

CLAIRE OAKES FINKELSTEIN

Algernon Biddle Professor of Law and Professor of Philosophy
Faculty Director, Center for Ethics and the Rule of Law (CERL)
University of Pennsylvania Carey Law School
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AREAS OF EXPERTISE

National Security Law	Criminal Law	Professional and Military Ethics
Moral and Political Philosophy	Jurisprudence	International Law
Law of War	Philosophy of Law	Contracts
Legal Education		

EDUCATION

University of Pittsburgh, Department of Philosophy, Ph.D. 1996, under the direction of David Gauthier

Yale Law School, J.D., 1993, Articles Editor, Yale Law Journal

University of Paris, Sorbonne, Department of Philosophy, "Maîtrise" (Masters) in philosophy, 1987, High Honors

Harvard College, B.A., majored in philosophy and government, graduated *magna cum laude*

EMPLOYMENT

Algernon Biddle Professor of Law and Professor of Philosophy, University of Pennsylvania, 2001 – present

Founder and Faculty Director of the *Center for Ethics and the Rule of Law (CERL)*, University of Pennsylvania Law School, 2012 – present

American Academy in Berlin, Siemens Fellow, 2007 - 2008

Visiting Faculty, University of Pennsylvania Law School, 2000 - 2001

Professor of Law, University of California, Berkeley (Boalt Hall)

Harsanyi Fellow, Research School for the Social Sciences (RSSH), Australian National University, 1999 - 2000

Acting Professor of Law, University of California, Berkeley (Boalt Hall), 1996 - 2001

Laurance S. Rockefeller Visiting Fellow Princeton Center for Human Values, Princeton University,

1998 - 1999

Centre de Recherche en Epistémologie Appliquée (CREA) Paris, France, Visiting Fellow, 1986 - 1987

FELLOWSHIPS AND AWARDS

Distinguished Research Fellow, Annenberg Public Policy Center (APPC), 2020 - present

Senior Fellow, Foreign Policy Research Institute (FPRI), 2019 - present

American Academy in Berlin, Siemens Fellow, Berlin Prize Winner, 2007 - 2008

Australian National University, Harsanyi Fellowship, Spring 2000

University Center for Human Values, Laurance S. Rockefeller Visiting Fellowship, Princeton University, 1998 - 1999

John M. Olin Summer Fellowship awarded to further dissertation Research, 1992 - 1993

Andrew Mellon Fellowship for first-year graduate work, University of Pittsburgh
Andrew Mellon, 1989 - 1993

Harlan Fiske Stone Scholarship for first-year studies, Columbia Law School, 1988

John Harvard Scholarship, Harvard College, 1986

UNIVERSITY ADMINISTRATION

2012–current	Founder and Faculty Director, Center for Ethics and the Rule of Law (CERL), University of Pennsylvania, at www.pennCERL.org
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2013–2016	Faculty Senate Tri-Chair, University of Pennsylvania (Chair-Elect, Chair, and Past Chair of the University Faculty Senate)
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2014–2015	Faculty Senate Chair, University of Pennsylvania
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ADDITIONAL UNIVERSITY SERVICE (major duties only)

2022-2023	Consultative Committee for the Selection of the Provost, University of Pennsylvania
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2020-2023	International Programming Committee, Law School
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2016–2017	Tenure and Promotions Committee, University of Pennsylvania Law School
2016–2017	Academic Placement Committee, University of Pennsylvania Law School
2015–2016	Co-Chair, Campaign for Community, University of Pennsylvania
2011–2013	Faculty Senate Executive Committee, Faculty Senate, At-Large Representative
2010–2013	Faculty Senate Committee on Academic Freedom (SCAFR); Chair, 2011–2013
2009–2012	Chair, Nominations Committee, University of Pennsylvania Law School
2001–2012	Institute for Law and Philosophy, Director and Co-Director
2010–2011	Chair, Faculty Senate Committee on Open Expression
2008–2009	Chair, Educational Program Committee, University of Pennsylvania Law School
2006–2007	Chair, Senate Committee on Faculty and the Administration (SCOA)
2006–2007	Chair, Educational Program Committee
2003–2004	Appointments Committee, member University of Pennsylvania Law School

PROFESSIONAL MEMBERSHIPS AND ACTIVITIES

Institute for Law and Philosophy, Director 2003-2005, 2008-09; co-director, 2009-2012

Foreign Policy Research Institute, Fellow, 2019-present

Annenberg Public Policy Center (APPC), Distinguished Fellow, 2019-present

Law and Philosophy, Advisory Board

AALS Section on Jurisprudence, Chair 2002-2003

American Philosophical Association (APA)

Committee on Philosophy of Law 1999-2002
Association of the Society for Political and Legal Philosophy (ASPLAP)

Reviewer for Oxford University Press

Reviewer for Journal of the History of Philosophy

Reviewer for Law and Philosophy

CONSULTING ENGAGEMENTS

2022-2023	Ethics Consultant to Mayoral Candidate Allan Domb
2022	Consultant to University Faculty Senate
2021-2022	Consultant to Witness in the Special Counsel John Durham Investigation
2021	Ethics Consultant, Biden Transition Team
2017	Legal Consultant to Cozen O'Connor on 9/11 litigation
2017	Legal Consultant to Morvillo, Abramowitz, Grand, Iason & Anello in criminal defense matter involving Department of Defense procurement practices and private contract consultation

BRIEFINGS AND PROFESSIONAL TASK FORCES

present	American Bar Association, National Security Executive Committee
2019 – 2021	Member, American Bar Association Committee on the Foreign Agent Registration Act (FARA)
2019 – 2020	Member, United Nations Council of Advisors on the Application of the Rome Statute to Cyberwarfare, convened by the Permanent Mission to the Principality of Liechtenstein
April 2022	Briefing on US aid to Ukraine to Navy Judge Advocate General Corps, The Pentagon, Arlington, Virginia
April 2019	Briefing on presidential emergency powers for U.S. Army and U.S. Air Force General Counsel at the Department of Defense, The Pentagon, Arlington, Virginia
April 2018	Briefing on Authorization for Use of Military Force (AUMF) to

	Department of Defense officials, The Pentagon, Arlington, Virginia
November 2017	Briefing on Authorization for Use of Military Force (AUMF) for staff of U.S. Senator Angus King (Maine), Washington, D.C.
December 2016	Ethics Briefing on targeted killing for Elite Special Operations Forces, Duke University, Durham, North Carolina
July 2016	Ethics Briefing on enhanced interrogation for senior U.S. Army JAG officers, The Pentagon, Arlington, Virginia
July 2016	Ethics and Policy Briefing on the financing of terrorism, Middle East Directorate, The Pentagon, Arlington, Virginia
May 2016	Ethics Briefing on targeted killing for British and American Special Operative Forces, Oxford, England

OTHER EMPLOYMENT

Regular consulting in Professional Ethics; National Security; Contracts; Criminal Law

Coudert Brothers, New York and Paris Summer Associate

International Commission of Jurists, Geneva, Switzerland Summer Intern

NAACP Legal Defense Fund, New York, Summer Intern

PUBLICATIONS AND COMPLETED MANUSCRIPTS

BOOKS:

Ethics, Rule of Law, and National Security

OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW, series eds. Claire Finkelstein and Jens David Ohlin (Oxford University Press, ongoing)

FIGHTING WAR AS CRIME AND CRIME AS WAR: NORMATIVE FRAMEWORKS FOR NATIONAL SECURITY, EDS. CLAIRE FINKELSTEIN, CHRISTOPHER FULLER, JENS DAVID OHLIN, AND MITT REGAN (OXFORD UNIVERSITY PRESS) IN THE OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW, 2023.

