

OONA A. HATHAWAY

Gerard C. and Bernice Latrobe Smith Professor of International Law
Yale Law School
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PRESENT EMPLOYMENT

- 2009-present **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT.
Gerard C. and Bernice Latrobe Smith Professor of International Law
Counselor to the Dean (2017-present)
Founder and Director, Center for Global Legal Challenges (since 2011)
Director, Yale Cyber Leadership Forum, 2017, 2018, 2019, 2020 (postponed), 2021
Secured grant of over \$400,000 from Hewlett Foundation to support
interdisciplinary 2-year cyber-security initiative in 2016-2018
- 2010-present **YALE UNIVERSITY**, New Haven, CT
Professor of Political Science, Department of Political Science
Faculty, MacMillan Center for International and Area Studies
Faculty, Jackson Institute for International Affairs
Yale University Faculty of Arts & Sciences (as of Sept. 2015)

EDUCATION

YALE LAW SCHOOL, J.D., June 1997
Yale Law Journal, Editor-in-Chief
Yale Journal of International Law, Managing/Articles Editor
Lowenstein International Human Rights Clinic

HARVARD COLLEGE, B.A. in Government, *summa cum laude*, June 1994
Thomas Temple Hoopes Prize (for outstanding research and writing)
Gerda Richards Crosby Prize (for outstanding research and writing)
Phi Beta Kappa, John Harvard Scholar, Elizabeth Agaziz Award, Dean's List

ACADEMIC AND OTHER LEGAL EXPERIENCE

- 2014-2015 **DEPARTMENT OF DEFENSE, OFFICE OF THE GENERAL COUNSEL**
Special Counsel to the General Counsel for National Security Law
Recipient of Office of the Secretary of Defense Award for Excellence
Top Secret/SCI Clearance, with CI
- 2005-present **ADVISORY COMMITTEE ON INTERNATIONAL LAW FOR THE LEGAL ADVISER, U.S.**
DEPARTMENT OF STATE, Washington, D.C.
Committee Member
- 2008-2009 **U.C. BERKELEY SCHOOL OF LAW**, Berkeley, CA
Professor of Law
- 2002-2008 **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT
Associate Professor of Law, 2002-2008; Professor of Law, 2008
- October 2006 **UNIVERSITY OF TORONTO FACULTY OF LAW**, Toronto, Canada
Distinguished Visitor

- January 2006 **HARVARD LAW SCHOOL**, Cambridge, MA
(Winter Term) *Jeremiah Smith Jr. Visiting Associate Professor*
- 2000-2002 **BOSTON UNIVERSITY SCHOOL OF LAW**, Boston, MA
Associate Professor
- 1999-2000 **HARVARD UNIVERSITY CENTER FOR ETHICS AND THE PROFESSIONS & HARVARD UNIVERSITY CARR CENTER FOR HUMAN RIGHTS POLICY**, Cambridge, MA
Eugene P. Beard Visiting Graduate Fellow
- Summer 1999 **MCDERMOTT, WILL & EMERY**, Boston, MA & Washington, DC.
Associate
- 1998-99 **JUSTICE SANDRA DAY O’CONNOR**, U.S. Supreme Court, Washington, DC.
Law Clerk
- 1997-98 **JUDGE PATRICIA WALD**, U.S. Court of Appeals, D.C. Circuit, Washington, DC.
Law Clerk

PROFESSIONAL MEMBERSHIP POSITIONS

- Founding Editor & Executive Editor, JustSecurity.org
- Member, Council on Foreign Relations (since 2010)
- American Law Institute, Member (since 2017)
- United States Court of Appeals for the Second Circuit (admitted in 2019)
- Connecticut State Bar (admitted 2017)
- U.S. Supreme Court Bar (admitted in 2009)
- Washington, D.C. Bar (admitted in 2000)
- New York State Bar, Third Department (admitted in 1998)
- American Society of International Law: Strategic Initiatives Committee (2020-).
- Fellow, Berkeley College, Yale University (since 2010)
- Board of Editors, Yale Journal of International Law (since 2009)
- Board of Editors, J. of International Law & International Relations (since 2006)
- Reviewer for *International Organization, International Studies Quarterly, Journal of Conflict Resolution, Journal of Peace Research, Human Rights Quarterly*, Oxford University Press, Princeton University Press, Yale University Press, etc.

PAST PROFESSIONAL MEMBERSHIP POSITIONS AND HONORS

- Council of Advisers on Application of the Rome Statute to Cyberwarfare (2019-21)
- ABA Working Group on Proxy Warfare (2018-2019)
- American Society of International Law: Vice President (2018-2020); Strategic Initiatives Committee (Chair) (2018-2020); Judicial Outreach Committee (2019); Strategic Initiatives Committee (2016-2018); Strategic Planning Task Force & Strategic Planning Committee (2015-2016); Executive Committee (2012-2015); Co-Chair, Planning Committee for the Annual Meeting (2013-2014); Member, Development Committee (2011-2014); Book Award Committee (2010); Planning Committee for the Annual Meeting (2008-2009).
- Adviser to the Domestic Effect of Treaties section on the American Law Institute’s Restatement Fourth, Foreign Relations Law of the United States (2013-2018)

