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GERALD JAY POSTEMA

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Born: November 26, 1948, Chicago, Illinois

Education:

A.B., Calvin College, Grand Rapids, Michigan, June, 1970

M.A., Cornell University, Ithaca, New York, May, 1973

Recognized Student, University College, Oxford, 1973-74

Ph.D., Cornell University, May, 1976

Academic Positions:

Arthur L. Goodhart Visiting Professor of Legal Science, Cambridge University,
2013-14

Cary C. Boshamer Distinguished Professor of Philosophy, University of North
Carolina at Chapel Hill, 1997-present

Professor of Law, UNC School of Law, 2002-present

Chair, Department of Philosophy, UNC-CH, 1989-96, Interim Chair Fall 2006

Professor, UNC-CH, 1988-1997

Associate Professor, UNC-CH, 1980-88

Visiting Professor, Yale University, Spring 1993

Visiting Associate Professor, University of Michigan, Summer, 1982

Visiting Assistant Professor, School of Law, University of California, Berkeley,
Fall, 1979

Assistant Professor, Johns Hopkins University, Baltimore, Maryland and The University of Maryland School of Law, part-time, 1975-80

Instructor, Cornell University, 1974-75

Tutor, Jurisprudence, Queen's College, Oxford, 1974

Fellowships, Honors, and Named Lectures:

Boutwood Lecture, University of Cambridge, Cambridge, UK, February 20, 2014.

Fellow, Corpus Christi College, Cambridge, active 2013-14

Arthur L. Goodhart Visiting Professor of Legal Science, Cambridge University 2013-14

George H. Johnson Prize for Distinguished Achievement in the Arts and Humanities, University of North Carolina at Chapel Hill, September 2012

Honorary Professor, Zhengzhou University Law School, May, 2012

Visiting Professor, Faculty of Law, University of Athens, Fall, 2009.

Visiting Fellow, Law Department, European University Institute, Spring 2009.

John Simon Guggenheim Foundation Fellowship, 2005-06

John Medlin Fellow, National Humanities Center, Research Triangle Park, 2005-6

W. N. Reynolds Fellowship, University of North Carolina at Chapel Hill, 2005-6

Distinguished Teaching Award for Post-Baccalaureate Instruction, University of North Carolina at Chapel Hill, 2005

Fellow, Rockefeller Foundation, Bellagio Center, Bellagio, Italy, Spring, 2001

Keith-Massey Fellow, Institute for Arts and Humanities, UNC-CH, Fall, 2000

Fellow, Netherlands Institute for Advanced Study in Humanities and Social Sciences, (Dutch) Royal Academy of Sciences, Wassenaar, The Netherlands, September 1996-June 1997

Visiting Research Fellow, The Australian National University, Canberra, Australia, July - September 1995

Wittgenstein Lecturer, University of Bayreuth, Germany, June 1995

James Steintrager Lecturer on Jurisprudence and Political Philosophy, Wake Forest University, September 1992

Alf Ross Lecturer, Copenhagen and Aarhus, Denmark, November 1990

University Distinguished Lecturer, University of Auckland, Auckland, New Zealand, July 10-13, 1990

McGill University Legal Theory Distinguished Visitor, March 12-16, 1990 and Beatty Memorial Lecturer, McGill University, March 15, 1990

American Council of Learned Societies, Ford Fellowship, 1986-7

Fellow, National Humanities Center, Research Triangle Park, N.C., 1986-7

Kenan Research Leave, UNC-CH, 1986-7

University Research Award, UNC-CH, 1984-5

Mellon Fellow, Aspen Institute, 1984

American Council of Learned Societies Travel Grant, July, 1979

American Council of Learned Societies Research Fellowship for Recent Recipients of Ph.D., Fall, 1978

National Endowment for the Humanities Summer Stipend, Summer, 1978

Publications, Books

Grief's Liturgy: A Lament (Wipf & Stock, 2012)

Legal Philosophy in the Twentieth Century: The Common Law World, author, (volume 11 of *Treatise of General Jurisprudence and the Philosophy of Law*) Springer, 2011.

“a brilliant book and, for the rest of us incapable of achieving anything like this (and I mean *the rest of us*), it is simply breathtaking.”—*Canadian Journal of Law & Philosophy*

Treatise of General Jurisprudence and the Philosophy of Law, associate editor, volumes 1-5, Springer, 2005; volumes 6-8, Springer, 2007; volumes 9-10, Springer 2009.

Jeremy Bentham: Moral, Political, and Legal Philosophy, editor, Aldershot, England: Dartmouth Publishing Company, 2002, two volumes.

Philosophy and the Law of Torts, editor and contributor, Cambridge Studies in Philosophy and Law, Cambridge: Cambridge University Press, 2001.
Chinese translation, Beijing University Press, 2004.

Cambridge Studies in Philosophy and Law—monograph series edited from 1997-2006. Over twenty titles published during this period under my editorship.

Racism and the Law: The Legacy and Lessons of Plessy, editor and contributor, Dordrecht: Kluwer Academic Publishers, 1997.

Bentham and the Common Law Tradition, Clarendon Law Series, Oxford: Clarendon Press, 1986; "new in paperback" 1989.

Named "Outstanding Academic Book, 1986" (*Choice*).
Chinese translation, Law Press China (2014)

Special Issues of *Law & Philosophy* (editor):

Guilt, Shame, and Punishment: Themes in the Philosophy of Herbert Morris, vol. 18 (1999).

Rationality, Conventions, and the Law, vol. 17 (1998).

Forthcoming Books:

Treatise of General Jurisprudence and the Philosophy of Law, volumes 12-13, associate editor, Springer, 2014.

On the Law of Nature, Reason, and the Common Law: Selected Jurisprudential Writings of Sir Matthew Hale, Oxford University Press, 2015.