PRESERVING ART AND CULTURE IN TIMES OF WAR, eds. CLAIRE FINKELSTEIN, DEREK GILLMAN, AND FREDERIK ROSEN (Oxford University Press) in the OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW, 2022

SOVEREIGNTY AND THE NEW EXECUTIVE AUTHORITY, eds. Claire Finkelstein and Michael Skerker (Oxford University Press, 2018), in the OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW

WEIGHING LIVES IN WAR, eds. Jens David Ohlin, Larry May, and Claire Finkelstein (Oxford University Press, 2017), in the OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW

CYBER WAR: LAW AND ETHICS FOR VIRTUAL CONFLICTS, eds. Jens David Ohlin, Kevin Govern, and Claire Finkelstein (Oxford University Press, 2015)

TARGETED KILLINGS: LAW AND MORALITY IN AN ASYMMETRICAL WORLD, eds. Claire Finkelstein, Jens David Ohlin, and Andrew Altman (Oxford University Press, 2012)

CONTRACTARIAN LEGAL THEORY, Claire Finkelstein (draft available upon request)

HOBBS ON LAW, ed. Claire Finkelstein (Ashgate Publishing, 2005)

PROFESSIONAL REPORTS:

Jointly Authored

Beyond Guantanamo: Restoring the Rule of Law to the Law of War, CERL 2021 Working Group Report, co-chair of working and group (with Harvey Rishikof) and lead author. Released September 12, 2022.

If It's Broke, Fix It: Restoring Federal Government Ethics and Rule of Law, contributing reporter, Brookings Institution, February 24, 2021

Report on the Department of Justice and the Rule of Law under the Tenure of Attorney General William Barr, lead reporter, Ad Hoc Working Group of the Center for Ethics and the Rule of Law (CERL) and Citizens for Responsibility and Ethics in Washington (CREW), October 12, 2020 (co-chaired Working Group with Richard Painter)

Congress Should Defund Hostilities in Yemen, (with Nicholas Saidel), CERL Briefing Paper, April 29, 2019

The Ethics of Interrogation and the Rule of Law, CERL Briefing Paper, April 23, 2018

Considerations for a New Authorization for the Use of Military Force, CERL Briefing Paper, April 20, 2018

Turkey's Eastern Pivot: A Challenge for NATO and a Threat to U.S. National Security, CERL Briefing Paper, January 19, 2018

Report on Ethical Issues at the Intersection of PTSD and Opioid Addiction, CERL Briefing Paper, January 13, 2017

Report for British Law Commission on American Murder Law, September 2005 (available upon request), published in British Law Commission CP177, December 20, 2005

ARTICLES:

Can the Liberty of Subjects Protect Against Tyranny and Corruption in Government? in *THE NEW CONTRACTARIANISM*, eds. Michael Moehler, Oxford University Press, 2023 (forthcoming).

You're Fired: Criminal Use of Presidential Removal Power, (with Richard Painter) forthcoming in the New York University Public Policy Journal, 2023

Protecting U.S. Democracy Against Foreign Influence, in *OVERCOMING TRUMPERY*, Brookings Press, 2022.

Restoring the Rule of Law in the Department of Justice (with Richard Painter), *OVERCOMING TRUMPERY*, Brookings Press, 2022.

Presidential Accountability and the Rule of Law: Can the President Be Indicted if He Shoots Someone on Fifth Avenue? (with Richard Painter), 24 U. Pa. J. Const. L. 93 (2022).

Restoring the Rule of Law to US Targeted Killing Operations, 53 Vand. J. Transn'l Law 1163 (2021).

Also published as: *Fighting State Actors and Nonstate Actors in a Postwar World: Restoring the Rule of Law to the War on Terror*, *FIGHTING WAR AS CRIME AND CRIME AS WAR: NORMATIVE FRAMEWORKS FOR NATIONAL SECURITY*, eds. Claire Finkelstein, Christopher Fuller, Jens David Ohlin, and Mitt Regan (Oxford University Press), anticipated publication date of November 2021

Responsibility and Autonomous Technologies: Is There a Problem?, The Perry World House Future of the Global Order Colloquium Fall 2019: How Emerging Technologies are Rewiring the Global Order, University of Pennsylvania, September 23-24, 2019

Repairing the Damage from Illegal Acts of State: The Costs of Failed Accountability in the U.S., with Stephen N. Xenakis, *INTERROGATION AND TORTURE: INTEGRATING EFFICACY WITH LAW AND MORALITY*, eds. Steven Barela et. al. (Oxford University Press, 2019), in the *OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW*

Moral Reasoning and the Death Penalty, *PHILOSOPHY AND PUBLIC POLICY*, ed. Andrew Cohen (Rowman and Littlefield International, 2018)

Introduction and chapter *The Imperial Presidency and the Rule of Law*, in *SOVEREIGNTY AND THE NEW EXECUTIVE AUTHORITY*, eds. Claire Finkelstein and Michael Skerker (Oxford University Press, 2018), in the *OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW*

The Equality of Combatants in Asymmetric War, in *WEIGHING LIVES IN WAR*, eds. Jens David Ohlin, Larry May, and Claire Finkelstein (Oxford University Press, 2017), in the *OXFORD SERIES IN ETHICS, NATIONAL SECURITY, AND THE RULE OF LAW*

Responsibility for Acts of War and the Moral Equality Thesis, in Symposium Issue on the Morality of Aggression, 32 *SOC. PHIL. & POL'Y*, 184 (2016)

Towards a Contractarian Theory of Law, in *LAW AND SOCIAL ECONOMICS: ESSAYS IN ETHICAL VALUES FOR THEORY, PRACTICE AND POLICY*, ed. Mark D. White (Palgrave Publishing, 2015)

Introduction, in *CYBER WAR: LAW AND ETHICS FOR VIRTUAL CONFLICTS*, eds. Jens David Ohlin, Kevin Govern, and Claire Finkelstein (Oxford University Press, 2015)

Responsibility and the Doctrine of Double Effect, ed. Enrique Villeneuve, *LAW AND THE PHILOSOPHY OF ACTION* (Rodopi Publishers, 2014)

Hobbesian Legal Reasoning and the Problem of Wicked Laws, in *HOBBS TODAY*, ed. Sharon Lloyd (Cambridge University Press, 2014).