Executive Committee, The MacMillan Center, Yale University (2009-2016)
Senior Research Fellow in International and Area Studies for the MacMillan Center,
Yale University, 2007-2008
Board of Directors, Yale Law Journal Co., 2006-2008
Nonresident Fellow, New American Foundation, 2006-2007
Yale Center for International and Area Studies, Research Associate, 2004-2008
American Political Science Association, 2000-2010
Recipient of The MacMillan Center's Director's Award, 2004
Recipient of Carnegie Scholars Award, 2004

BOOKS

[THE INTERNATIONALISTS](#): HOW A RADICAL PLAN TO OUTLAW WAR REMADE THE WORLD (with Scott Shapiro) (2017, Simon & Shuster)
U.K. Edition (Penguin Allen Lane) [published](#) September 2017
Japanese Edition [published](#) 12 October 2018.
Italian Edition [published](#) November 2018.
German, Chinese, and Spanish editions expected.
New York Times Book Review Editors' Choice
The Economist, "Books of the Year 2017"
2018 Scribes Book Award Winner
Shortlisted for Lionel Gelber Prize, Duke of Westminster Prize

[FOUNDATIONS OF INTERNATIONAL LAW AND POLITICS](#) (with Harold H. Koh)
(Foundation Press 2004) (a reader intended for legal and political science audiences), reviewed in Christopher C. Joyner, *International Law Is, as International Relations Theory Does?*, 100 AM. J. INT'L L. 248 (2006)

ARTICLES AND CHAPTERS

Secrecy's End, MINNESOTA L. REV (forthcoming 2021)

Congressional Oversight Over Modern Warfare, WILLIAM & MARY L. REV. (forthcoming 2021)

Covid-19 and International Law, CORNELL INT'L L.J. (forthcoming 2021)

[National Security Lawyering](#), 68 UCLA LAW REVIEW 2 (2021)

[The Transparency Crisis for Executive Agreements](#): An Empirical and Normative Analysis, 134 HARVARD LAW REVIEW 629 (2020) (with Curtis Bradley & Jack Goldsmith)

[Aiding and Abetting in International Law](#), 104 CORNELL LAW REVIEW 1593 (2020) (with Srinath Kethireddy, Alexandra Francis, Alyssa Yamamoto & Aaron Haviland)

[Response](#), *Roundtable on The Internationalists: How a Radical Plan to Outlaw War Remade the World*, H-Diplo (Nov. 18, 2019) (with Scott Shapiro)

A Comparative Foreign Relations Law Agenda: Opportunities and Challenges, in [OXFORD HANDBOOK OF COMPARATIVE FOREIGN RELATIONS LAW](#) (Curtis Bradley, ed., 2019)

[*International Law and Its Transformation Through the Outlawry of War*](#), 95 INTERNATIONAL AFFAIRS 45 (Cambridge Univ. Press 2019) (with Scott Shapiro)

[*Yemen: Is the U.S. Breaking the Law?*](#), HARVARD NATIONAL SECURITY REVIEW (2019) (with Srinath Kethireddy, Alyssa Yamamoto, and Aaron Haviland)

[*What is a War Crime?*](#) YALE JOURNAL OF INTERNATIONAL LAW (2019) (with Paul Strauch, Beatrice Walton, Zoe Weinberg)

[*Response to Critics*](#), GLOBAL CONSTITUTIONALISM, Vol. 7, No. 3 (2018) (with Scott Shapiro) (responding to submissions to an Agora on *The Internationalists*, in *Global Constitutionalism*)

[*War Manifestos*](#), 85 CHICAGO LAW REVIEW 1139 (2018) (with William Holste, Scott Shapiro, Jacqueline Van De Velde, and Lisa Wang Lachowicz)

[*War Manifestos Database*](#), Yale Law School (with William Holste, Scott Shapiro, Jacqueline Van De Velde, and Lisa Wang Lachowicz)

[*Ensuring Responsibility: Common Article 1 and State Responsibility for Non-State Actors*](#), 95 TEXAS LAW REVIEW 539 (2017) (with Emily Chertoff, Lara Domínguez, Zachary Manfredi and Peter Tzeng)

[*Consent is Not Enough: Why States Must Respect the Intensity Threshold in Transnational Conflict*](#), 165 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 11 (2016) (with Rebecca Crootof, Daniel Hessel, Julia Shu, and Sarah Weiner).

[*Asking for Directions: The Case for Federal Courts To Use Certification Across Borders*](#), YALE LAW JOURNAL FORUM (November 2015) (with Michael Wishnie).

Fighting the Last War: The United Nations Charter in the Age of the War on Terror, in [*THE U.N. CHARTER*](#) (Joseph Lambert & Ian Shapiro, eds.) (2014).

[*Consent-Based Humanitarian Intervention*](#), 46 CORNELL INTERNATIONAL LAW JOURNAL 499 (2013) (with Julia Brower, Ryan Liss, Tina Thomas, & Jacob Victor).