Handbook of Legal Reasoning and Argumentation, co-editor with G. Bongiovanni, A. Rotolo, G. Sartor, D. Walton. Springer, 2016.

Publications: Articles and Chapters

1. "Calvin's Alleged Rejection of Natural Theology," *Scottish Journal of Theology*, vol. 24 (1971), pp. 423-34.
2. "The Principle of Utility and the Law of Procedure: Bentham's Theory of Adjudication," *Georgia Law Review*, vol. 11 (September, 1977), pp. 1393-1424; Reprinted in *The International Library of Essays in Law and Legal Theory*, T. D. Campbell, ed., Aldershot: Dartmouth Pub. Co., 1992.
and in *Jeremy Bentham: Critical Assessments*, B. Parekh, ed., London: Routledge, 1993, vol. III, pp. 308-335.
3. "The Expositor, the Censor, and the Common Law," *Canadian Journal of Philosophy*, vol. 9 (December, 1979), pp. 643-670; Reprinted in *Jeremy Bentham: Critical Assessments*, B. Parekh, ed., London: Routledge, 1993, vol III, pp. 227-51; and in *Legal Positivism*, T. Campbell, ed., Aldershot, England: Dartmouth Publishing Co., 1999.
4. "Bentham and Dworkin on Positivism and Adjudication," *Social Theory and Practice*, vol. 5 (Spring, 1980), pp. 347-376.

5. "Nozick on Liberty, Compensation and the Individual's Right to Punish," *Social Theory and Practice*, vol. 6 (Fall, 1980), pp. 311-337.
6. "Moral Responsibility in Professional Ethics," *New York University Law Review*, vol. 55 (April, 1980), pp. 63-89;
Reprinted in *Business and Professional Ethics*, J. Ellin, W. Robinson, M. Pritchard, eds., Clifton, NJ: Humana Press, 1983;
and in *Ethics and the Legal Profession*, M. Davis, F. Elliston, eds., New York: Prometheus Books, 1986;
and in *Ethics of Lawyers*, D. Luban, ed., NY: NYU Press, 1994;
and in *Public Ethics*, Richard Bellamy and Antonino Palumbo, eds., Surrey: Ashgate Publishing, 2010.
and included in *The Law, Principles and Practice of Legal Ethics*, eds., V. Vuletich and N. Miller, Vandeplass Publishing, 2012.
7. "Coordination and Convention at the Foundations of Law," *Journal of Legal Studies*, Vol. 11 (January, 1982), pp. 165-203.
8. "Bentham's Early Reflections on Law, Justice, and Adjudication," *Revue Internationale de Philosophie*, No. 141 (1982), pp. 219-241.
Reprinted in *Jeremy Bentham: Moral, Political, and Legal Philosophy*, volume 2: Legal Philosophy, G. J. Postema, ed., Aldershot, England: Dartmouth Publishing Co, 2002, pp. 459-81.
9. "Facts, Fictions, and Law: Bentham on the Foundation of Evidence," *Archives for Legal and Social Philosophy*, Beiheft No. 16 (1983), pp. 37-64;
Reprinted in *Evidence and Proof*, W. Twining and A. Stein, eds., Aldershot, England: Dartmouth Pub. Co., 1992, pp. 25-52;
and in *Jeremy Bentham: Moral, Political, and Legal Philosophy*, vol. 2: *Legal Philosophy*, G. J. Postema, ed., Aldershot, England: Dartmouth Publishing Co, 2002, pp. 401-28.
10. "Self-Image, Integrity, and Professional Responsibility," *The Good Lawyer*, ed. by David Luban, Totawa, New Jersey: Rowman and Allenheld, 1983, pp. 286-314.
Reprinted in *The Ethics of Lawyers*, D. Luban, ed., Aldershot, England: Dartmouth Pub. Co., 1994.
11. "Democratic Citizenship and the Teaching of Law," *Legal Studies Forum*, vol. 10 (1986), pp. 65-69.
12. "The Normativity of Law," in *Issues in Contemporary Legal Philosophy: The Influence of H.L.A. Hart*, R. Gavison, ed., Oxford: Clarendon Press, 1987, pp. 81-104.
13. "Collective Evils, Harm, and the Law," *Ethics*, vol. 97 (1987), pp. 414-40.

14. "The Roots of Our Conception of Precedent," *Precedent in Law*, L. Goldstein, ed., Oxford: Clarendon Press, 1987, pp. 9-33.
15. "Liberty in Equality's Empire" *Iowa Law Review*, vol. 73 (October, 1987), pp. 55-95.
16. "'Protestant' Interpretation and Social Practices," *Law and Philosophy*, vol. 6 (1987), pp. 283-319.
17. "Hume's Answer to the Sensible Knave," *History of Philosophy Quarterly*, vol. 5 (1988), pp. 23-40;
Reprinted in *David Hume: Critical Assessment*, Stanley Tweyman ed., London: Routledge, 1995, vol. VI, pp. 110-28.
and in *Hume and Law*, Ken Mackinnon, ed., Ashgate, 2012, pp.
18. "Bentham on the Public Character of Law," *Utilitas*, vol. 1 (March, 1989), pp. 41-61;
Reprinted in *Jeremy Bentham: Critical Assessments*, B. Parekh, ed., London: Routledge, 1996, vol III, pp. 163-83 ;
and in *Jeremy Bentham, Moral, Political and Legal Philosophy*, volume 2: *Legal Philosophy*, G. J. Postema, ed., Aldershot, England: Dartmouth Publishing Co, 2002, pp. 65-85.
19. "In Defense of 'French Nonsense': Fundamental Rights in Constitutional Jurisprudence," in *Enlightenment, Rights, and Revolution*, N. Mac Cormick and Z. Bankowski, eds., Aberdeen: Aberdeen University Press, 1989, pp. 107-33.
Portions reprinted in *Philosophy of Law*, C. D. Johnson, ed., NY: Macmillan, 1993.
Reprinted in Jeremy Bentham, *Nonsense Upon Stilts*, P. Schofield, editor, Oxford, Oxford University Press, (forthcoming)
20. "Equality as Membership," *Rechtsfilosofie & Rechtstheorie*, no. 3 (1990), pp. 155-178.
21. "Positivism, I Presume? . . . Schauer on Rules and the Rule of Law," *Harvard Journal of Law and Public Policy*, vol. 14 (July, 1991), pp. 601-26.
22. "On the Moral Presence of Our Past," *McGill Law Journal*, vol. 36 (July, 1991).pp. 1153-80.
23. "Public Faces -- Private Places: Liberalism and the Enforcement of Morals," in *Morality, Worldview, and Law*, A.W. Musschenga, A. Soeteman, and B. Voorzanger, eds., Assen: Van Gorcum Publishers, 1992, pp. 153-75.
Portions reprinted in *The Enforcement of Morality by the Law*, G. Dworkin, ed., Boulder, Colo., Westview Press, 1994, pp. 76-90.

