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Book Review: International Law Stories

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Dickinson, Laura A., Mark W. Janis, John E. Noyes, Eds. *International Law Stories*. New York: Foundation Press, 2007. xiii, 442p. ISBN: 978-1-59941-086-9. \$40.00.

Foundation Press's website states that its "Law Stories" series was designed to "bring famous cases to life by telling the true, never-heard-before stories behind landmark cases", and in the process of telling those stories, explain the cases' importance to the body of law. The idea is a good one – if a student can attach an interesting story to a case, it should be easier for them to remember. I read many cases during law school, and while many of them have blurred together, I can still remember the case involving Rose of Aberlone or the story of, as my Torts professor described her (cue sad, sympathetic tone), "poor Mrs. Palsgraf".

Though I have heard of the "Law Stories" series before and our library regularly purchases new installments in the series, I had never read one of the volumes before, so I decided to take the chance to review this book and find out if it lived up to its promise. Overall, I would say that *International Law Stories* does a good job of achieving what its editors set out to do – present important events in the field of international law through stories that help the reader to understand how they contributed to the development of that body of law.

The book contains thirteen chapters, which the editors have organized into three parts. The first part is devoted to "Nuremberg and Its Progeny", discussing the Nuremberg trials and subsequent human rights actions; the second part to the domestic impact of international law; and the final part to interstate conflicts in international law. The lines between categories can be blurry at times – the chapter discussing Abu Ghraib and Hamdan v. Rumsfeld, for example, could likely have fit any of the three categories. Nevertheless, the division into parts helps the reader understand how the cases discussed tie together.

The editors seem to have done a good job in selecting the cases to be covered in the book. One of the chapters even reaches beyond the world of caselaw, discussing a principle of customary international law that evolved from diplomatic correspondence. Most of the stories focus on developments that involve the United States, but there is one chapter describing the first case contested in the Inter-American Court of Human Rights, and another involving the

case that led to the idea of “objective bodies” such as the United Nations that could have a legal impact on even non-members.

There is a decent mix of historical developments from the 19th and 20th centuries that marked important milestones in international law. Among other things, the reader can find out about how Daniel Webster averted another war with the British and developed a doctrine of the amount of force a State can properly use in self-defense; why migratory birds helped determine whether treaties could override the rights of individual states within the United States; not to mention where the distinction between self-executing and non-self-executing treaties came from (something that has baffled many a law student – and librarian).

The editors also selected well in picking cases from the past couple of decades that they thought would have a major impact on international law in the years to come. Granted, it is always hard to predict the future, but I believe the editors chose their “instant classic” cases well. For example, one of the chapters discusses the 2001 LaGrand case involving German citizens who were sentenced to death in the United States without being told they could contact the German consulate for help. As if to illustrate the importance of this case, I just read a news article about a Mexican citizen who was executed in Texas in July 2011 without being given access to Mexican consular officials.

Selecting good cases, though, is just the first part in making a good casebook – in a series like “Law Stories” that is intended to bring the law to life for the reader, the book itself must be readable. As a whole, the book succeeds. Each of the thirteen chapters has different authors, legal scholars covering both sides of the Atlantic. With different authors, there will be different writing styles. Some chapters pop to life; others are somewhat drier. All chapters, though, are at least readable, and accomplish their most important tasks – selecting an important case, giving the reader the story of the people behind the case, and establishing why that case is important to the development of international law. I was pleased to see that many of the chapters even included an epilogue to tell you what happened to the parties after the case was over (a question that comes up now and then when reading about cases). The author of the chapter on *Filártiga v. Peña-Irala* did an especially good job of bringing the people in the case to life, including interviews with the plaintiff’s attorney, a clerk at the Second Circuit who was assigned to write the opinion, and a Justice

Department attorney who wrote the United States's amicus brief in the case.

If *International Law Stories* is a typical example of the “Law Stories” books, then I would say this is a series well worth adding to academic libraries’ collections. I am interested in international law, and this book taught me quite a few things about the field I did not know. The editors and the chapter authors did a fine job of weaving the individual stories into an overall tale that illustrates how international law has evolved from the body of customary practice between nations to a system that relies more on the text of treaties and collections of supernational “objective bodies” like the United Nations and the European Union, as well as international courts like the International Court of Justice. The authors also do a good job sounding a warning tone about the United States’s recent unilateral tendencies and their possible impact. This book assumes some familiarity with concepts like customary practice and positivism, but it would serve well as a supplemental text to an international law class or as a good read for someone interested in the history of the field.

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