

MIKE GILBERT: For those of you I haven't met, my name is Mike Gilbert. I'm the Vice Dean at the law school. Ordinarily, our Dean Risa Goluboff would introduce this event, and I know she's sorry she can't be here today. I will do my best to fill her shoes.

I'm delighted to welcome all of you to celebrate our friend and colleague, Professor Paul Stephan. Before saying a few words about Paul, I'd like to thank Professor Jay Butler for serving as the moderator for this book panel. I'd also like to thank the many people who work hard-- or have worked hard to bring this event together. I'm thinking specifically of the law school's communications IT and building services team. I'd also like to extend a special thanks to our events team. This wouldn't be possible without all of you.

Finally, I'd like to thank our distinguished panelists, Anne Van Aaken, Kathleen Claussen, and Thomas Lee. You've come from near and far. We're very happy to have you here, and our moderator will introduce all of you to the crowd shortly.

Scholarship can be a very lonely enterprise. We toil alone for months and sometimes years. We broadcast our work to the world and we wait with apprehension for some reply. Sometimes the only reply seems to be criticism. Academics, after all, are professional critics.

For reasons like these it's especially important to celebrate scholarly achievements, particularly major achievements like the publication of a book. I'm thrilled that we can do that today for Paul. Paul graduated with a couple of degrees from Yale before attending law school right here at UVA. After a pair of clerkships, including one with Supreme Court Justice Lewis Powell, Paul joined UVA Law as an assistant professor. Today he is the John C. Jeffries Jr. Distinguished Professor of Law, as well as the David H. Ibbiken Research Professor of Law. He is also a senior fellow at UVA's Miller Center.

Paul is a leading voice on international business, international dispute resolution, tax and comparative law-- excuse me. He's a prolific scholar having written scores of articles, chapters, books and essays. His remarkable talents have led him to service far beyond the Academy. I'll give you just a few examples.

He has served as a counselor on international law at the US Department of State, as special counsel in the Office of the Secretary of Defense, and also as an advisor to the IMF and the World Bank. He is presented to audiences at the CIA, the FBI, the SEC, and to academic groups in Australia, Austria, China, the Republic of Georgia, and just about every country in between. He served as the coordinating reporter for the ALI's fourth restatement of the Foreign Relations law of the United States.

These are just a few examples of the important and varied contributions that Paul has made in his career. Among other accolades he has been recognized with the Medal for Exceptional Public Service from the Office of the Secretary of Defense, our own Traynor Faculty Achievement Award, and membership in the American Law Institute. These are the kinds of formal achievements that appear on one CV, but Paul has many other distinctions that are important but informal, being recorded only in our minds.

He is a model citizen here, setting an example of collegiality and commitment to the law school community. He is a fountain of wisdom from which I have personally drawn many times, and he is also a master of the Virginia workshop style, at which one asks politely and in a generous spirit devastating questions that ultimately make the project much stronger. For all of these reasons, Paul, UVA Law is lucky to have you.

The book we celebrate today is titled *The World Crisis and International Law, the Knowledge Economy and the Battle for the Future*. Published by Cambridge, the book describes the development of international law and international institutions, and the immense global challenges eroding them today. It then offers a pathway to restoring the international consensus needed to respond to our most pressing problems. Described by prominent scholars as brilliant, timely, and a must read, the book looks at the unintended consequences of the knowledge economy and argues that international cooperation can best be achieved through more modest expectations and defined projects.

Before we discuss the book, I'd like to briefly introduce our moderator, Professor Jay Butler. Jay is the Joseph W. Dorn Research Professor of Law, here at UVA. He is a graduate of Yale Law School, Harvard University, and Oxford, where he studied as a Rhodes scholar. Before joining our faculty in 2021 Jay served on the faculty of William and Mary Law School for five years. He has taught at the law schools at George Washington, Yale, and Columbia, and he was a law and public affairs fellow at Princeton.

Jay's scholarship focuses on corporate social responsibility, contracts, and international law, and he is currently at work on a book of his own titled *The Business of Nations*, which is also forthcoming in Cambridge University Press. I could say much more about Paul and Jay and our wonderful panelists, but I you'd rather hear from them than me. Thank you all for joining us, and Jay, I'll turn it over to you.

JAY BUTLER:

Thank you, Mike. Good day everyone. It is a pleasure to be here with you moderating this panel. Professor Stephan's output is voluminous and certainly serves as an inspiration. And today we will discuss his latest book, and I'm very much looking forward to the conversation Professor Stephan tells us in the preface that this is his, quote, "COVID-19 book." He begins by noting that, quote, "We live in a dark time, and that the 20th century became the place where the hopes of the 1990s went to die." Yet the challenges to which Professor Stephan calls attention are not merely those of global public health. Instead he argues that the knowledge economy has wrought a breakdown of the fabric of international law.

Professor Stephan defines the knowledge economy as, quote, "That portion of economic activity that uses constantly evolving knowledge as a factor of production, as well as economic activity that makes knowledge its product." The knowledge economy is different, he argues, because of the pace of technological change. He argues that various aspects of the knowledge economy present significant problems for international law, and he urges, quote, "that international cooperation formalized as law must be redone if the International Law Project is to survive in any fashion."

Now though he admits that quote, "bleak futures seem all too evident, and perhaps we are doomed," the picture is not entirely hopeless. Instead he argues that, quote, "international law remains a useful tool for making organized solutions to global problems work, and that leadership of these projects will belong to one or a few states acting as norm entrepreneurs."

The scope of the book is vast. Professor Stephan provides a history of the decades since the fall of the Berlin Wall. He connects the ascendance of the knowledge economy in this period to emergent problems with the international legal order, and he sketches what he believes may yet endure of international law. It is an intriguing project, and we have a wonderful list of speakers to engage with the book more deeply.

Our panelists today are Professor Anne Von Aaken, Kathleen Claussen, and Thomas Lee. Professor Von Aaken earned her first law degree at Ludwig Maximilian University of Munich, and her doctorate at the European University Viadrina. She is currently the Alexander Von Humboldt professor chair for law and economics, legal theory, public international law, and European law at the University of Hamburg. Professor Claussen holds a BA degree from Indiana University, a master's from Queen's University Belfast, and a JD from Yale Law School. She now serves as a professor of law at Georgetown University.