[*The Power to Detain: Detention of Terrorism Suspects After 9/11*](#), YALE JOURNAL OF INTERNATIONAL LAW (2013) (with Samuel Adelsberg, Spencer Amdur, Philip Levitz, Freya Pitts, and Sirine Shebaya).

[*The Treaty Power: Its History, Scope, and Limits*](#), CORNELL LAW REVIEW (2013) (with Spencer Amdur, Celia Choy, Samir Deger-Sen, Haley Nix, John Paredes, and Sally Pei).

[*Tortured Reasoning: The Intent to Torture Under International and Domestic Law*](#), 52 VIRGINIA JOURNAL OF INTERNATIONAL LAW 791 (2012) (with Aileen Nowlan & Julia Spiegel).

Between Power and Principle, in [*THE ROLE OF ETHICS IN INTERNATIONAL LAW*](#) (Donald Earl Childress III, ed.) (Cambridge University Press, 2012).

[*The Law of Cyber-Attack*](#), CALIFORNIA LAW REVIEW (2012) (with Rebecca Crootof, Philip Levitz, Haley Nix, Aileen Nowlan, William Perdue, Julia Spiegel).

[*The Relationship Between International Humanitarian Law and Human Rights Law in Armed Conflict*](#), MINNESOTA LAW REVIEW (2012) (with Rebecca Crotoof, Philip Levitz, Haley Nix, William Purdue, Chelsea Purvis, Julia Spiegel).

[*International Law at Home*](#), YALE JOURNAL OF INTERNATIONAL LAW (2012) (with Sara Solow & Sabria McElroy).

[*International Law at a Crossroads*](#), YALE JOURNAL OF INTERNATIONAL AFFAIRS (2012) (with Sara Solow & Sabria McElroy).

[*Outcasting*](#), YALE LAW JOURNAL (2011) (with Scott Shapiro).

[*Human Rights Abroad: When Do Human Rights Treaty Obligations Apply Extraterritorially?*](#), ARIZONA STATE LAW JOURNAL (2011) (with Philip Levitz, Elizabeth Nielsen, Aileen Nowlan, William Perdue, Chelsea Purvis, Sara Solow, and Julia Spiegel).

[*Limited War and the Constitution*](#), MICHIGAN LAW REVIEW (2011) (with Bruce Ackerman).

[*The Case for Promoting Democracy Through Export Control*](#), HARVARD JOURNAL OF LAW & PUBLIC POLICY 17 (2010).

[*Presidential Power over International Law: Restoring the Balance*](#), 119 YALE LAW JOURNAL 140 (2009).

[*Treaties' End: The Past, Present and Future of International Lawmaking in the United States*](#), 117 YALE LAW JOURNAL (2008).

[*International Delegation and Domestic Sovereignty*](#), LAW AND CONTEMPORARY PROBLEMS (2008).

[*Domestic Enforcement of International Law: Hamdan v. Rumsfeld*](#), in STORIES IN INTERNATIONAL LAW (Foundation Press, 2007)

[*Why Do Nations Join Human Rights Treaties?*](#), 51 JOURNAL OF CONFLICT RESOLUTION 588 (2007) (peer review journal).

[*The Continuing Influence of the New Haven School*](#), YALE JOURNAL OF INTERNATIONAL LAW 553 (2007).

[*Rationalism and Revisionism in International Law*](#), 119 HARVARD LAW REVIEW 1404 (2006) (with A. Lavinbuk).

[*Between Power and Principle: An Integrated Theory of International Law*](#), 72 UNIVERSITY OF CHICAGO LAW REVIEW 469 (2005), reviewed in *Legal Affairs* by Michael Ignatieff.

[*The New Empiricism in Human Rights: Insights and Implications*](#), AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS 206 (2004).

[*The International Law of Torture*](#), in [TORTURE: PHILOSOPHICAL, POLITICAL, AND LEGAL PERSPECTIVES](#) (Sanford Levinson ed., Oxford University Press 2004).

[*The Cost of Commitment*](#), 55 STANFORD LAW REVIEW 1821 (2003).

[*Testing Conventional Wisdom*](#), 13 EUROPEAN JOURNAL OF INTERNATIONAL LAW 185 (2003) (peer review journal).

[*Do Human Rights Treaties Make a Difference?*](#), 111 YALE LAW JOURNAL 1935 (2002)

[*Path Dependence in the Law: The Course and Pattern of Change in a Common Law Legal System*](#), 86 IOWA LAW REVIEW 601 (2001).

[*Positive Feedback: The Impact of Trade Liberalization on Industry Demands for Protection*](#), 52 INTERNATIONAL ORGANIZATION 575 (1998) (peer review journal).

