

**MARGARET E. MCGUINNESS**  
University of Missouri School of Law  
319 Hulston Hall  
Columbia, MO 65211  
Tel: (573) 882-7293  
Mobile: (917) 723-4333  
Weblog: [www.opiniojuris.org](http://www.opiniojuris.org)  
Email: [Peggy.McGuinness@gmail.com](mailto:Peggy.McGuinness@gmail.com)

## **EDUCATION**

### **Stanford Law School, J.D., 1999, with distinction**

- Articles Editor, *Stanford Law Review*
- Carl Mason Franklin Prize for Best Paper in International Law
- Goldsmith Award for Work in Dispute Resolution
- Hillmer Oehlman, Jr. Award for Excellence in First-year Research and Writing
- Teaching Assistant, *Justice Richard J. Goldstone*
- Research Assistant, *Professors John Barton, Linda Mabry and Ronald Gilson*
- Graduate Fellow, Stanford Center on Conflict and Negotiation

### **American University, School of International Service, B.A., International Studies, 1987**

- Minors: French, West European Area Studies
- Presidential Scholarship

## **ACADEMIC POSITIONS**

### **University of Missouri School of Law, 2003-present**

**Associate Professor** (tenured 2007)

Courses: International Law; International Human Rights; Foreign Affairs and the Constitution; Federal Courts; International Business Transactions

### **Johns Hopkins University, School of Advanced International Studies**

**Affiliated Scholar**, 2008- present

### **Temple University Beasley School of Law, Visiting Associate Professor, 2008-2009**

Courses: International Law; International Human Rights; Resolution of Armed Conflict

### **University of Georgia, School of Law, Visiting Associate Professor, Spring 2007**

Courses: International Human Rights; Foreign Affairs and the Constitution; International Law Colloquium

## **JUDICIAL CLERKSHIP**

**Judge Colleen McMahon**, Law Clerk, U.S. District Court, Southern District of New York, 1999-2000

## **OTHER EXPERIENCE**

**Paul, Weiss, Rifkind, Wharton & Garrison**, Litigation Associate, New York, N.Y., 2000-2003

**Howard, Rice, Nemerovski, Canady, Falk & Rabkin**, Summer Assoc., San Francisco, CA, 1998

**Brobeck, Phleger & Harrison**, Summer Assoc., San Francisco, CA, 1997

**U.S. Department of State, Foreign Service Officer**, 1988-1996:

- *Deputy Chief, Political Section*, U.S. Embassy Office, Berlin, Germany, 1994-1996
- *Special Assistant to Secretary of State Warren Christopher*, 1993-1994
- *Watch Officer*, State Department Operations Center, 1992-1993

- *Political Officer, Special Assistant to Ambassador*, Islamabad, Pakistan, 1990-1992
- *Vice Consul*, U.S. Consulate General, Montreal, Canada, 1988-1990
- *State Department Superior Honor Award*, 1990, for coverage of the general election in Pakistan
- *State Department Superior Honor Award*, 1994, for outstanding work in the Office of the Secretary

**Atlantic Council of the United States**, Assistant Director of Administration, 1987-1988

### **BOOKS**

Melanie Greenberg, John H. Barton & Margaret E. McGuinness, eds., *WORDS OVER WAR: MEDIATION AND ARBITRATION TO PREVENT DEADLY CONFLICT*, (Lanham: Rowman & Littlefield, 2000)

### **BOOK CHAPTERS**

*The Progress and Paradox of Security Multilateralism* in *PROGRESS IN INTERNATIONAL ORGANIZATION*, (Brill/Martin Nijhoff, Rebecca Bratspies and Russell Miller, eds., 2008)

*Legal and Normative Aspects of the Manipulation of Refugees*, in *REFUGEE MANIPULATION: WAR, POLITICS AND THE ABUSE OF HUMAN SUFFERING*, (Washington, DC: Brookings Institution, Stephen Stedman and Fred Tanner, eds., 2003)

