

VITA

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Birthplace and Date:

Cleveland, Ohio; June 11, 1948

Degrees:

J.D., Ohio State University (1976) (cum laude)
Ph.D., Ohio State University (1976)
M.A., Ohio State University (1976)
B.A., Denison University (1970) (summa cum laude)

RESEARCH:

(A) Published Books:

Ignorance of Law: A Philosophical Analysis (Oxford University Press, 2016), 300 pages.

The Philosophy of Criminal Law: Selected Essays (Oxford University Press, 2010), 458 pages.

Translated into Chinese by Min Jiang (2016).

Overcriminalization: The Limits of the Criminal Law (Oxford University Press, 2008), 231 pages.

Translated into Spanish by Rocio Ferreccio with new preface (Marcial Pons of Madrid, 2013).

Translated into Chinese by Min Jiang (2016).

The Legalization of Drugs (co-authored with Peter de Marneffe) (Cambridge University Press, *For & Against* Series, 2005), 103 pages (my half).

Legalize This! The Case for Decriminalizing Drugs (London: Verso, 2002), 197 pages.

Translated into Spanish by Anna Varela Mateos (Madrid: Foca, 2003).

Drugs and Rights (Cambridge University Press, 1992), 312 pages.

Translated into Spanish by Gustavo de Greiff with new preface (Mexico: El Fonda de Cultura Economica, 2001).

Reprinted in part in Lewis Vaughn, ed.: Contemporary Moral Arguments (Oxford U. Press, 2nd. Ed., 2012)

Reprinted in part in Daniel Bonevac, ed.: Today's Moral Problems (Mayfield Pub. Co., 2d.ed., 1995; 3d.ed., 1999; 4th ed., 2001).

Reprinted in part in Current Moral and Social Issues (Kendall/Hunt Pub. Co., 1996).

Reprinted in part in Judith Boss, ed.: Analyzing Moral Issues (Mayfield Pub. Co., 1st ed., 1999; McGraw-Hill, 2d.ed., 2002; 3d ed., 2004, 4th ed, 2007; 5th ed., 2011; 6th ed., 2013).

The Philosophy of Criminal Law (Rowman & Littlefield, 1987), 260 pages.

Translated into Chinese by Xie Wangyuan (1995); second Chinese edition with new preface (2004).

(B) Edited Book

Globalizacion y Drogas: Politicas Sobre Drogas, Derechos Humanos y Reduccion de Riesgos, edited by Xabier Arana, Douglas Husak and Sebastian Scherrer (Dykinson: Instituto Internacional De Sociologia Juridica De Onati, 2003).

(C) Published Articles in Journals (or forthcoming):

“Thoughts on Drug Policy, Public Health, and Crime: Ongoing Debates about Decriminalization” Bergen Journal of Crime and Criminal Justice (forthcoming, 2018).

“Aspirations, Execution, and Controversy,” 12 Criminal Law and Philosophy (forthcoming, 2018).

“The Vast Scope of Preventive Harming,” (forthcoming, 2018).

“Wrongs, Crimes, and Criminalization,” 12 Criminal Law and Philosophy (forthcoming, 2018).

“What’s Legal About Legal Moralism?” University of San Diego Law Review (forthcoming, 2018).

“Drug Proscriptions as Proxy Crimes,” 36 Law and Philosophy (2017), pp.345-366.

“The Triumph of Good over Evil: The Case of Futile Self-Defense,” University of San Diego Law Review (forthcoming, 2017).

“The Perils of Categorization: Why Nudges Are Even More Defensible than their Advocates Suppose,” 14 Georgetown Journal of Law and Public Policy (2016), pp.683-701.

“Ferzan on the Content on Intentions,” 4 Method (2015), pp.109-115.

“Social Engineering as an Infringement of the Presumption of Innocence: The Case of Corporate Criminality,” 8 Criminal Law and Philosophy, pp.353-369 (2014).