And Professor Lee gained his bachelor's, master's, and Juris Doctor degrees all from Harvard University. He is now the Leitner Family Professor of International Law at Fordham University School of Law. Each of our panelists has written extensively on a broad range of topics within international law, and we certainly look forward to hearing their varied perspectives and insights this afternoon. Each of our guests will speak for around 15 minutes in the order that I have just introduced them, and then Professor Stephan will reply. We will then open the floor for questions and retire thereafter for a reception to celebrate professor Stephan's accomplishment.

I would now like to call on Professor Van Aaken to open the discussion.

**ANNE VAN
AAKEN:**

Thank you so much. And it is an immense pleasure to be here with you and to have the invitation to discuss Paul's book. Since I deeply admire your scholarship. Not only this book, but also everything which was there before. I probably haven't read everything, but what I read I always was a great inspiration to me. And also because COVID made it impossible for me to come to the law school here to teach as a guest professor, which I'm still really sad about, but at least now I'm here.

So what I want to share as you do in your book is my own prior. I'm also a liberal internationalist, and I'm a weird person, like all of you here. And weird, you might know the book stands for Western, Educated, Industrialized, Rich, and Democratic. That's how Joseph Henrich, a Harvard anthropologists, calls us. And I think we should be aware of that frame within which we think.

Now I think, Paul, your book is a big picture book about our time, using the tools of law, international relations, scholarship, and economics to analyze what's going on and where we stand. And it does not shy away from scenario thinking. And that's of course always difficult sometimes.

It is also a book of deep worries. Worries I share. When you say many believers in the liberal international order now feel like Marxists in the 1980s. That history has turned against them. What this book seeks to do is to save liberal internationalism from itself.

I'm a bit, but just a bit more optimistic. And I would like to discuss four points here. I deliberated a little bit with myself whether I should comment as an economist, because I was an economist in my last life, a European, or an international lawyer, or just as a concerned citizen. And the choice was actually too hard, so you get a little bit of everything I'm afraid.

So the issues I would like to comment upon is the state of European affairs, international rule of law and multilateralism, and most crucially the models of man we have based our institutions on, and whether this model of man is the correct one. And I think what we have done is basically based on a Rawlsian idea of a rational man or woman pursuing his or her enlightened self-interest. And the question is whether that holds for the institutions which we should be building in the future. And fourthly, if I still have time, is the role of the elites, be it in the national realm or in the international realm.

Now let me turn to the state of European affairs as one block of liberal internationalism. Professor Stephan is deeply worried that after Brexit the European Union shows further signs of unraveling. I would doubt that. I think it is remarkably resilient, and most importantly younger people back it.

Brexit was the lesson for many, including in France. Just in case, Marine Le Pen comes to power after, if you followed the news, she would not, just as Giorgia Meloni has not in Italy, put the EU membership into doubt because that would kill them by now. I think, in a way, Brexit was actually a very healthy lesson for the rest of EU member states.

As for the citizens, 2022 Pew Research Center poll finds that the median of 72% of adults across 10 surveyed EU member nations express a favorable view of the organization. Among the EU member countries polled, Greeks are the most divided in their views on that they still-- it's about more than 50%. And I suppose given the growth rates Greece has now, it's going to be better.

Notably Poland is the most favorable. The citizens of Poland are the most favorable with over 90% of people backing the EU. That is an all time high everywhere. Apart from one country, Hungary, all have come together in the war in Ukraine, and they have taken millions of refugees without a public backlash. So I think it's important to mention that, which makes me less pessimistic on the project, on the European project.

Let me turn to international law and multilateralism. Again here I'm a bit more optimistic. Paul, you say that, and I quote, "international cooperation based on international law seems to spend force, increasingly discredited rather than useful." So again, let me be a bit more optimistic and try to frame the glass not as half empty but as half full. Everybody thought the MC 12 and the WTO, the ministerial conference would fail. It did not. We had the COVID Favor and the Illegal Fishery Agreement.

For the failure of the Security Council, we had the General Assembly with the Uniting for Peace resolution. And there's a serious discussion about reform in the UN architecture. Even if it's not formally changed, because that would be difficult, there might be ways-- and this is what we are discussing-- of shifting power away from the Security Council, to the UN General Assembly. And to me honestly, having the United for Peace resolution with 143 member states condemning the invasion of Ukraine was more important than having this Security Council resolution. In the sense of that, it gives much more legitimacy and signals a condemnation of this war more than a UN Security Council resolution would have done. So I think we need to take this into account.

In the last year we had considerable progress on global public goods. Just this March we had the High Seas Treaty aiming to help place 30% of the seas into protected areas by 2030. In 2022, we had the UN Biodiversity Conference, the COP15, where countries reached a landmark agreement setting 23 targets known as the 30 time 30, aiming to protect at least 30% of the planet's land and water by 2030. So there is movement in some areas, even if top down.

I would agree, though, with you that the bottom up approach, as you describe it, is also promising. It all depends on the problem structure, then, theoretically speaking, underlying the problem to be solved. Markets can be an immense help to effectuate international law and should be used whenever possible, including in global public goods constellations. And the big players, as you call them, the [INAUDIBLE] entrepreneurs help as well.

So I think when we think about international law and how we go forward, it's going to be a mix. It's going to be bottom up, it's going to be on global public goods, probably certainly the top down approach, and there might be the markets. There might be soft law. That is not unhealthy. There are many ways to cooperate internationally.

Let me turn to the third point, the models of man. Why? Paul, you say, and I quote on page 105. "Most people, including the best economists, recognize that people face a swarm of forces, cognitive, cultural, social, and historical, that shape their choices and the way others interpret and react to those choices. Identifying economic incentives as I do here helps to understand and predict human behavior. But equating incentives with outcomes would be a foolish mistake."

So I think you're aware of the problem and you are stuck, like all of us, that we know we cannot rely on the economic models of man, but we still don't where to go. And how to do it differently. So I think we need to understand the smallest unit of analysis better in order to understand what's going on and to build institutions accordingly. We have built our institutions on cosmopolitan liberalism, probably, or certainly liberalism, assuming a rational individual pursuing its enlightened self-interest, as I've said before.

But is this assumption correct? People are better and worse than rational. They have more empathy and they are more spiteful than we would expect from the economic point of view. This becomes ever more visible, I think, in the time of social media and digital technology.

Now as an economist, I would say, sure, we know people do not behave the way we assumed. No. They are boundedly rational. And let me say this. Since I'm currently working with neuroscientists and psychologists, the model of the brain is indeed like behavioral economics model set. So it's pretty reliable. I thought I couldn't talk to them, but actually, I can perfectly well talk to them.