BRIEFS

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, Nestlé v. Doe & Cargill v. Doe*, U.S. Supreme Court (Oct. 2020) (merits stage)

Co-Counsel, *Amicus Brief of Professors Jack Goldsmith and Oona Hathaway as Amici Curiae in Support of Appellants and Reversal, Edgar v. Ratcliffe*, U.S. Circuit Court of Appeals for the Fourth Circuit (August 2020) (on appeal from the U.S. District Court)

Counsel of Record, *Amicus Brief for International Law and Foreign Relations Law Experts, Al-Alwi v. Trump*, U.S. Circuit Court of Appeals for the D.C. Circuit (October 2017) (on appeal from the U.S. District Court)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Jesner*, U.S. Supreme Court (June 2017) (merits stage)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*, U.S. Supreme Court (August 2013) (merits stage)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*, U.S. Supreme Court (October 2012) (certiorari stage)

Counsel of Record, *Supplemental Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*, U.S. Supreme Court (June 2012)

Counsel of Record, *Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*, U.S. Supreme Court (December 2011)

Co-Counsel, *Amicus Brief for Non-Governmental Organizations and Scholars as Amici Curiae in Support of Rehearing or Rehearing En Banc, Al-Bihani v. Obama*, Court of Appeals for the D.C. Circuit (March 22, 2010)

Counsel of Record, *International Law Experts Brief, Kiyemba v. Obama*, U.S. Supreme Court (December 2009)

POPULAR AND OTHER WRITINGS

[*An Opportunity for Congress to Require Transparency of the Executive's International Agreements*](#), Just Security (April 21, 2021) (with Curtis Bradley & Jack Goldsmith) (also posted on Lawfare)

[*Knowns and Unknowns of US Syria Strike: Looming Int'l and Domestic Law Issues*](#), Just Security (March 5, 2021)

[*Why Guantánamo Detainees Should Have Access to COVID Vaccines*](#), Just Security (Feb. 1, 2021) (with Ryan Goodman & Steve Vladeck)

[*The Failed Transparency Regime for Executive Agreements*](#), Just Security (Dec. 10, 2020) (with Curtis Bradley & Jack Goldsmith) (also posted on Lawfare)

[*Nestlé USA, Inc. v. Doe I*](#), Oral Argument 2.0 (December 2020)

[*Fewer troops won't end wars. Most U.S. combat involves airstrikes*](#), Washington Post (Dec. 4, 2020).

[*Covid-19 and International Law: A 12-Part Series*](#), Just Security (November 2020) (with Mark Stevens, Preston Lim, and Alasdair Phillips-Robins)

[*Reengaging on Treaties and Other International Agreements \(Part II\): A Path Forward*](#), Just Security (Oct. 6, 2020)

[*Reengaging on Treaties and Other International Agreements \(Part I\): President Donald Trump's Rejection of International Law*](#), Just Security (Oct. 2, 2020)

[*Welcome to the Post-Leader World*](#), Foreign Policy (July 4, 2020) (with Scott J. Shapiro)

[*Black Lives Matter Might Just Rescue American Democracy*](#), Just Security (June 16, 2020)

[*The Trump Administration's Indefensible Legal Defense of Its Asylum Ban*](#), Just Security (May 15, 2020)

[*After Covid-19, We Need to Redefine "National Security."*](#) Slate (April 7, 2020)

[*Universal Health Care is a National Security Issue*](#), Just Security (March 12, 2020)

[*The Soleimani Strike Defied the U.S. Constitution*](#), The Atlantic (January 4, 2020)

[*How to Recover a Role for Congress and the Courts in Decisions to Wage War*](#), Just Security (Jan. 10, 2020) (with Geoffrey Block)

[*How to Revive Congress's War Powers*](#), Texas National Security Review (Nov. 2019)

[*Turkey is Violating International Law. It Took Lessons from the U.S.*](#), Washington Post (Oct. 22, 2019)

[*The Missing State Department Memo on US Officials' Possible Aiding and Abetting Saudi War Crimes*](#), Just Security (July 24, 2019)

[*Bolton's Stated Predicate for War With Iran Doesn't Work*](#), Just Security (May 31, 2019)

[*Trump's Golan Policy and Its Threat to the Post-War International Legal Order*](#) Just Security (May 16, 2019) (with Scott Shapiro)

[*What is a War Crime?*](#) Just Security (April 15, 2019) (with Paul Strauch, Beatrice Walton, and Zoe Weinberg)

[*Accountability for War Crimes in Syria: The "Criminalization" Confusion*](#), Just Security (April 11, 2019) (with Paul Strauch, Beatrice Walton, and Zoe Weinberg)

[*Saudi Coalition "Admission" of Error in Bombing Cholera Treatment Center Implicates the United States*](#), Just Security (Jan. 25, 2019)

[*Executive Agreements: International Lawmaking Without Accountability?*](#) Just Security & Lawfare (Jan. 9, 2019) (with Curtis A. Bradley and Jack Goldsmith)

[*The Death of Article II Treaties?*](#) Just Security & Lawfare (Dec. 13, 2018) (with Curtis A. Bradley and Jack Goldsmith)

[*The International Criminal Court is No Threat to America, But John Bolton Is*](#), Just Security & Newsweek (September 12, 2018)

[*Bruce Ohr Is One of the DOJ's Top Russia Crime Fighters. Is that why the president wants him fired?*](#) Just Security & Slate Magazine (August 30, 2018)

[*The Three Options for Prosecuting Trump*](#), Just Security & Slate Magazine (August 23, 2018)

[*Yemen in Crisis*](#) (10-article series), Just Security (Mar.-Apr., 2018) (with Alexandra Francis, Aaron Haviland, Srinath Reddy Kethireddy & Alyssa Yamamoto)

