



## Mark J. Osiel

Professor of Law, Aliber Family Chair  
University of Iowa College of Law  
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### Education

Ph.D., Harvard University, Sociology, 1987.

J.D., Harvard Law School, *cum laude*, 1987.

M.A. University of Chicago, Department of Sociology, 1979.

B.A., University of California, Berkeley, 1977 (History Dept.)  
junior year exchange at Univ. of Sussex, U.K.

### Employment

Professor, College of Law, University of Iowa, 1994-present; Aliber Family Chair, since 2008.

Director, Divisions of International Criminal/Humanitarian Law, and of Public International Law, T.M.C. Asser Institute, University of Amsterdam, (a think tank concerned with international law), Aug. 2008-Aug. 2009.

Fulbright Lecturer/Visiting Professor, National Law School of India University (Bangalore), and National Juridical University (Kolkata), May-Aug. 2004. I then established an option for Iowa law students to spend a semester at N.L.S.I.U, India's most distinguished law school.)

Visiting Professor, New York Law School, 2003-04.

Visiting Professor, Fordham University Law School, Summer 2003.

- Visiting Professor, University of Puerto Rico, School of Law, Spring 2003  
(teaching in Spanish)
- Visiting Professor, University of Miami School of Law, Spring & Fall 2002.
- Visiting Professor, Vanderbilt University, School of Law, Fall 2001.
- Visiting Fellow, Lauterpacht Centre for International Law, Cambridge University,  
and Centre for International Studies, London School of Economics, Spring  
2000.
- Associate Professor, University of Iowa, College of Law, 1992-4.
- Associate Professor, Tulane University Law School, 1990-2.
- Fellow, Program in Ethics and the Professions, Harvard University, 1989-1990.
- Attorney, Foley, Hoag & Eliot, Litigation Department, Boston, Mass., 1987-1989.
- Research Assistant to Prof. Abram Chayes, worked on *Nicaragua v. U.S.*,  
International Court of Justice, 1986.
- Teaching Assistant, Committee on Degrees in Social Studies and Sociology  
Department, Harvard 1980-2, 1986-7.
- Legal Intern, Servicio de Paz y Justicia, Buenos Aires, Argentina, June-Aug., 1985.
- Visiting Research Scholar, University of São Paulo, 1982-3.
- Freelance Journalist and Essayist, pieces published in *The New Republic*, *Dissent*,  
*The New Leader*, *Cineaste*, *Social Policy*, *Novos Estudos*.
- Counselor, Head Start Preschool, Santa Barbara, California, summer 1974
- Para-Medic, Guatemala (Quetzaltenango), *Amigos de las Américas*, Summer  
1972.

## Scholarship

### Books

- Guilty Victims*, under contract with Stanford University Press (in progress).
- The Right to Do Wrong: Morality and the Limits of Law*, Harvard Univ. Press (Feb.  
2019)

*The End of Reciprocity: Torture, Terror and the Law of War* (Cambridge U.P., 2009);  
<http://www.cambridge.org/us/catalogue/catalogue.asp?isbn=9780521730143>  
 (winner of “best book in a specialized area of international law” prize from  
 the Amer. Society of International Law, 2010)

*Making Sense of Mass Atrocity* (Cambridge U.P., 2009; paperback 2011);  
<http://www.cambridge.org/catalogue/catalogue.asp?isbn=9780521861854>  
 (finalist for Grawemeyer Prize for Ideas on Improving World Order)

*Mass Atrocity, Ordinary Evil, and Hannah Arendt: Criminal Consciousness in  
 Argentina's Dirty War* (Yale Univ. Press, 2002);  
<http://yalepress.yale.edu/yupbooks/book.asp?isbn=9780300087536>

*Obeying Orders: Atrocity, Military Discipline, and the Law of War* (1999); paperback  
 (2001); adopted as a text at: the U.S. Army's Command and General Staff  
 College, Fort Leavenworth; the Legal Center and School of the U.S. Judge  
 Advocate General, Charlottesville, Va.; U.S. War Colleges, including the U.S.  
 Military Academy, West Point.  
[http://books.google.com/books?id=n7JIYMfbbwC&pg=PA306&lpg=PA306&dq=Osiel+obeying+orders&source=bl&ots=evbiTfMLKZ&sig=c832v29EWtXb29dRZqBq4aJuEPo&hl=en&ei=heTESrP6NsjT8Qar58BH&sa=X&oi=book\\_result&ct=result&resnum=1&ved=0CAsQ6AEwAA#v=onepage&q=&f=false](http://books.google.com/books?id=n7JIYMfbbwC&pg=PA306&lpg=PA306&dq=Osiel+obeying+orders&source=bl&ots=evbiTfMLKZ&sig=c832v29EWtXb29dRZqBq4aJuEPo&hl=en&ei=heTESrP6NsjT8Qar58BH&sa=X&oi=book_result&ct=result&resnum=1&ved=0CAsQ6AEwAA#v=onepage&q=&f=false)

*Mass Atrocity, Collective Memory and the Law* (1997); paperback (1999);  
<http://books.google.com/books?id=f17dpNqgZiYC&printsec=frontcover&dq=osiel+collective+memory#v=onepage&q=&f=false>  
 French edition, *Juger les crimes de masse: La mémoire collective et le droit*,  
 Seuil (2006).