“Abetting a Crime,” 33 Law and Philosophy (2014), pp.43-73.

“The Philosophy of Criminal Law: Extending the Debates,” 7 Criminal Law and Philosophy (2013), pp.351-365.

“Intoxication and Culpability,” 6 Criminal Law and Philosophy (2012), pp.363-379.

“Retributivism In Extremis,” 32 Law and Philosophy (2013), pp.3-31.

“Why Punish Attempts at All? Yaffe on ‘The Transfer Principle,’” 6 Criminal Law and Philosophy (2012), pp.399-410.

“Broad Culpability and the Retributivist Dream,” 9 Ohio State Journal of Criminal Law (2012), pp.449-485.

“Negligence, Belief, Blame and Criminal Liability: The Special Case of Forgetting,” 5 Criminal Law and Philosophy (2011), pp.199-218.

“Lifting the Cloak: Preventive Detention as Punishment,” 48 San Diego Law Review (2011), pp.1173-1204.

“Reservations About *Overcriminalization*” 14 New Criminal Law Review (2011), pp.96-107.

“Mistake of Law and Culpability,” 4 Criminal Law and Philosophy (2010), pp. 135-159.

“Repaying The Scholar’s Compliment,” 1 Jerusalem Review of Legal Studies (2010), pp.48-70.

“Criminal Law Textbooks and Human Betterment,” 7 Ohio State Journal of Criminal Law (2009), pp.267-274.

“Predicting the Future: A Bad Reason to Criminalize Drug Use,” Utah Law Review (2009), pp.105-115.

“Convergent Ends, Divergent Means: A Response to My Critics,” 28 Criminal Justice Ethics (2009), pp.123-138.

“The Costs to Criminal Theory of Supposing that Intentions are Irrelevant to Permissibility,” 3 Criminal Law and Philosophy (2009), pp.51-70.

“Illicit Drugs: A Test Case of Joel Feinberg’s *The Moral Limits of the Criminal Law*,” 10 Libertaria, (2008), pp.39-59.

Reprinted in Alex Kreit, ed.: Controlled Substances: Crime, Regulation And Policy (Carolina Academic Press, 2012).

“Why Criminal Law: A Question of Content?” 2 Criminal Law and Philosophy (2008), pp.99-122.

“Rethinking the Act Requirement,” 28 Cardozo Law Review, (2007), pp.2437-2460.

“On the Supposed Priority of Justification to Excuse,” 24 Law and Philosophy (2005), pp.557-594.

“Comparative Fault in Criminal Law: Conceptual and Normative Perplexities,” 8 Buffalo Journal of Criminal Law (2005), pp.101-119.

“Applying Ultima Ratio: A Skeptical Assessment,” 2 Ohio State Journal of Criminal Law (2005), pp.535-545.

Reprinted in K.Naga Sri Valli, ed: White Collar Crimes: A Debate (Amicus Books: The Icfai University Press, India, 2007).

“Vehicles and Crashes: Why Is This Moral Issue Overlooked?” 30 Social Theory and Practice (2004), pp.351-370.

Reprinted in Stuart Rachels, ed: The Right Thing To Do (Boston: McGraw-Hill, 4th ed, forthcoming, 2007).

“Crimes Outside the Core,” 39 Tulsa Law Review (2004), pp.755-780.

“The Criminal Law as Last Resort,” 24 Oxford Journal of Legal Studies (2004), pp.207-235.

“What Moral Philosophers Might Learn from Criminal Theorists”, 36 Rutgers Law Journal (2004), pp.191-198.

Translated and reprinted in 15 Sun-Yat Sen University Law Review (forthcoming, 2018).

“Guns and Drugs: Case Studies on the Principled Limits of the Criminal Sanction,” 23 Law and Philosophy, (2004), pp.437-493.

“The Moral Relevance of Addiction,” 39 Substance Use and Misuse (2004), pp.399-436.

