

PROMOTION RECOMMENDATION  
The University of Michigan  
Law School

Monica Hakimi, assistant professor of law, Law School, is recommended for promotion to professor of law, with tenure, Law School.

Academic Degrees:

J.D. 2001 Yale Law School, New Haven, CT  
B.A. 1997 Duke University, Psychology and Public Policy, Durham, NC

Professional Record:

2008-Present Assistant Professor, Law School, University of Michigan  
2006-2008 Visiting Assistant Professor of Law, Benjamin N. Cardozo School of Law, New York, NY  
2002-2006 Attorney-Adviser, U.S. Department of State, Office of the Legal Adviser, Washington, DC  
2001-2002 Law Clerk, Judge Kimba M. Wood, U.S. District Court, Southern District of New York  
2001 Summer Associate, Cleary, Gottlieb, Steen & Hamilton, LLP, New York, NY

Summary of Evaluation:

Teaching: Professor Hakimi teaches Transnational Law – a challenge for many teachers because it is the only required course outside the first year – Foreign Affairs, International Law of War, and an occasional seminar. She has also participated in running the International Law Workshop. She articulates three main goals for her teaching, and she accomplishes them: she makes sure students understand the law; she requires and encourages students to develop their analytic and advocacy skills; and she uses the materials to help students think more deeply about the relationships among law, policy, and politics – relationships that she sees as particularly salient in international law. She is organized and in control, making sure she stays on track, while at the same time facilitating an open conversation about the law, its operation, and the policy questions at stake. She is demanding, requiring her students to be prepared and participate; at the same time she is respectful, even warm. Her version of the Socratic method is not one of bullying or embarrassment, but rather a process of firmly and respectfully pressing students to think about the material. Her students report that they learned a great deal, that she pressed them to think deeply, and that they would gladly take another class from her. She creates her own course materials and continues to work hard to improve as a teacher. High evaluations in recent terms – 4.80 and 4.92 on Q1 and Q2, respectively, the last time she taught International Law of War – are one manifestation that her efforts are paying off.

Research: Professor Hakimi's scholarship falls within the field of public international law. It deals with issues of transcendent international importance, such as the tension between human rights on the one hand and the political interests and needs of states, especially for security, on the other. She has engaged in a project to develop coherent standards for dealing with suspected terrorists, in particular their detention and targeting. Other pieces construct a legal framework for the responsibility of states to protect people from harm inflicted by third parties. Her most recent piece explores the

virtues of what she calls “unfriendly unilateralism” – a state’s conduct that deprives another state of some advantage or that deviates from its own obligations without the approval of an overseeing body, such as the United Nations.

Professor Hakimi’s work does not hesitate to challenge doctrines and understandings that have prevailed for many years. She seeks to determine deeper considerations underlying the law and practice. Her work therefore has a refreshing quality, in a field that is often highly doctrinaire and stilted. As a result, she has already achieved widespread recognition and is in great demand as a speaker, both in the United States and abroad, at law schools and at professional conferences, including the American Society for International Law.

Recent and Significant Scholarship:

Monica Hakimi, “Unfriendly Unilateralism” (submitted for publication).

Monica Hakimi, “Human Rights Obligations to the Poor,” in POVERTY AND THE INTERNATIONAL LEGAL SYSTEM: DUTIES TO THE WORLD’S POOR (Krista Nadakavukaren ed., forthcoming 2013).

Monica Hakimi, “A Functional Approach to Targeting and Detention,” *Michigan Law Review*, Vol. 110, June 2012, pg. 1365-1420.

Amos N. Guiora & Monica Hakimi, “A Legal Framework for Targeted Killing,” in PATRIOT DEBATES: CONTEMPORARY ISSUES IN NATIONAL SECURITY, Harvey Rishikoff et al., eds., 2012, pp. 161-177.

Monica Hakimi, “State Bystander Responsibility,” *European Journal of International Law*, vol. 21, No. 2, May 2010, pg. 341-385.

Monica Hakimi, “Secondary Human Rights Law,” *Yale Journal of International Law*, vol. 34, Summer 2009, pg. 596-604.

Monica Hakimi, “International Standards for Detaining Terrorism Suspects: Moving Beyond the Armed Conflict-Criminal Divide,” *Yale Journal of International Law*, vol. 33, Summer 2008, pg. 369-416. Kevin J. Barry Award for Excellence in Military Legal Studies, National Institute of Military Justice.

Service: Professor Hakimi has performed exemplary institutional service. Some of this has been of the type one might expect particularly for a specialist in international law; for example, she has served for several years as advisor to the Law School’s team in the Philip C. Jessup International Law Moot Court Competition. She has also served as the only junior faculty member of the 2010-11 Personnel Committee, the most time-consuming committee in the school, and of the 2012-13 Dean Search Advisory Committee. Professor Hakimi and a colleague at another school have begun a Cyber-Colloquium on International Law. This is a works-in-progress workshop that meets online, via audio connection, several times a year. The two organizers personally pick the participants, about a dozen scholars from both sides of the Atlantic. Each session focuses on a draft paper of one of the group.

External Reviewers:

Reviewer A: “[She] has already made original and important contributions to the literature, and she is poised to do a great deal more of the same going forward. . . . I think she compares very favorably to those in her peer group.”

Reviewer B: “She . . . has already contributed significantly to a number of varied conversations in the fields of foreign relations, national security, international humanitarian law, and public

international law. . . . She is a significant asset to the Michigan faculty and to the international legal academic community. . . . I enthusiastically support her tenure.”

Reviewer C: “I have no hesitation in saying that Professor Hakimi’s many strengths put her in the same league as the best of [her cohort with similar career paths] in terms of overall assessment, taking account of her productivity in generating a number of successful lead articles on several of the most fundamental problems in the field of international law.”

Reviewer D: “I have no doubt that she will continue to be a thought-provoking and influential scholar of public international law, human rights, and humanitarian law for many years to come.”

Reviewer E: “Hakimi has become, and will likely remain, a leader in multiple important areas of public international law. . . . I think this is an easy tenure case.”

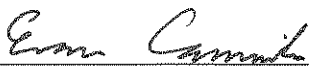
Reviewer F: “[S]he is an astute, confident and imaginative thinker whose scholarship is always brimming with insight and imagination, and it never fails . . . on the front of lucidity or, indeed, imagination.”

Reviewer G: “Monica’s work demonstrates not simply great skill in the craft of the law and a real gift for international scholarship, but a capacity for original insight and important contributions both to scholarship and to policy.”

Reviewer H: “Prof. Hakimi is a first-class international lawyer, with an excellent grasp of legal doctrine, and an impressive ability to systemize specific legal arrangements against a broader legal universe of rules and institutions, treating key doctrines in a more coherent and comprehensive manner than previous international law scholars have.”

Reviewer I: “[H]er trajectory is very promising. The seriousness, the formidable analytical skills, the intuition to choose consequential subjects all will ensure that she will develop into a considerable scholar.”

Summary of Recommendation: Professor Hakimi has established herself as one of the leaders of her generation in public international law. She is a fine teacher, and has rendered noteworthy service, both internally and externally. With the support of the Law School faculty, I recommend Monica Hakimi for promotion to professor of law, with tenure, Law School.



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Evan H. Caminker  
Dean and Branch Rickey Collegiate Professor  
Law School

May 2013