## Articles

“Choosing Among Alternative Responses to Mass Atrocity: Between the Individual  
 and the Collectivity,” *Ethics & International Affairs*, Sept. 2015 (Cambridge  
 Univ. Press),  
<http://www.ethicsandinternationalaffairs.org/2015/choosingamong-alternative-responses-mass-atrocity-individual-collectivity/>

“Transitional Justice in Israel/Palestine? Symbolism and Materialism in Reparations  
 for Victims of Mass Violence,” *Ethics & International Affairs*, Winter 2015  
 (Cambridge Univ. Press).  
<http://www.ethicsandinternationalaffairs.org/2015/transitional-justice-inisraelpalestine-symbolism-and-materialism-in-reparations-for-massviolence/>

“Who are Atrocity’s ‘Real’ Perpetrators? Who its ‘True’ Victims and Beneficiaries?”  
*Ethics & International Affairs*, Fall 2014 (Cambridge University Press).

[http://journals.cambridge.org/download.php?file=%2FEIA%2FEIA28\\_03%2FS0892679414000367a.pdf&code=fad86bf57069e9a20e528452fc6608c7](http://journals.cambridge.org/download.php?file=%2FEIA%2FEIA28_03%2FS0892679414000367a.pdf&code=fad86bf57069e9a20e528452fc6608c7)

- “The Demise of International Criminal Law?” *Humanity* (Summer 2014), at <http://humanityjournal.org/blog/the-demise-of-international-criminal-law>
- “Proportionality in War, Protecting Soldiers from Enemy Captivity, and Israel’s Cast Lead Operation—‘The Soldiers Are Everyone’s Children,’ co-authored with Ziv Bohrer, *USC Interdisciplinary Law Journal*, Fall 2013.
- “Proportionality in Military Force at War’s Multiple Levels: Averting Civilian Casualties vs. Safeguarding Soldiers,” co-authored with Ziv Bohrer, 46 *Vanderbilt Journal of Transnational Law* 747 (2013).
- “Civil Redress for Victims of Mass Atrocity: Novel Remedies from the Inter-American Court of Human Rights,” in progress.
- “Rights to Do Grave Wrong,” 5 *Journal of Legal Analysis* 107 (2013) (faculty-edited journal at Harvard Law School); the most frequently downloaded article in the journal’s history as of late 2015.
- “After International Law: Non-Legal Responses to Mass Atrocity,” *Law of the Future*, April 2011, pp. 587-606; Hague Institute for the Internationalization of Law; Torkel Opsahl Academic Publisher, Oslo; assigned at Yale Law School in Seminar on Global Constitutionalism, 2012.
- “Rethinking the Law of War Crimes: Distinction and Proportionality,” blog entry at *Opinio Juris*, Feb. 23, 2010, at <http://opiniojuris.org/2010/02/23/osi-el-onrethinking-the-law-of-war-crimes/#comments>
- “Common Civility: International Criminal Law as Cultural Hybrid,” Guest Blog, *Opinio Juris*, Sept. 19, 2009, at <http://opiniojuris.org/2009/09/19/conference-prospectus-icl-as-culturalhybrid/>
- “Why the ‘Contextual Element’ in all ICC Crimes?” Guest Blog, *Opinio Juris*, Sept. 7, 2009, at <http://opiniojuris.org/2009/09/07/guest-post-why-the-contextual-element-in-all-icc-crimes/#comments>
- “How Should the ICC Office of the Prosecutor Choose its Cases? The Multiple Meanings of ‘Situational Gravity,’” *The Hague Justice Portal*, March 5, 2009, at <http://www.haguejusticeportal.net/eCache/DEF/10/344.html>
- “‘Going Hollywood’: Notes on Pitching a Book Proposal to Trade Presses,” 57 *Journal of Legal Education* 467 April, 2008.
- “*La Banalidad del Bien – alineando incentivos contra la atrocidad masiva*,” in Camila de Gamboa Tapias, ed., *Justicia Transicional: Teoría y Praxis* (Bogotá, 2006), translation of article just below.

- "The Banality of Good: Aligning Incentives Against Mass Atrocity," 105 *Columbia Law Review* 1751 (2005). Cited by the Prosecutor before the Extraordinary Chambers in the Courts of Cambodia, in the case against Khmer Rouge leader Ieng Sary.
- "Modes of Participation in Mass Atrocity," 38 *Cornell International Law Journal* 793 (2005).
- "Perder la Perspectiva, Distorsionar la Historia," in 7 *Revista Estudios Socio-Juridicos*, 43 (2005), reprinted from *Collective Memory*.
- "Comment les Avocats Contribuent à la Mondialisation," *Justices: Recueil Dalloz*, No. 43, Dec., 2001, Paris, France, (2001)
- "Constructing Subversion in Argentina's Dirty War," 75 *Representations* 119 (2001), Univ. of Calif. Press; reprinted in Bruno Mondadori, ed., *Storia, verità, giustizia: I crimini del XX secolo* (2001).
- "Why Prosecute? Critics of Criminal Punishment for Mass Atrocity," 22 *Human Rights Quarterly* 118 (Feb. 2000).
- "Obeying Orders: Atrocity, Military Discipline and the Law of War," 86 *California Law Review* 939 (Oct. 1998).
- "Ever Again: Legal Remembrance of Administrative Massacre," 144 *Univ. of Pennsylvania Law Review* 463 (Dec. 1995).
- "Dialogue with Dictators: Judicial Resistance to Authoritarianism in Brazil and Argentina," 20 *Law and Social Inquiry* 481 (Spring, 1995); French translation, *Théorie et analyse de droit*, EHESS, 2008-09.
- Book review of Mary Ann Glendon, *A Nation Under Lawyers* (1996), in *Harvard Law Bulletin*, Spring 1997.
- "Lawyers as Monopolists, Aristocrats, and Entrepreneurs," 103 *Harvard Law Review* 2009 (1990); reprinted in David Luban, ed., *The Ethics of Lawyers* (1994).
- Power and Interpretation: Studies in the Sociology of Culture, Ph.D Dissertation, Harvard Sociology Department, 1987 (published as three articles, below).
- "The Making of Human Rights Policy in Argentina: Ideas and Interests in a Legal Conflict," 18 *Journal of Latin American Studies* 135 (1986), Cambridge. U.P.
- "The Professionalization of Journalism: Impetus or Impediment to a 'Watchdog' Press?" 56 *Sociological Inquiry* 163 (1986).