The only problem is that even if we take that view, the view is still isolationist. And I think this is what you're saying. People relate. The methodological individualism is probably not good enough to understand what's going on. People react, they act in their relational manner. They act on so many things.

So if the model, which is, of course, an assumption, and every economist would tell you so, is incorrect we should worry only if the predictions based on that model are incorrect. So that's a classical Milton Friedman argument. And I think, Paul, your book proves that they are indeed incorrect. So this is I think where we need to go.

To give you some examples. In the model, inequality shouldn't matter. An enlightened, liberal man is not envious. What should matter is the absolute welfare. That is poverty. And here the international order has delivered to a large extent. Give that COVID and the Ukrainian war destroyed some years of progress. But according to the UN since 1990 about 1 billion people have been lifted out of extreme poverty. This is no mean feat. Even though we still have about 800 million probably now going up let's say still living in extreme poverty. But the way has been the correct one.

But inequality matters a tremendous amount for people, just as fairness does. Something we do not capture in the models of man we have been using to build our institutions. So for me the answer is, and I think that is something which is too short. And the answer is a more pronounced welfare state, something we have in Europe, and which interestingly is not turning protectionist in the same way as the US. And I don't think you can only attribute it to that it is now Europe which has the competence for international trade. It's not the member states anymore. But still people do want an open international order. That is very clear in all the polls.

Another example is trade. Trade theory models, the political economy of trade model of Grossman and Helpman was modeled on rational individuals. And it showed why trade treaties are beneficial. Yet with the advent of Trump, even they thought they cannot understand with their model what is going on so. That they turned to identity to explain. That, again, and this I'm coming back to the WEIRD and our own frames that might be right for the US, it might not be right for other countries.

So incentives, but I think what is correct is that incentives, for example, the material incentives may not work so well if other things are important. Well, this example shows that in order to understand what is going on, we need to turn to behavioral political economy. And I have to admit this is still in its infancy but I think this is where we need to go.

Furthermore, that's my third example, the dangers stemming from misinformation and social media can only be explained by the way people take up information, and how this information frames them. We need to take fear and information insecurity, as you also say, into account, but also the related biases and heuristic. This again doesn't feature in liberal theories, so the theories probably need to adapt.

A very short last word on mistrust in the elites. You say, and I quote, "For many of the left behind asking what law can do for them kind of misses the point. That general disillusionment leads to a conviction that legal systems both domestic and international are largely corrupt, rigged to sustain those who prosper in today's world by holding them down those who don't."

I think they have a point. Indeed self-serving elites are pretty prevalent in Western democracies. But whereas some turn to supranational, like Romanians and Bulgarians do. They turn to Brussels for help. Others turn populist and listen to populists. And we need to figure out why that is the case in order to take action.

And indeed mistrust has also some reason. There's a lot of corruption going on nationally, political corruption, including in Western democracies. And there have been too many original sins by the leading states of the international liberal order that makes us too easy for Putin and [? Foxy. ?] Our elites need to wake up and behave better, both nationally and internationally, and not as short-- be not as short-sighted as they have sometimes been. And I just mentioned the Iraq war of 2003. You have more examples in your book.

So I think we need to go forward to build the institutions to make that happen, built on a model of man which is more realistic than the liberal man of John Rawls, for example, on which we mostly rely. Thanks so much.

**KATHLEEN
CLAUSSEN:**

Here. Well, thank you so much. Thank you for the invitation to be here to the school and to Paul for providing us with this wonderful treasure trove of thoughts. I want to reinforce Mike and Jay's comments at the outset to say that as a junior scholar in the field, Paul has been not just supportive of all of our work, but has gone out of his way to promote and enhance the work of junior scholars. So thank you for that, Paul.

I had the privilege of getting a Miami teaser version of part of the book when Paul was down with us at the Miami Law School now a year or so ago was it, Paul? And it was an honor then to see it in its work, so it's even more of a pleasure and honor to be here now, to see the final product, and to be a part of the celebration here with two good friends with Anne and with Tom as well.

I want to discuss two aspects of the book that I found particularly intriguing. Perhaps not surprisingly given my own area of research with an emphasis here I'll talk on trade, and Anne really set the floor for this discussion as well. I want to leave for another day some of what also intrigued me and hopefully, Paul, you and I can discuss this more. This underlying theme of security exceptionalism which comes through throughout the book. But time is short, so I'm going to start first by talking about saving trade law. And then secondly talk about the lessons for various constituencies to which the book may point, and on which I want to get Paul's further comment.

So first, saving trade law. Paul makes the point early in the book that it seeks-- the book seeks to save liberal internationalism from itself. I want to zoom in on the trade policy point there. How do we save trade law from itself?

It goes without saying that what's happening now in our trade policy is very much an existential crisis, consistent with the theme of the book. Is the trade law as entrenched in the 1990s going to survive the next generation? And then I was struck reading then about what you put here, Paul, as to how much what you say is consistent with what we are seeing in the trade policy space now, as policymakers are asking that question and seeking to answer it. Let me say what I mean by that.

I'm going to make the claim, perhaps provocative to some, that I think Paul's book is a great sales pitch for the Biden administration. Now let me say what I mean by that. At least I think the administration would benefit, let's say, from drawing greatly from your inspiration from your book, and maybe I'll just scatter around a few copies when I get back to DC. But in some ways they're already there. So this is where the sales pitch aspect comes in.

I couldn't help but thinking while reading this that some of what you describe is consistent with what I think the Biden administration is seeking to achieve. Why is that? I'm going to manipulate a little bit of the terms that you set out.

So as Anne already referred to earlier, readers of the book know that Paul talks about the need for a bottom up approach. A bottom up approach to international law lawmaking. Now the Biden administration also speaks in those terms, but when the Biden administration uses that language, it's not thinking about individual states going forward and developing international law rather than using international institutions. It's talking about marginalized communities. The bottom up there is the more traditional sense of NGOs, of civil society, and engaging groups that may have been previously left out of trade policy discussion making. That's who the Biden administration is seeking to galvanize.

And yet I think you're working along somewhat the same dimension. They may mean marginalized groups, and you may mean states, but the outcome is the same. Individual governments are undertaking moves, not at the international level, but at a unilateral level, and the Biden administration thinks it's doing this to bring in these groups that have previously been left out. But again, in the same sort of institutional spirit that I think you lay out.