[*Bad Legal Arguments for the Syria Strikes*](#), Lawfare & Just Security (April 14, 2018) (with Jack Goldsmith)

[*The Downsides of Bombing Syria*](#), Lawfare & Just Security (April 10, 2018) (with Jack Goldsmith)

[*A Syria Plan that Breaks the Law*](#), New York Times (Jan. 23, 2018) (with Sen. Cory Booker)

[*The Big Picture: Trump, Trade and War*](#), Public Books (with Scott Shapiro) (Nov. 10, 2017)

[*What Realists Don't Understand About Law*](#), Foreign Policy (October 9, 2017) (with Scott Shapiro)

[*The Internationalists vs. the Realists and Neocons*](#), Lawfare (September 25, 2017) (with Scott Shapiro)

[*Making War Illegal Changed the World. But It's Becoming Too Easy to Break the Law*](#), The Guardian (September 14, 2017) (with Scott Shapiro)

[*Outlawing War? It Actually Worked*](#), The New York Times (Sept. 2, 2017) (with Scott Shapiro)

[*How to Oppose Trump from Within Government*](#), Newsweek (January 2017) (with Sarah Weiner)

[*Why the Spike in Civilian Casualties of U.S. Military Action?*](#), Newsweek (March 2017)

[*The Government's Prepublication Review Process is Broken*](#), Washington Post (December 26, 2015) (with Jack Goldsmith)

[*On Syria, a U.N. Vote Isn't Optional*](#), The New York Times (September 3, 2013) (with Scott Shapiro)

[*Attacking Syria without U.N. Approval Would Be A Mistake*](#), Washington Post (August 28, 2013) (with Scott Shapiro)

[*Going It Alone: The Anti-Counterfeiting Trade Agreement as a Sole Executive Agreement*](#), ASIL INSIGHTS (Aug. 24, 2011) (with Amy Kapczynski)

[*Our Unbalanced Democracy*](#), New York Times (August 1, 2011) (with Jacob Hacker)

[*Obama's Illegal War*](#), Foreign Policy (June 1, 2011) (with Bruce Ackerman)

[*The Death of the War Powers Resolution?*](#), Washington Post (May 18, 2011) (with Bruce Ackerman)

[*The World After Bin Laden*](#), Wash. Post (May 3, 2011) (with Bruce Ackerman)

[*The Clock is Ticking on Obama's War*](#), Foreign Policy (April 6, 2011) (with Bruce Ackerman)

[*It's Not Up to the President to Impose a No-Fly Zone Over Libya*](#), The Huffington Post (March 9, 2011) (with Bruce Ackerman)

[*Did Congress Approve America's Longest War?*](#) THE GUARDIAN (January 27, 2011) (with Bruce Ackerman)

[*How to Swing Arms Control: Obama Can Model Nixon and Clinton to Get a New Treaty Through Congress*](#), LA TIMES (April 3, 2010) (with Bruce Ackerman)

[*Hear the Uighurs: The Critical Guantanamo Case the Supreme Court Should Not Duck*](#), Slate Magazine (February 17, 2010) (with Rebecca Crootof)

[*What Will Congress Do About Afghanistan?*](#), Slate Magazine Online (December 9, 2009) (with Bruce Ackerman)

[*America needs to prepare for early Iraq pullout*](#), The Financial Times (August 23, 2009) (with Bruce Ackerman)

[*How Obama Can Fix an Illegal War*](#), San Francisco Chronicle (Jan. 23, 2009) (with Bruce Ackerman)

[*The Iraq War is Now Illegal*](#), The Daily Beast (Jan. 1. 2009) (with Bruce Ackerman)

[*A legal time bomb in Iraq*](#), The Guardian (U.K.) (December 12, 2008) (with Bruce Ackerman)

[*Bush should include Congress, The Boston Globe*](#) (November 26, 2008) (with Congressman Bill Delahunt)

[*Bush's Final Illusion: The president's agreement with Iraq bypasses Congress. Again*](#), Slate Magazine (October 21, 2008) (with Bruce Ackerman)

[*The Case for Replacing Article II Treaties with Ex Post Congressional-Executive Agreements*](#), American Constitution Society Issue Brief (Nov. 16, 2008).

[*What Bush Will Surrender in Iraq*](#), TIME MAGAZINE (ONLINE), September 10, 2008 (with Bruce Ackerman)

[*Into No-Man's Land, THE L.A. TIMES, July 25, 2008*](#) (with Bruce Ackerman)

The War's Expiration Date, THE WASHINGTON POST ONLINE, Saturday, April 5, 2008 (with Bruce Ackerman)

An Agreement That Needs Agreement, THE WASHINGTON POST ONLINE, Saturday, Feb. 15, 2008 (with Bruce Ackerman)

[*Why We Need International Law, THE NATION*](#), November 19, 2007

A Tortured Way to Run War on Terror, NEWSDAY, October 26, 2005

Judge Roberts and International Law & other posts, Supreme Court Extra: Think Progress.