Pragmatic Rationality and Risk, *ETHICS* June issue, 2013, Symposium in Honor of the 25th Anniversary of David Gauthier, *MORALS BY AGREEMENT*

Roundtable Discussion Transcript: The Legal and Ethical Limits of Technological Warfare Symposium, February 1, 2013, University of Utah, S.J. Quinney College of Law, 2013 *UTAH L. REV.* 1321 (with Amos N. Guiora, Harry Soyster, David R. Irvine, Geoffrey S. Corn, James Jay Carafano, Laurie R. Blank, Monica Hakimi, George R. Lucas, Trevor W. Morrison, and Frederic Megret)

Contractarianism, Chapter 27, in *ROUTLEDGE COMPANION TO SOCIAL AND POLITICAL PHILOSOPHY*, eds. Fred D'Agostino and Gerry Gaus (Routledge Press, 2012)

Targeted Killing as Preemptive Action, in *TARGETED KILLINGS: LAW AND MORALITY IN AN ASYMMETRICAL WORLD*, eds. Claire Finkelstein, Jens David Ohlin, and Andrew Altman (Oxford University Press, 2012)

Punishment as Contract, Symposium on Criminal Law and Political Philosophy, guest ed. Mary Siegler, 8 *OHIO J. CRIM. LAW* 319 (2011)

Vindicating the Rule of Law: Prosecuting Free Riders on Human Rights, in *PROSECUTING BUSH, CHENEY AND RUMSFELD*, eds. Sarat and Hussein (NYU Press, 2010)

Should Bush Administration Lawyers Be Prosecuted for Authorizing Torture? (with Michael Lewis), 158 *U. PA. L. REV. PENNumbra* 195 (2010)

Contrived Defenses and Deterrent Threats: Two Facets of One Problem (co-authored with Leo Katz),

5 OHIO. J. CRIM. LAW. 479, Spring, 2008

Acting on an Intention, in REASON, INTENTION AND MORALITY, eds. Gijs Van Donselaar and Bruno Verbeek (Ashgate Publishing, 2008)

Two Models of Murder: Patterns of Criminalization in the United States, in HOMICIDE LAW IN COMPARATIVE PERSPECTIVE, eds. Jeremy Horder and David Hughes (Hart Publishing Co., 2007)

A Contractarian Argument Against the Death Penalty, 81 N.Y.U. L. REV. 1283 (October 2006)

Hobbes and the Internal Point of View, 75 FORD. L. REV. 1211 (2006)

French translation: *Une Approche Contractualiste du Châtiment*, published by Editions Liber, eds. Marion Vacheret and Christian Nadeau, 2006

Merger and Felony Murder, in DEFINING CRIMES: ESSAYS ON THE CRIMINAL LAW'S SPECIAL PART, eds. Anthony Duff and Stuart Green (Oxford University Press, 2005)

Introduction, HOBBS ON LAW (Ashgate Publishing, 2005)

What Personal Rules Can Teach Us About Basic Institutions, 42 U. San. Diego L.Rev. 69 (2005)

Responsibility for Unintended Consequences, 2 OHIO STATE J. CRIM. LAW 579 (Spring 2005)

A Contractarian Approach to Punishment, THE BLACKWELL GUIDE TO THE PHILOSOPHY OF LAW AND LEGAL THEORY (eds. William Edmundson and Martin Golding, 2004)

Legal Theory and the Rational Actor, in OXFORD HANDBOOK OF RATIONALITY, ed. Al Mele (Oxford University Press, 2003)

Is Risk a Harm?, 151 U. PA. L. REV. 963 (2003)

Excuses and Dispositions in Criminal Law, 6 BUFF. CRIM. L. REV. 317 (2002)

Death and Retribution, 21 CRIMINAL JUSTICE ETHICS 12 (Summer/Fall 2002)

Crime: Definition, in ENCYCLOPEDIA OF CRIME AND JUSTICE (Macmillan Reference Series, 2002)

Involuntary Crimes, Voluntarily Committed, in CRIMINAL LAW THEORY: DOCTRINES OF THE GENERAL PART, eds. Stephen Shute and A.P. Simester (Oxford University Press, 2002)

Preferences and Rational Choice: Introduction, 151 U. PA. L. REV. 707 (2003)

Introduction to the Symposium on Conflicts of Rights, 7 LEGAL THEORY 235 (2001)

A Puzzle About Hobbes on Self-Defense, 82 PACIFIC PHIL. Q. 332 (2001)

Two Men on a Plank, 7 LEGAL THEORY 279 (2001)

Rational Temptation in PRACTICAL RATIONALITY AND PREFERENCE: ESSAYS FOR DAVID GAUTHIER, eds. Christopher W. Morris and Arthur Ripstein (Oxford University Press, 2001)

The Inefficiency of Mens Rea, in THE MORALITY OF CRIMINAL LAW: SYMPOSIUM IN HONOR OF SANFORD KADISH, 88 CALIF. L. REV. 895 (2000)

Positivism and the Notion of an Offense, 88 CALIF. L. REV. 335 (2000)

Threats and Pre-emptive Practices, 5 LEGAL THEORY 311 (1999)

On the Obligation of the State to Extend a Right of Self-Defense to its Citizens, 147 UNIV. PENN. L. REV. 1361 (1999)

When the Rule Swallows the Exception, in RULES AND REASONING: ESSAYS IN HONOUR OF FREDERICK SCHAUER (Hart Publishing Company, 1999) (reprinted in 19 QUINN. L. REV. 505, 2000)

Self-Defense as a Rational Excuse, 57 UNIV. PITT. L. REV. 621 (1996)

Legal Justification as a Political Principle, Proceedings of the 19th International Wittgenstein Symposium, Kirchberg am Wechsel (Spring Issue 1996)

Changing Notions of State Agency in International Law: The Case of Paul Touvier, 30 TEX. INT'L L. J. 261 (1995)

Duress: A Philosophical Account of the Defense in Law, 37 ARIZ. L. REV. 251 (1995)

Note: Financial Distress as a Non-Cooperative Game: A Proposal for Overcoming Obstacles to Private Workouts, 102 YALE L. J. 2205 (1993)

Tort Law as a Comparative Institution: A Reply to Perry, 15 HARV. J. LAW & PUB. POL'Y 939 (1992)

COMMENTS AND BOOK REVIEWS

Book Review: *War by Agreement: A Contractarian Ethics of War*, by Yitzhak Benbaji and Daniel Statman, JOURNAL OF ETHICS AND INTERNATIONAL AFFAIRS, for publication in June 2021

Pro/Con: Are Targeted Killings Legal?, contributor, Targeted Killings: Is taking out terrorists beyond the battlefield a legitimate tactic?, by Sara Toth Stub, CQ Researcher, April 9, 2021 (Volume 31, Issue 13)

Book Review: *Soft War: The Ethics of Unarmed Conflict*, by Michael Gross and Tamar Meisels, INTERNATIONAL AFFAIRS, September 2018

Book Review: *Lawfare: Law as a Weapon of War*, by Orde F. Kittrie, in Ethics and International

Affairs, Carnegie Council, September 8, 2017

Comment on Gerald Postema, in PROCEEDINGS OF SOFIA CONFERENCE ON PHILOSOPHY OF LAW AND OF POLITICS (Rodolphi Publishers, 2002)

No Harm No Foul? Objectivism and the Law of Attempts, book review of CRIMINAL ATTEMPTS by R.A. Duff, 18 LAW & PHILOSOPHY 69 (1999)

Mens Rea and Other Criminal Inefficiencies, book review of ILL-GOTTEN GAINS by Leo Katz, 8 CRIM. L. FOR. 143 (1997)

The Irrelevance of the Intended to Prima Facie Culpability: Comment on Moore, 76 B.U. L. REV. 335 (1996)

WORKING PAPERS

Reason and Morals in Hostage Negotiations, manuscript on file with author

Autonomous Moral Reasoning, manuscript on file with author

On the Very Idea of Secret Laws: Transparency, National Security and the Rule of Law, manuscript on file with author

Contracts Under Coercion: Should You Keep an Agreement with a Robber?, manuscript on file with author

Rational Contractarianism and International Law, manuscript available upon request

Hobbes on Contract, manuscript available upon request

ETHICS AND THE INTENTIONAL (dissertation for Ph.D. in philosophy; not for publication in current form)

LECTURES AND PUBLIC PROGRAMS

Invited speaker to APALSA-ALR Conference, New Rules of Global Cyber-Warfare and Cybersecurity in the Geopolitical Arena, Penn Carey Law, February 11, 2023.

