

JULIAN G. KU
Maurice A. Deane School of Law
Hofstra University
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EDUCATION

J.D. 1998 Yale Law School, New Haven, CT

B.A. 1994 Yale University, New Haven, CT

PROFESSIONAL EXPERIENCE

7/23-Present *Interim Dean, Maurice A. Deane Distinguished Professor of Constitutional Law & Faculty Director of International Programs*
Maurice A. Deane School of Law, Hofstra University,
Hempstead, NY

- Responsible for all administrative and academic matters related to the Law School with direct supervision over academic affairs, admissions, alumni relations and development, career services, communications and marketing, finances, diversity and inclusion, and student affairs.
- Key Initiatives and Accomplishments
 - Initiated Bar Success Grant Program to support students with economic stress during summer bar preparation.
 - Initiated creation of Law and Innovation Center to organize and support various law school law and technology initiatives in artificial intelligence, cybersecurity, and courtroom and law practice technology.
 - Appointed the first Faculty Director of Diversity and Inclusion and guided the creation of the first Assistant Dean for Diversity and Inclusion in Hofstra Law history. Both positions empowered to assess and reform ongoing law school diversity and inclusion programs as well as develop new ones.

9/17-6-23 *Vice Dean for Academic Affairs, Maurice A. Deane Distinguished Professor of Constitutional Law & Faculty Director of International Programs*
Maurice A. Deane School of Law, Hofstra University,

Hempstead, NY

- Responsible for management and supervision of all academic matters related the Law School including curricular design, student academic issues, compliance with regulatory requirements, and faculty teaching and professional development.
- Participate in senior-level management decisions relating to admissions, career services, budget, and other non-academic matters.
- Key initiatives and accomplishments
 - Oversaw the implementation of the largest change in the first-year curriculum in Hofstra Law history intended to improve learning outcomes and bar passage.
 - Supervised and guided revisions to Hofstra’s academic support program to add a required last semester course in bar preparation.
 - Bar passage rates in 2023 achieved highest non-pandemic first-time passage rate in 10 years.
 - Managed transition to online learning during pandemic, and return to campus in hybrid format during Fall 2020.
 - Supervised and guided development of online curriculum and integration with standard J.D. curriculum.

9/14 – 8/17

Maurice A. Deane Distinguished Professor of Constitutional Law & Faculty Director of International Programs

Maurice A. Deane School of Law, Hofstra University,
Hempstead, NY

- Oversee recruitment, admission, and curriculum for American Legal Studies LL.M students
- Oversee programs in Italy, Curacao, and Cuba.
- Manage and supervise Law School’s relationships with foreign universities and institutions, including exchange student programs.

5/17-6/17

Visiting Professor of Law

National Taiwan University, Taipei, Taiwan, R.O.C..

5/14-8/14

Visiting Scholar and Taiwan Fellowship Grantee,

National Taiwan University, Taipei, Taiwan, R.O.C.

9/10 – present

Professor of Law (tenured)

Maurice A. Deane School of Law, Hofstra University,
Hempstead, NY

Classes Taught:

- Business Organizations
- China and International Law
- Contracts
- Constitutional Law
- Foreign Affairs and the U.S. Constitution
- International Business Transactions
- International Commercial Arbitration
- Introduction to the U.S. Legal System
- Law of International Trade
- Transnational Law (first year)

Committees

- Tenure Committee (Chair)
- Strategic Planning Committee
- Faculty Appointments Committee (Chair in 2009-10, 2011-12).
- Diversity Committee
- Dean's Search Committee (2012)

1/11-7/11	<i>Fulbright Distinguished Lecturer in Law and Grantee</i> East China University of Law and Politics, Shanghai, China
9/08-9/10	<i>Professor of Law & Associate Dean for Faculty Development</i> Hofstra University School of Law, Hempstead, NY
8/02-8/08	<i>Associate Professor of Law</i> Hofstra University School of Law, Hempstead, NY
8/06-1/07	<i>Visiting Assistant Professor of Law</i> College of William and Mary Marshall-Wythe School of Law, Williamsburg, VA
10/00- 8/02	<i>Associate, International Disputes Resolution Group,</i> Debevoise & Plimpton, New York, NY <ul style="list-style-type: none">• Practice areas include general commercial law, mergers and acquisitions law, securities law, and international commercial arbitration, and public international law
9/99-8/00	<i>Lecturer in Law and Olin Fellow</i> University of Virginia School of Law, Charlottesville, VA
9/98-9/99	<i>Judicial Clerk , The Hon. Jerry E. Smith,</i>

U.S. Court of Appeals, Fifth Circuit, Houston, TX

MEMBERSHIPS

U.S. Commission on Civil Rights, New York State Advisory
Committee Member (2016)
American Law Institute (2014)
New York Bar (2001)

PUBLICATIONS

Monograph:

TAMING GLOBALIZATION: INTERNATIONAL LAW, THE U.S. CONSTITUTION,
AND THE NEW WORLD ORDER (with John Yoo) (Oxford University
Press, 2012).