24. "Jeremy Bentham," *Encyclopedia of Ethics*, L. C. Becker, ed., New York: Garland Pub. Co., 1992.
25. "Risks, Wrongs, and Responsibility: Coleman's Liberal Theory of Commutative Justice," *Yale Law Journal*, vol. 103, no. 3, (Dec., 1993), pp. 861-97.
26. "Public Practical Reason: An Archeology," *Social Philosophy and Policy*, vol 12 (1995), pp. 43-86.
27. "Public Practical Reason: Political Practice," in *NOMOS XXXVII: Theory and Practice*, I. Shapiro and J. Wagner DeCew, eds. New York: New York University Press, 1995, pp. 345-85.
28. "Implicit Law," *Law and Philosophy*, vol. 13 (1995), pp. 361-87. [Nominated for the Berger Prize, awarded by the American Philosophical Association for the best recent essay in legal philosophy.]
Reprinted in *Rediscovering Fuller: Essays on Implicit Law and Institutional Design*, W. van der Burg and W. Witteveen, eds. Amsterdam: Amsterdam University Press, 1999, pp. 253-75.
29. "Morality in the First Person Plural," *Law and Philosophy*, vol. 14 (1995), pp. 35-64.
30. "Law's Autonomy and Public Practical Reason," in *The Autonomy of Law: Essays on Legal Positivism*, Robert P. George, ed., Oxford: Clarendon Press, 1996, pp. 79-118.
31. "Jeremy Bentham," *Blackwell Dictionary of Business Ethics*, Oxford: Blackwell, 1996, 3 pp.
32. "Integrity: Justice in Workclothes," *Iowa Law Review*, vol. 82, (1997), pp. 821-855.
Reprinted in *Ronald Dworkin and His Critics*, edited by Justine Burley, Oxford: Basil Blackwell, 2004.

Reprinted in *Plato and Modern Law*, edited by Richard Brooks, Aldershot: Ashgate Publishing Ltd, 2007.
33. "The Sins of Segregation," *Law & Philosophy*, vol. 16 (1997), pp. 221-44.
34. "Conventions at the Foundations of Law," *The New Palgrave Dictionary of Economics and Law*, P. Newman ed., London: Macmillan, 1998, vol. 1, pp. 465-72.
35. "Jurisprudence as Practical Philosophy," *Legal Theory*, vol. 4 (1998), pp. 329-57.
Reprinted in *The Methodology of Legal Theory* edited by Michael Giudice, Wil Waluchow, and Maksymilian Del Mar, Ashgate, 2010, pp. 000-000.
36. "Bentham's Equality-Sensitive Utilitarianism," *Utilitas*, vol. 10 (1998), pp. 144-58.

- Reprinted in *Jeremy Bentham: Moral, Political, and Legal Philosophy*, vol. 1: *Moral Philosophy*, G. J. Postema, editor, Aldershot, England: Dartmouth Publishing Co., 2002, pp. 137-51.
37. "Norms, Reasons, and Law," *Current Legal Problems*, vol. 51 (1998), pp. 149-79.
 38. "Rationality, Conventions, and Law: Introduction," *Law and Philosophy*, vol. 17 (1998), pp. 347-50.
 39. "Objectivity Fit for Law," in *Objectivity in Morality and Law*, B. Leiter, ed., Cambridge: Cambridge University Press, 2000, pp. 99-143.
 40. "On the Universality of Moral Justification," in *Rights and Reason: Essay in Honor of Carl Wellman*, M. Friedman, L. May, K. Parsons, and J. Stiff, eds., Dordrecht: Kluwer Academic Publishers, 2000, pp. 79-104.
 41. "Sympathy and Comparison in Hume's Moral Psychology," *Jahrbuch für Recht and Ethik*, Band 8 (2000), pp 1-13.
 42. "Search for an Explanatory Theory of Torts," in *Philosophy and the Law of Torts*, G. J. Postema, ed., Cambridge: Cambridge University Press, 2001, pp. 1-21.
 43. "Law as Command: The Model of Command in Modern Jurisprudence," *Philosophical Issues* (Supplement to *Noûs*), vol. 11 (2001), pp. 470-501.
Also published with comments by Martin Stone and Claire Finkelstein in *Legal and Political Philosophy: Social, Political and Legal Philosophy*, vol. 1, E. Villanueva, ed., Amsterdam, Rodopi Publishers, 2002, pp. 227-265,
 44. "Why Study the History of Jurisprudence?" in *Social, Political And Legal Philosophy*, E. Villanueva, ed., Amsterdam, Ridopi Publishers, 2002, pp.297-305.
 45. "The Philosophy of Common Law," *Oxford Handbook of Jurisprudence and Legal Philosophy*, J. L. Coleman and S. Shapiro, eds, Oxford: Oxford University Press, 2002, pp. 588-622.
 46. "Introduction," *Jeremy Bentham, volume 1: Moral and Political Philosophy*, G. J. Postema, editor, Aldershot, England: Dartmouth Publishing Co., 2002, pp. ix-xxxiii.
 47. "Introduction," *Jeremy Bentham, volume 2: Legal Philosophy*, G. J. Postema, editor, Aldershot, England: Dartmouth Publishing Co, 2002, pp. xi-xxx.
 48. "Classical Common Law Jurisprudence, Part I" *Oxford University Commonwealth Law Journal*, vol. 2 (2002), pp. 155-180.
 49. "Classical Common Law Jurisprudence, Part II" *Oxford University Commonwealth Law Journal*, vol. 3 (2003), pp. 1-28.
 50. "Law's Melody: Time and the Normativity of Law" *Associations* vol. 7 (2003), pp. 227-39.
 52. "Melody and Law's Mindfulness of Time" *Ratio Juris* vol. 17 (2004), 203-26.