New Approaches to Social Contract Theory: Fighting State Actor with the Tools of Hybridized Warfare: Can the Law of Armed Conflict Be Saved? Chapman University, December 8 – 10, 2022. Invited Presenter.

Presenter on Arthur Ripstein, KANT AND THE LAW OF WAR, Oxford University Press, 2021; Conference at the University of Toronto, Toronto, Canada, December, 2022.

Speech in Honor of David Gauthier, University of Toronto, Toronto, Canada, September, 2022.

Endowed Lecture: Chair of Democracy Lecture, May 9-10, 2022, Institut Michel Villey, Paris, France.
American Democracy in 2022: The President and the Rule of Law.

- Monday, May 9: “Expanding Executive Authority and the Rule of Law: How to Hold a President Responsible when he Breaks the Law.”
- Tuesday, May 10: “The Evolution of Presidential War Powers in Advanced Democracies: Lessons from the War on Terror.”

Presenter, *Rule of Law, Misinformation, and the Digital Age*, American Constitution Society, University of Pennsylvania Carey Law School, April 14, 2021

Panelist, *Unilateral Presidential War Powers*, The Federalist Society National Student Symposium, March 20, 2021

Panelist, *Lawfare Live: Restoring Federal Government Ethics and the Rule of Law*, Lawfare and Brookings, March 2, 2021

Panelist, *The Imperative to Convict Trump*, World Mental Health Coalition, February 7, 2021

Panelist, *The Trump Impeachment Episode: Party Wars and the Constitution*, Miller Center, University of Virginia, February 24, 2020

Participant, *Short Circuit* live podcast by Institute for Justice: Third Circuit Edition, University of Pennsylvania Law School, October 10, 2019

Panelist, *How Emerging Technologies are Rewiring the Global Order*, Perry World House Global Order Colloquium, University of Pennsylvania, September 23-24, 2019

Panelist, *Autonomous Moral Reasoning*, Trusted Autonomous Systems Conference, Oxford University, May 2019

Panelist, *Sovereignty RIP*, University of Pennsylvania Faculty Working Group on Concepts, Ideas, and Discourses, April 29, 2019

Panelist, *Modernizing the Foreign Agents Registration Act (FARA)*, joint forum by Center for Ethics and the Rule of Law (CERL) and the American Enterprise Institute (AEI), C-SPAN2, April 17, 2019

Panelist, *Security and the Autonomous Future*, Spring 2019 Symposium, Penn State Center for Security Research and Education (CSRE) at Penn State Law, April 4-5, 2019

Panelist, *Legal and Psychological Perspectives on National Security*, IAA’s Academic Affairs and Wharton Global Research and Consulting, University of Pennsylvania, March 27, 2019

Panelist, *Is Russia Undermining Democracy in the West?*, The Andrea Mitchell Center for the Study of Democracy, University of Pennsylvania, March 14, 2019

Presenter and Panelist, *Sovereignty and the New Executive Authority*, Harvard Law School Book Talk, Harvard Law School, March 13, 2019

Moderator and Panelist, *Managing the Tension Between National Security and Freedom of the Press*, Penn Law's National Security Society Inaugural Symposium entitled Reporting on National Security: What is the Media's Role?, February 7, 2019

Panelist, *Is the US Becoming a Constitutional Dictatorship? Executive Authority in the Age of Trump*, South Florida Alumni Association, Miami, June 4, 2018

Presentation, Commenting on Doug Bandow, *The Way Forward with North Korea*, Penn Federalist Society, November 15, 2017

Endowed Lecture, *Is the U.S. Becoming a Constitutional Dictatorship? Executive Authority and the Rule of Law in the Age of Trump*, Kahn Liberal Arts Institute, Smith College, November 6, 2017

Endowed Public Lecture, *Is the U.S. Becoming a Constitutional Dictatorship? Executive Authority Post 9/11*, University of Maryland, September 28, 2017

Foreign Policy Research Institute (FPRI) seminar, *Does Democracy Matter: The U.S. and Global Democracy Support*, September 8, 2017

Keynote Session, *Intention and Motivation*, European Society for Philosophy and Psychology, University of Herfordshire, August 16, 2017

Presentation, *Executive Authority in the Age of Trump*, conference on *Trump, Philosophy and American Politics*, University of Pennsylvania Department of Philosophy, February 3, 2017

Keynote Speaker, paper presented: *Contemporary Armed Conflict and the Non-State Actor*, Villanova Conference on the Ethics of War, sponsored by the Vanderbilt Ethics Center and West Point Military Academy, April 2016

Diversity Lecture Series, *Moral Injury, Betrayal, and the Ethics of Public Leaders*, Office of Affirmative Action Diversity Lecture Series, University of Pennsylvania, November 17, 2016

Endowed Lecture, *Targeted Killing and the Rule of Law*, Union College, Schenectady, New York, February 2014

Invited Speaker, *Drones: Targeting and Surveillance*, moderated by Jeffrey Rosen, National Constitution Center, Philadelphia, September 2013

FILINGS AND AMICUS BRIEFS

Request for Investigation of Macomb County Prosecutor Peter J. Lucido, March 29, 2021

U.S. Senate Select Committee on Ethics, Request for Investigation of U.S. Senator Lindsey Graham, with Richard W. Painter and Walter Schaub, November 18, 2020

[United States Department of Justice Regarding Alleged Violations of the Hatch Act by President Donald J. Trump](#), with Richard W. Painter, October 26, 2020

[Letter to Accompany Testimony of Richard W. Painter Regarding Postmaster General Louis DeJoy Before the U.S. House of Representatives Committee on Oversight and Reform](#), Sept. 13, 2020

Office of Special Counsel and the Inspector General of the U.S. State Department Regarding Alleged Violations of the Hatch Act by Secretary of State Michael Pompeo and State Department Officials, with Richard W. Painter, August 26, 2020

Office of the Special Counsel and the U.S. Office of Government Ethics Regarding Alleged Violations of the Hatch Act by U.S. Attorney General William Barr, Department of Defense Staff, and White House Officials, with Richard W. Painter, June 15, 2020

Amici Curiae in Support of Cyrus R. Vance, Respondent, U.S. Supreme Court, *Trump v. Vance*, March 4, 2020

OPINION PIECES AND SHORT ESSAYS (2021-2017)

Claire Finkelstein and Richard Painter, [If Trump is Charged it Should Be for the Worst of His Crimes](#), Washington Post, Aug. 12, 2022

Claire Finkelstein and Richard Painter, [Could a New Government Report Spell Felony Charges for Trump?](#), Slate Magazine, Nov. 16, 2021

Claire Finkelstein, Richard Painter [Tolling the Statute of Limitations to Prosecute a Former President: A Double-Edged Sword](#), with Richard Painter, Lawfare Blog, Sept. 30, 2021

Claire Finkelstein and Richard Painter (with Norm Eisen), [Arrest of a Trump Friend Sends Key Message](#), CNN Opinion, Jul. 2021

Claire Finkelstein and Richard Painter, Why is Merrick Garland's DOJ Covering for Trump?, Slate Magazine, June 3, 2021

[How the State Secrets Doctrine Undermines Democracy](#), Bloomberg Law, March 28, 2022.