Melanie Greenberg & Margaret E. McGuinness, *From Lisbon to Dayton: International Mediation and the Bosnia Crisis*, in *WORDS OVER WAR*, (Lanham: Rowman & Littlefield, 2000)

### **ARTICLES, ESSAYS, AND BOOK REVIEWS**

*Old W(h)ine, Old Bottles: A Reply to Professor Paulsen*, 119 *YALE L.J. ONLINE* \_\_\_\_ (forthcoming 2009)

*Peace v. Justice: The Universal Declaration of Human Rights and the Origins of the Debate*, *DIPLOMATIC HISTORY*, (Vol. 34, March 2010) (forthcoming contribution to symposium on war crimes prosecutions)

*The President, Congress, and the Security Council: Counterterrorism and War Powers through the Internationalist Lens*, 45 *WILLAMETTE L. REV.* 417(2009) (symposium/invited)

Review of: *Secretary or General? The Role of the UN Secretary General in World Politics*, (Simon Chesterman, ed.)(2007) 102 *AM. J. INT'L LAW* 930 ( 2008)

*Return to Missouri v. Holland*: Symposium Foreword, 73 *MO. L. REV.* 921 (2008)

*Federalism and the Horizontality of International Human Rights*, 73 *MO. L. REV.* 1265 (2008)

*Medellín v. Texas*, in *Recent Decisions*, 102 *AM. J. INT'L LAW* 622 (July 2008)

*Three Narratives of Medellín v. Texas*, 31 *SUFF. TRANS. L. REV.* 227 (2008) (symposium/invited)

Sanchez-Llamas, *American Exceptionalism, and the VCCR Norm Portal*, 11 *LEWIS & CLARK L. REV.* 47 (2007) (symposium/invited)

*Medellín, Norm Portals, and the Horizontal Integration of International Human Rights*, 82 *NOTRE DAME L. REV.* 755(2006)

*Women as Architects of Peace: Gender and the Resolution of Armed Conflict*, 15 MICH. ST. J. INT'L L. 63 (2006)(symposium/invited)

*Contesting The "Sovereignists:" How to Learn to Stop Worrying and Love International Institutions*, Review of: INTERNATIONAL ORGANIZATIONS AND THEIR EXERCISE OF SOVEREIGN POWERS, Dan Sarooshi, (Oxford 2005), 38 GEO. WASH. INT'L L. REV. 829 (2006)

Review of *International Dispute Settlement in an Evolving Global Society: Constitutionalization, Accessibility, Privatization*, Francisco Orrego Vicuna, (Cambridge 2005), 39 CAN. J. POL. SCI. 221 (2006)

*Exploring the Limits of International Human Rights Law*, 34 GA. J. INT'L & COMP. L. 393 (2006)(symposium/invited)

*Multilateralism and War: A Taxonomy of Institutional Functions*, 51 VILL. L. REV. 149 (2006)

*The Internationalism of Justice Harry Blackmun*, 70 MO. L. REV. 1289 (2005)(invited)

### **SELECTED SHORTER WORKS**

*Medellín v. Texas: Supreme Court Holds ICJ Decisions under the Consular Convention not Binding Federal Law, Rejects Presidential Enforcement of ICJ Judgments over State Proceedings*, ASIL INSIGHTS SERIES, Vol. 12, No. 6 (Apr. 22, 2008)

*Case Concerning Armed Activities on the Territory of the Congo: The ICJ Finds Uganda Acted Unlawfully and Orders Reparations*, ASIL INSIGHTS SERIES, Vol. 10, Issue 1 (Jan. 10, 2006) (reprinted in ASIL Newsletter, Vol. 22, No. 1 (Jan./Feb. 2006))

*Teaching Transnational Law: A View from the Heartland*, AALS Conference on Educating Lawyers for Transnational Legal Challenges, May 2004, Hawaii (conference paper available at <http://www.aals.org/international2004/Papers/McGuinness.pdf> )