Law Reviews:

*The Rise of China, the United States, and the Limits of
International Law, North Carolina J. Int'l L.* (forthcoming Winter
2023).

*Considering the Consequences of an Unchecked Presidential
Recognition Power for U.S. Taiwan Policy*, 13 GEORGE MASON INT'L
L.J. 55 (2022)

*How the Law of Collective Self-Defense Undermines the Peace
and Security of the Taiwan Strait*, in STRENGTHENING THE US-
JAPAN ALLIANCE: PATHWAYS FOR BRIDGING LAW AND POLICY, Ishizuka,
Kurosaki, and Waxman ed. (2020).

Nicaragua v. Colombia, in MARITIME DISPUTE RESOLUTION PROJECT,
NYU Asia Law Institute (2020).

The Taiwan Travel Act is Legally Binding, 36 CHINESE (TAIWAN)
YEARBOOK OF INTERNATIONAL LAW 116 (2018).

*How China's Views on the Law of Jus ad Bellum Will Shape Its
Legal Approach to Cyberwarfare*, Hoover Institution Aegis
Paper Series (August 2017).

*The Significance of China's Rejection of the South China Sea
Arbitration for Its Approach to International Dispute Settlement
and International Law in CHINESE (TAIWAN) YEARBOOK OF
INTERNATIONAL LAW AND AFFAIRS, Volume 34 (2016)*

*Perceptions and Reality: The Enforcement of Foreign Arbitral
Awards in China*, 33 UCLA PACIFIC BASIN LAW JOURNAL 1 (2016).

Why Ratification of the U.N. Convention on the Law of the Sea May Violate Article III of the U.S. Constitution, 25 MINN. J. INT'L L. 1 (Winter 2016).

Bond, the Treaty Power, and the Overlooked Value of Non-Self-Executing Treaties, 90 NOTRE DAME L. REV. 1607(2015) (with John Yoo).

Striking the Right Balance Between Sovereign Debt Impunity and Market Chaos: Argentina and the Foreign Sovereign Immunities Act, 36 U. PA. J. INT'L L 433 (2015)

Kiobel and the Surprising Death of Universal Jurisdiction Under the Alien Tort Statute, 107 AM. J. INT'L L. 835 (2013).

The People's Republic of China and the Enforcement of ICSID Awards, 6 CONTEMPORARY ASIA ARBITRATION JOURNAL 31 (Spring 2013).

Globalization and Sovereignty, 31 BERKELEY JOURNAL OF INT'L L. 210 (2013) (with John Yoo).

China and the Future of International Adjudication, 25 MARYLAND J. INT'L L. 154 (2012).

Rethinking the Alien Tort Statute, 100 GEO. L. J. 2217 (2012).

The Limits of Corporate Rights Under International Law, 12 CHI. J. INT'L L. 729 (2012).

Globalization and Structure, 53 WM. & MARY L. REV. 431 (2011) (with John Yoo).

The Curious Case of Corporate Liability Under the Alien Tort Statute, 51 VA. J. INT'L L. 353 (2010).

"The Future of Presidential Power Will Resemble the Past," WHITE HOUSE STUDIES (2010).

Unitary Executive Theory and Exclusive Presidential Powers, 12 U. PENN. J. CONST. L. 615 (2010) (symposium essay).

How System Criminality Could Exacerbate the Weaknesses of International Criminal Law, 8 SANTA CLARA J. OF INT'L L. 365 (2010) (symposium essay).

The Wrongheaded and Dangerous Campaign to Criminalize Good Faith Legal Advice, 42 CASE W. RES. J. INT'L L. 449 (2009) (symposium essay).

The Prospects for the Peaceful Co-existence of Constitutional and International Law, 119 YALE L. J. ONLINE 15 (2009).

Medellin's Clear Statement Rule: A Solution for International Delegations, 77 FORDHAM L. REV. 609 (2008) (symposium essay)

The Crucial Role of the States and Private International Law Treaties: A Model for Accommodating Globalization, 73 MO. L. REV. 1063 (2008) (symposium essay).

Sanchez- Llamas v. Oregon: Stepping Back from the New World Court Order, 11 LEWIS & CLARK L. REV. 17 (2007) (symposium essay).

Do International Criminal Tribunals Deter or Exacerbate Humanitarian Atrocities?, 84 WASH. U. L. REV. 777 (2006) (with Jide Nzilebe).

A No Decision: Sosa v. Alvarez-Machain and the Debate Over the Domestic Status of Customary International Law, 101 AM. SOC'Y INT'L L. PROC. 267 (2007).