Senate witnesses in Trump's impeachment trial could give Republicans causal proof, NBC News Think, with Richard Painter, February 13, 2021

Invoking Martial Law to Reverse the 2020 Election Could be Criminal Sedition, Just Security, with Richard Painter, December 22, 2020

Senate Republicans' Georgia bullying failed. But Lindsey Graham's ethics violations stand out., NBC News Think, with Richard W. Painter, November 24, 2020

McConnell's Rush to Confirm Barrett Ignores Crucial Questions, Newsweek, with Richard W. Painter, October 12, 2020

Pompeo's Unlawful RNC Speech for Trump Should Alarm All Americans, Newsweek, with Richard W. Painter, September 2, 2020

There's Still Time to Protect American Democracy Against Threats to the 2020 Elections, Center for a New American Security, with Carrie Cordero, August 13, 2020

The Deployment of Federal Agents in Portland is a Harbinger of Authoritarianism, The Rule of Law Post, with Kevin Govern, July 24, 2020

Trump's Unitary Executive Theory Meets Cyrus Vance on Fifth Avenue, Bloomberg Law, July 17, 2020

The Supreme Court just revoked Trump's get-out-of-jail-free card, Newsweek, with Richard W. Painter, July 10, 2020

Trump's No-Show Attorney General Barr Must Testify to Congress—Or Resign, Newsweek, with Richard W. Painter, June 18, 2020

Trump Says a Sitting President Can't Be Investigated. Will the Supreme Court Tell Him He's Wrong?, Newsweek, with Richard W. Painter, May 15, 2020

Trump's Bid to Stand Above the Law, The New York Times, with Richard W. Painter, May 8, 2020

Corruption Spreads Like a Disease, and Some Members of Congress Have Caught It, The Rule of Law Post, with Richard W. Painter, April 8, 2020

This Question Is More Important Than Removing Trump, The New York Times, January 27, 2020

What we learned from Greg Craig's acquittal: FARA is toothless, Washington Examiner, September 17, 2019

It's Time to Defund the Saudi-led Coalition's War in Yemen, The Hill, with Nicholas Saidel, March 8, 2019

[A Wounded Public Searches for Moral Leadership: Can a Divided Congress Produce It?](#), The Rule of Law Post blog, November 12, 2018

Democrats Have the Wrong Argument against Kavanaugh, The Hill, August 26, 2018

Trump Risks Leading the World into a Space Arms Race, The Hill, with Mark Nevitt, August 21, 2018

Lawyers Told Gina Haspel Torture Was Legal, But it Never Was, with Stephen Xenakis, The New York Times, May 9, 2018

Use of Pardon Power to End Mueller Investigation Could be Treason, The Hill, February 28, 2018

The U.S. is Drifting Toward War with a NATO Ally, with Nicholas Saidel, Defense One, February 14, 2018

Ethics and Contemporary Politics: Trump Junior's Emails and the Rule of Law, American Philosophical Association blog, July 18, 2017

How Democracy, in the Kremlin's Crosshairs, Can Fight Back, Zocalo Magazine, May 11, 2017

BROADCAST AND PODCASTS (2021-2016)

Cyberwarfare, U.S./Russia Relations, and Ukraine, Lawyer 2 Lawyer podcast with Craig Williams, April 16, 2021

What Still Works in Our Government, Just Ask the Question podcast with Brian Karem, February 4, 2021

The Dan Abrams Podcast with Professor Claire Finkelstein, January 29, 2021

Impeachment trial of former U.S. President Donald Trump has been delayed to February, Al Jazeera, January 23, 2021

Article of Impeachment Charges Trump with Inciting Violence Against the U.S. Government Al Jazeera, January 13, 2021

Resolution Calling for Mike Pence to Invoke 25th Amendment, Al Jazeera, January 13, 2021

A Capitol under siege: Is incitement considered criminal?, by Cherri Gregg, KYW Newsradio, January 8, 2021

The electoral vote count; and mayhem in the Pa. state house, with Katie Meyer, WHYY Radio Times, January 6, 2021

Trump Supporters to Protest Against Election Results Ahead of Electoral College Vote, Al Jazeera, December 15, 2020

Electoral College: In 1796, Samuel Miles Became The 1st Faithless Elector, with Miles Parks, NPR, December 14, 2020

Supreme Court Dismisses Texas Lawsuit Aiming To Overturn Election Results, with Scott Simon, NPR, December 12, 2020

Safe harbor' deadline underscores futility of Trump challenges to 2020 election, with Jim Melwert, KYW Newsradio, December 9, 2020

Trump continues to challenge election results, with Ryan Briggs, WHYY Radio Times, November 24, 2020

Trump self-pardon "cannot be ruled out," with Sabra Lane, ABC AM, November 11, 2020

Challenging the Vote, by Claudia Vargas, NBC10 News, November 6, 2020

Legal challenges loom in battleground states—Here's what to know, CNBC Power Lunch, November 4, 2020

Whose votes could decide US election?, BBC's Cut Through the Noise, October 29, 2020

Bill Barr, the DOJ, and the Case for Impeachment, Case in Point podcast, University of Pennsylvania Carey Law School, with Richard Painter, October 30, 2020

Amy Coney Barrett to be confirmed to US Supreme Court nine days before election
ABC's RN Breakfast with Fran Kelly, October 27, 2020

Ethics Experts Recommend Impeachment Inquiry of William Barr, with Sonali Kolhatkar, Free Speech, October 16, 2020

A Conversation on Bolstering American Democracy, Center for a New American Security podcast, with Carrie Cordero and Christopher Krebs, September 2020

The Necessity of an Apolitical American Military, Case in Point podcast, University of Pennsylvania Carey Law School, with retired U.S. Army Joseph Votel, July 30, 2020

'Law School 101': How Supreme Court ended its term, by Henry Glass, Christian Science Monitor, July 10, 2020

Trump Tax Ruling—Supreme Court: Prosecutors Can Obtain Records, Al Jazeera, July 9, 2020

SCOTUS hearing on the president's tax returns, ABC News, May 12, 2020

A Supreme Court Briefing LIVE, Demand Justice, May 12, 2020
Freezing funding, adjourning Congress, reopening states. What are the limits on Trump's power?