[*Debate Club: Is International Law Really Useful?*](#), LEGAL AFFAIRS (Jan. 2005)

The Court Puts the White House in its Place, NEWSDAY, June 30, 2004 (op-ed discussing the Supreme Court's cases on the rights of prisoners in the war on terror) (syndicated and reprinted extensively).

Human Rights and Security, a paper for the United Nations High Level Panel on Global Security Threats (commissioned by the UN Foundation)

[*Two Cheers for International Law*](#), 27 WILSON QUARTERLY 50 (Autumn 2003)

[*Making Human Rights Treaties Work: Global Legal Information and Human Rights in the 21st Century*](#), 31 INT'L J. OF LEGAL INFO. 312 (2003)

Making Human Rights Treaties Work, 4 YALE POLITIC 28 (2003)

Human Rights, Project Syndicate (Nov. 2002)

Book Note, The Politics of the Confirmation Process, 107 YALE L. J. 235 (1996)

Lifting the Veil, 19 HARV. POL. REV. 16 (Mar. 1992). Winner of the Kennedy School of Government Political Journalism Award.

PUBLIC PRESENTATIONS (last 4 years)

AUMF Reform, Brookings Institution, Congressional Study Group on Foreign Relations and National Security (Washington D.C., via Zoom) (May 21, 2021)

CFR Congressional Staff Webinar, Council on Foreign Relations (Apr. 9, 2021)

COVID-19 and International Law, ICRC (via Zoom) (April 6, 2021)

Digging a Hole Podcast (April 2, 2021)

[On Point](#), WBUR/NPR (Mar. 29, 2021) (discussing War Powers & AUMF reform)

War Powers Reform, The Atlantic Council, (March 25, 2021)

Deep State Podcast, War Powers Reform (March 25, 2021)

Accomplice Accountability for Grave Violations of International Law, American Society of International Law Annual Meeting (via Zoom) (March 24, 2021)

[Is More Global Governance Necessary?](#) The Federalist Society's 40th National Student Symposium (via Zoom) (March 20, 2021)

Witness, [Reclaiming Congressional War Powers](#), U.S. House of Representatives Committee on Foreign Relations (via Webex) (March 23, 2021)

Yale Cyber Leadership Forum: A 7-Part Webinar Series (Jan.-Apr. 2021)

"Nonbinding Arrangements: An Empirical Study," Virginia-Duke Foreign Relations Roundtable (via Zoom) (Feb. 26, 2021)

"International Agreements as Political Tools," World Affairs Forum, (Stamford, CT via Zoom) (Jan. 26, 2021)

Yale Model United Nations (New Haven, CT, via Zoom) (Jan. 22, 2021)

"The Past, Present, and Future of the Global Order," UCL (London, via Zoom) (December 1, 2020)

"The Internationalists," American Foreign Law Association (New York, via Zoom) (November 11, 2020)

American Leadership & Multilateralism, International Relations Council (Kansas City, MO, via Zoom) (October 27, 2020)

Pushing the Limits: [Use of force and Counterterrorism Policies under International Law](#), American Society of International Law (October 2020)

"The Future of International Cooperation: Northeast Regional Virtual Roundtable," Council on Foreign Relations via Zoom (Oct. 14, 2020)

[COVID & the Global Order: The Future of U.S. National Security](#), moderated conversation with Jake Sullivan & Ambassador Victoria Nuland (Oct. 8, 2020)

[JIB/JAB Podcast: The Laws of War Podcast](#) (October 11, 2020)

The Transparency Crisis for Executive Agreements, Columbia Comparative and International Law Workshop (Sept. 29, 2020)

[Why is the US threatening the International Criminal Court?](#) BBC Newshour (September 10, 2018)

Foreign Policy Insider Conference Call: "[Will This Time Be Different?](#)" (July 31, 2020)

National Security Lawyering, Chicago Law School Faculty Workshop (July 21, 2020) (via Zoom)

The Jackson McLarty Summer Series on Global Leadership: [The Future of Great Power Conflict](#), Jackson Institute (July 15, 2020)

"The Promise and Limits of the United Nations Institutions," UN75 Charter Day, UNA-USA San Francisco (June 26, 2020)

“International Law,” Debate for Peace Model UN (international student Model UN Group) (June 8, 2020) (online)

Experts Workshop on Civilian Harm and Accountability in the Shadow Wars, The Stimson Center (May 28, 2020) (online)

“COVID-19 and Global Affairs: Cyber Threats and Opportunities in the Digital Age,” (in conversation with Brad Smith, President of Microsoft) Yale University Jackson Institute’s Virtual Discussion Forum Series (May 7, 2020) (online)

Congressional Oversight of Cyber Operations Roundtable Discussion, Center for a New American Security (April 29, 2020) (online)

Treaties and International Agreements: A Congressional Staff Briefing, Brookings Institution (April 3, 2020) (online)

[Was the Qassem Soleimani Strike Constitutional?](#) We the People with Jeffrey Rosen Podcast, The Constitution Center (January 2020)

[Why It’s so Easy to Start a War](#), What’s Next, Slate Podcast (January 8, 2020)

The Soleimani Strike, MSNBC, Velshi & Ruhle (January 2020)

