo via Kiev: The Unpredictable Road of Democratic	
Legitimacy in Governmental Recognition Erika de Wet	201
Democratic Legitimacy Between Port-au-Prince and Cairo: A Reply to	
Erika de Wet Jure Vidmar	208
Whither Democratic Legitimism?: Contextualizing Recent Developments	_00
in the Recognition and Non-recognition of Governments Brad R. Roth	213
The Pipe Dream of Constraining Recognition Through Democracy:	2.5
International Lawyers' Regulatory Project Continue Jean d'Aspremont	219
Democratic Legitimacy and Respect for Human Rights: The New Gold	-17

Standard Christina M. Cerna	222
Democratic Legitimacy as a Criterion for the Recognition of Governments:	
A Response to Professor Erika de Wet Obiora Chinedu Okafor	228
Democratic Legitimacy as a Criterion for Recognizing a Government:	
Towards the Emergence of a Regional Customary Rule in the Americas?	
A Reply to Professor Erika de Wet Vasiliki Saranti	233
Triegry vo rrotessor Brille de 11 to	
Symposium: Pierre-Hugues Verdier and Erik Voeten, "Precedent,	
Compliance, and Change in Customary International Law: An	
Explanatory Theory"	
Introduction to Symposium	
Ingrid Wuerth	239
How Different are Treaties and Modern Customary International Law?	237
A Response to Verdier and Voeten Timothy Meyer	240
	240
Precedent and Custom: A Response to Verdier and Voeten	246
Jens David Ohlin	246
The Translation of Common Sense: A Response to Verdier and Voeten	250
Alejandro Lorite Escorihuela	250
A Response to Professors Meyer, Ohlin, and Lorite Escorihuela	257
Pierre-Hugues Verdier & Erik Voeten	257
Symposium: Janie A. Chuang, "Exploitation Creep and the Unmaking of Hur	nan
Trafficking Law"	
Introduction to Symposium	
The Editors	XXX
Re-Framing Exploitation Creep to Fight Human Trafficking: A	
Response to Janie Chuang Clifford Bob	XXX
"Exploitation Creep" and Development: A Response to Janie Chuang	
Aziza Ahmed	XXX
A Crossroads in the Fight Against Human Trafficking? Let's Take the	
Structural Route: A Response to Janie Chuang Karen E. Bravo	XXX
Anti-Trafficking Law as a Key to Global Economic Contradictions: A	
Response to Janie Chuang Chantal Thomas	XXX
Symposium: WTO EC-Seal Products Case	
Editors' Introduction	
Alexia Herwig & Gregory Shaffer	XXX
The WTO Seal Products Case: Doctrinal and Normative Confusion	
Joel Trachtman	XXX
Measures with Multiple Purposes: Puzzles from EC-Seal Products	
Donald H. Regan	XXX
Accommodating Divergent Policy Objectives under WTO Law:	
Reflections on EC-Seal Products Julia Y. Qin	XXX
Indigenous Interests and the Chapeau of Article XX: Equality of What?	
Alexia Herwig	XXX
Consensus Analysis. State Practice, and Majoritarian Activism in the	

WTO William J. Moon & Alec Stone Sweet XXX

The WTO, Self-Determination, and Multi-jurisdictional Sovereignty

Michael Fakhri XXX