

# RYAN M. SCOVILLE

## TEACHING

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Marquette University Law School, Milwaukee, WI  
*Professor of Law* 2021 –  
—Fields of research: U.S. foreign relations law, international law  
—Courses: Public International Law, The Foreign Affairs Constitution, Civil Procedure,  
Conflict of Laws  
*Associate Professor of Law (with tenure)* 2016 – 2021  
*Assistant Professor of Law* 2011 – 2016

## SCHOLARSHIP

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### Books

U.S. STATE AGREEMENTS WITH FOREIGN GOVERNMENTS (W.S. Hein & Co., forthcoming 2022)  
(co-edited with Mitchell Knief)

### Law Review Articles

*The International Commitments of the Fifty States*, 70 UCLA L. Rev. (forthcoming 2023)

*U.S. Foreign Relations Law from the Outside In*, 47 YALE J. INT'L L. 1 (2022)

*Unqualified Ambassadors*, 69 DUKE L.J. 71 (2019)

- Served as the basis for the Ambassador Oversight and Transparency Act, S.4849, 116th Cong. (2020)
- Discussed in the N.Y. Times, Washington Post, L.A. Times, The Atlantic, and Foreign Policy, and on MSNBC, NBC News, Yahoo, Fortune, Salon, Axios, Quartz, and The Monkey Cage
- Cited in Senator Elizabeth Warren's proposal to end ambassadorial appointments for major donors to presidential campaigns
- Reviewed at Jotwell by Professor Anne Joseph O'Connell

*Who Studies International Law? Explaining Cross-National Variation in Compulsory International Legal Education*, 30 EUR. J. INT'L L. 481 (2019) (with Mark Berlin)

*Ad Hoc Diplomats*, 68 DUKE L.J. 907 (2019)

*International Law in National Schools*, 92 IND. L.J. 1449 (2017)

*How Cosmopolitan Are International Law Professors?*, 38 MICH. J. INT'L L. 119 (2016) (with Milan Markovic)

*Finding Customary International Law*, 101 IOWA L. REV. 1893 (2016)

- Cited by the International Law Commission

*Legislative Diplomacy*, 112 MICH. L. REV. 331 (2013)

*The New General Common Law of Severability*, 91 TEX. L. REV. 543 (2013)

## **Invited Book Chapters & Symposium Essays**

*Egocentric Bias in Perceptions of Customary International Law*, in *INTERNATIONAL LAW AS BEHAVIOR* (Harlan Cohen & Tim Meyer eds., Cambridge University Press 2021)

*Toward Meta-Knowledge of Foreign Relations Law in U.S.-Japan Relations*, in *STRENGTHENING THE U.S.-JAPAN ALLIANCE: PATHWAYS FOR BRIDGING LAW AND POLICY* 196 (Nobuhisa Ishizuka, Masahiro Kurosaki, and Matthew Waxman eds., 2020)

*The Ethics of Baiting and Switching in Law Review Submissions*, 101 *MARQ. L. REV.* 1075 (2018)

*Compelled Diplomacy in Zivotofsky v. Kerry*, 9 *N.Y.U. J.L. & LIBERTY* 148 (2015)

*A Defense of Japanese Sovereignty Over the Senkaku / Diaoyu Islands*, 46 *GEO. WASH. INT'L L. REV.* 571 (2014), *reprinted with modifications in CHINA-JAPAN BORDER DISPUTES: ISLANDS OF CONTENTION IN MULTIDISCIPLINARY PERSPECTIVE* (Ashgate 2015)

## **GRANTS & EDITORIAL POSITIONS**

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Managing Editor, *AJIL Unbound*

Spring 2018 – Spring 2021

Fulbright Scholar (Sophia University, Tokyo)

Fall 2018

—Grant for research on Japanese understandings of U.S. foreign relations law

## **ONLINE COMMENTARY**

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*An Important Development in the Law of Diplomatic Appointments*, *Lawfare* (Jan. 31, 2022)

H-Diplo Roundtable (Feb. 6, 2021) (reviewing Michael Poznansky, *In the Shadow of International Law* (Cornell University Press 2020))

*New Evidence of Secret International Agreements*, *Lawfare* (Feb. 19, 2020)

*Does Giuliani's Work in Ukraine Violate the Appointments Clause?*, *Lawfare* (Oct. 1, 2019)

*How, and How Often, Do Legal Academics Use FOIA?*, *Lawfare* (Mar. 4, 2019)

*Troubling Trends in Ambassadorial Appointments: 1980 to the Present*, *Lawfare* (Feb. 20, 2019)

*Can the President Cut Support for Congressional Foreign Travel During the Shutdown?*, *Lawfare* (Jan. 22, 2019)

*Can the Pentagon Restrict Congressional Foreign Travel?*, *Lawfare* (May 30, 2018)

*The Divisible College of International Lawyers*, *Lawfare* (Oct. 30, 2017) (reviewing Anthea Roberts, *Is International Law International?* (OUP 2017))

*Should the Senate Give Advice and Consent on Special Envoys?*, *Lawfare* (Aug. 31, 2017)

*The Appointments Clause as a Hurdle to the President's Trade Agenda*, *Lawfare* (Apr. 24, 2017)

*A Closer Look at Congressional Foreign Travel*, *Lawfare* (Mar. 2, 2017)

*A Legal Analysis of Rep. Tulsi Gabbard's Trip to Syria*, Lawfare (Feb. 14, 2017)

*The South China Sea Arbitration: Implications for the Senkaku Islands*, Lawfare (July 18, 2016)