Can He Do That? podcast, The Washington Post, with reporter Emily Rauhala, April 16, 2020

Commentary on Trump's authority to open economy, The Dan Abrams Show, SiriusXM, April 13, 2020

On Public Trust and National Intelligence, Case In Point podcast, University of Pennsylvania Carey Law School, with former Director of National Intelligence James Clapper, March 11, 2020

Executive Privilege and Impeachment Trial Witnesses, Voice of America, International Edition, January 31, 2020

Assertions of Executive Privilege at Impeachment Proceedings, MSNBC Live, January 29, 2020

Trump's Expansive Claims of Executive Privilege Pose 'Very Serious Constitutional Crisis,' Democracy Now!, January 28, 2020

The impeachment trial, Al Jazeera, January 26, 2020

Trump's impeachment trial begins, WHYY Radio Times, January 22, 2020

Iranians Take To The Streets For 3rd Day, Voice of America, January 13, 2020

Democrats Push Ahead With Articles Of Impeachment, WBUR On Point with Meghna Chakrabarti, December 10, 2019

The impeachment process and outlook, Al Jazeera, October 31, 2019

Impeachment probe intensifies, WHYY Radio Times, October 24, 2019

The Opioid Crisis in the United States, La Verdad Internacional, October 4, 2019

How important to the impeachment inquiry is Kurt Volker?, MSNBC, October 3, 2019

Legal implications of Trump's phone conversation with Ukraine's president, Voice of America, September 25, 2019

Complaint involved Donald trump making a promise to a foreign leader, Al Jazeera, September 19, 2019

Who owns the moon?, by Eduard Saakashvili, The Pulse, WHYY-FM, July 1, 2019

U.S. Special Counsel Robert Mueller Makes First Public Statement on the Russian Investigation, Al Jazeera, May 29, 2019

Julian Assange Receives Superseding Indictment, Al Jazeera, May 23, 2019

House Judiciary Votes to Recommend Contempt Citations Against William Barr, Al Jazeera, May 8, 2019

Is President Trump Defying The Rule Of Law In The United States?, WBUR On Point with Meghna Chakrabarti, April 29, 2019

Will the Mueller report change the conversation in Washington?, Al Jazeera, April 19, 2019

Now that the Mueller Report is out, what's next?, KYW Newsradio1060, April 18, 2019

Will Julian Assange be extradited?, Al Jazeera, April 15, 2019

'Abject failure': California suspends death penalty, Al Jazeera, March 13, 2019

Does Trump Have the Power to Declare a National Emergency and Appropriate Funds for a Wall?, Sirius XM Channel 132, Business Radio Powered by The Wharton School, February 21, 2019

Lawsuit argues Congress controls spending, Al Jazeera, February 19, 2019

The \$8 Billion Question: President Trump's Border Wall and National Emergency, WBUR On Point, with Meghna Chakrabarti, February 18, 2019

Trump and Russia...the Story Continues, Al Jazeera, January 13, 2019

On Michael Cohen's Three-Year Sentence, Al Jazeera, December 12, 2018

How Michael Cohen's Admission Affects Trump, Al Jazeera, November 30, 2018

On the Jeff Sessions Firing, Al Jazeera, November 7, 2018

Hate Crime in America, Al Jazeera, October 28, 2018

Kavanaugh sworn in, 900AM CHML Global News Radio, The Scott Thompson Show, October 9, 2018

Legal community reacts to Kavanaugh's confirmation, by Annie McCormick, 6ABC Philadelphia, October 7, 2018

Donald Trump's Supreme Court nominee Brett Kavanaugh has been confirmed, Al Jazeera, October 7, 2018

Not A Strong Endorsement': Delaware Sen. Chris Coons Reacts To Brett Kavanaugh's Confirmation To Supreme Court, CBS Philly, October 6, 2018

The fate of Supreme Court nominee Brett Kavanaugh could be determined today, 900AM CHML Global News Radio, The Bill Kelly Show, October 4, 2018

Could Brett Kavanaugh be confirmed today?, 900AM CHML Global News Radio, The Scott Thompson Show, September 28, 2018

The Tense Relationship Between the President and Department of Justice, WBUR On Point, September 25, 2018

Kavanaugh accuser accepts request to testify, ABC Sydney, September 24, 2018

What did Paul Manafort know to strike the deal?, 900AM CHML Global News Radio, The Bill Kelly Show, September 17, 2018

The Argument Against Kavanaugh, POTUS SiriusXM Ch. 124, The Morning Briefing, August 29, 2018

Remembering John McCain, 900AM CHML Global News Radio, The Bill Kelly Show, August 27, 2018

What's next for Cohen, Manafort, Mueller and Trump?, BeFM News Radio, South Korea, August 26, 2018

Drone attack and alleged assassination attempt on Venezuelan president, SiriusXM Business Radio, Knowledge@Wharton, August 10, 2018

Quiet Skies Program, SiriusXM Business Radio, Knowledge@Wharton, August 2, 2018

Trump and Pardoning Power, WHYY Radio Times, July 28, 2018

The Trump-Putin summit is drawing ire from both sides of the aisle, 900 CHML Radio, July 18, 2018

Did Donald Trump Jr. do anything wrong in meeting with Russian lawyer?, WWL First News Radio, July 12, 2018

The impact of Supreme Court Justice Kennedy's retirement on the future U.S. Supreme Court, Al Jazeera, June 29, 2018

Can Trump pardon himself?, Al Jazeera, June 5, 2018

Behind Trump's Demand for A DOJ Investigation, WBUR On Point with Ray Suarez, May 22, 2018

Radio interview on Russian cyber interference, BBC World News, April 2018

Jared Kushner's Future In The White House After A Security Clearance Downgrade, WBUR On Point with Ray Suarez, March 1, 2018

It's Time for Americans to Rethink Cybersecurity, Futurism Originals, February 6, 2018

Nunes Memo: Truth and Consequences, WHYY's Radio Times, February 5, 2018
FBI's No. 2 Steps Down; Are We Nearing A Constitutional Crisis?, WBUR On Point with Tom Anthony Brooks, January 29, 2018

Catch up on This Week with Trump, *OMNY FM*, December 4, 2017

President Trump continues to flip flop, *OMNY FM*, August 16, 2017
<https://omny.fm/shows/scott-thompson-show/president-trump-continues-to-flip-flop>

Trump & Pardoning Power, WHYY Radio Times, July 28, 2017

Prosecutors: Alleged NSA Leaker May Have Planned to Release More Documents, MSNBC, June 12, 2017

James Comey's testimony: the political and legal implications, WHYY Radio Times with Marty Moss-Coane, June 10, 2017

Do We Know If Trump Obstructed Justice?, WBUR On Point with Tom Ashbrook, June 9, 2017

Countdown to Comey Day, All In with Chris Hayes, MSNBC, June 6, 2017

Veterans, PTSD and the Opioid Addiction Crisis (with Dr. Steve Xenakis), SiriusXM Station 111, Knowledge@Wharton, October 14, 2016

The JASTA Bill (with Prof. Steve Vladeck), Sirius XM Station 111, Knowledge@Wharton, September 30, 2016

FACULTY WORKSHOPS AND CONFERENCE PRESENTATIONS

University of Alabama, Department of Philosophy, Endowed Lecture, University of Maryland, *Presidential Accountability and the Rule of Law: Can the President Claim Immunity if He Shoots Someone on Fifth Avenue?* March 7, 2022

