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Preface

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INTRODUCTION

Welcome to the *Santa Clara Journal of International Law*.

Every year, professors and practitioners add a chapter to the series of international law symposia hosted by the *Santa Clara Journal of International Law* and Santa Clara's Center for Global Law and Policy. This year, we print nine rich and timely contributions prepared under the topic *Emerging Issues in International Humanitarian Law*.

The course and consequence of the United States' War on Terror provided a foundation for many of the discussions in this Issue. Targeted killings, the Guantanamo detention center, right to counsel during detainee review proceedings, and women in post-conflict situations such as Afghanistan all received treatment through the symposium.

The Issue begins with Professor Louise Doswald-Beck's keynote focusing on the strained efforts to justify attacks by armed drones under international humanitarian law.

Professor Richard J. Wilson's article gives a face to Omar Khadr, a Guantanamo detainee taken into custody by U.S. forces when he was fifteen years old. Professor Wilson dutifully chronicles the saga of a youth struggling to have his claims heard over the din of the post-9/11 conflict. Professor Kate Jastram provides a historical backdrop for Omar Khadr's plight by recalling the Haitian and Cuban asylum-seekers of the 1990s whose confinement created the fertile precedent for detention at Guantanamo a decade later.

Professor Geoffrey S. Corn and Mr. Peter A. Chickris contribute scholarship on the right to counsel during the detainee review process. Their piece draws the principles underlying U.S. Supreme Court decisions establishing the right to counsel for criminal defendants into relief against the interests implicated during the preventive detention process. Professor Kristine A. Huskey complements Professor Corn and Mr. Chickris' piece by asserting its continued value notwithstanding the National Defense Authorization Act for Fiscal Year 2012. Professor Deborah Pearlstein's comment turns to the legal arguments existing around the authors' platform.

Professors Dina Francesca Haynes, Naomi Cahn, and Fionnuala Ní Aoláin focus on women in post-conflict situations and the ineffectiveness of U.N. Security Council resolutions to provide for, or fully consider, gender centrality. Hoover Institution Fellow Abraham D. Sofaer provides a poignant rumination on the weakness of abstract declarations and the need for doctrine and action advancing fundamental social change. Professor Johanna Bond remarks on two core concepts: shifting away from women as victims and shifting toward gender centralization.

The Journal is also honored to print an outstanding student comment by Christina Cheung. Ms. Cheung's comment, while unrelated to the symposium, provides insight on enforcement of arbitral awards in the People's Republic of China and potential strengthening of enforcement mechanisms.

The spirit of reconciling conflict suffuses this Issue. By addressing how we treat others, the pieces in this Issue offer the opportunity to reflect on who we are and how we want the world to operate. Such an opportunity would not be possible without the immense effort and dedication of the authors, faculty, and staff who contributed to this issue. No single page could adequately thank them for generously giving their time and energy.

Marc S. Wiesner
Editor-in-Chief, Volume 11