53. "Melodía y la conciencia del Tiempo del Derecho", *Revista Argentina de Teoría Jurídica*, vol. v, no. 2 (Julio de 2004) [Spanish translation of #52].
54. "Politics is About the Grievance" *Legal Theory*, vol. 11 (2005), pp. 293-323.
55. "Bentham's Utilitarianism" in *A Guide to Mill's Utilitarianism*, H. R. West, ed., London: Blackwell Publishers, 2006, pp. 26-44.
56. "Interests, Universal and Particular: Bentham's Utilitarian Theory of Value" *Utilitas* vol 18 (2006), pp. 109-33.
57. "Whence Avidity? Hume's Psychology and the Origins of Justice" *Synthese*, vol. 152, no. 3, October, (2006), pp. 371-91.
58. "Cemented with Diseased Qualities," *Hume Studies*, vol. 31 (2006), pp. 359-408.
59. "Custom in International Law: A Normative Practice Account," in *The Nature of Customary Law: Legal, Historical and Philosophical Perspectives*, J. B. Murphy and A. Perreau-Saussine, eds., Cambridge University Press, 2007, pp. 279-306.
 "La consuetudine nel diritto internazionale," *Scuola de dottorato in Diritto sovranazionale e Diritto Interno, Quaderni III* (2011), pp 1-64. [Italian translation.]
60. "A similibus ad similia: Analogical Thinking in Law" in *Common Law Theory*, D. E. Edlin, ed., Cambridge University Press, 2007, pp. 102-133.
61. "Salience Reasoning," *Topoi*, vol. 27 (2008), pp. 41-55.
62. "Conformity, Custom and Congruence: Rethinking the Efficacy of Law" in *The Legacy of Hart*, Matthew Kramer, ed. Oxford University Press, 2008, pp. 45-65.
63. "Positivism and the Separation of Realists from their Skepticism: Normative Guidance, the Rule of Law, and Legal Reasoning," in *The Hart-Fuller Debate in the 21st Century*, Peter Cane, ed. Oxford University Press, 2010, pp. 259-79.
64. "Brief for a Globally-Aware Philosophical Jurisprudence" CICLOPs [Center for International and Comparative Law Occasional Papers] (2010).
65. "Hayek and Popper on the Evolution of Rules and Mind" Max Weber Programme Working Papers, European University Institute, 2010, 33-53.
66. "Nature as First Custom: Hayek on the Evolution of Social Rules," *Research Handbook on Austrian Law and Economics*, Peter J. Boettke and Todd J. Zywicki, ed., Edward Elgar Publishers, 2014, 000-000. Also published at SSRN: <http://ssrn.com/abstract=1505430>
67. "Law's Ethos: Reflections on a Public Practice of Illegality," *Boston University Law Review*, vol. 90 (2010), 1847-68.

68. "Sweet Dissonance: Conflict, Consensus, and the Rule of Law," *The Harvard Review of Philosophy*, Issue XVII (Fall, 2010), pp. 36-55.
69. "Jurisprudence," *Encyclopedia of Utilitarianism*, James E. Crimmins, ed., Continuum International Publishers, 2011, 00-00.
70. "Legal Positivism—Early Foundations," *Routledge Companion to the Philosophy of Law*, Andrei Marmor, ed., NY: Routledge, 2012, 31-47.
71. "Δίκαιο, συμβάσεις, φιλοσοφία και τζάζ," ["Justice, conventions, philosophy and jazz"], a conversation with Konstantinos Papageorgiou, NEA ΕΣΤΙΑ, February 2011, 295-314.
72. "Custom, Practice and the Law," *Duke Law Review*, vol. 62, (2012), pp. 707-736.
73. "Philosophical Narrative: A Reply to Professor Wolenski," *Ratio Juris*, vol. 26 (2013), pp. 139-43.
74. "The Soul of Justice: Bentham on Publicity, Law and the Rule of Law," in *Bentham's Theory of Law and Public Opinion*, edited by Xiaobo Zhai and Michael Quinn, Cambridge University Press, 2014.
75. "Law's Rule: Reflexivity, Mutual Accountability, and the Rule of Law," in *Bentham's Theory of Law and Public Opinion*, edited by Xiaobo Zhai and Michael Quinn, Cambridge University Press, 2014.
76. "Fidelity in Law's Commonwealth," in *Private Law and the Rule of Law*, edited by Dennis Klimchuk, Oxford University Press, 2014.
77. "Law's System: The Necessity of System in Law," in *New Zealand Law Review* 2014.
[Italian translation forthcoming 2015]
78. "Preface—2013" to Chinese translation of *Bentham and the Common Law Tradition*, Law Press China (2014).
79. "El dominio del Derecho: Reciproca rendición de cuentas e imperio de la Ley," *Eunomia, Revista en Cultura de la Legalidad*, no. 6, Marzo-Agosto 2014, 4-15.
[Italian translation forthcoming 2015.]
80. "Reason, Rules, and Judgment: Realist Challenges," *Rivista di filosofia del diritto* (forthcoming 2015).
81. "Jurisprudence, The Sociable Science," *University of Virginia Law Review* (forthcoming 2015).