It's not just trying to seek to build a US commercial model and take it elsewhere, sort of Washington effect attempt. It's more than that. And I think it's somewhat consistent again with the bottom up approach that you lay out, and consistent with the second piece of the sales pitch, the norm entrepreneurship aspect.

Now Paul sees potential in the norm entrepreneurship approach in which a state should announce and comply with rules that constrain its behavior, and then convince others of the long term interests of doing so. And again, I think the Biden administration holds itself out in the trade space as being a norm entrepreneur. Maybe in a slightly different way. But ideologically it's out there, saying we need trade's values to be the following. And it goes through what those should be. Common values. It resonates with what you say in the book and sort of the belief in the West and other points in time, that we will be a leader in trades values. It means largely Democratic values.

And likewise the Biden administration has an institutional aspect through which it will be a norm entrepreneur. Ways to ensure that those norms will be taken up by our trading partners, and that is it puts them in our free trade agreements, it seeks to use tools that will get our allies to do the same sorts of things. So both ideologically and institutionally, the Biden administration is trying to be a norm entrepreneur.

Now as a footnote to that, I'll just add here that I think the most easy critique of that approach, at least as it's playing out right now in the trade policy space, is whether the way that the Biden administration is going about doing that is not too dissimilar from what we've seen from China in the recent past, or take a page out of the authoritarian playbook. By cajoling, whether it's our allies, whether it's companies to do what we want it to do to be consistent with trades values as we see those values. Is that not too different from-- is that not the same as what we're seeing from China and have seen from China in recent years? But I'll leave that as a footnote and come back to the main idea.

Bottom up approach. Norm entrepreneurship. Where this all crystallizes is of course in the practice. And here Paul talks about two examples that I thought were very convincing to me. The anti-bribery approach, the playbook that we've seen there, and the bank regulation approach that we've seen and that Professor Verdi also has spoken about. In trade I think the same thing is happening. And I just call that trade policing.

Trade policing, the new approach to trade law that we're seeing from the Biden administration is an approach in which the administration relies less on convincing countries to change their ways. So for a long time, the 1990s approach, what we see in the WTO and elsewhere is that we're going to work together with other governments. When we don't like what they're doing, we'll go to dispute settlement. This legal formalism approach that Paul discusses in the book.

Instead of doing that the United States has taken an approach by saying, well, we're going to instead go to where we think the real problem is. If we can't get countries to change what they're doing, we're going to go to companies. And so companies now become the target of our trade law. Let me give an example.

We see this in a few different ways. One is in the US Mexico Canada Agreement in which the United States, not that it has totally gone away from trying to get Mexico and Canada to do what it wants to do. But it is now instituted a mechanism by which the United States trade lawmakers will go and police companies operating in Mexico to hold them accountable for violations of Mexican labor law under the terms of the trade agreement, stopping those goods at the border when it thinks that those factories are operating inconsistently with Mexican labor law. This is a tool called the rapid response labor mechanism. And again, what it does is it allows the US Trade Representative to stop goods at a border where at the US-Mexico border, where it believes that the factory from which those goods have come was engaged in some sort of violation of labor of labor law, of collective bargaining rights of the workers. That's one example.

A second example is in their forced labor context, their sort of labor-related idea. Where under the Uyghur Forced Labor Protection Act, again, this is not just the Biden administration, Congress likewise bringing this into law. But we are gathering both a great deal of intelligence from our companies that are working in different parts of the world, but also imposing sanctions on them in particular ways when we think that they are engaged in, or supporting forced labor around the world.

We can talk about export controls. The expansion of export controls. Again, so across the board in trade policy the shift has been, again, from state to state to a corporate accountability system. A corporate accountability system that in turn has created some convergence with business and human rights, that area of law, with corporate social responsibility, that area of law. So you might even say that the trade law has now leapfrogged what business and human rights and corporate social responsibility have sought for some time, putting that into effect with hard sanctions, with hard law. Which makes some liberal trade advocates very uncomfortable, and perhaps others from business to human rights and corporate responsibility uneasily happy.

So I think this is the way that the Biden administration is seeking to save trade law. But the problem has been whether this actually counts as trade law at all. Something that Anne and I have discussed. At the hearing last week when the US Trade Representative appeared before Congress, two different hearings before the House and Senate committees, she said this is our trade policy. This is what we're seeking to do, and members of Congress from both sides of the aisle, both sides of the political spectrum said this is not a trade policy agenda. You don't have a trade policy agenda. We need a trade policy agenda.

But if you think of what she's describing and what she's doing and how they're using trade tools in this way, this bottom up norm entrepreneur approach, this is a trade policy agenda. Maybe just not one that is consistent with what has been in place since the 1990s. It just doesn't look like what we're used to. So to save trade law, maybe we just need to repackage it in the way that they're trying to do. That's consistent with some of the ideas I take from the book, and what I think the Biden administration wants to do while our allies twist, turn, cringe, perhaps at what is happening there.

And the last thing I'll say about the trade law connection to the book, another place where I think are maybe in tune with the Biden administration maybe is too strong of a statement, is with respect to the concerns that you raise about trade distribution. And I found it so instructive to read about the knowledge clusters that you set out, the geography of how the knowledge economy has worked and where we are today. That is very much a concern at the Center that's motivating the work of the Biden administration.

There's a big report from last year from the International Trade Commission seeking to answer exactly that question. What are the distributional effects of trade and trade policy? What have they been up until now? Do we need to have a better trade program to address the winners and losers? Or do we need to build an entirely different program of social safety net that we don't yet have. These are major questions that of course, are not new, but what I get again in part from the book, and also I think in the general ethos of what is happening in Washington, is that that binary of winners and losers is overly limited. The ordinary tropes lead us down a road that does not allow us to create a more textured policy that might be more useful both internationally and international law and in the domestic law context.

This is what the Biden administration talks of in its worker centered trade policy. I tend to think that worker centered trade policy has three different buckets. Workers at home, workers abroad, and workers under duress. We'll leave the abroad and duress for another day. But the workers at home part, that I've always thought of as meaning workers within the United States. But as I think about the knowledge economy points that Paul's book puts forward, I think, well, maybe it also means workers actually in their homes. Maybe we should think about workers at our new post COVID here environment working from home. The changing geography that creates.

And Paul makes the important point that not everyone can be a knowledge worker. So how do we adjust and adapt to that fact? I've sometimes said in talking about the worker centered trade policy that that's overly inclusive because everyone's a worker. You can be maybe not the very young or the very old, but everyone is a worker. But when you consider Paul's point that, well, not everyone can be a knowledge worker, how we think about the worker centered trade policy must change. And in fact, the last time I was in this building, we were having a conference in that other lovely room down the hall, about trade agreements. And what would the future of trade agreements look like.

