

FOREWORD

It is a great pleasure to have the opportunity to introduce three prominent scholars in the areas of international law and constitutional powers of the President and Congress, especially with respect to responses to the use of terrorism and other strategies abroad. We are pleased to have them with us during the first Order of the Coif lecture at the University of Houston Law Center, and thus as part of the Order of the Coif series of lectures that are awarded to one or two law schools each year. We are also pleased to be co-sponsored by the American Society of International Law as a regional meeting of the American Society.

I'm sure you are aware of the fact that "terrorism" has been widely condemned. For example, it has been condemned by the U.N. Security Council in 1985 in sweeping, unlimited language. In 1985, The General Assembly also condemned as criminal all acts, methods and practices of terrorism wherever and by whomever committed. One of the problems that Professor Reisman might address is the lack of a definitional orientation. We do not know exactly what has been broadly condemned as criminal and as a violation of international law; and this lack of complete agreement on a definition is quite relevant, of course, to responses to terrorism. Yet, the international community undoubtedly has some agreeable core areas of definitional orientation.

We understand that there are basic expectations about terrorism, what terrorism involves, but beyond that there are mislabelings of certain activities as terroristic. Further, I am not sure if each of you are aware that the U.N. Charter and other norms of international law also prohibit certain types of responses, even to social violence of a terroristic nature.

There are limits to what one can do in self-defense in terms of the principle of proportionality, and there are even constitutional limits, where at least constitutional issues are involved, in terms of whether or not the President can send troops, for example, to Kosovo without consent of Congress, although just this morning we read that the House of Representatives has tentatively approved the sending of troops. One wonders also whether or not there will be uses of force initiated by the President alone, not merely with respect

to circumstances like Afghanistan and the Sudan, but in the future, even involving the targeting of heads of state as possible military targets in war related responses to terrorism.

Without further ado, I am pleased to introduce our Coif lecturer, Professor Michael Reisman, who is a sensitive human being and, in my opinion, the top intellect at Yale University Law School. He is a “family” man, the head of a family known as the McDougal-Lasswell family, in addition to having his own family and daughters. He is also the co-editor of the *American Journal of International Law*, which is a prestigious journal within a group called the American Society of International Law, which has about four thousand members. He has been with the Inter-American Commission on Human Rights and has served as President from 1994 to 1995. He is on the Executive Committee of the American Branch of International Law Association, a member of the Council on Foreign Relations, and the author of numerous writings, including *Regulating Covert Action*. It is a great pleasure to introduce Michael Reisman.

Jordan J. Paust
University of Houston Law
*Foundation Professor**

* A.B., 1965, J.D., 1968, University of California at Los Angeles; LL.M., 1972, University of Virginia; J.S.D., Candidate, Yale University.