"Going to the People: Popular Culture and the Intellectuals in Brazil," 25 *European Journal of Sociology* 38 (1984).

"The Dilemmas of Latin American Liberalism: the Case of Raymundo Faoro,"  
22 *Luso-Brazilian Review* 431 (1984) Univ. of Wisconsin Press.

**Book Chapters:**

"*Les limites du droit international dans les réponses mondiales aux crimes de masse,*"  
*La justice pénale face aux crimes de masse. Approches critiques*, R. NollezGoldbach and J. Saada (ed.), Paris, Pédone, 2014.

"The Uncertain Place of Purge within Transitional Justice, and The Limitations of International Law in the World's Response to Mass Atrocity," in Mouralis, G., Israël, L & Galimi, V. (eds.), *Dealing With Wars and Dictatorships. Legal and Political Categories in Action*, The Hague, TMC Asser Press/Cambridge U.P., 2013; to appear as well in French in a volume edited by Raphaëlle Nollez Goldbach (2014).

"Mass Atrocity, Collective Memory and the Law," in *The Collective Memory Reader*, Jeffrey Olick, et. al, eds (Oxford, 2011), reprinted from *Mass Atrocity, Collective Memory and the Law*.

"The Bureaucracy of Murder," in Alette Smeulers, ed., *System Criminality in Mass Atrocity*, 2010 (Netherlands).

"When Law 'Expresses' More Than it Cares to Admit: Comments on Heller," in *Future Directions in International Criminal Justice*, Carsten Stahn & Larissa van den Herik, eds., T.M.C Asser/Cambridge Univ. Press, 2009.

"Collective Memory of Mass Atrocity: the Law's Contribution," in Guenaël Mettraux, ed., *Perspectives on the Nuremberg Trial*, Oxford Univ. Press, 2008.

"*Respuestas Estatales a las Atrocidades Masivas,*" in *Entre el Perdón y el Paredón: preguntas y dilemas de la justicia transicional*, Angelika Rettberg, ed., (2005), Bogotá, Colombia.

"Collective Memory, Mass Atrocity, and the Law," in *Strategy for Transitional Justice in the Former Yugoslavia*, Humanitarian Law Center, Oxfam Netherlands (2005), reprinted from *Mass Atrocity, Collective Memory and the Law*.

"Collective Memory of Mass Atrocity," in *Community of Memory*, Belgrade Circle, ed., (in Serbo-Croatian), 2005, reprinted from *Mass Atrocity, Collective Memory, and the Law*.

"The Mental State of Torturers: Argentina's Dirty War," in *Torture: Contemporary Perspectives*, Sanford Levinson, ed., (Oxford U.P. 2004, paperback 2005), reprinted from *Mass Atrocity, Ordinary Evil, and Hannah Arendt*.

"Arendt's Critique of Criminal Law in the Eichmann Trial," in Enrico Donagio, *Radicalita o Banalita del Male? A Partire da Hannah Arendt*, Meltemi, Rome, 2003 (in Italian), reprinted from *Mass Atrocity, Ordinary Evil, and Hannah Arendt*.

"Making Public Memory, Publicly," in Carla Hesse and Robert C. Post, eds., *Human Rights in Political Transitions* (1999), reprinted from *Mass Atrocity, Collective Memory, and the Law*.

"Constructing Memory with Legal Blueprints," in F.C. Decoste and Bernard Schwartz, eds., *The Holocaust's Ghost* (2000), reprinted from *Mass Atrocity, Collective Memory, and the Law*.

"Lawyers as Monopolists, Aristocrats, and Entrepreneurs," in David Luban, ed., *The Ethics of Lawyers* (1994), reprinted from *Harv. L. Rev.*

## Courses

Public International Law  
 Judicial Remedies  
 International Criminal/Humanitarian Law  
 International Commercial Arbitration/Litigation Legal  
 Profession/Professional Responsibility

Seminars:  
 Jurisprudence and Social Theory  
 International Law and International Relations  
 Law of Armed Conflict  
 Transitional Justice  
 Legal Responses to Mass Atrocity

## Honors

Visiting Scholar, Faculty of Law, Paris Institute of Political Studies, Sciences Po, Paris, 2017-2018.