And someone on the panel said, the threat is not China. The threat is not populism in the general sense. It's robots. It's automation. And so what does-- as we look to the new-- the future of trade law that may, may not be saved, we think more clearly about digital trade and the digital worker, the workers of the knowledge economy of the future. And so what's the prescription for the worker centered trade policy in the digital trade world? Again, I think Paul's book gives us a great jumping off point for thinking about that further.

Enough on my trade soapbox. I'll just close with a set of comments or questions really for Paul on lessons. Because as I read the book, I want to know more about the lessons for the different constituencies, very practically including for many of the people in this room. Not so much the lessons for institutions, but for the everyday practitioner, the academic, and the student.

We are here in this environment and in our home institutions. We are preparing future international law practitioners. And Paul, you call in the book for an experimentation in a field that can be very difficult to move. So yours is a story of a regime that may not survive. What are the lessons then about change or stickiness that are most important for today's lawyer working in the international trade space, whether in private practice or in government. And how might that differ outside of the United States? And I think Anne's points get to some of that. So when we approach these questions as an international law practitioner, our views may be different from different sides. What are the lessons that our practitioners should take away about change and stickiness in the international law context?

You've said that the vast majority of international law is still working, but it may be in danger. How can the international law enthusiast lawyer make a difference in that story? Who has the controls here? Can they do so? Do they have the opportunity to change their everyday practice to keep the boat afloat or not?

One of the most interesting things I found about the book is the presentation of past, present, and future. And I point out here only a fact, when I note that my reading of the 1990s fell at a different point in my lifetime than it did Paul's. As an aside, if we had any doubt about Paul's prodigy status, the fact that he did so much work in the Soviet Union as a child, of course, is only further confirmation.

But I raised this because my learning of the 1990s liberalism revolution of sorts was my childhood. And that was the vibe in which I grew up. It shaped my understanding of what was possible, of what was meant to be. And I don't think I'm alone in feeling that among my generation, this was the sentiment broadly defined.

Timing, of course, also shaped how we were taught international law. For me my international law teaching came around year 2000. That's when it began. Pre-September 11th, but not far from it. And my law school experience was shaped as much by Guantanamo Bay as it was this celebration of success of the WTO.

So that intersection, or rather the divergence of presence of these moments had an impact on what I absorbed, and the same for my peers. So the book brings these together in a way that was almost nostalgic to me, and likely not so much for others. And of course I, like others in this room, had the privilege of identifying with those ideas given where I sat in the world at that time. And it's worth noting, as I think Paul importantly acknowledges in the book, that it would be a very different experience and a very different remembrance for those outside of our privileged community.

But I raise this personal experience to tee up a question for Paul as to the lessons for teachers, many of whom are in this room. You've made the point elsewhere that maybe we should teach international law, think of it more like tacks than like Kant. I'm not sure how many of us are teaching Kant these days. I'll speak for myself. But I take the spirit of the point, and so I'd be interested to hear more, Paul, about your vision for the dynamism of the international law classroom.

For me the shift toward populism, the tools that came with it, led me to teach international trade law not like international trade law, as we tend to think of it, but more like a US trade law course. I started teaching trade law in 2018, after having left USTR in a very transitional time. And I didn't find it useful to teach the WTO. I barely do so. And so in that I think, Paul, Paul is right. So lessons for practitioners, lessons for teachers.

And now I want to ask finally about lessons for international publishing, international law academics. The irrelevance of institutions or their need to adapt creates lessons not just for teachers but also for writers, for the academic audience here. So what should we be writing? What sort of knowledge generation serves the knowledge generation?

Paul, you have both broken ground and paved the way with this scholarly contribution. I look forward to your prescriptions for where we go from here.

MIKE GILBERT: Thank you.

THOMAS LEE: So I'm going to proceed in four steps. I'm going to begin with the short autobiographical note, and talk about what's great about Paul's book. Number two. And three talk about his diagnosis. But I'm going to spend most of my time on number four, sort of his prescriptions. And I should say, his prescriptions are in chapter 14. They are exactly 12 pages long.

So the diagnosis is about 250 pages long. The prescriptions are 12 pages long. And you could see they feel a little bit half-hearted, and I want to push a little bit on what those prescriptions are. Because I think there's actually four different things going on. So autobiographical note.

Kathleen said that she grew up with Gitmo and a certain in the '90s. So I emigrated to the United States with my family in 1974 to the Northern Virginia area, and I grew up during the Reagan years. And I thought Reagan's foreign policy was terrific. I wanted to fight the fight. I wanted to beat up the Soviets. And I'd rather be out there in the front lines than cowering in a classroom. I didn't really understand his domestic policy, because teenagers rarely understand the aspects of domestic policy.

And so I'm a law war person. So there's two sides to my brain. I do international law, it's force. In domestic law I do federal courts and legal history. One is super doctrinal, federal courts is like the ultimate legal process class. I tell my students what we're going to try to do here, unlike in con law, is to see how far the law goes before-- whereas in con law, law runs out on day one, and so you've got a different task ahead of you. So and in the rule of force, it's the domain of force. It's a totally different realm.

And so I come at the liberal international order in a very different perspective. I sort of see it as a realist. And I think the liberal international order really was an American creation. As an adjunct to American hegemony there was a brief period in time after the end of the Cold War where it sort of became self-aware and started doing things that were independent from its creation. And now I basically agree, contrary Anne, with Paul's diagnosis that we're seeing the end of this liberal international order as a self-aware, top down regime. And I think that I agree with Paul's diagnosis there.

So that's the autobiographical note too. What is great about Paul's book? So Paul succeeded me as special counsel at the Pentagon during the Trump administration, which was a very interesting experience. Being at the Department of Defense. And I will say, on a number of occasions whenever I talk to my former boss general counsel, he thanked me profusely for bequeathing him Paul. And so I'll begin with that.

The book is terrific. It's what you'd want to read from somebody who is a lawyer academic in the finest sense of the word. I mean, basically somebody who hasn't just thought about these things, but has actually lived through them. And some of the most rewarding parts of it is when he just describes things that other people talk about in a way that makes that you know that he understands them, and helps you understand them. Like containerization. The entire Russian system of central planning and waste oil, and how it all operated.

