

SUPREME LAW OF THE LAND?

How do treaties function in the American legal system? This book provides a comprehensive analysis of the current status of treaties in American law. Its ten chapters examine major areas of change in treaty law in recent decades, including treaty interpretation, federalism, self-execution, treaty implementing legislation, treaty form, and judicial barriers to treaty enforcement. The book also includes two in-depth case studies: one on the effectiveness of treaties in the regulation of armed conflict and one on the role of a resurgent federalism in complicating U.S. efforts to ratify and implement treaties in private international law. Each chapter asks whether the treaty rules of the 1987 Third Restatement of Foreign Relations Law accurately reflect today's judicial, executive and legislative practices. This volume is original and provocative, a useful desk companion for judges and practicing lawyers, and an engaging read for the general reader and graduate students.

Gregory H. Fox is Professor of Law and Director of the Program for International Legal Studies at Wayne State University. He is the author of numerous publications, including *Humanitarian Occupation* (Cambridge, 2008) and *Democratic Governance and International Law* (with Brad R. Roth, Cambridge, 2000).

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DEBATING THE CONTEMPORARY EFFECTS
OF TREATIES WITHIN THE UNITED STATES
LEGAL SYSTEM

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For Gillian and Eleanor – GHF

For Eileen Dubinsky and in memory of Stanley Dubinsky – PRD

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