Visiting Scholar, *L'Institut des Hautes Études sur la Justice*, Paris, Summer 2017.

Visiting Scholar, *Centre d'étude des Normes Juridiques-Yan-Thomas, École des Hautes Études en Sciences Sociales*, Paris, 2017-2019.

- Consultant to Chief Prosecutor at Guantánamo on high-profile anti-terrorism Prosecutions, 2015.
- Visiting Scholar, Northwestern Univ. School of Law and American Bar Foundation, summer and fall 2010 and spring 2020.
- Winner of 2010 prize for “best book in a specialized area of international law” from the Amer. Society of International Law, for *The End of Reciprocity: Torture, Terror and the Law of War* (Cambridge U.P., 2009).
- Participant in ICRC/Asser Institute Report, “Interpretive Guidance on the Notion of Direct Participation in Hostilities,” Int’l Committee of the Red Cross, 20082009.
- Quoted in the Financial Times (U.K.) on Georgia’s recent suit against Russia in the Int’l Court of Justice, Sept. 9, 2008.
- Visiting Professor, *École des Hautes Études en Sciences Sociales*, Paris, France, May 2008.
- Visiting Scholar, Summer 2006, *Institut des Hautes Etudes sur la Justice*, Paris, France.
- Discussed at length in Paul Ricoeur, *Memory, History, Forgetting* (2004); my exchange with Ricoeur is discussed in Andreea Deciu Ritivoi, *Paul Ricoeur: Tradition and Innovation in Rhetorical Theory* (2006).
- Invited to consult to U.S. State Dept. and Colombian human rights organizations on Colombia’s “Justice and Peace Law,” designed to respond to mass atrocities in that country’s civil war, Aug 2005.
- Invited by U.S. Department of Defense to comment on plans for military commissions to prosecute Guantánamo detainees, Dec. 2003.
- Lecture to prosecutors and judicial officers/clerks at the International Criminal Tribunal for the former Yugoslavia, Dec. 12, 2002.
- Pro bono* Consultant to Case & White, N.Y., in its assistance to prosecutors developing cases against perpetrators of the Rwandan genocide.
- Consultant to Nizkor Group, *Centro de Documentación*, Madrid, Spain, on developing legal arguments concerning Gen. Pinochet’s “command responsibility” for crimes of military subordinates.
- Lady Davis Distinguished Visiting Professor, Hebrew University of Jerusalem, 2002, deferred.



In March, 2002, Harvard Law School faculty in international and comparative law devoted a session of their reading group to discussion of my scholarship.

Quoted in New York Times, Sat. July, 20, 2002, on the prosecution of Slobodan Milošević.

Offered (and declined) "look-over" visiting professor position at University of Texas School of Law, 1997.

Regular reviewer of book and article manuscripts for *Law and Society Review*, *Law & Social Inquiry*, *American Sociological Review*, *Comparative Politics*, *International Theory*, *Melbourne Journal of International Law*, *International Journal of Transitional Justice*, Univ. Presses of Michigan, Oxford, Cambridge, Harvard, Yale.

Participant at several annual Law and Society Association conferences, on sociology of legal ethics, war crimes prosecutions, democratic transitions, and judicial conduct in authoritarian regimes.

Participant, National Security Law Institute, University of Virginia, June 1996.

Clerkship with Judge Luther Swygert, U.S. Court of Appeals for the Seventh Circuit, 1987-8 (precluded by the judge's death)

DeWolfe-Howe Civil Liberties Award, Harvard Law School, 1980

Research Fellowship, Institute for the Study of World Politics, Washington, D.C., Summer 1987 (for research in Argentina)

Research Fellowship, Inter-American Foundation, Rosslyn, Virginia, 1989 (for research in Brazil)

### **Association Memberships**

American Society of International Law; American Society for Political and Legal Philosophy; American Bar Association; Massachusetts bar; admitted 1987.

### **Foreign Languages**

Proficient in Spanish and Portuguese; some reading facility in French, Latin, Russian

### **Institutional Service**

On the editorial boards of *Humanity* (2010-2017), *Leiden Journal of International Law*, *Journal of Military Ethics*.

U.I. Chair of the Speakers' Committee for two years; membership on a variety of other committees, currently faculty adviser to the Jessup Moot Court team; J.S.D Faculty adviser

As Asser Director for international criminal and humanitarian law, organized conferences, symposia, speaker series, supervised work of junior scholars and graduate students in law

Faculty Adviser, U.I. Society for Military and National Security Law, 2014-2016

### **Speaking Activities**

Workshop Participant, "Genocide and Collective Memory: Social Science of the Armenian Case and Beyond," Institute of Advanced Study, Paris, March 3, 2019.

'Guilty Victims: Law in the Moral "Grey Zone,"' Legal Theory Reading Group, College of Law, University of Iowa, Nov. 13, 2018

'Guilty Victims: Law in the Moral "Grey Zone,"' Faculty workshop, College of Law, Univ. of Iowa, Sept. 19, 2018

"The Legacy for International Law of Augusto Pinochet's Arrest," conference keynote, conference marking the 20<sup>th</sup> anniversary of the London arrest, Universidad Diego Portales, Santiago de Chile, Sept. 3, 2018 (delivered in Spanish)

"The London Arrest of General Augusto Pinochet: Contemporary Lessons," conference keynote, Facultad de Derecho, University of Valdivia, Chile, Sept. 5, 2018 (delivered in Spanish)

"Prosecuting Americans at the International Criminal Court?: Recent Developments," faculty workshop, College of Law, Univ. of Iowa, April 30, 2018.