82. "Jeremy Bentham, Theorist of Publicity," in *Public Reason in the History of Political Philosophy: Classical Sources and Contemporary Commentaries*, edited by Gerald Gaus and Piers Turner, Routledge (forthcoming 2015).

Publications, Reviews:

1. *Unselfishness: The Role of the Vicarious Affects in Moral Philosophy and Social Theory*, N. Rescher, University of Pittsburgh Press, 1975, in *Philosophical Review*, vol. 86 (July, 1977), pp. 410-413.
2. *The Philosophy of Law*, M. P. Golding, Englewood Cliffs, New Jersey: Prentice-Hall, 1975, in *Philosophical Review*, vol. 86 (July, 1977), pp. 388-391.
3. *Bentham on Liberty: Jeremy Bentham's Idea of Liberty in Relation to his Utilitarianism*, D. C. Long, Toronto University Press, 1977, in *Political Theory*, vol. 7 (May, 1979), pp. 287-291.
4. *A Theory of Criminal Justice*, H. Gross, New York: Oxford University Press, 1979, in *Philosophical Review*, vol. 90 (1981), pp. 479-484.
5. *Utilitarianism and Cooperation*, D. H. Regan, Oxford: Clarendon Press, 1980, in *Minnesota Law Review*, vol. 65 (April, 1981), pp. 701-707.
6. *Essays on Bentham: Jurisprudence and Political Theory*, H.L.A. Hart, New York: Oxford University Press, 1982 in *Philosophical Review*, vol. 94 (October, 1985), pp. 571-4.
7. *Jeremy Bentham and Representative Democracy*, by Fred. Rosen, Oxford, Clarendon Press, 1983, in *Philosophical Review*, vol. 95 (July, 1986), pp. 483-7.
8. *Jurisprudence: A Descriptive and Normative Analysis*, by Anthony D'Amato, Dordrecht, Martinus Nijhoff, 1984, in *Ethics*, vol. 96 (Jan, 1986), pp. 420-1.
9. *A Matter of Principle*, by Ronald Dworkin, Cambridge, MA, Harvard University Press, 1985, in *Political Theory*, vol. 15 (May, 1987), pp. 273-8.
10. *Ronald Dworkin*, by Stephen Guest, in *Utilitas*, vol. 6, (1994), 328-32.
11. *Permissible Killing*, by Susan Uniacke, in *Philosophical Books*, vol. 37 (1996), pp. 204-6.
12. *The Cautious, Jealous Virtue*, by Annette Baier, in *Hume Studies*, vol. 37 (2011), pp. 416-20. [published in 2013]

Professional Activities, Including Public Service (selected):

“Access to Justice, Access to Citizenship,” European Collaborative Project, 2012-present

Board Member, International Bentham Studies Center, Zhengzhou University, Zhengzhou, China, 2012-present.

Program Advisory Committee, American Philosophical Association (Eastern Division), 2007-2010.

Consultant, Center for Law and Humanities, and
Co-Moderator of Seminar in Law and Humanities, Winston-Salem, Feb 1-2, 2008.

Series Editor, *Cambridge Studies in Philosophy and Law*, Cambridge University (1997-2006)

Co-organizer (with Prof. Michael Corrado, UNC Law School) of the annual UNC Workshops in Law and Philosophy.

Special Issues Editor, *Law and Philosophy*, (1996 - 2001)

Organizer and Session Chair, “The Legal Philosophy of Herbert Morris,” American Philosophical Association, Pacific Division, [April 2, 1999]

Editorial Boards:

Current: *Utilitas*, 1987 – present; *Ethics & Social Philosophy* 2005 – 2010; *Ratio Juris* 2003 – present; *Rivista di Filosofia del diritto* 2012 – present; *Lo Stato*—2013 – present.

Past: *Cambridge Studies in Philosophy and Law*, Cambridge University Press, 1993-97; *Law and Philosophy*, 1982-95; *Archiv für Rechts- und Sozialphilosophie*, 1990 – 1994; *Ethics*, 1984 – 1991.

Vice President, American Society for Political and Legal Philosophy, 1992-4

Conference of Philosophical Societies, member Board of Directors, 1989-91

Law and Philosophy Committee, American Philosophical Association, 1987-90

Lectures and Talks (selected list)

“Jurisprudence, The Sociable Science,” Conference: Jurisprudence and (Its) History, University of Virginia, 19-20 September, 2014.

“Bentham—Revisionism,” University of Paris, 6 June, 2014

“Law’s System,” UCL Jurisprudence Seminar, London, UK, 20 May 2014.

“Law’s Rule” and “Fidelity in Law’s Commonwealth,” Krakow University, Krakow, Poland, 6 and 7 May, 2014

“Fidelity in Law’s Commonwealth,” Cambridge Forum for Legal and Political Philosophy, 25 April 2014.

“Law’s Rule,” Faculty of Law, University of Athens, March 17, 2014.

“Bentham—Revisionism,” Bentham Seminar, University College London, March 12, 2014.

“Potestas Irritans,” Cambridge Legal History Seminar, March 11, 2014.

“Ordained Power,” London School of Economics, March 5, 2014.