And these descriptions are themselves worth the price of admission. Because there are things that people should about much better, and he does a skillful job in explaining them. And only he could do that, because he has the experience, the theoretical knowledge, and he's been doing big things.

Second, it's just really funny. In Paul's wry sense of humor kind of way. I just want to read a couple of excerpts. I was flipping madly through the book about where he talks about how pornographers are the greatest beneficiaries of the internet. I couldn't find that passage, Paul, but I did find a few alternative zingers.

"So it is with imagination." This is from page 107. "We know it's there and indispensable, but the Spinal Tap rule applies. Open quotation, "There is such a fine line between stupid and clever." Close quotation. "Knowledge is that which distinguishes sand from semiconductors, but that observation has more poetry than rigor." So I would say that the book is studded with these very funny ways of putting things that are truly illuminating and insightful as well.

So I was telling Paul when I came today, I was like, well, now that I've read the finished product of this, you should be able to sell 100,000 books. Which is beyond the wildest dream of any academic who's not writing about the Civil War. But you should, and it would be a travesty if you don't. I intend to put it in not everyone's Christmas book list, but certainly the people who I feel would actually make an attempt at reading it. And I'm sure they'll all feel very enriched in the same way that I did from reading it.

The diagnosis. I think it's correct. I mean, the liberal international order, as I said, had this moment in time where it became self-aware, where it sort of top down independent and almost sometimes contrary to US preferences operated as an independent constraint. But I don't think that that's where we are anymore. And I think that it's interesting because the first time I saw an early manuscript of this, I took the note down in my notes. I commented on it at a conference on December 3, 2021. And obviously something big happened after December 3, 2021. The invasion of Ukraine proper. Although we could say Ukraine proper was already invaded a while before that, in 2022.

And I think it's perhaps early to call it the death knell of the liberal international order. But certainly death throes might actually be valid. And I think that it's open to debate now. What's going to happen? The Chinese have a lot of this involves what happens with China. Again, you could tell that I'm a realist. But the Chinese haven't quite jettisoned it altogether in this realm. They will if they start giving weapons to the Russians and so forth. But they haven't quite jumped off ship altogether, but I wouldn't be surprised if that happens.

And regardless, it's not going to look like what it did prior. So I agree with his diagnosis of this liberal international. And I also agree with the undiagnosed aspect of it, which is the knowledge economy had a lot to do with it, in ways that people didn't really understand. Right? And one of the sort of-- I wouldn't call it a minor theme, but a less major theme in the book is the extent to which the knowledge economy has produced inequalities in a sense at a systemic level much greater than we'd sort of understood. And I think he does a very skillful job of explaining that.

In terms of the prescription. So in chapter 13. This is where we get into prescriptive territory. He has the chapters entitled Dancing Along the Precipice. I don't think that's what you had in your manuscript, but I want to read the subheadings. Dancing Along the Precipice is chapter 13. Part one, Dystopian Prospects. Part two, War. Plague, Famine, Storms, Lies and Theft. The Rise of a New Hegemon. The China Problem, that could be. And so that's chapter 13.

And then so he talks about chapter 14. What May Endure. Again, this is 12 pages long. Right? And he talks about norm entrepreneurs. But I identify four different types of things that different pathways. And I think that this is going to be an interesting future project for you, Paul, to spell these out.

What I call the norm entrepreneur pathway. And I've written about this, too, is the Foreign Corrupt Practices Act model. So the United States has this crazy idea born of the Watergate era that basically we think corruption is bad. And you have to understand where the state of play was because Joe Nye, who was an ancient mentor of mine, I don't if he's still around, wrote in '66 how corruption is good. Because in developing countries, you need grease, because the infrastructures are so unwieldy that its corruption is a public good that you need-- that the developing world needs to lubricate it and make the gears turn.

And so the United States would say, well, corruption at home is one thing. Foreign corruption is bad. And what do they do? They enact the Foreign Corrupt Practices Act that punishes the bribe giver, which is US, and then Professor Sean Griffith and I, my colleague wrote an article about, well, how exactly did this anti-bribery norm really take off? And the story we tell is very much along the norm entrepreneur model.

We say that when the US companies were being regulated, that they can't go to certain countries. And they're usually procurement contracts and offer bribes to build the bridge or sell weapons or whatever. But the French and the Germans can. And the American companies go back to the government and say, look, you've got to make sure the French and the Germans can't, because we're losing all these contracts. So the United States goes and gets the OECD to adopt what's pretty much a very loosey-goosey kind of convention.

But what happens is as part of the convention the United States enacts supercharged domestic statute that allows the DOJ to go after foreign companies with minimal US connections. And so now the DOJ starts going after foreign companies and giving them massive penalties. And so those foreign companies go back to their countries and say, look, we're Siemens. We're getting hit by the FCPA. Our German competitor isn't, so they lobby for enforcement in their home countries. And eventually, what happens is some developing country procurer says, OK, five different companies. American guy, where's your bribe? Can't give it. German company, where's your bribe? Can't give it. French company, where's your bribe? Can't give it.

So eventually they're going to have to go to very much inferior product. And they say, OK, we could give it to the Koreans. Now the Koreans aren't giving bribes. We'll have to go with the Chinese. And so the story we tell is a very, very interest group driven domestic focused story about why the FCPA enforcement as opposed to enactment took off. And I think that is one of the models that Paul highlights. This idea of a country that starts with the new norm, and through whatever mechanism it starts catching on. So that's one model.

The other model I think he talks about cyberspace. And he says, look, cyberspace is a contested space. And this is something that we both dealt with at the Department of Defense, because there had been a tug of war in the government about who controls cyberspace. The CIA wanted it. And one of the things that happened in the Trump administration was that basically the Department of Defense sort of assumed jurisdiction over a lot of these cyberspace issues.

And so Paul says, like, look, well, it's a contested space. But we can agree that there are some real bandits that no state actor wants. These ransomware people. And I call that the piracy model. So and maybe we can start by focusing on this common hostis gentium, and get some action there, and that kind of enforcement will grow. I think that's a little bit different from the norm entrepreneur model of the FCPA, which is much more focused on interest groups and domestic. But it is also a valid way to think about it, right?

So the third model he talks about is political risk insurance, which used to be before investor state dispute settlement, which is also sort of sliding down, became the way to deal with foreign investments, you had to take political risk insurance. And it sort of kicked the liability up to the states, and the host states, and it became a political matter. The country that was the sponsor of the insurance policy would lobby the foreign government and work it out state to state. And so I think that's yet a third way of working out rather than using this top down sort of command and control method of the liberal international order when it became self-aware of substituting and getting some kind of coordination there. And I think that's separate from the first two.