"Recent Developments at the International Criminal Court: U.S. Military Conduct in Afghanistan," Académie Diplomatique Internationale, Paris, April 12, 2018.

"How to 'Abuse' a Right," Workshop in Law and Philosophy, University of Lyon, April 9, 2018.

"Choosing Among Alternative Responses to Mass Atrocity," School of Social and Political Science, University of Edinburgh, March 22, 2018.

- “How We Attach Rights to Responsibilities,” Univ. of Paris, Sorbonne, Political Theory Program, Feb. 20, 2018.
- “Choosing Among Alternative Responses to Mass Atrocity,” Univ. of Paris, Pantheon/Assas, Faculty of Law, Paris, Jan. 16, 2017.
- “Choosing Among Alternative Responses to Mass Atrocity,” Univ. of Paris, Nanterre, Institut des Sciences Sociales du Politique, Maison Max Weber, Paris, Dec. 9, 2016.
- “Rights to Do Grave Wrong: A Sociology of Morals,” Paris Institute of Political Studies, Sciences Po, Political Theory Workshop, Dec. 8, 2016.
- “Why We Exaggerate the Incidence of Genocide (and Depreciate the Importance of Crimes Against Humanity),” L’Ecole des Hautes Etudes en Science Sociales, Paris, Dec. 1.
- “Law and Mores: The New Relevance of Montesquieu,” Maison de la Recherche, Univ. of Paris, Sorbonne, Political Theory Workshop, Nov. 29, 2016.
- “Political Risk and Rights to Do Grave Wrong,” Program on Geopolitics of Risk, École Normal Supérieure, Paris, Nov. 23, 2016.
- “Alternative Responses to Mass Atrocity: Making the Hard Choices,” conference on *The Jus Post Bellum*, Peace Palace, The Hague, Netherlands, Sept. 30, 2016.
- “Alternative Modes of Atrocity Response,” Third Master Class, Conflict Beyond the Reach of Law, Geoffrey Nice Foundation and the Univ. of Dubrovnik, Dubrovnik, Croatia, July 10, 2016.
- “How to Conceive the Characters to Mass Atrocity,” Conference on “Doing Justice to Truth,” Univ. of Copenhagen, June 17, 2016.
- “Choosing Among Alternative Responses to Mass Atrocity: Between the Individual and the Collectivity,” Conference on “Reimagining Justice, Post-Conflict,” Van Leer Institute, Jerusalem, Dec. 17, 2015.
- “The Crime of Aggression and the Origins of the First World War,” Conference on the Legacy of World War One, Peace Palace, The Hague, June 24, 2015.
- “Individual and Collective in the Legal Response to Mass Atrocity,” Transitional Justice Research Centre, Nuffield College, Oxford University, June 19, 2015.
- “Transitional Justice in Israel/Palestine? Symbolism and Materialism in Reparations for Victims of Mass Violence,” Hebron University, Palestine, Nov. 18, 2014.

- “Transitional Justice in Israel/Palestine? Symbolism and Materialism in Reparations for Victims of Mass Violence,” Tel Aviv University, Buchmann School of Law, Nov. 16, 2014.
- Commentator for Panel on “Paradoxes of Authoritarian Legal Orders and the Ambiguity of Transitions to Democratic Rule in South America,” American Society for Legal History, Denver, Colorado, Nov. 6, 2014 (scheduled).
- “Civil Compensation for Mass Atrocity and Large-Scale Human Rights Abuse: Experience from the Inter-American Court of Human Rights,” Univ. de los Andes, Colombia, Sept. 21, 2014 (scheduled).
- “Proportionality and the Law of Armed Conflict,” Conference on The Weighing of Lives in War: Combatants and Civilians in the Jus in Bello, Univ. of Penn. Law School, April 12, 2014.
- “The Demise of International Criminal Law?” Iowa City Foreign Relations Council, Jan. 28, 2014.
- “The Demise of International Law,” Univ. of San Diego Law School, Jan. 22, 2014.
- “Novel Remedies for Mass Atrocity: Recent Jurisprudence from the Inter-American Court of Human Rights,” Legal Frames of Memory: Transitional Justice in Central and Eastern Europe, Warsaw University, Nov. 28, 2013.
- “After International Law: Alternative Approaches to Redress for Mass Atrocity,” Oxford University, SNRS/Oxford workshop on Philosophies of International Law, Nov. 21, 2013.
- “Topics in International Law: Terrorism, Humanitarian Intervention, and the International Criminal Court,” Univ. of Iowa, Center on Aging, Sept. 25, 2013 (adult education course).
- “Novel Remedies for Mass Atrocity: Recent Jurisprudence from the Inter-American Court of Human Rights,” Int’l Law Weekend—Midwest: The Legal Challenges of Globalization, Washington Univ., St. Louis, Sept. 21, 2013.
- “Can Standard Remedial Theories Explain and Justify the Inter-American System’s Novel Approaches to Redressing Mass Atrocity?” Conference on Transitional Justice in Brazil, Fed. Univ. of Minas Gerais, Belo Horizonte, Brazil, May 2013.
- “How to Link the 9/11 Hijackers to Khalid Sheikh Mohammed: Lessons from the International Criminal Tribunals,” Faculty Workshop, College of Law, Univ. of Iowa, April 2013.

