

FEAR AND LOATHING IN *JUS COGENS*

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The purpose of this essay is to take a Hunter S. Thompson-like journey to the rules of *jus cogens* – the normative heart of international law. Doctrinally, the essay asks about the remedies available in the domestic courts to individuals victimized by breaches of the peremptory norms of the international system. The starting assumption is that the study of *jus cogens* can help circumvent the banality of the discipline – a place that is, like Thompson’s description of hell, a “viciously overcrowded version of Phoenix,... where almost everybody seems vaguely happy” – and ascend the law’s heights in search of norms that have profound meaning. Despite the attractiveness of seeking to remedy breaches of the most fundamental global rules, the trek may be a frustrating one. Arguments and counter-arguments tend to swirl around the legal terrain leading to *jus cogens* so intensely that the courts have for the most part determined that they are unable to fashion a workable remedy. As Thompson’s alter ego in *Fear and Loathing in Las Vegas* tells his lawyer and traveling companion, “We can’t stop here. This is bat country.”

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