And the fourth way, he talks about climate change and accountability. And he says, look, rather than your classic liberal international order top down command and control kind of mechanism, why don't we have aspirational targets and mechanisms for monitoring and transparency? And it's kind of like my Fitbit. I want my kids to be fit. We're on the Fitbit's network, and so I see how many steps she took, and we mutually push each other to become more fit. I think that's yet a fourth possible pathway. And I think that in future work, it'd be great if you do more than 12 pages to the prescription, especially for those like me who are the already converted.

And then the final concluding question then is, why are we talking about international law at all at this point? I mean, international law. And here I go back and I'm more with you, because I always thought that international law has been the victim of its own ambitions. Because this picture of international law in this sense, I mean that was what international law was for most of its lifecycle until we came to this moment in time. These decades of hope where it became self-aware and the possibilities and the potentials were realized to an extent that was unimaginable.

But so at the end of the day, I'm with you. I think that this is still international law. It's a very different vision of it. But it was what international law was through the eons of its history since its modern reinvention. Thank you.

MIKE GILBERT: Stephan.

PAUL STEPHAN: You can hear me, right?

MIKE GILBERT: Yeah.

PAUL STEPHAN: So boy, it's been amazing hearing all these kind things. And I really wonder if Pam's going to let me go home tonight, because you're swelling my head. And it's not what I'm used to. Especially coming from people that I admire and respect as much as I do. So let me very quickly, first of all, thank all of you here. I mean, Jay, you're one of my youngest and most recent colleagues, and I'm so proud to have you as my colleague. And I think it's great that you're here. It's great for me as well as the institution.

And Catherine and Tom all read this at an earlier stage. Catherine both had me be the first person canceled because of COVID, and she had me the first person back once they were letting people show up live. And all of you made great comments that I think improved the manuscript greatly. But I want to especially identify a few people here, because this project was completely new for me, and I'm not sure I'll ever be able to duplicate this, which is I wanted to write something that was not for the law professor crowd as much-- as I love the crowd and-- but my aspiration was to write something that would be of general interest.

And there are four people in the room today, in particular. There are a number of people who fit this description and made great contributions, but there are four people who just gave me page after page of detailed, engaged commentary, neither of whom are law professors, and only one technically is a lawyer, even, something she abandoned in 1980. But so there are three MDs here, Dr. [? Clark, ?] Dr. [? Spalding, ?] and Dr. Thompson, who are among my dearest friends, Dr. [? Clark, ?] particularly. And the work you put into this out of your friendship for me and commitment that this was actually interesting, I can't thank you enough.

And then [? Adriana ?] [? Pavlovna, ?] our cyber [INAUDIBLE], the person who will be ruling this world in another 10 years, I mean, she had real doubts about a number of aspects of the manuscript, the social justice piece, the cyber privacy protection piece. And she really, I think, kept me from going off the rails. So thank you all, in particular, for this.

And if the book is a good read, that's really all I really care about. I have ideas I want to sell, but most of all, I want to be a good performer. I wanted to be Jimmy Hendrix in my youth. And I never came close to that. But if I can be an entertainer in any way, I'm grateful for that.

I'll respond very quickly because I want to leave some time for discussion. I think I learn more from other people than from hearing myself talk, so. Anne, great comments. I had a podcast with Katerina Linos about the European issue as well. And she is a patriotic European, thought I was being too tough on the institution. And you may be right. And I said, I hope you're right. And maybe I'm being overly pessimistic.

I mean people used to say that there should be a statue of Stalin in Brussels, because he really created the European communities. And the thought would be extended and say, and let's have one for Putin now, because he's really been great for the project. I'll tell you the one thing I still worry about a lot, and my colleague Ruth Mason is all over this issue much more than I am, but I cannot help but feel that the European approach to information technology in particular, although inspired by great ideals of privacy protection, feels to me more like the kind of protection that countries with declining industries engage in.

So I have a lot of trouble understanding a number of European policies not just the GDPR, and not just directly privacy regulation. But some of their competition law as well, that seem to be targeted at exactly those firms that create economies of scale and get big, because that's more efficient. And I wish the Europeans had a better response to that problem than I've seen so far.

And on your-- I couldn't possibly say, the idea of using the m-word. So I'll say the ideal of a human, that one of the phrases that came to me when I was performing yesterday down at Duke was, human capital versus social capital. I mean, I do think using an economic terminology, that's the trade off. And I wish I had thought of it a year ago, rather than now, because I think the kind of factors that are about accumulation of human capital, which the knowledge economy is very much about, as opposed to drawing down on social capital, which I think is a way of describing the costs of the knowledge economy in much of the world. Trying to get at that better would be useful.

Katherine, I'm sure you know that I was part of the Biden administration for the first seven months. And with thanks to Tom I had the privilege of serving the Trump administration as well. And I take great pride personally, probably to my professional detriment. And I don't play for team red or team blue. I want to be of service wherever I can. And those are the terms on which I come. But I-- none of the things I worked on were great, and the thing I'm most involved in now and the practical practice size of my life, which is sanctions policy. I mean, I think the Biden administration has been terrific.

And my quarrels are with the far left, who want to punish Russia for being evil. And the McCain Republicans who want to just show America's great again. And I think the Biden administration has really been straight down the middle. And there's been some bumps in the road, but as presidential administrations go, I think they've been fine on that particular set of issues.

I think were referencing something I said to Jack Goldsmith when he said how should we teach international law. And I said, I wish we taught it more like tax, and I should maybe explain that remark a little bit, since it's out there in the ether. I think there might be one or two people here who've had me for both of those classes.

So what I mean is this. On the one hand, I think too much of international law, same critique of American constitutional law, is focusing on expressive values and imagination of virtue. Which is good. But I admit, as someone who is a refugee from the Dutch Reformed Church, it's not something I can abide by myself. I had way too much of it growing up. And I'm much more interested in breaking down problems in ways that you can understand.

One of the advantages of tax is it forces you to focus on measurable things. And a critique of it is that it means that you take your attention away from the income measurables. But to the extent it's a technique for problem solving. And I think there is actually a lot of international law that can be reduced to problems that can be discussed that way. And not that virtue is bad at all, but maybe talking about virtue isn't all we need.