New Day with Alisyn Carmerota, CNN (January 2020) (discussing Soleimani strike)

[Soleimani strike: What war powers does the president have?](#) NBC News (Jan. 21, 2020)

Isaac Chotiner, [What War Powers Does President Trump Have?](#) (Transcribed Interview) *The New Yorker* (Jan. 7, 2020)

Armed Attack and Self-Defense in the Cyber-Domain, Convenings of the Council of Advisers on the Application of the Rome Statute to Cyberwarfare, Permanent Mission of Liechtenstein, NY, NY (Dec. 11, 2019 & Jan. 29, 2020)

Control, Responsibility, and Classification of Conflict, ICRC, SCIL USNWC, and HLS PILAC Conference on Partnered Warfare: International Law and Policy Dimensions, Washington, DC (Dec. 3-4, 2019)

Data and Sovereignty, CyCon 2019 US, Arlington, VA (Nov. 20, 2019)

National Security Lawyering, American Constitution Society Workshop, Yale Law School, New Haven, CT (Nov. 11, 2019)

National Security Lawyering, Faculty Colloquium, Harvard Law School, Cambridge, MA (Nov. 8, 2019)

Workshop on Cyberspace and Geopolitics: Assessing Global Cybersecurity Norm Processes at a Crossroads, University of Pennsylvania Perry World House, Philadelphia, PA (October 29, 2019)

Rebooting International Law for the Cyber Age, UNGA Sixth Committee side event, sponsored by Debevoise & Plimpton, New York, NY (October 30, 2019)

“Use of Force” & “Armed Attack” in Cyber, Council of Advisers on the Application of the Rome Statute to Cyberwarfare, Permanent Mission of the Principality of Liechtenstein, NY, NY (Oct. 30, 2019)

National Security Lawyering, NYU Hauser Colloquium, New York University School of Law, New York, NY (October 23, 2019)

Protection of Civilians, Meeting of the Advisory Committee on International Law, U.S. Department of State, Washington, DC (Oct. 18, 2019)

Roundtable on the Current State of the Liberal International Order, Fordham Law School, New York, NY (Oct. 12, 2019)

The Future of the Liberal International Order, International Law Weekend, Fordham Law School, New York, NY (Oct. 11, 2019)

National Security and the Surveillance State, Media Freedom and Information Access Clinic Conference on “Accountability in the Trump Era” (Oct. 4, 2019)

How Well the Transparency Regime Works: A Qualitative and Quantitative Assessment, Yale-Virginia Foreign Relations Workshop, Duke Law School (September 28, 2019)

Reviving Congress’s War Powers, Open Society Institute, Washington, DC (September 14, 2019)

The Internationalists, 2019 Arizona State Bar Convention, Phoenix, Arizona (June 27, 2019)

Power over proxies: legal responsibilities in the 21st century, Oslo Forum, Centre for Humanitarian Dialogue & Norwegian Foreign Ministry, Oslo, Norway (June 18, 2019)

The Internet is Everywhere and Nowhere (convenor & moderator), 2nd Circuit Judicial Conference, Mohonk Mountain House, New York (June 6, 2019).

Roundtable on “State Cyber Interventions below the Threshold of Use of Force: Challenges in the Application of International Law,” Chatham House, London, UK (April 30, 2019)

The Secret State: How Secrecy Undermines Democracy and Makes Us Less Safe, Centre for International Studies, London School of Economics and Political Science, London, UK (April 29, 2019)

Delegate (Acting) to the American Council of Learned Societies Annual Meeting, New York, New York (April 26, 2019)

Commentary on the Tanner Lectures on Human Values at the University of California, Berkeley, by Arthur Ripstein (April 2019)

First: A Conversation with author Evan Thomas, Lawyers for the Library Dinner, New York Public Library, April 4, 2019 (New York, NY)

Keynote Address, Sovereignty Remade, St. Louis University School of Law (March 29, 2019)

Strategic Initiatives, American Society of International Law Executive Council, Washington, DC (March 28, 2019)

Bridging the Divide, Yale Cyber Leadership Forum, New Haven, CT (Mar. 1, 2019)

Is there a Legal Basis for Continuing Use of Force in Syria? CPC Peace and Security Task Force Briefing on Syria, Washington, DC (Jan. 29, 2019)

The Internationalists, Expert Roundtable on China and the Future of the International Legal Order, Columbia Univ., New York, NY (Nov. 11, 2018)

90th anniversary of the Kellogg-Briand Pact, Brazil Mission, United Nations Headquarters, New York, NY (October 22, 2018)

[Book Talk: The Internationalists](#), Perry World House, University of Pennsylvania Law School, Philadelphia, Pennsylvania (October 4, 2018)

“The Gang of Eight,” Yale-Duke Foreign Relations Law Conference, New Haven, CT (September 28, 2018)

[Why is the US Threatening the International Criminal Court?](#) BBC Newshour (September 14, 2018)

[Can a Sitting President be Indicted?](#) MSNBC, Velshi & Ruhle (August 28, 2018)

The Internationalists: An Agora, Global Constitutionalism Journal and WZB Center for Global Constitutionalism, Berlin, Germany (July 5, 2018)

Comparative Foreign Relations Law: Creating a Field, Leiden, The Netherlands (June 20, 2018)

The Internationalists, West Point, West Point, NY (April 27, 2018)

War on the Rocks, Podcast, [The Legality of the Syria Strikes](#) (April 21, 2018)

The Real Story, BBC News, [What Justifies Military Intervention?](#) (April 19, 2018).