Reprinted in John Kleinig and Stan Einstein, eds: Ethical Challenges for Intervening In Drug Use: Policy, Research and Treatment Issues (Huntsville, Texas: Office of International Criminal Justice, 2006).

“Four Points About Drug Decriminalization,” 22 Criminal Justice Ethics (2003), pp.21-29.

Reprinted in “You Decide: A Pearson Digital Product,” (Pearson Education, 2011).

Reprinted in Hugh LaFollette, ed: Ethics in Practice (Blackwell, 3d.ed, 2006); 4th ed., (2014) and in 5th ed. (forthcoming, 2018).

Reprinted in Hugh T. Wilson, ed: Drugs, Society & Behavior (McGraw-Hill, 12th ed, 2005).

“Is the Criminal Law Important?” 1 Ohio State Journal of Criminal Law (2003), pp.261-271.

“Rapes Without Rapists: Consent and Reasonable Mistake,” (George C. Thomas, co-author) 11 Philosophical Issues (2001), pp.86-117.

“Relativistic Justifications,” 19 Law and Philosophy (2000), pp.641-644.

“Retribution in Criminal Theory,” 37 San Diego Law Review (2000), pp.959-986.

“The Problem of Criminalization,” 205 New Jersey Lawyer (2000), pp.18-21.

“Liberal Neutrality, Autonomy, and Drug Prohibitions,” 29 Philosophy & Public Affairs (2000), pp.43-80.

Reprinted in Steven M. Cahn and Tziporah Kasachkoff, eds: Morality And Public Policy (Prentice-Hall, 2003).

“Holistic Retributivism,” 88 California Law Review (2000), pp.27-36.

“Addiction and Criminal Liability,” 18 Law and Philosophy (1999), pp.655-684.

“Of Innocence and Innocents: The Supreme Court and Mens Rea Since Herbert Packer,” (Richard Singer, co-author) 2 Buffalo Criminal Law Review (1999), pp.859-943.

“Conflicts of Justifications,” 18 Law and Philosophy (1999), pp.41-68.

“‘One of the Major Problems of Our Society’: Imagery and Evidence of Drug Harms in U.S. Supreme Court Decisions,” (Stanton Peele, co-author) 25 Contemporary Drug Problems (1998), pp.191-233.

“Partial Defenses,” XI Canadian Journal of Law and Jurisprudence (1998), pp.167-192.

“Reasonable Risk Creation and Overinclusive Legislation,” 1 Buffalo Criminal Law Review (1998), pp.599-626.

“The ‘But Everybody Does That!’ Defense,” 10 Public Affairs Quarterly (1996), pp.307-334.

“The Sequential Principle of Relative Culpability,” 1 Legal Theory (1996), pp.457-482.

“Transferred Intent,” 10 Notre Dame Journal of Law, Ethics & Public Policy (1996), pp. 65-97.

“Varieties of Strict Liability,” VIII Canadian Journal of Law and Jurisprudence (1995), pp.189-225.

“The Nature and Justifiability of Nonconsummate Offenses,” 37 Arizona Law Review (1995), pp.151-195.

Reprinted in Russell Weaver, et.al., eds.: Criminal Law Anthology (Anderson Pub. Co., 1998).

Reprinted in Jonathan Herring, ed.: Criminal Law: Text, Cases & Materials (3d. ed, 2008).

“Is Drunk Driving a Serious Offense?” 23 Philosophy and Public Affairs (1994), pp.52-73.

“Ignorance of Law and Duties of Citizenship,” 14 Legal Studies (1994), pp.105-115.

“Wilful Ignorance and the Equal Culpability Thesis: A Study of the Significance of the Principle of Legality,” (Craig Callender, co-author) Wisconsin Law Review (1994), pp.29-69.

Reprinted in Tom Morawetz, ed.: International Library of Essays in Law and Legal Theory (Ashgate Pub., 2d.Series, 2000).

Cited by the U.S. Supreme Court (2011).