- “Lessons From the International Criminal Tribunals for Prosecuting Terrorist Leaders,” *Representing Genocide: Law, Media, and Scholarship*, Law School, Univ. of Minnesota, April 2013.
- “The Right To Do Wrong,” Social and Political Theory Workshop, Vanderbilt Univ. School of Law, Jan. 2013.
- “Rights to Do Grave Wrong,” paper presented at Columbia Law School’s Legal Theory Workshop, Sept. 2012.
- “Collective Responsibility for Mass Atrocity,” conference on “Collective Responsibility: Ethics, Law and Public Policy in the 21<sup>st</sup> Century,” Goethe Univ., Frankfurt am Main, Germany, July 4, 2012.
- “A Universal Standard for Transitional Justice?” conference on “Pluralism v. Harmonization: National Adjudication of International Crimes,” Free Univ. of Amsterdam, June 14, 2012.
- “The Legacy of the International Criminal Tribunal for the former Yugoslavia,” Keynote address, ICTY Legacy Conference, Univ. of Leipzig, March 22, 2012.
- “After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Legal Theory Workshop, Univ. of Michigan, Sept. 2011.
- After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Pace Univ., School of Law, March 10, 2011.
- After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Arizona State Univ., College of Law, conference on Interdisciplinary Approaches to International Law, Jan. 14, 2011.
- “After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” American Bar Foundation, Dec. 1, 2010.
- “After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Univ. of Paris, Sorbonne, Nov. 25, 2010.
- “The Law of Proportionality in War,” Conference on Proportionality in the Law of Armed Conflict, Hebrew Univ. School of Law, Nov. 23, 2010.
- “After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Florida State Univ., School of Law, Oct. 20, 2010
- “After Atrocity: New Approaches to the Restraint and Redress of Mass Killing,” Univ. of Georgia, School of Law, Sept. 11, 2010.

- “How Lawyers Can Help Prevent Genocide,” Amer. Bar Association, Annual Convention, San Francisco, Aug. 8, 2010.
- “Lawyers and Financial Globalization,” Faculty of Law, Seoul National Univ., South Korea, March 22, 2010.
- “War by the Portion? Collateral Damage in the Law of War,” Vanderbilt Univ. Law School, interdisciplinary faculty group in social and political theory, spring 2010.
- “War by the Portion? Collateral Damage in the Law of War,” Conference on Foundations of International Law, Univ. of Penn. Law School, April 24, 2010.
- “War by the Portion? Collateral Damage in the Law of War,” Duke Univ. Law School, Int’l & Comparative Law Lecture Series, April 5, 2010.
- Seminars devoted to my work, Univ. of Paris VII, Univ. of Lyon, Univ. of Montpellier, April 2010.
- Symposium on the International Criminal Court, Loyola Univ., Chicago, Feb. 26, 2010.
- “Legal Responses to Mass Atrocity,” a two-day course on my scholarship for masters degree students in international criminal law, international criminology, and international security studies, Free Univ. of Amsterdam, June 4-5, 2009.
- “Connecting the Big Fish to the Small Fry in Mass Atrocity Cases,” Hebrew Univ. of Jerusalem, Law Faculty/Minerva Institute, May 11, 2009.
- “Reciprocity in International Humanitarian Law,” Hebrew Univ. of Jerusalem, Law Faculty/Minerva Institute, May 10, 2009.
- “Connecting Superiors to Subordinates in Mass Atrocity Cases,” keynote address, Univ. of Copenhagen, conference at the Danish Institute of Int’l Studies, May 7, 2009.
- “Modes of Participation in Mass Atrocity,” International Criminal Court, Office of the Prosecutor, April 22, 2009, at <http://www.iccpi.int/Menus/ICC/Structure+of+the+Court/Office+of+the+Prosecutor/Net+work+with+Partners/Guest+Lectures/>
- “Group Remedies for Victims of Mass Atrocity,” Göttingen Univ., Germany, April 27, 2009.
- “Continuing Definitional Issues Regarding Crimes Against Humanity: The ‘Policy’ Requirement,” Int’l Experts’ Meeting, The Need for a Specialized Convention

on Crimes vs. Humanity, Washington Univ. School of Law, St. Louis, April 13, 2009.

“An Introduction to International Criminal Law,” lecture to members of Thailand’s judiciary, including its Supreme Court, Grotius Centre, Leiden Univ., April 2, 2009.

“The Principle of ‘Legality,’ *Nulla Poena Sine Lege*, and International Criminal Law,” Meeting of the Dutch Society for International Criminal Law, Univ. of Amsterdam, April 1, 2009

“Introduction to the Recent Gaza Conflict,” conference of int’l humanitarian law experts, T.M.C. Asser Institute, The Hague, March 26, 2009.

“‘Situational Gravity’ Under the ICC Rome Statute,” conference in honor of the retirement of Judge Philippe Kirsch as President of the International Criminal Court, Dutch Ministry of Foreign Affairs, Feb. 6, 2009.