### **WORKS IN PROGRESS**

*Mapping Norm Portals: Toward a Theory of Transnational Human Rights Integration* (manuscript in progress)

*The Peace Powers of the President* (manuscript in progress)

*After Exceptionalism: The Present and Future of U.S. Human Rights Policy* (book proposal)

### **GRANTS AND FELLOWSHIPS**

American Society of International Law, Tillar House Research Fellow Summer 2007

- Co-coordinator ASIL/CSIS program on National Security and Human Rights

University of Missouri, Center for the Study of Dispute Resolution, Senior Fellow, 2003-  
European Union Center, University of Missouri, Faculty Research Fellow, 2003-2004  
University of Missouri Law School Foundation, Summer Research Grant, 2003-2009  
IES Center Freiburg, Germany, Faculty Development Seminar, June 2004

### **PROFESSIONAL ACTIVITIES**

American Society of International Law (2003 - )

- Executive Council (2009-2012)
- Editorial Board, (with Andrew Guzman and David Fiedler), ASIL *Insights* Series, 2007-

American Branch of the International Law Association (2007 - )

- Co-chair, International Law Weekend, New York, N.Y., October 25-27, 2007

American Association of Law Schools (2003 - )

American Bar Association International Law Section (2003 - )

Junior International Law Scholars Roundtable (2004 - )

Legal Advisory Committee, John Edwards Presidential 2008 Campaign

Co-founder and contributor, *Opinio Juris*, www.opiniojuris.org, 2005-

Convener, 2008 Symposium: Return to *Missouri v. Holland*: Federalism and International Law

Convener, 2007 International Law Scholars Online Symposium, *Opinio Juris*

Aspen Institute Justice and Society Seminar, July 2006

### **SELECTED PRESENTATIONS**

*Do We Have to Follow Transnational Norms?* ABILA International Law Weekend, New York, Oct. 23, 2009 (scheduled)

*Horizontality in International Human Rights: The Role of Human Rights Courts, Commissions, and Committees*, Annual Meeting of Law and Society Association, Denver, May 30, 2009

*Norm Portals and Convergence in International Human Rights*, George Washington University Law School International Law Colloquium, November 3, 2008

*The Question of Human Rights Compliance after Medellín*, Amer. Branch of the International Law Association, International Law Weekend, New York, N.Y., October 17, 2008

*The President, Congress and the Security Council: Counterterrorism through an Internationalist Lens*, Willamette Law School, Symposium: Presidential Power in the 21<sup>st</sup> Century, September 12, 2008

*The Universal Declaration of Human Rights and the Architecture of Peace*, Southeast Association of Law Schools Annual Meeting, July 29, 2008

*The Death Penalty and International Law: What is the Supreme Court saying in the Medellín decision?*, Johns Hopkins School of Advanced International Studies, April 14, 2008

*Progress and Paradox in International Security*, American Society of International Law Annual Meeting, April 12, 2008

*International Regulation of the Death Penalty*, Univ. of Missouri Law School, Feb. 19, 2008

*Introduction to Federalism and International Law*, Symposium: Return to *Missouri v. Holland*: Federalism and International Law, Univ. of Missouri Law School, Feb. 15-16, 2008

*Mapping Norm Portals*, Washington Univ. Law School, Workshop in Public International Law & Theory, Jan. 18-19, 2008

*Evaluating Academic Blogging: A View from the Inside*, Annual Meeting of the AALS, New York, N.Y., Jan. 8, 2008

*Mainstreaming Gender in UN Peace Processes*, International Law Weekend, New York, N.Y., Oct. 27, 2007

*Medellín II*, ACS Preview of 2007-2008 Supreme Court Term, Univ. of Missouri Law School, Oct. 4, 2007