*International Law from a Cuban Perspective*, Lawfare (Feb. 8, 2016)

*How Do American Courts (And Scholars) Ascertain Customary International Law?*, Lawfare (Oct. 29, 2015)

*Legislative Diplomacy After Zivotofsky*, Lawfare (June 15, 2015)

*The Role of Foreign Perceptions in Zivotofsky v. Kerry*, Lawfare (June 12, 2015)

*Why Teaching International Law in American Universities Matters*, Just Security (Mar. 6, 2015)

*Boehner Invites Bibi: A Closer Look at Historical Practice*, Just Security (Jan. 27, 2015)

*Sorry, China: Japan Has the Better Claim Over the Senkakus*, The National Interest (Jan. 11, 2015)

*Japan: "No Dispute" Over the Senkaku / Diaoyu*, The Diplomat (Dec. 24, 2014)

*De Jure and De Facto Recognition as a Framework for Zivotofsky*, Opinio Juris (April 30, 2014)

#### **SELECTED PRESENTATIONS & MEDIA**

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University of Arizona, National Conference of Constitutional Law Scholars (February 2022),  
Presenter: *The International Commitments of the Fifty States*

Harvard University, Japanese Politics Online Seminar Series (January 2022), Presenter: *Official Knowledge of Foreign Relations Law in U.S.-Japan Relations*

University of Wisconsin, American Society of Comparative Law Annual Meeting (October 2021),  
Presenter: *U.S. Foreign Relations Law from the Outside In*

*U.S. Ambassadorships Are Destination Tourism for the Mega-Rich*, The Monkey Cage (Nov. 28, 2019)  
(interviewed about ambassadorial appointments)

*The Legacy of Pay-to-Play Ambassador Appointments*, WNYC – The Takeaway (Nov. 21, 2019)  
(interviewed about ambassadorial appointments)

Robbie Gramer, *U.S. Diplomacy's 'Gordon Problem' Goes Way Beyond Gordon Sondland*, Foreign Policy  
(Nov. 21, 2019) (quoted on ambassadorial appointments)

Open World Program (Washington, DC), Legislative Diplomacy Roundtable (November 2019)

Duke University, Duke Law Journal Author Talk (October 2019), Presenter: *Unqualified Ambassadors*

James Laporta, *Trump Administration Restricts Congressional Travel to Afghanistan, Prompting Some Democrats to Cry Foul*, Newsweek (May 13, 2019) (quoted on legislative diplomacy)

*How Many Trump-Appointed Ambassadors Donated to His Campaign?*, MSNBC, Velshi & Ruhle (April 3, 2019) (interviewed about ambassadorial appointments)

Columbia University, Weatherhead East Asian Institute: The U.S.-Japan Alliance and the Power of International Law (March 2019), Presenter: *Toward Meta-Knowledge of Foreign Relations Law in the U.S.-Japan Alliance*

Sophia University (Tokyo, Japan): American Case Law Research Group (October 2018), Presenter: *U.S. Foreign Relations Law from the Outside In*

Washington University in St. Louis: ASIL Mid-Year Meeting (October 2017), Presenter: *Unqualified Ambassadors*

University of Washington: Annual Workshop of the Junior International Law Scholars Association (January 2017), Presenter: *Ad Hoc Diplomats*

Fordham University: International Law Weekend (October 2016), Panelist: *Empirical Research on International Legal Education*

Northwestern University: ASIL Mid-Year Meeting (November 2014), Presenter: *Anarchy is What Law Schools Make of it*

University of Michigan, Michigan Law Review Author Talk (March 2014), Presenter: *Legislative Diplomacy*

University of Illinois, Center for East Asian and Pacific Studies: The China-Japan Border Dispute Over the Diaoyu / Senkaku Islands Symposium (April 2013), Presenter: *Trouble in the East China Sea: Legal Explanations*

University of Wisconsin Law School: Faculty Exchange Workshop (Feb. 2013), Presenter: *Legislative Diplomacy*

## **SERVICE**

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American Society of International Law:

International Law in Domestic Courts Interest Group (co-chair)

Marquette University Law School:

Academic Programs Committee (Chair)

Teaching & Assessment Committee

Faculty Advisor to the Jessup Moot Court Team

Faculty Advisor to International Law Society

## **EDUCATION**

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Stanford Law School, J.D.

2006

—*Stanford Law Review*: Executive Editor, Board of Editors Award

—*Stanford Journal of International Law*: Senior Articles Editor

—Class of 2002 Fellowship in Conflict Resolution

Brigham Young University, B.A., International Studies 2003  
—Valedictorian, Kennedy Center for International Studies  
—University Commencement Speaker

**OTHER EXPERIENCE**

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Idaho Attorney General, Boise, ID 2010 – 2011  
*Deputy Attorney General (Civil Litigation)*

Morrison & Foerster LLP, Denver, CO and Tokyo, JP 2008 – 2010  
*Litigation Associate*

U.S. Court of Appeals for the Ninth Circuit, Pasadena, CA 2007 – 2008  
*Law Clerk to the Hon. Milan D. Smith, Jr.*

U.S. District Court for the District of Arizona, Phoenix, AZ 2006 – 2007  
*Law Clerk to the Hon. Neil V. Wake*

Department of Defense, Office of the General Counsel (Int'l Affairs) Fall 2006  
*Extern*

**OTHER**

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Bar Admissions: California (2006), Idaho (2011)  
Member, American Society of International Law  
Languages: Japanese (JLPT N2)