“The Serial View of Criminal Law Defenses,” 3 Criminal Law Forum (1992), pp.369-400.

“Time Frames, Voluntary Acts, and Strict Liability,” (Brian McLaughlin, co-author) 12 Law and Philosophy (1992), pp.95-120.

“Date Rape, Social Convention, and Reasonable Mistakes,” (George Thomas, co-author) 11 Law and Philosophy (1992), pp.95-126.

Reprinted in part in Sanford Kadish and Stephen Schulhofer, eds.: Criminal Law and Its Processes (Boston: Little, Brown & Co., 6th ed., 1995; and 7th ed., 2001).

Reprinted in part in Richard Singer and Martin Gardner, eds.: Crimes and Punishments (New York: Matthew Bender, 2d.ed., 1996; 3d.ed, 4th ed).

Reprinted in Lori Gruen and George Panichas, eds.: Sex, Morality, and the Law (New York: Routledge, 1997).

Reprinted in Russell Weaver, et.al., eds.: Readings in Criminal Law (Cincinnati: Anderson Pub. Co., 1998),

Reprinted in Current Moral and Social Issues (Kendall-Hunt, 1998).

“Why Punish the Deserving?” 26 Nous (1992), pp.447-464.

Reprinted in Thomas Brooks, ed.: Crime and Punishment: Critical Essays in Legal Philosophy (Ashgate, forthcoming, 2013).

“The Orthodox Model of the Criminal Offense,” 10 Criminal Justice Ethics (1991), pp.20-23.

“Already Punished Enough,” 18 Philosophical Topics (1990), pp.79-99.

“Recreational Drugs and Paternalism,” 8 Law and Philosophy (1989), pp.353-381.

Reprinted in Michael Gorr and Sterling Hardwood, eds.: Crime and Punishment: Philosophic Explorations (Boston: Jones and Bartlett, 1995).

“Justifications and the Criminal Liability of Accessories,” 80 Journal of Criminal Law and Criminology (1989), pp.201-230.

“Motive and Criminal Liability,” 8 Criminal Justice Ethics (1989), pp.3-14.

Reprinted in part in Richard Singer and Martin Gardner, eds.: Crimes and Punishments (New York: Matthew Bender, 2d.ed., 1996).

Reprinted in David Dolinko, ed.: The Theoretical and Philosophical Foundations of Criminal Law (Ashgate, forthcoming).

“Is the Distinction Between Positive Actions and Omissions Value-Neutral?” XXXIII Tulane Studies in Philosophy (1985), pp.83-92.

“The Motivation for Human Rights,” 11 Social Theory and Practice (1985), pp.249-255.

“What is So Special About [Free] Speech,” 4 Law and Philosophy (1985), pp.1-15.

“Why There Are No Human Rights,” 10 Social Theory and Practice,” (1984), pp.125-141.

Reprinted in Morton Winston, ed.: The Philosophy of Human Rights (Belmont: Wadsworth Pub. Co., 1989).

Reprinted in Elizabeth Smith and H. Gene Blocker, eds.: Applied Social and Political Philosophy: A Reader (Prentice-Hall, 1992).

Reprinted in Patrick Hayden, ed.: Theories of Human Rights: Readings in Context (University Press of America, forthcoming, 2000).

Reproduced in Donald Abel: Discourses (Primis: McGraw-Hill's Online Philosophy Database, 2003).

Reprinted in David Boersema, ed.: Philosophy of Rights (Westview Press, 2010).

"The Presumption of Freedom," Nous (1983), pp.345-362.

"Obscenity and Speech," 16 Journal of Value Inquiry (1982), pp.21-27.

"Paternalism and Autonomy," 10 Philosophy and Public Affairs (1980), pp.27-46.

"Omissions, Causation, and Liability," 30 Philosophical Quarterly (1980), pp.316-326.

Reprinted in Patricia Smith, ed.: The Nature and Process of Law (Oxford University Press, 1993).

"On the Rights of Non-Persons," X Canadian Journal of Philosophy (1980), pp.607-622.