“Ordained Power: the Rule of Law’s Bold Claim,” Boutwood Lecture, Corpus Christi College, Cambridge University, February 20, 2014;

“Fidelity in Law’s Commonwealth,” University College Legal Philosophy Seminar, London, January 29, 2014

“Law’s Rule,” Oxford Jurisprudence Discussion Group, Oxford University, November 21, 2013

“Law, Legal Reasoning, and the Rule of Law,” A series of six lectures delivered to Seminar in Jurisprudence, Koc University, Istanbul Turkey, June 25-26, 2013

“Law’s Covenant: The Ethos of the Rule of Law,” Keynote Address, North Carolina Philosophical Society, February 15, 2013

University of Toronto, “Fidelity in Law’s Commonwealth,” September 22, 2012

Conference: “Mapping the Common Law,” University of Auckland School of Law, Auckland, New Zealand, “Law’s System: The Necessity of System in Law,” June 29, 2012.

University of Auckland School of Law, Auckland New Zealand, “Law’s Covenant: The Ethos of the Rule of Law,” June 28, 2012

Victoria University School of Law, Wellington, New Zealand, “Custom, Practice and Law,” June 26, 2012.

Tsinghua University School of Law, Beijing, China, “Law’s Covenant: The Ethos of the Rule of Law” May 15, 2012

Zhengshou University School of Law, Zhengshou, China, “Law’s Covenant: The Ethos of the Rule of Law,” May 13, 2012

Zhengshou University, China, *Bentham Conference*. “The Soul of Justice: Bentham on Publicity, Law and the Rule of Law,” May 12, 2012.

Catanzaro, Italy, University of Catanzaro, “Law’s Ethos: Authority, Accountability, and the Rule of Law,” March 6, 2012

Conference on Custom in Law, “*Consuetudo ex facto oritur*,” Duke University Law School, Feb 11, 2012

Normativity Conference, “Making Resentment Felt,” UNC-CH, Feb 10, 2012

University of Virginia Law School, “Justice Holmes: A New Path for American Jurisprudence,” October, 2011.

IVR World Congress of Legal Philosophy, “Hart and His Legacy,” Frankfurt Germany, August 18, 2011.

Academy Colloquium: Political Obligation and Legitimacy of the State, “Politics in a State of Nature: Comments on Edmundson,” University of Amsterdam, June 15-17, 2011.

Hume’s Legal Philosophy Conference, “Making Resentment Felt,” London School of Economics, May 26, 2011.

University of Minnesota Law School, “Justice Holmes: A New Path for American Jurisprudence,” April 7, 2011.

Tufts University, “Jurisprudence, the Sociable Science: An Essay in Retrieval,” November 12, 2010.

Boston University Law School, Conference in Honor of David Lyons, “Law’s Ethos: Reflections on the Public Practice of Illegality,” March, 2010.

University of Athens, Institute for Philosophy of Law, five lectures on topics drawn from *Legal Philosophy in the Twentieth Century: The Common Law World* (in draft at the time), October and November, 2009.

University of Texas, Austin, “Positivism and the Separation of the Realists from their Skepticism: Normative Guidance, the Rule of Law, and Legal Reasoning,” April 16, 2009.

Duke Law School, “A Brief for a Globally Aware Philosophical Jurisprudence,” Symposium on William Twining’s *General Jurisprudence*, April 6, 2009.

European University Institute, Working Group in Legal and Political Theory, “Fuller’s Interactional Theory of Law,” March 26, 2009.

- Max Weber Programme, European University Institute, Florence, Italy, Conference: Objective Knowledge in the Social Sciences and Humanities—Karl Popper and Beyond, “Nature as First Custom: Hayek and Popper on the Evolution of Rules and Mind,” March 13, 2009.
- European University Institute, Department of Law, “Positivism and the Separation of the Realists from their Skepticism: Normative Guidance, the Rule of Law, and Legal Reasoning,” March 3, 2009.
- Law Faculty, University of Palermo, “Customary International Law,” February 16-20, 2009.
- Georgetown Law Center, “Customary International Law,” January 22, 2009
- Australian National University, Canberra, Australia, Hart-Fuller Colloquium, “Positivism and the Separation of Realists from their Skepticism: Normative Guidance, the Rule of Law, and Legal Reasoning,” December 17-19, 2008
- University of Toronto, Law Faculty, Legal Theory Workshop, “Conformity, Convention, and Congruence: Rethinking the Efficacy of Law,” November 16, 2007.
- University of Amsterdam, “Salience Reasoning,” September 13, 2007.
- University of North Carolina School of Law, “Customary International Law, A Normative Practice Account,” March 8, 2007.
- Florida State University, School of Law, “Customary International Law, A Normative Practice Account,” February 15, 2007.
- Cambridge University, Conference on Custom and Customary Law, “Customary International Law, A Normative Practice Account,” September 14-16, 2005.
- Wake Forest University, Hester Seminar on Hume’s Naturalism, “Whence Avidity? Hume’s Psychology and the Origins of Justice,” April 8-9, 2005
- Georgia State University, Conference in Honor of Joel Feinberg, “Politics is About the Grievance,” April 1-2, 2005
- University of Athens, “Sweet Dissonance: Conflict, Consensus, and the Rule of Law,” May 20, 2004.
- University of Victoria Law Faculty, “Jazz, Jokes and Jurists”, February 6, 2004.
- University of Montreal Law School, “Classical Common Law and the Rule of Law” December 2, 2003 and “The Temporal and Social Dimensions of Law’s Normativity” December 3, 2003.

University of Minnesota Law School, "Melody and Law's Mindfulness of Time"
November 7, 2003.

Invited Plenary Lecture, "Law's Melody: Time and the Normativity of Law," Lund,
Sweden, World Congress on Legal Philosophy (International Vereinigung für
Rechts- und Sozialphilosophie), August 17, 2003.

Stanford University, "Salience Reasoning," May 23, 2003.

Universidad Torcuato di Tella, Buenos Aires, Argentina, "Common Law
Jurisprudence" 2 Lectures, May 13, May 15, 2003; and "Law's Melody: Time
and the Normativity of Law," May 12, 2003.

Hume Society, "Cemented with Diseased Qualities," Helsinki Finland, August 9,
2002.