“The Judge Advocate Generals in U.S. Counterterrorism Policy: Sources of Resistance to the Bush Administration,” Roundtable “Pacify and Punish” Collège de France, Paris, November 24, 2008.

“Individual and Collective Responsibility for Mass Atrocity,” Eighth Annual Conference on Command, Law, and Ethical Leadership,” Canadian Forces’ Military Law Centre, Kingston, Canada, Nov. 18, 2008.

“What Place for Reciprocity in the Law of Armed Conflict?” Faculty of Law, Univ. of Conn., Nov. 17, 2008.

“Reciprocity in Humanitarian Law,” Marie Curie Lecture, Grotius Centre, Leiden Univ., Nov. 10, 2008.

“Reciprocity in the U.S. Approach to Humanitarian Law,” National Univ. of Ireland, Galway, Human Rights Centre, Nov. 3, 2008.

“Reciprocity in the U.S. Approach to Humanitarian Law,” Riga Graduate School of Law, Latvia, conference on “The Baltic Region and International Humanitarian Law,” Oct. 17, 2008

“Reciprocity and its Rejection in International Humanitarian Law,” Center for International Law, Univ. of Amsterdam Faculty of Law, Sept. 24, 2008.

“Transitional Justice: Current Developments and Recent Thinking,” Conference on Transitional Justice, l’École des Hautes Études en Sciences Sociales, Paris, May 29, 2008.

“Recent Developments in International Criminal and Humanitarian Law,” Univ. Paris Institute of Political Studies, Sciences Po, May 15, 2008.

“Reciprocity as Civilization: The Terrorist as Savage,” l'École des Hautes Études en Sciences Sociales, Paris, May 12, 2008.

“Recent Developments in International Criminal and Humanitarian Law,” L'École Normale Supérieure, Paris, May 5, 2008.

“Humanitarian Law versus Human Rights Law: The Coming Clash,” T.M.C. Asser Institute, The Hague, Univ. of Amsterdam, March 21, 2008.

“Reciprocity in the Law of War,” faculty workshop, Wayne State Univ. Law School, Oct. 10, 2007.

“Economizing on Humanitarianism: The Geneva Conventions as a ‘Rational Choice’,” Law & Society Association Conference, Berlin, July 25, 2007.

“Legalizing Torture, Torturing Legality: Perspectives on the U.S. Torture Debate,” Australian National Univ., Canberra, School of Law, June 5, 2007.

“Reciprocity and Non-Reciprocity in Humanitarian Law,” Conference on the Military Commissions Act of 2006, School of Law, Univ. of Texas, Austin, April 11, 2007.

“Do the Geneva Conventions Really Matter? Detainee Abuse, Future Wars, and the Profession of Arms,” Human Rights Lecture Series, Univ. of California, Riverside, April 2007.

“Reciprocity and Anti-Reciprocity in International Humanitarian Law,” War Crimes Symposium, Transnational Law & Contemporary Problems, Univ. of Iowa, College of Law, Feb. 2007.

“Reciprocity in the Treatment of P.O.W.s: How Important Are the Geneva Conventions?” National Institute of Military Justice, Amer. Univ. School of Law, Washington D.C., Nov. 17, 2006

“Prosecuting Mass Atrocity: Legally Linking the Superiors to the Subordinates,” Transitional Justice Program, U.N. Development Program, Igali, Montenegro.

Interviewed in French, on publication of “Juger les Crimes de Masse,” in *La Vie de Idées* Paris, France, Aug. 2006, pp. 21-34.

“Law After Eichmann: Legacies for International Law,” Conference, Slovenian Academy of Sciences and Arts, Ljubljana, Slovenia, March 2006.

Distinguished Visitor, St. John’s College, Univ. of British Columbia, Canada, Feb. 2006, delivered three public lectures on international law.



- “The Nuremberg Trials in Contemporary Perspective,” Lecture Series on The Future of International Justice, Memorial de la Shoah, Paris, France, Dec. 4, 2005.
- “The Banality of Good: Aligning Incentives Against Mass Atrocity,” law faculty scholarship workshops, Fall 2005, at Harvard, Stanford, Univ. of Chicago, Yale, Arizona State; Spring 2006, at Southwestern, Boston Univ..
- “Lessons on Amnesty from Transitional Justice Experiences,” Conference on “Peace, Transitional Justice, and Collective Memory in Colombia,” Universidad de Rosario, Bogotá, and at Universidad Javeriana, Cali, Aug. 2005.
- “Modes of Participation in Mass Atrocity,” Conference on “The Global and the Local in International Criminal Justice,” International Institute for the Sociology of Law, Oñati, Spain, May 2005.
- “Modes of Participation in Mass Atrocity,” XXII World Congress of Philosophy of Law and Social Philosophy, Granada, Spain, May 2005.
- Conference on “Truth and Reconciliation in Post-Conflict Societies: Colombia in Comparative Perspective,” Universidad de los Andes, Bogotá, Colombia, Nov. 2004.
- Conference on “Dealing With the Past in ex-Yugoslavia: Post-Conflict Strategies for Truth, Justice, and Reconciliation,” Humanitarian Law Center, Belgrade, Oct. 2004.
- “The Outsourcing Debate: Indian Perspectives,” U.I. International Programs, International Mondays Lecture, Oct. 2004.
- “Soldier Testimony After Mass Atrocity,” Conference organized by Human Rights Watch, Middle East Dept., Hebrew Univ., Jerusalem, Israel, Feb. 28, 2004.
- “The Cultural Construction of Global Finance: A Sociology of Legal Knowledge,” scholarly workshop series, Northwestern Univ. and American Bar Foundation, Feb. 4, 2004.
- “The Cultural Construction of Global Finance: A Sociology of Legal Knowledge,” Law and Society Scholarship Workshop, Boalt Hall, Univ. of California, Berkeley, School of Law, Nov. 2003.
- “Preemptive War as ‘Aggression’: Is our President a War Criminal?” U.S. Air War College, Maxwell Airforce base, Sept. 2003.
- Participant, Conference on International Humanitarian Intervention, Northwestern Univ., May 2003.
- “Legal Complicity in State-Sponsored Mass Murder: the Milosevic case,” Notre Dame Univ. School of Law, Center for Human and Civil Rights, April 2003.