"Applied Ethics for Prospective Law Students," " 8 Teaching Philosophy (1980), pp.301-306.

"Killing, Letting Die, and Euthanasia," 5 Journal of Medical Ethics (1979), pp.200-205.

"Benn on Privacy and Respect for Persons," (Stephen Hudson, co-author), 57 Australasian Journal of Philosophy (1979), pp.324-329.

"Sovereigns and Third-Party Beneficiaries," 13 Journal of Value Inquiry (1979), pp.149-153.

"Ronald Dworkin and the Right to Liberty," Ethics (1979), pp.121-130.

"Legal Rights: How Useful Is Hohfeldian Analysis?" (Stephen Hudson, co-author), Philosophical Studies (1979), pp.45-53.

"University Practices of Preferential Hiring and Reverse Discrimination In Favor of Blacks: A Moral Analysis," American Journal of Jurisprudence (1979), pp.143-168.

(D) Published Chapters in Books (or forthcoming):

“Police and Racial Discrimination: Throwing out the Baby with the Bath Water,” (Palgrave, forthcoming, 2018).

“Ignorance of Law: How to Conceptualize and Maybe Resolve the Issue,” in Kimberly Kessler Ferzan and Larry Alexander, eds.: The Palgrave Handbook of Applied Ethics and the Criminal Law (Palgrave, forthcoming, 2018).

“The Politicization of Overcriminalization, in Eric Luna, ed.: Academy for Justice, A Report on Scholarship and Criminal Justice Reform (forthcoming, 2017).

“Kinds of Punishment,” in Heidi Hurd, ed.: The Work of Larry Alexander (Oxford: Oxford University Press, forthcoming, 2017).

“Courses of Conduct,” in Dana K. Nelkin and Samuel C. Rickless, eds.: The Ethics and Law of Omissions (Oxford University Press, forthcoming, 2017), pp.165-179.

“What Do Criminals Deserve?” in Kimberly Ferzan and Stephen Morse, eds.: Legal, Moral, and Metaphysical Truths: The Philosophy of Michael S. Moore (Oxford University Press, 2016), pp.49-62.

“State Authority to Punish Crime,” in Chad Flanders and Zachary Hoskins, eds.: New Philosophy of Criminal Law (Rowman & Littlefield, 2016), pp.97-112.

“A Framework for Punishment: What is the Insight of Hart’s *Prolegomenon*?” in Christopher Pulgram, ed.: Hart on Responsibility (Palgrave MacMillan, 2015), pp.91-108.

“Polygamy and Criminalization,” in R.A. Duff, Lindsay Farmer, S.E. Marshall, Massimo Renzo, and Victor Tadros, eds.: The Realm of the Criminal Law (Oxford University Press, 2014), pp.213-231.

“In Favor of Drug Decriminalization,” in Kit Wellman, ed.: Contemporary Debates in Applied Ethics (2nd.ed., 2014), pp.335-346.

“Drugs, Crime, and Public Health: A Lesson from Criminology,” in A.M. Viens, John Coggon, and Anthony Kessel, eds.: Criminal Law, Philosophy, and Public Health Practice (Cambridge University Press, 2013), pp.42-61.

“Preventive Detention as Punishment? Some Possible Reservations,” in Andrew Ashworth, Lucia Zedner, and Patrick Tomlin, eds.: Prevention and the Limits of the Criminal Law (Oxford: Oxford University Press, 2013), pp.178-193.

“Penal Paternalism,” in Christina Coons and Michael Weber, eds.: Paternalism: Theory and Practice (Cambridge University Press, 2013), pp.39-55.

“The Neuroscience of Addiction and the Criminal Law,” (Emily Murphy, co-author) in Stephen J. Morse and Adina L. Roskies, eds.: A Primer on Criminal Law and Neuroscience (Oxford University Press, 2013), pp.217-240.