Cambridge University, Conference on Human Nature and the Law, "Jokes, Jazz, and
Jurists," July 12, 2002.

Dartmouth University, "Classical Common Law Jurisprudence," April 24, 2002 and
"Bentham's Critique of Common Law Theory," April 25, 2002

Oxford University, "Classical Common Law Jurisprudence", November 19, 2001,

University of Rome, "Whence Avidity?" May 10, 2001,

University of Lund, Sweden, (1) "Salience Reasoning"; (2) " 'If this keeps up . . .':
Analogical Thinking in Law"; (3) "Whence Avidity?" May 3- 4, 2001.

Bentham Project Seminar, University College London, "Interests: Bentham's Theory
of Value and Deontology", March 1, 2001.

Legal Theory Seminar, University College London, " 'If this keeps up . . .':
Analogical Thinking in Law", February 28, 2001.

North Carolina Philosophical Society, Guilford College, Guilford, N.C., "Law as
Command: The Model of Command in Modern Jurisprudence," February 23,
2001.

Hume Conference, Williamsburg, VA, "Was Hume a Utilitarian? Comments on
Ashford", July 25, 2000.

University of Padua, Italy, (1) "Tradition and Method in Common Law
Jurisprudence," and (2) "Tradition and Method in Classical Positivist
Jurisprudence", May 22-23, 2000.

University of Rome, "Bentham on Well-Being and Equality," May 19, 2000.

Columbia Center for Law and Philosophy, Columbia Law School, Conference on the Nature and Methods of Legal Philosophy, "Alexy on Law, Morality, and Correctness", March 24-25, 2000.

Duke Law School, "Doing, Suffering, and Equality", March 8, 2000.

Bologna Legal Theory Seminar: "Fundamental Aspects of Philosophy and General Theory of Law", and "Law as Command: The Curious Career of the Concept in Modern Jurisprudence," January 21, 2000.

SOFIA Conference, Mazatlan, Sinaloa, Mexico, "Law as Command: The Curious Career of the Concept in Modern Jurisprudence," December 13, 1999.

Symposium on the Origin and Development of the Moral Sciences in the Seventeenth and Eighteenth Centuries, University of Erlangen-Nuremberg, Erlangen, Germany, "Pity Revers: Sympathy and Comparison in Hume's Moral Psychology," October 3-9, 1999.

Georgia State University, Symposium on Good Samaritan Law, "Assessing the Good Samaritan: Comments on Schmidtz," June 19-20, 1999.

Association of Analytic Legal Philosophers, "Jurisprudence as Practical Philosophy," San Deigo, April 4, 1998.

University of Texas, Austin, 250th Anniversary Celebration, "Bentham's Equality-Sensitive Utilitarianism," February 16, 1998.

University of Amsterdam, "Objectivity in Law," April 10, 1997.

University of Groningen, "Integrity: Justice in Workclothes," March 6, 1997.

Netherlands Institute for Advanced Studies, Wassenaar, The Netherlands, "Intersubjectivity: Moral Philosophy Meets Developmental Psychology," December 2, 1996.

University College London, "The Moral Foundations of Precedent," November 24, 1996.

University of Utrecht, Utrecht, The Netherlands, "Integrity: Justice in Workclothes," October 30, 1996.

American Association of Law Schools, San Antonio, TX, "Integrity: Justice in Workclothes" January 7, 1996.

Wake Forest University, Winston-Salem, NC, "Making Resentment Felt: Hume on the Environment of Justice," December 8, 1995.

Tufts University, Boston, MA, "Making Resentment Felt: Hume on the Environment of Justice," November 17, 1995.

Columbia Law School, New York, NY, "Objectivity in Law," October 16, 1995.

- Australian National University, Canberra, Australia, "Objectivity in Law," August 17, 1995.
- Australian National University, Canberra, Australia, "Making Resentment Felt: Hume on the Environment of Justice," August 15, 1995.
- Monash University, Melbourne, Victoria, Australia, "Objectivity in Law," August 11, 1995.
- Wittgenstein Lectures, University of Bayreuth, Germany, "Public Practical Reasoning," (four lectures and four seminars), June 6-14, 1995.
- University of Erlangen-Nuremberg, "Objectivity, Publicity, and the Law," June 13, 1995.
- Virginia Commonwealth University, Honors Program Visiting Lecturer, (1) "Self-Defense," and (2) "Liability and Luck", November 21-22, 1994.
- Inter-University Center Conference on Moral and Political Philosophy, Bled, Slovenia, "Hume on Justice and Resentment", July 1994.
- American Philosophical Association, Eastern Division, Atlanta, "Grievances, Morality, and the Law", December 29, 1993.
- Social Philosophy and Policy* Conference, San Diego, "Public Practical Reason: An Archeology", October 14, 1993.
- Yale Political Theory Workshop, May 4, 1993, "On Public Practical Reasoning"
- Yale University, "Resentment and Communication: Hume on the Circumstances of Justice", March 25, 1993.
- College of William and Mary, February 5, 1993, "Public Faces -- Private Places: Liberalism and the Enforcement of Morals"
- James Steintrager Lecture on Jurisprudence and Political Philosophy, Wake Forest University, "Law and Public Practical Reason", September 30, 1992.
- Hume Conference, University of Nantes, France, "On the Artificiality of the Artificial Virtues", June 29, 1992.
- University of West Virginia Law School, (1) "When is Law Neutral? Why Should It Be?" and (2) "On the Moral Presence of the Past", October 3, 1991.
- University of Toronto, Legal Theory Workshop, "An Archeology of Public Practical Reason", September 13, 1991.
- University of Turku, Turku, Finland, "Conflict, Conversation, and Convention: Reflections on Hume's Account of the Emergence of Norms of Justice", November 22 - 23, 1990.
- University of Helsinki, "Equality as Membership", November 20, 1990.

