

The reading of oral testimony, coupled with an awareness of the deep narrative culture of the Balkans, discloses the power in witnessing—and in public remembering. After the violence of World War II, such witnessing did not occur, much to the detriment of postwar Yugoslavia. Establishment of the ICTY, despite its shortcomings, is indeed a hopeful development.

We have discovered that women witnesses called before the ICTY find ways to exercise their agency and reclaim their power. The ICTY could properly be criticized for calling fewer female than male witnesses (because women are often in places where they see more than men), and its prosecutors could correctly be chastised for rarely bringing cases where women are the victims of crimes other than sexual assault (because women are subjected to many types of wartime crimes).

It is remarkable how witnesses summon the resources to assert their agency. We are reminded of a woman who kept passing out during her testimony before the ICTY. The presiding judge told us that the bench wanted to stop the trial to prevent the witness from being further victimized. But the witness insisted that they continue. “If the court were to stop,” she said, “then I will be a victim.” The witness fainted one more time before completing her testimony. Afterwards she told a counselor who worked with her, “[N]ow I can live again.”¹

We admire Professor Engle’s work, and we offer these comments because we would not want future work to overlook the evidence from the field.

JULIE A. MERTUS
American University

MELISSA BOKOVOY
*University of New Mexico and the
Woodrow Wilson International Center for Scholars*

THE FRANCIS DEÁK PRIZE

The Board of Editors is pleased to announce that the Francis Deák Prize for 2006 was awarded to Kal Raustiala for his article entitled *Form and Substance in International Agreements*, which appeared in the July 2005 issue.

The prize was established by Philip Cohen in memory of Dr. Francis Deák, an international legal scholar and lifelong member of the American Society of International Law, to honor a younger author who has published a meritorious contribution to international legal scholarship in the *American Journal of International Law*.

NOMINATIONS FOR THE BOARD OF EDITORS

The *American Journal of International Law* invites suggestions for nominations for members of the Board of Editors to be elected in the spring of 2007. Nominations are based primarily on scholarship and creativity, as demonstrated in books, articles, and other written work appearing over a period of years, including but not limited to publications in the *Journal*. Other factors taken into account include areas of expertise and professional perspective or discipline.

Suggestions, together with supporting statements and information, such as a curriculum vitae, a list of publications, and, if possible, copies of significant publications, should be sent by October 15 to the AJIL Nominating Committee Chair, c/o either of the Editors in Chief:

¹ JULIE MERTUS WITH OLJA HOCEVAR VAN WELY, WOMEN’S PARTICIPATION IN THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY): TRANSITIONAL JUSTICE FOR BOSNIA AND HERZEGOVINA 17 (Women Waging Peace Pol’y Comm’n, July 2004), available at <<http://www.womenwagingpeace.net/content/articles/BosniaFullCaseStudy.pdf>>.

Professor Lori F. Damrosch
American Journal of International Law
Columbia University School of Law
435 West 116th Street
New York, NY 10027
Fax: 212-854-7946
E-mail: ajil@law.columbia.edu

Professor Bernard H. Oxman
American Journal of International Law
University of Miami School of Law
P. O. Box 248087
Coral Gables, FL 33124
Fax: 305-284-6619
E-mail: ajil@law.miami.edu