“Distraction and Negligence,” in Lucia Zedner and Julian Roberts, eds.: Principles and Values in Criminal Law and Criminal Justice: Essays in honour of Andrew Ashworth (Oxford University Press, 2012), pp.81-93.

“The Importance of Asking the Right Question: What is Punishment Imposed For?” in Russell Christopher, ed: Essays in Honor of George Fletcher (Oxford University Press, 2012), pp.53-57.

“Beyond the Justification/Excuse Dichotomy,” in Rowan Cruft, Matt Kramer, and Mark Reiff, eds.: Crime, Punishment and Responsibility: The Jurisprudence of Antony Duff (Oxford University Press, 2011), pp.141-155.

“Retributivism, Proportionality, and the Challenge of the Drug Court Movement,” in Michael Tonry, ed.: Retributivism Has a Past. Has It a Future? (Oxford University Press, 2011), pp.214-233.

“Indirect Criminal Paternalism,” in Andrew von Hirsch and Ulfrid Neumann, and Kurt Seelman, eds.: Paternalism in Criminal Law (Nomos Verlagsgesellschaft, 2010), pp.129-134.

“Paternalism and Consent,” in Franklin G. Miller and Alan Wertheimer, eds.: The Ethics of Consent (Oxford University Press, 2009), pp.107-130.
Reprinted in Thomas Schramme, ed.: New Perspectives on Paternalism and Health Care (Springer, forthcoming, 2015).

“Five Questions,” in Ian Farrell and Morten Ebbe Juul Nielsen, eds: Legal Philosophy: Five Questions (Automatic Press, 2007), pp.113-124.

“Do Marijuana Offenders Deserve Punishment?” in Mitch Earleywine, ed: Pot Politics: The Cost of Control (Oxford University Press, 2007), pp.189-207.

“Disgust: Metaphysical and Empirical Speculations,” in Andrew Simester and Andrew von Hirsch, eds: Offence and the Criminal Law (Hart Pub. Co, 2006), pp.91-113.

“Competing Rationales for Drug Policy Reform,” in Jefferson Fish, ed: Drugs and Society (Rowman & Littlefield, 2006), pp.97-125.

“Malum Prohibitum and Retributivism,” in R.A. Duff and Stuart Green, eds: Defining Crimes: Essays on the Special Part of Criminal Law (Oxford University Press, 2005), pp.65-90.

“Strict Liability, Justice, and Proportionality,” in A.P. Simester, ed: Appraising Strict Liability (Oxford University Press, 2005), pp.81-103.

“How Rights Constrain Drug Policy,” in Xabier Arana, Douglas Husak and Sebastian Scherrer, eds: Globalizacion y Drogas: Politicas Sobre Drogas, Derechos Humanos y Reduccion de Riesgos (Dykinson: Instituto Internacional De Sociologia Juridica De Onati, 2003), pp.47-52.

“Limitations on Criminalization and the General Part of Criminal Law,” in Stephen Shute and Andrew Simester, eds: Criminal Law: Doctrines of the General Part (Cambridge: Cambridge University Press, 2002), pp.13-46.

“Reflective Equilibrium Between Punishment and Crime,” in Petter Asp, Carl Herlitz, and Lena Holmqvist, eds: Festschrift for Nils Jareborg (Iustus Pub. Co., 2002), pp.345-368).

“Two Rationales for Drug Policy: How They Shape the Content of Reform,” in Jefferson Fish, ed: How to Legalize Drugs (Jason Aronson, 1998), pp.29-60.

“Desert, Proportionality, and the Seriousness of Drug Offences,” in Andrew Ashworth and Martin Wasik, eds: Fundamentals of Sentencing Theory (Oxford: Clarendon Press, 1998), pp.187-219.

“Does Criminal Responsibility Require an Act?” in R.A. Duff. ed: Philosophy and the Criminal Law (Cambridge University Press, 1998), pp.60-100.

Reprinted in Kevin McMunigal, ed.: Criminal Law (Carolina Academic Press, forthcoming, 2018).