And then Tom, he said so many kind things. I think the focus on the prescriptions that what's common is looking to make problems tractable. And the risk is, some of these problems. The next pandemic is going to be terrifying. Climate change is going to be terrifying. I think the pressures of immigration are going to get worse, and that's before we start talking about a nuclear Iran and that kind of stuff.

And I think it's too easy to get to the point where these are all existential problems, and therefore hair on fire, screaming responses are all you can imagine. And I think it's exactly when we feel like we're facing terrifying choices that we have to look for the tractable. Because sometimes we do really dumb things when we think we're facing existential problems. And I do feel, I'll close on this note, Catherine's made me very self-conscious about my age, and I am the oldest person up here.

I did go through the '60s. And I actually think where we are now, I don't think I said this anywhere in the book, is not nearly as bad as things were in the '60s. I mean we were killing people here in America, in the streets, on the campuses. We were killing people. We weren't canceling, we were killing. And I think that's really different. And I think that social divide in America was different. The challenges facing our society.

I mean, we haven't made nearly enough strides. But we've made great strides. So I actually feel I look at where we were in the '60s and where we are now, and it's one of the grounds for my optimism. I'd really like to hear from my friends here in the audience, and critics too of course.

MIKE GILBERT: Fantastic. So on that note.

[APPLAUSE]

Why don't we open it up for questions. I'm happy to recognize anyone in the audience. I'll take the moderator's prerogative of asking the first question. And I'm curious, Paul, particularly of a very recent illustration of some of the problems that you're discussing, which is the Putin arrest warrant, and the sort of global divide of opinion between the Global South and the Global North in terms of what international institutions should do in terms of responding to the crisis in Ukraine. Certain countries have a problem with calling it a war versus other terms and that kind of thing. So it seems like an example of exactly the kinds of challenges that you're describing in the book. And so this is an invitation to comment more broadly.

PAUL STEPHAN: When I did a piece for the international review of the Red Cross, they had real problems with me using the word with respect to Ukraine. So it's not just the other guys. Yeah. So I think the arrest warrant is really interesting example. And I have been, since its inception, a skeptic about the ICC. The International Criminal Court.

I think in its configuration it has too much been about the former European colonial masters of Africa using this institution in The Hague to step in as the former colonial powers. And I realized it's much more complex than that. And certainly there are a lot of people who don't fit this stylized caricature at all. But for most of its history, it's been about European money, if not necessarily people, backing punishment of Africans.

And several billions of dollars have gone into that project. I'm not sure we've gotten that amount of payoff. And since it's supposed to-- its example is supposed to be its inspiration, it's supposed to put dread in the heart of brutal and murderous autocrats. The fact that it doesn't do as much as all that money might suggest makes me feel that maybe it emboldens.

And so now we have this very interesting episode where they've issued an arrest warrant for Putin. The legal technical issue is whether sitting heads of state have immunity from arrest. The ICC has said that does not apply to us. And it's their prerogative, their statute doesn't address the point, but it's very fair for them to fill in the gap and say, we have jurisdiction. And they have done that in a couple of cases.

But it's also clear that that does not mean that the countries that have to do the work of arresting and handing over feel that is their law. And I've already seen one very distinguished German international lawyer, Stefan Talmon, who has said we aren't bound by this. And it's at least an open question for us whether we are obliged to arrest Putin if he comes within us.

He's supposed to go to a meeting in South Africa next month. And South Africa has already failed to arrest one arrest warrant identified person. If they do it again, we might come to conclude that this whole project is a failure. And I think the aspiration should not be a failure. But the mechanism, the way it was designed, I think is an example of what I sometimes call the hubris of the '90s.

MIKE GILBERT: And certainly a lot of the case file in that arrest warrant is built from digital evidence. Which ties in to your knowledge economy. And so forth.

PAUL STEPHAN: Yeah, I mean, so there are groups like Bellingcat who are doing amazing work. I mean, their critics say they really are working for you the CIA or MI6, and I wish they had that skill and competence that I'm seeing in Bellingcat. So that's cool stuff. But whether it will ever come together in a trial, I just have many reasons to doubt that that's going to happen.

MIKE GILBERT: I'll open it up again for questions. Well, I would welcome everyone to get a copy of the book, to engage with it. More broadly, Paul, I want to cut you off.

PAUL STEPHAN: I was just going to say, I felt like I'm back in the classroom.

[LAUGHTER]

ANNE VAN Can I say?

AAKEN:

MIKE GILBERT: Oh, I'm sorry, Professor.

ANNE VAN Yeah, I just would like to come back to where you said where there's the human capital versus the social capital. I

AAKEN: mean, there is some evidence on that. And what I think what we see is that where you have human capital and knowledge workers and markets, you have social capital. It is very low in the countries where you do not have human capital.

And how do we measure social capital? It's hard to measure, but what we do is play trust games. And what you see is that in countries with market economies, it's generally higher. In very poor countries with very poor education, trust is very low. So I don't think it's a versus relationship. It is-- it could be that human capital is even a precondition for human capital. So therefore for social capital, sorry.

PAUL STEPHAN: So it's a great response. And let me just push back a little bit. So I think it's very hard. You know better than I. Causation issues in economics that are just very hard to do.

ANNE VAN Experiments.

AAKEN:

PAUL STEPHAN: But you can argue that the causation arrow goes the other way. That I mean in order to have the incentive to invest yourself in yourself, one of the things you need is a confidence that things will pay out in the future. And one of the things that social capital does, indeed we can almost define social capital as those things whatever they are that give us confidence that things will turn out in the future. And to that extent, you can see social capital as prior to human capital, which is hard to say, because I think everyone in this room has a really good sense of how to build human capital. We're all good at it. That's why we're in this room.

But I think it's much more difficult, at least I don't understand as clearly what good strategies are. And my experience from Russia just sticks to me. We just assumed, as soon as you abolish the Communist Party, you have this huge increase in social capital. Because now why wouldn't people trust each other? Just as the communists believe, as soon as we eliminate capital, then why wouldn't people take what they need and give according to other people's wants? And it turns out to be much harder than that. So that's.

ANNE VAN And I think that's a good point, because they had the human capital. Yeah.

AAKEN:

MIKE GILBERT: Please. Fantastic, and on that note, I would encourage everyone to pick up a copy of the book, *The World Crisis and International Law, the Knowledge Economy and the Battle for the Future*. Thank you to Professor Stephan. Thank you to our panelists, and please join us for the reception afterwards.

[APPLAUSE]