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pulled up
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for his style of
reporting.

Hearing a plea
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High Court order
quashing FIR
against Goswami,

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Goswami, says
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approached with
a petition for
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2008 (2) NR 775
(SC). See also s
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"In this
original, far-
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the work of the
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States in an
increasingly
interconnected
world, a world
in which all
sorts of
activity, both

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public and
private--from
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security policy
to the conduct
of international
trade--obliges
the Court to
understand and
consider
circumstances
beyond America's
borders. It is a

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World of instant
communications,
lightning-fast
commerce, and
shared problems
(like public
health threats
and
environmental
degradation),
and it is one in
which the lives
of Americans are
routinely linked

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ever more
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pervasively to
those of people
in foreign
lands. Indeed,
at a moment when
anyone may
engage in direct
transactions
internationally
for services
previously
bought and sold
only locally

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(lodging, for instance, through online sites), it has become clear that, even in ordinary matters, judicial awareness can no longer stop at the water's edge. To trace how foreign

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considerations have come to inform the thinking of the Court, Justice Breyer begins with that area of the law in which they have always figured prominently:
national security in its constitutional

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dimension—how should the Court balance this imperative with others, chiefly the protection of basic liberties, in its review of presidential and congressional actions? He goes on to show that as the world has

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grown steadily
"smaller," the
Court's horizons
have inevitably
expanded: it has
been obliged to
consider a great
many more
matters that now
cross borders.
What is the
geographical
reach of an
American statute

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concerning, say, securities fraud, antitrust violations, or copyright protections? And in deciding such matters, can the Court interpret American laws so that they might work more efficiently with similar laws in

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Other Nations?

While Americans must necessarily determine their own laws through democratic process, increasingly, the smooth operation of American law--and, by extension, the advancement of

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The American
interests and
values--depends
on its working
in harmony with
that of other
jurisdictions.
Justice Breyer
describes how
the aim of
cultivating such
harmony, as well
as the expansion
of the rule of

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Law overall,
with its
attendant
benefits, has
drawn American
jurists into the
relatively new
role of
"constitutional
diplomats," a
little remarked
but increasingly
important job
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