“Command Responsibility for Crime by Paramilitaries and Irregular Combatants,” Speakers Series Lectures, International Criminal Tribunal for the Former Yugoslavia, Dec. 12, 2002.

“Chief-of-State Liability for Crimes of Subordinates: the Milosevic case,” Center for Civil and Human Rights, Notre Dame Univ., School of Law, spring 2003.

“Memoire et Justice: Du Consensus au Dissensus,” Centre National de la Recherche Scientifique, LASP Maison Max Weber Université de Paris X, Nanterre, Dec. 6, 2002 (This conference was organized around my book on collective memory and the law.)

“When to Disobey Orders,” address to students and faculty of U.S. Air War College, Maxwell Air Force Base, Montgomery, Alabama; Oct. 16, 2002.

Conference on “Memoire et Justice: Du Consensus au Dissensus,” Centre National de la Recherche Scientifique, LASP Maison Max Weber Université de Paris X, Nanterre, Dec. 6, 2002.

“How Lawyers Globalize,” faculty research workshop, Univ. of Colorado, School of Law, Sept. 21, 2002.

“When to Disobey Orders,” talk to faculty and students at U.S. Army War College, (Carlisle, Pa.), Aug. 8, 2002.

Univ. of Bologna, Italy, conference on “War Against Civilians: Mapping Nazi Massacres in Italy,” June 20, 2002.

Public reading, “Looking Back on Argentina’s Dirty War,” Books & Books (bookstore), Coral Gables, FL., June 2002.

U.K. Investigatory Commission, chaired by Lord Saville, inquiring into possible responses to the 1972 Londonderry killings of I.R.A. protestors, Univ. of Ulster, Northern Ireland.

“Globalizing Lawyers,” Univ. of Minnesota Law School, faculty seminar for work-in-progress, Jan., 2002.

“How Lawyers Contribute to Globalization,” Faculty Works in Progress, Univ. of Miami, February 15, 2002.

“Humanitarian Law,” Air War College, Maxwell Air Force Basis, Oct. 23, 2001.

“How Lawyers Contribute to Globalization: International Finance Practice,” faculty workshops and student audiences at Yale, Vanderbilt, Harvard Law Schools, Nov, 2000-April 2001.

“Military Law and Ethics,” Air War College, Maxwell Air Force Base, Alabama, Oct. 2000.

“Criminal Prosecution for Mass Atrocity,” Univ. of British Columbia, Canada, Oct. 2000.

“Humanitarian Law in the New Millenium,” *Ecole Normale Supérieure*, Paris, June 2000.

Conference on “History, Truth, and Justice: The 20<sup>th</sup> Century and its Crimes,” Univ. of Siena, Italy, March 2000.

Conference on “Truth, Justice, and Memory,” Univ. of Toronto, Canada, Munck Centre for International Relations, Feb. 2000.

Conference on “Legal Institutions and Collective Memories in Democratic Transitions,” International Institute for the Sociology of Law, Oñati, Spain, Sept. 1999 (keynote speaker and first book was inspiration for this conference.)

Conference on Reconstructing Law and Society in Postwar Bosnia, Cornell Univ., April 1999.

Organizer/Moderator: panel on “Critical Perspectives on the Lawyer/Warrior,” American Society of International Law, Annual Conference, March 1999.

“War Crimes, Martial Virtue, and International Law,” Communitarian Summit, Wash., D.C., Feb. 1999.

“Attorneys as Counselors on the Law of Armed Conflict,” National Institute of Military Justice Conference, Royal Air Force Club, London, Dec. 1998.

“Obeying Orders,” Works in Progress/Legal Scholarship Seminar, Stanford Law School, March 1998.

“Lawyers and Practical Judgment,” and “Hannah Arendt and Criminal Consciousness in Mass Atrocity,” Series on Human Rights, Jurisprudence and Social Policy Program, Boalt Hall, U.C. Berkeley, Feb. 1995.

Co-organizer (with Prof. Steven Burton), Conference on the 100th Anniversary of “Holmes’s The Path of the Law,” University of Iowa, Jan. 1997, papers appeared as *“The Path of the Law” and its Influence: The Legacy of Oliver Wendell Holmes, Jr.*, Cambridge Univ. Press (2000).

## Recreation

Charitable volunteering, including teaching adult education classes *pro bono*; foreign and independent film; global travel (trips to Iran, Syria, Myanmar, Malaysia, Togo, Burkina Faso, Benin).