*Bargaining in the Shadow(s) of International Human Rights Law*, Law & Society Meeting, Berlin, Germany, July 28, 2007

*Mapping Norm Portals*, AALS/ASIL Mid-Year Meeting in Vancouver, Canada, June 18, 2007

*Mapping Norm Portals*, Faculty Colloquium, University of Georgia Law School, April 19, 2007

*Think Locally, Act Globally: The Integration of International Human Rights at the Subnational Level*, University of Oregon School of Law, Conference on “Complexities of Scale: The Role of the Subnational in International Law,” March 16, 2007

Commentator, International Law Roundtable of Junior Scholars, Yale Law School, March 2007

*Medellín, Norm Portals, and the Integration of International Human Rights in U.S. Courts*, Annual Meeting of Southeast Association of Law Schools, Palm Beach, Florida, July 16, 2006

*Medellín, Norm Portals, and the Integration of International Human Rights in U.S. Courts*, Annual Meeting of Law and Society Association, Baltimore, Maryland, July 8, 2006

*Norm Portals and the Integration of International Human Rights in U.S. Courts*, Faculty Colloquium, Washington University Law School, Saint Louis, April 4, 2006

*Women as Architects of Peace*, Conference on Gender and War, Michigan State University Law School, Feb. 24, 2006

*NSA Wiretapping Controversy*, Remarks to the ACS, ILS and Federalist Society forum, Univ. of Missouri Law School, Feb. 13, 2006

*Norm Portals and the Integration of International Human Rights in U.S. Courts*, Faculty Colloquium, Univ. of Missouri Law School, Jan. 20, 2006

*The Limits of International Human Rights Law: A Response to Goldsmith and Posner*, University of Georgia Symposium on THE LIMITS OF INTERNATIONAL LAW, Oct. 28, 2005

*Is International Law Important to U.S. Foreign Policy?* World Affairs Council of Greater Hampton Roads, Norfolk, Virginia, June 2, 2005.

*Multilateralism and War: A Taxonomy of Institutional Functions*, Faculty Workshop, University of Saint Louis Law School, April 2005.

*Civil Liberties and the War on Terror*, Amnesty International, University of Missouri, April 2005.

*The Internationalism of Justice Harry Blackmun*, Univ. of Missouri Law School Symposium, “Reflections on Judging: A Discussion Following the Release of the Blackmun Papers,” Feb. 25, 2005

*Multilateralism and War*, Faculty Colloquium, Univ. of Missouri Law School, Feb. 2005.

*Discovery in International Litigation: Rules and Ethical Considerations*, CLE presentation, Univ. of Missouri Law School, September 2004.

*Guantanamo Detainee Decisions: Implications for International Law*, American Constitution Society, Univ. of Missouri Law School, October 2004.

*The United Nations and Dispute Resolution: Sacrificing Justice for Peace*, Symposium, “Post-Conflict Justice: From Malmady to Halajba,” March 2004, University of Idaho School of Law (conference paper and presentation).

*Legal Norms and the Manipulation of Refugees*, Stanford Center for International Security and Cooperation, November 1999, Stanford University.

**UNIVERSITY SERVICE**

Faculty Research Committee, University of Missouri, 2007-present

Graduate Committees (University of Missouri):

- Adrian Ang, PhD, Political Science, University of Missouri (2004-2008)
- Yusuf Kalyango, PhD, Journalism, University of Missouri (2005-2007)
- Zoila Mena, MA, Political Science, University of Missouri (2004-2005)
- Yusuf Kalyango, MA, Journalism, University of Missouri (2003-2004)

Law School Committees (University of Missouri):

- Judicial Clerkship Committee, 2003-
- Faculty-Student Relations Committee, 2004- ; Committee Chair, 2007-
- Curriculum Committee, 2005- 2007

**BAR ADMISSIONS:** State of New York (2000)  
U.S. District Court for the Southern District of New York (2000)

**LANGUAGES:** German and French