[Bombing Syria: Is it 'Mission Accomplished?'](#) Australian Broadcasting Corporation (April 16, 2018)

BBC Radio 4, The World Tonight (April 12, 2018); BBC World Service (April 13, 2018); BBC World Service (April 15, 2018) (discussing strike on Syria in retaliation for use of chemical weapons)

Congress Resurgent? The Role of the Legislature in Shaping U.S. Foreign Policy, American Society of International Law Annual Conference, Washington, DC (April 6, 2018)

Can Law End War?, New America Future of War Conference, Washington, DC (April 9, 2018)

Director, Yale Cyber Leadership Forum, Yale University, New Haven, CT (April 7-8, 2018)

The Internationalists, Mansfield College, Oxford University, Oxford, England (March 2018)

Lund Debate: Can War Be Prevented By Law?, Cornell University, Ithaca, NY (March 2018)

[Between the Lines](#), Australian Broadcasting Corporation (Jan. 25, 2018)

The Internationalists, Vanderbilt Law School, Nashville, TN (January 2018)

The Internationalists, ChinaEconTalk Podcast (January 2018)

The MacMillan Report, Yale University, New Haven, CT (December 2017)

Sovereignty in Cyber Space, Department of State Legal Adviser's Office, Washington, DC (December 2017)

The Internationalists, Department of State Legal Adviser's Office, Washington, DC (December 2017)

Story in the Public Square, Rhode Island PBS, Providence, RI (December 2017)

The Internationalists, The United Nations Association of New York, French Embassy, New York, NY (December 5, 2017)

Story in the Public Square, Rhode Island Public Television, Providence, RI (December 5, 2017)

The Internationalists, UN Bookstore, New York, NY (November 30, 2017)

The Use of Force Under International Law, International Law in the Trump Administration, ASIL, Washington, D.C. (October 28, 2017)

Congressional Power to Restrain Presidential Withdrawal from International Agreements, Duke-Yale Foreign Relations Roundtable, Raleigh, NC (October 28, 2017)

The Internationalists, Seattle Town Hall, Seattle, WA (October 25, 2017)

The Internationalists, UCLA School of Law, UCLA Burkle Center for International Relations & UCLA Promise Institute, UCLA, CA (Oct. 23, 2017)

The Internationalists, UN Association of San Francisco, San Francisco, CA

(October 2017)
The Internationalists, Stanford University, Palo Alto, CA (October 2017)
The Restatement (Fourth) Foreign Relations Law of the United States, International Law Weekend, New York, NY (October 20, 2017)
SkyNews: All Out Politics, London (October 17, 2017)
The Internationalists, Lauterpacht Center for International Law, Cambridge University, Cambridge, England (October 17, 2017)
The Internationalists, Bonavero Institute for Human Rights, University of Oxford, Oxford, England (October 16, 2017)
BBC4 Radio: Start the Week with Andrew Marr, London (Oct. 16, 2017)
The Internationalists, New America Foundation, Washington DC (Sept. 12, 2017)
International Relations Faculty Colloquium, Princeton University (Sept. 25, 2017)
Meet the Author, The National World War II Museum, New Orleans, LA (Oct. 3, 2017)
C-Span BookTV, The Internationalists, New Haven (September 26, 2017)
Security By the Book, Hoover Institution, Washington, DC (September 11, 2017)
The Authorization of Military Force, Conference on Emergency Powers of the President, Brennan Center, Washington D.C. (July 2017)

COURSES TAUGHT (last 5 years)

Cyber Law, Technology, and Policy
Constitutional Law
Intelligence Law (with Robert Litt, former General Counsel of the ODNI)
International Law
Top Secret: The U.S. National Security State
The Law, Policy & Technology of Cyber Attacks (co-taught)
International Humanitarian Law
Wartime Practice of National Security Law (w/ Stephen Preston, former DOD GC)
Foreign Affairs and National Security Law
National Security Lawyering (with Harold Koh)
Law of War (with John Witt)
Foreign Affairs and International Law (practicum)

LAW SCHOOL & UNIVERSITY SERVICE (last 5 years)

Counselor to the Dean, Yale Law School, 2017-present
Yale University Standing Advisory & Appointments Committee for the School of Management, 2020-present
YLS Clerkship Committee (chair), 2019-2022
YLS Appointments Committee, 2016-17 (chair), 2012-13 (juniors chair) & 2020-21 & 2021-22, 2009-10 (member)
YLS Grading Committee (chair), 2020-2021
Academic Continuity Committee, Yale University, 2020
Provost's Advisory Committee on Global Strategy, Yale University, 2019-present
Provost's Committee on International Affairs, Yale University, 2016-2019
Executive Committee, MacMillan Center, Yale University, 2013-2016
YLS Grading Reform Committee, Chair, 2015-16