Hamdan v. Rumsfeld: The Functional Case for Foreign Affairs Deference to the Executive Branch, 23 CONST. COMMENT. 179 (Summer 2006) (Faculty Edited) (with John Yoo).

Gubernatorial Foreign Policy, 115 YALE L. J. 2380 (2006) (symposium article) .

Ali v. Rumsfeld: Challenging the President's Power to Interpret Customary International Law, 38 CASE WESTERN INT'L L. J. 371 (2006) (symposium essay).

Is There an Exclusive Commander-in-Chief Power?, 115 YALE L. J. POCKET PART 84 (March 1, 2006).

International Delegations and the New World Court Order, 81 WASH. L. REV. 1 (2006).

Structural Conflicts in Judicial Interpretations of Customary International Law, 45 SANTA CLARA L. REV. 101 (2005)

(symposium essay).

The Third Wave: the Alien Tort Statute and the War on Terrorism, 19 EMORY INT'L L. REV. 205 (2005) (symposium essay)

Beyond Formalism in Foreign Affairs: A Functional Approach to the Alien Tort Statute, 2005 SUP. CT. REV. 153 (with John Yoo). (Faculty Edited)

Treaties as Laws: A Defense of the Last in Time Rule for Treaties and Federal Statutes, 80 IND. L. J. 319 (2005).

The State of New York Does Exist: How States Control Compliance with International Law, 82 N.C. L. REV. 457 (2004).

Customary International Law in State Courts, 42 VA. J. INT'L L. 265 (2001).

The Delegation of Federal Powers to International Organizations: New Problems with Old Solutions, 85 MINN. L. REV. 71 (2000).

Book Chapters:

“The Benefits of Avoiding Conflicts Between the Constitution and International Law,” in William Dodge, David Sloss, and Michael Ramsey, eds., *THE SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE?* (Oxford University Press 2011).

“The Unsatisfactory Condition of Customary International Law in the United States”, in Rebecca A. Bratspies and Russell A. Miller, eds., *PROGRESS IN INTERNATIONAL LAW* (Martinus Nijhoff Press 2008).

Testimony

“*Supporting Hong Kong’s Pro-Democracy Movement Through U.S. Refugee Policy*”, *Hearing Before the Committee on the Judiciary, Subcommittee on Border Security and Immigration, United States Senate* (December 16, 2020.)
<https://www.judiciary.senate.gov/imo/media/doc/Ku%20Testimony.pdf>

“How Congress Can Help to Deter Chinese Coercion of Taiwan and Clarify U.S. Definitions of “One China”, *Hearing Before the Committee on Foreign Affairs of the U.S. House of Representatives, Subcommittee on Asia and the Pacific*, “Reinforcing the U.S.-Taiwan Relationship, ” (April 17, 2018).

<https://docs.house.gov/meetings/FA/FA05/20180417/108170/HHRG-115-FA05-Wstate-KuJ-20180417.pdf>

“Examining the International Climate Negotiations,” Hearing Before the Environment and Public Works Committee, United States Senate November 18, 2015.

https://www.epw.senate.gov/public/_cache/files/29525f03-9fc4-4112-9488-701f3dc1e8d1/ku-testimony.pdf

Other Notable Publications

China Has Ditched Its Own Principles to Back Russia, Foreign Policy.com (April 7, 2022).

<https://foreignpolicy.com/2022/04/07/china-ditched-principles-ukraine-russia-use-of-force/>

The Hong Kong Human Rights and Democracy Act Is Redundant, but Still Worthwhile, Lawfareblog.com (November 25, 2019).

<https://www.lawfareblog.com/hong-kong-human-rights-and-democracy-act-redundant-still-worthwhile>

The U.S. Recently Erected a New Hurdle to U.S.-China Academic Cooperation. Here’s What It Might Mean, ChinaFile (August 8, 2019).

<https://www.chinafile.com/reporting-opinion/viewpoint/us-recently-erected-new-hurdle-us-china-academic-cooperation-heres-what>

“The Detention of Huawei’s CFO is Legally Justified. Why Doesn’t the U.S. Say So?,” Lawfareblog.com (December 12, 2018).

<https://www.lawfareblog.com/detention-huaweis-cfo-legally-justified-why-doesnt-us-say-so>

“It’s Time for South China Sea Economic Sanctions,” Lawfareblog.com (June 1, 2018).

<https://www.lawfareblog.com/its-time-south-china-sea-economic-sanctions>

“Ignore the Hype: The Taiwan Travel Act is Legally Binding,” Lawfareblog.com (March 20, 2018).

<https://www.lawfareblog.com/ignore-hype-taiwan-travel-act-legally-binding>

“Trump’s Syria strike clearly broke international law — and

no one seems to care,” *Vox.com* (April 19, 2017).

<https://www.vox.com/the-big-idea/2017/4/19/15345686/syria-un-strike-illegal-un-humanitarian-law>

“Trump Might Be Stuck with NAFTA,” *Los Angeles Times* (November 29, 2016) (with John Yoo).