Department of Philosophy faculty workshop, *Contemporary Armed Conflict and the Non-State Actor*, September 27, 2017

Fordham University, Fordham Law School Seminar Series on Advanced Criminal Law and Criminal Procedure, paper presented: *Contemporary Armed Conflict and the Non-State Actor*, November 15, 2016

University of Toronto, Legal Theory Workshop, paper presented: *Contemporary Armed Conflict and the Non-State Actor*, Toronto, September 9, 2016

McGill University, Legal Theory Workshop, paper presented: *Killing in War and the Moral Equality Thesis*, Montreal, March 29, 2016

University of Arizona, symposium on The Morality of Aggression, paper presented: *Responsibility of Acts of War and the Morality Equality Thesis*, Tucson, December 7, 2014

The Wharton School, University of Pennsylvania, Undergraduate Law Journal Annual Celebration, invited speaker on *Secrecy, Targeted Killing and the Rule of Law*, November 2014

Vanderbilt University, invited lecture at joint law and philosophy colloquium, paper presented: *Secrecy, Transparency and the Rule of Law*, April 2014

American Association for Social Economics, panel on law and economics, paper presented: *Legal Contractarianism*, Philadelphia, March 2014

University of Virginia Law School, Legal Theory Workshop, Charlottesville, March 2014

University of Utah, conference on Technological Warfare, invited speaker for panel speech and discussion, February 8, 2013

Georgetown University, Ethics Symposium on Rationality and the Law, paper presented: *Contracts Under Coercion: Should You Keep an Agreement with a Robber?*

University of Pennsylvania Law School, CERL conference, *Sovereignty and the New Executive Authority*, conference organizer, presenter of *Contractarianism and International Law* and *Secrecy, Targeted Killing and Executive Discretion*, and moderator of two panels, April 2013

Penn Law Alumni Club, presenter on *Targeted Killing and the War on Terror*, National Press Club, Washington, D.C., May 16, 2013

Alexander Hamilton Society, invited speaker on *Debate on Drone Warfare with Charles Dunlap*, Annenberg Center, April 2013

Georgetown University, Philosophy Department, conference on rationality and the law, paper presented: *Contracts Under Coercion: Should You Keep an Agreement with a Robber?*, April 14-15, 2013

West Virginia University, Applied Ethics Day, invited speaker for annual endowed lecture by Philosophy Department: *Secrecy, Targeted Killing and Discretion*, March 7, 2013

Harvard Kennedy School, invited speaker in series organized by Francis Myrna Kamm, *Secrecy and Executive Authority*, November 6, 2012

University of Pennsylvania Law School, CERL conference, *The Logic of Deterrence*, conference organizer and moderator, November 6, 2012

Brown University, Political Theory Project, paper presented: *Contracts Under Coercion: Should You Keep a Contract with a Robber?*, October 2012

University of Pennsylvania Law School, CERL conference, *Cyberwar and the Rule of Law*, conference organizer and moderator of cyberwar panel, October 2012

University of Minnesota, faculty workshop, paper presented: *Contracts Under Coercion: Should You Keep a Contract with a Robber?*, September 20, 2012

UCLA Legal Theory Workshop, paper presented: *Rational Contractarianism and International Law*, November 29, 2012

Skadden Arps, presentation to attorneys on targeted killing, New York, June 10, 2012

Yale Law School, Analytic Legal Philosopher's Conference, paper presented: *Should You Keep a Contract with a Robber?*, April 20, 2012

University of Pennsylvania Law School, Alumni Association, Board of Managers, February 23, 2012

University of Pennsylvania Law School, Board of Overseers, *Ethical Aspects of Targeted Killing*, Penn Club, New York, February 3, 2012

University of Pennsylvania Law School, *Recent Developments in the Law of Targeted Killing*, Penn Inns of Court, January 10, 2012

University of Pennsylvania Law School, Penn Institute for Law and Philosophy, conference on the *Actio Libera in Causa*, organizer and moderator, December 8-9, 2011

University of Pennsylvania, Institute for Law and Philosophy, *Legal Aspects of Targeted Killing* panel, moderator, November 30, 2011

York University, symposium on book manuscript CONTRACTARIAN LEGAL THEORY, annual meeting of Canadian Reductionist Philosophers (CARP), October 15-16, 2011

Georgetown Law Center, *A Contractarian Approach to Contract Law*, annual conference on Promise and Contract, September 23-24, 2011

Penn Faculty Retreat, *A Contractarian Approach to Contract Law*, September 19, 2011

York University, Department of Philosophy, Rational Choice Contractarianism: Conference in Honor of David Gauthier, paper presented: *Constrained Maximization and Risk*, May 2-5, 2011

National Institute of Health: Joint Bioethics Colloquium on Risk, papers presented: *Is Risk a Harm?* and *Constrained Maximization and Risk*, organized by Alan Wertheimer, Washington, D.C., March 8, 2011

University of Pennsylvania Law School, Penn Institute for Law and Philosophy, conference on targeted killing, paper presented: *Targeted Killing as Preemptive Action*, Chestnut Hill Cricket Club, Philadelphia, April 15-16, 2011

University of Pennsylvania, Philosophy Department, brown bag lunch series, paper presented: *Hobbesian Legal Reasoning and the Problem of Wicked Laws*, February 9, 2011

Brooklyn Law School, Criminal Law Scholars Workshop organized by Dan Markel and Michael Cahill, paper presented: *Punishment As Contract*, January 26, 2011

University of Toronto, Joint Law and Philosophy Workshop Series, paper presented: *Hobbesian Legal Reasoning and the Problem of Wicked Laws*, November 19, 2010

Telford Taylor Memorial Conference, organized by West Point and Columbia Law School, paper presented: *Responsibility for Acts of War and the Equal Morality of Soldiers*, October 17-18, 2010

Temple University School of Law, faculty workshop series, paper presented: *Hobbesian Legal Reasoning and the Problem of Wicked Laws*, October 13, 2010

University of California at Berkeley, GALA Workshop Series, paper presented: *Contracts under Coercion*, September 2010

University of Pennsylvania, Foundations of International Law, paper presented: *Rational Contractarianism and International Law*, May 23-24, 2010

University of Pennsylvania Law School, Hobbes Today Conference, paper presented: *Hobbesian Legal Theory and the Problem of Wicked Laws*, April 30-March 2, 2009

NYU Law School, Hoffinger Colloquium, paper presented: *Punishment as Contract*, New York City, March 23, 2009

Penn Law faculty ad hoc series, paper presented: *Punishment as Contract*, March 4, 2009

Penn Law annual faculty retreat, paper presented: *Contracts Under Coercion: Should You Keep an Agreement with a Robber?*, September 22, 2008

Georgetown Law Center, conference on contract and promising, paper presented: *Hobbes on Contract*, Washington, D.C., September 2008

University of Leipzig, seminar series on Theories and Mechanisms of Order, paper presented: *Rational Contractarianism and International Law*, Leipzig, Germany, June 2, 2008

American Academy, Siemens Lecture, paper presented: *Contractarian Legal Theory and Contracts Under Coercion*, Berlin, Germany, March 11, 2008