- Free University of Amsterdam, "On the Moral Presence of our Past", November 19, 1990.
- Dutch-Belgian Association of Legal Philosophy, Utrecht, "Equality as Membership", November 17, 1990.
- Free University of Amsterdam, Institute for Ethics, "Public Faces in Private Places: Liberalism and the Enforcement of Morals", November 15, 1990.
- Alf Ross Lecture, "Fundamental Human Rights, Constitutionalism, and Democratic Legitimacy", (1) University of Copenhagen, November 8, 1990 and (2) University of Aarhus, November 7, 1990.
- University of Copenhagen, "Hume on Justice and Resentment", November 6, 1990.
- University of Auckland (Law School and Philosophy Department), Auckland, New Zealand, (1) "Equality as Membership," (2) "On the Public Character of Law," and (3) "Hume on Justice and Resentment", July 11-13, 1990.
- New Zealand Association of Legal and Social Philosophy, Auckland, New Zealand, "On the Moral Presence of Our Past", July 10, 1990.
- University of Sydney Law School, Sydney, Australia, "On the Public Character of Law", July 5, 1990.
- International Hume Conference, Canberra, Australia, "Hume on Justice and Resentment", June 29, 1990.
- University of San Diego, "Positivism, I Presume? . . . Schauer on Rules and the Rule of Law", April 20, 1990.
- McGill University Law Faculty, Montreal, Quebec, "Foundations of Political Community: Law, Publicity, and Equality," [four lectures], March, 12 - 16, 1990.
- Beatty Memorial Lecture, McGill University Law Faculty, Montreal, Quebec, "On the Moral Presence of Our Past", March 14, 1990.
- University of Michigan Law School, "Equality as Membership", November 10, 1989
- Queen's University, Kingston, Ontario, "Indeterminacy, Rights, and Constitutional Theory," and "Hume on Justice and Resentment", September 29-30, 1989.
- 14th World Congress of the International Association of Legal and Social Philosophy, Edinburgh, "In Defense of 'French Nonsense': Fundamental Rights in Constitutional Jurisprudence", August 17-23, 1989.
- Oxford University/University of Southern California Seminar on Legal Theory, -All Souls College, Oxford, England, "Equality as Membership", July 15-29, 1989.
- Conference on Utilitarianism, University of Cambridge, "In Defense of 'French Nonsense': Fundamental Rights in Constitutional Jurisprudence", July 13-14, 1989.

Conference on Liberty, Equality and Fraternity, Virginia Polytechnical University, "Communitarian Arguments for Equality", April 27-29, 1989.

American Philosophical Association, Pacific Division, Berkeley, CA, "Naturalism, Conventionalism, and the Normativity of Law", March 23, 1989.

Hume Society, American Philosophical Association, Pacific Division, Berkeley, CA, "Foundations of Political Community: Hume's Theory of Justice", March 23, 1989.

Institute for Humane Studies, George Mason University, "On Justifying Political Authority", March 16, 1989.

Liberty Fund Conference on "The Normative Underpinnings of Constitutional Order," Jackson Hole, WY, "Foundations of Political Community: Hume's Theory of Justice", September 29 - October 2, 1988,

Calvin College, Grand Rapids, Michigan, "Justice, Interest, and Integrity", February 19, 1988.

Kalamazoo College, Kalamazoo, Michigan, "Justice, Interest, and Integrity", February 18, 1988.

Ethics Center, Western Michigan University, Kalamazoo, Michigan, "On the Moral Presence of the Past", February 18, 1988.

Guilford College, Greensboro, NC, (1) "Hegel, Marx, and Historical Materialism," and (2) "Innocent Bather or Trespasser? An Invitation to Philosophical Reflection on Law", December 2, 1987.

Boalt Hall School of Law, University of California, Berkeley, "'Protestant' Interpretation and Social Practices", October 9, 1987.

York University Law School, Toronto, 'Protestant' Interpretation and Social Practices", March 11, 1987.

International Bentham Society Conference, London, "Against Monadology: Bentham on Coordination and the Public Character of Law", July 6 - 7, 1987.

University of Iowa College of Law, (1) "Dworkin's Liberal Egalitarianism," (2) "Collective Goods and the Law," and (3) "Some Roots of Our Notion of Precedent", October 31 - November 3, 1986.

Wilson International Center, Washington, D. C., "Moral Philosophy and Constitutional Review", June, 1985.

Conference on Undergraduate Legal Studies, American Bar Association Commission on College and University Non-Professional Legal Studies, Washington, D. C., "Democratic Citizenship and the Teaching of Law", March, 1985.

University of Virginia, Charlottesville, "Legal Obligation and the Normativity of Law", November, 1984.

Conference on the Philosophy of H. L. A. Hart, Jerusalem, Israel, "Hart on the Normativity of Law", March, 1984.

British Association for Legal and Social Philosophy, Durham, England, "Facts, Fictions, and Law", April 1982.

Yale University Legal Theory Workshop, "Coordination and Convention at the Foundations of Law", September, 1981.

Oberlin Philosophy Conference, "The Separation Doctrine and Normative Jurisprudence", April, 1981.

Public Service

Executive Committee, AccessTLC: Improving Access to Treatment for Lung Cancer Patients, National Lung Cancer Partnership, et al. 2010 -

Board Member, North Carolina Lung Cancer Partnership, 2009 – present.

Chair, Education and Outreach Committee, 2010 – present

Co-Chair, Logistics Committee, "Free to Breathe" Fund-Raising Run/Walk
November 2008; November 2009

Member, and Past President, Choral Society of Durham, 1984 – present.

Elder, First Presbyterian Church, Ithaca, New York and First Presbyterian Church, Durham, NC, 1971 – present;
(Chair of numerous committees over this period.)

Consultant, Center for Law and Humanities, and
Co-Moderator of Seminar in Law and Humanities, Winston-Salem, Feb 1-2, 2008.