<http://www.latimes.com/opinion/op-ed/la-oe-yoo-ku-trump-nafta-20161129-story.html>

(Republished in the *Chicago Tribune*, the *Cleveland Plain Dealer*, the *Houston Chronicle*, and the *St. Paul Pioneer Press*)

“It is Beijing’s fault that China lost big in the South China Sea ruling,” *Quartz* (July 17, 2016).

<http://qz.com/733012/it-is-beijings-fault-that-china-lost-big-in-the-south-china-sea-ruling/>

“While the Courts Have Ruled, China Is Not Leaving the South China Sea,” *The National Interest* (July 15, 2016).

<http://nationalinterest.org/blog/the-buzz/while-the-courts-have-ruled-china-not-leaving-the-south-16980>

“China’s Legal Scholars Are Less Credible After South China Sea Ruling” *Foreign Policy* (July 14, 2016).

<http://foreignpolicy.com/2016/07/14/south-china-sea-lawyers-unclos-beijing-legal-tribunal/>

China’s Ridiculously Weak Legal Argument for Not Complying with the South China Sea Arbitration, *Financial Times* (Chinese edition) (July 1, 2016) (中国抵制南海仲裁的理由成立吗?).

<http://www.ftchinese.com/story/001068274>

“Differing interpretations of international law could spark major naval conflict between the US and China,” *Quartz* (October 20, 2015)

<http://qz.com/527865/differing-interpretations-of-international-law-could-spark-major-naval-conflict-between-the-us-and-china/>

“The U.S. Isn’t Challenging China’s Claims in the South China Sea, Yet”, *Defenseone* (May 29, 2015)

<http://www.defenseone.com/threats/2015/05/us-isnt-challenging-chinas-claims-south-china-sea-yet/114043/>

“The Philippines’ Massive Lawfare Blunder in the South China

Sea,” *The National Interest Online* (December 11, 2014).
<http://nationalinterest.org/feature/the-philippines-massive-lawfare-blunder-the-south-china-sea-11837>

“The Supreme Court Misses Its Chance to Limit the Treaty Power,” *Forbes.com* (June 12, 2014).
<http://www.forbes.com/sites/realspin/2014/06/12/the-supreme-court-misses-its-chance-to-limit-the-treaty-power/>

“When Corporate Defendants Play Offense,” *The Wall Street Journal* A11 (Friday, July 5, 2013) (with George T. Conway III).
<http://www.wsj.com/articles/SB10001424127887324328204578572592476276824>

“The Supreme Court Unanimously Rejects Universal Jurisdiction” (April 21, 2013), *Forbes.com*, (with John Yoo)
<http://www.forbes.com/sites/realspin/2013/04/21/the-supreme-court-unanimously-rejects-universal-jurisdiction/>

“A Bigger Concern is the Law of the Sea Treaty” (December 7, 2012), *NYTimes.com*.
<http://www.nytimes.com/roomfordebate/2012/12/06/have-treaties-gone-out-of-style/the-senators-are-right-to-worry-about-vague-language-in-treaties>

“Don’t Cry for Argentina: The World’s Worst Sovereign Deadbeat” (November 30, 2012), *Forbes.Com*.
<http://www.forbes.com/sites/realspin/2012/11/30/dont-cry-for-argentina-the-worlds-worst-sovereign-deadbeat/>

“Online *Kiobel* symposium: The Alien Tort Statute as a species of extraterritorial U.S. law” (July 16, 2013), *SCOTUSBlog.com*.
<http://www.scotusblog.com/2012/07/online-kiobel-symposium-the-alien-tort-statute-as-a-species-of-extraterritorial-u-s-law/>

“Treaties shouldn’t trump law,” *Houston Chronicle* (March 11, 2006),
<http://www.chron.com/disp/story.mpl/editorial/outlook/3716391>

“Treaties shouldn’t trump U.S. law,” *Los Angeles Times* B13 (March 8, 2006)
<http://www.latimes.com/news/opinion/commentary/la-oe-ku8mar08,1,5129382.story>

“Choosing Between Constitutional and International Law: Why the U.S. Had Good Reason to Ignore the Recent World Court Order,” *Writ*, FINDLAW.COM, February 11, 2003,
http://writ.news.findlaw.com/scripts/printer_friendly.pl?page=/commentary/20030211_ku.html

Weblogs:

Opiniojuris.org, Co-Founder and Permanent Contributor
Contributions can be found at
<http://opiniojuris.org/author/julianku/>

Lawfare, Contributing Editor.
Contributions can be found at
<https://www.lawfareblog.com/contributors/jkuguest>

Youtube

https://www.youtube.com/playlist?list=PLAM0fU2NeEzULed9jL1nabECn_PmFLDm