University of Heidelberg, Center for American Studies, Baden-Wurtemberg faculty lecture series, paper presented: *Contracts Under Coercion: Should One Keep an Agreement with a Robber?*, February 7, 2008

Tufts University, faculty lecture series, paper presented: *Contracts Under Coercion: Should One Keep a Promise to a Robber?*, December 1, 2007

University of Chicago Law School, Law and Philosophy Workshop, paper presented: *Contracts Under Coercion: Should One Keep a Promise to a Robber?*, November 26, 2007

Yale Philosophy Department, conference on trust, paper presented: *Hobbes' Third Law of Nature as a Trust Game*, April 20-21, 2007

Georgetown Law and Philosophy seminar, paper presented: *Actio Libera and Nuclear Deterrence: Two Facets of One Problem*, April 9, 2007

Cornell Law School, faculty workshop series, paper presented: *A Contractarian Argument Against the Death Penalty*, September 20, 2006

Rutgers' Institute for Law and Philosophy, conference on The Boundary of Rights and Responsibilities in Morality and Law, paper presented: *Responsibility and the Doctrine of Double Effect*, May 21-23, 2006

William & Mary College of Law, conference on Morality and Law, paper presented: *Actio Libera and Nuclear Deterrence: Two Facets of One Problem* (co-authored with Leo Katz), March 18-16, 2006, (presentation video available at

Fordham University School of Law, conference on The Internal Point of View in Law and Ethics, paper presented: *Hobbes and the Internal Point of View*, February 9-10, 2006

Florida State University College of Law, faculty enrichment series, paper presented: *A Philosophical Argument against the Death Penalty*, September 29, 2005

University of California at Los Angeles, faculty workshop in law and philosophy, paper presented: *Responsibility for Unintended Consequences*, February 2005

University of Chicago, conference on punishment--theory and practice, paper presented: *A Contractarian Approach to the Death Penalty*, November 12-13

Conference on criminal law and the special part, paper presented: *Merger and Felony Murder*, Baton Rouge, March 2004

Université de Montreal, conference on punishment, history, practice and theory, paper presented: *A Contractarian Approach to Punishment*, Montreal, Canada, March 2004

Villanova University Law School, faculty workshop series, paper presented: *Legal Theory and the Rational Actor*, March 2004

AALS panel on rule-following in the law, paper presented: *Rule-Following and Its Implications for Law*, Atlanta, Georgia, January 2004

21st World Congress of the International Association for Philosophy of Law and Social Philosophy, Panel on criminal responsibility, paper presented: *Responsibility for Unintended Consequences*, Lund, Sweden, August 2003

George Mason University, workshop series, paper presented: *Contractarian Legal Theory*, April 2003

University of Pennsylvania, workshop on contractarianism and the law, paper presented: *A Contractarian Approach to Punishment*, March 2-3, 2003

University of Amsterdam, conference on reasons, intentions and morality, paper presented: *Intentional Action and the Deliberative Requirement*, June 20-21, 2002

Rutgers University School of Law, faculty workshop, paper presented: *An A Priori Argument Against the Death Penalty*, April 25, 2002

University of Pennsylvania, Philosophy Department, paper presented: *Constrained Maximization and Risk*, March 8, 2002

University of Pennsylvania Law School, conference on rationality and preferences, paper presented: *Comment on Paper by Joe Mintoff*, March 1-2, 2002

Arizona State University, conference on criminal law and religion, paper presented: *Comment on Paper by Antony Duff*, February 7-8, 2002

American Philosophical Association, Eastern Division, Meeting of the Panel on the Death Penalty, paper presented: *An A Priori Argument Against the Death Penalty*, December 28-30, 2001

University of Pennsylvania Law School, faculty retreat, paper presented: *An A Priori Argument Against the Death Penalty* with comment by Stephen Morse, September 14, 2001

University of Pennsylvania Law School, ad hoc summer workshop, paper presented: *Constrained Maximization and Risk*, June 2001

Boston University School of Law, workshop series, paper presented: *Lack of a Voluntary Act*, November 30, 2000

Macquarie University, Department of Philosophy, speaker series, paper presented: *Two Men on a Plank*, June 20, 2000

University of Newcastle, Department of Philosophy, speaker series: paper presented: *Constrained Maximization and Risk*, June 1, 2000

Columbia University, Analytic Legal Philosophers Conference, paper presented: *A Puzzle about Hobbes on Self-Defense*, April 7, 2000

University of Pennsylvania Law School, conference on Michael Moore, paper presented:
Lack of a Voluntary Act, March 31, 2000

RSSS, Australian National University, brown bag lunch series, paper presented:
Two Men on a Plank, March 7, 2000

University of California Santa Barbara, Department of Philosophy, speaker series,
paper presented: *On the Obligation of the State to Extend a Right of Self-Defense to its Citizens*, April
11, 1997

American Philosophical Association, Eastern Division, Philosophy of Law Panel on Problems of Act
Description in the Criminal Law, paper presented: *On Doing Something Unintended, Intentionally*,
December 1996

University of California, Berkeley School of Law, International Scholars on Law, Risk, and
Management Conference, paper presented: *The Distinction between Tort and Crime in American Law*,
December 30, 1996

University of Irvine, Southern California philosophy conference, philosophy of law panel, paper
presented: *On Doing Something Unintended, Intentionally*, October 1996

19th International Wittgenstein Symposium, paper presented: *Justification as a Political Principle*,
August 1996

George Mason University Law School, workshop series, paper presented: *Counter-Preferential
Behavior* (revised as *Rational Temptation*), October 1995

University of Pittsburgh, joint law/philosophy conference on self-defense and relations of
domination, paper presented: *Self-Defense as a Rational Excuse*, April 1995

Boston University School of Law, conference on the tort/crime distinction, paper presented: *The
Irrelevance of the Intended to Prima Facie Culpability: Comment on Moore*, March 1995

TEACHING

National Security Law (regular offering) National Security and the Rule of Law, Princeton University
(graduate level, Spring 2020)

Cybersecurity, Cyberwar and Covert Operations: Reinterpreting the Law of War, Wharton Executive
Education (Fall 2018)

The Law of War, Wharton Executive Education for Lawyers from the Saudi Ministry of Defense

Professional Responsibility (regular offering)

Contracts (required first-year course)

Criminal Law (required first-year course)

Evidence (Spring 2014; co-taught Spring 2012)

Introduction to Jurisprudence (taught regularly, cross listed with Philosophy in Spring 2011)

Political Philosophy and the Law (Fall 2010, cross listed with Philosophy)

Jurisprudence of War Crimes (cross listed with Philosophy)

Philosophy of Law (seminar or undergraduate course)

Modern Legal Thought (first-year elective)

Advanced Topics in the Philosophy of Law (seminar)

Contractarianism and the Law (seminar)

Rationality and the Law (seminar)

Rationality, Norms and the Law (seminar)

Philosophy of Criminal Law (seminar)

Theory of Rights (seminar)

Action Theory (upper-level undergraduate course)

Introduction to Ethics (undergraduate course)

Political Philosophy (undergraduate course)

MEPI Sessions on Contracts (meeting for State Department Program)

Law and Morality of War (regular offering, seminar)