“Culpability and Mistake of Law,” (Andrew von Hirsch, co-author), in John Gardner, Jeremy Horder, and Stephen Shute, eds: Action and Value in Criminal Law (Oxford University Press, 1993), pp.157-174.

“Can Drug Laws Be Justified As Anticipatory Offenses?” in Arnold Trebach and Kevin Zeese, eds: Strategies for Change: New Directions in Drug Policy (Washington: Drug Policy Foundation, 1992), pp.89-95.

“Is It Important Whether Capital Punishment Deters?” in Diane Sank and David Caplan, eds: To Be A Victim (Plenum Press, 1991), pp.379-394.

(E) Encyclopedia and Handbook Entries:

“Addiction and Drug (De)Criminalization,” in Hanna Pickard, ed.: Routledge Handbook of the Philosophy and Science of Addiction (New York: Routledge, forthcoming, 2017).

“Retributive Desert and Deterrence: How Both Cohere in a Single Theory of

Punishment,” in Jonathan Jacobs, ed.: Routledge Handbook of Criminal Justice Ethics (New York: Routledge, 2016), pp.113-125.

“Paternalism,” in Andrei Marmor, ed.: Routledge Companion to Philosophy of Law (2013), pp.467-480.

“The Alleged Act Requirement in Criminal Law,” in John Deigh and David Dolinko, eds.: Oxford Handbook of the Philosophy of Criminal Law (Oxford University Press, 2011), pp.107-124.

“Addiction and Autonomy”; and
“Overcriminalization” in Hugh LaFollette, ed: International Encyclopedia of Ethics (Wiley, forthcoming, 2011).

“The De Minimis ‘Defense’ to Criminal Liability,” in Antony Duff and Stuart Green, eds.: The Oxford Handbook to the Philosophy of Criminal Law (forthcoming, 2011).

“Overcriminalization,” in Dennis Pattterson, ed: Blackwell Companion to the Philosophy of Law and Legal Theory (2nd ed, 2010), pp.621-631.

“Legalization of Drugs,” in Anita Silvers, Leslie Francis, and Rosamond Rhodes, eds: The Blackwell Guide to Medical Ethics (Blackwell, 2007), pp.238-253.

“Criminal Law Theory,” in William A. Edmundson and Martin P. Golding, eds.: Blackwell Guide to the Philosophy of Law and Legal Theory (Blackwell, 2004), pp.107-121.

“Legal Paternalism,” in Hugh LaFollette, ed.: Oxford Handbook of Practical Ethics (Oxford University Press, 2003), pp.387-412.

“Drugs and Crime: Legal Aspects,” in Joshua Dressler, ed.: Encyclopedia of Crime and Justice (Macmillan, 2d.ed. 2001).

“Consent,” (pp.227-228);
“Drugs,” (pp.148-150);
“Intent,” (pp.425-428)
in Christopher Gray, ed.: The Philosophy of Law: An Encyclopedia (Garland Pub. Co., 1999).

“Intent” reprinted in David Adams, ed.: Philosophical Problems in the Law (4th.ed., Wadsworth, 2004; 5th ed., 2005).

“Drugs: Moral and Legal Issues,” in Ruth Chadwick, ed.: The Encyclopedia of Applied Ethics (Academic Press, 1997), pp.849-858.

(F) Published Reviews and Notes:

“Drug Use and Human Rights: Saul Takahashi’s *Human Rights and Drug Control: The False Dichotomy*,” Criminology & Criminal Justice (forthcoming, 2017).

“Liberal Criminal Theory: Essays for Andreas von Hirsch,” Criminal Law and Criminal Justice Books (2015).

“Alan Brudner’s *Punishment and Freedom*,” 120 Ethics (2010), pp.841-846.

“Answering Duff: R.A. Duff’s *Answering for Crime*,” 29 Law and Philosophy (2010), pp.101-119.

“Gardner on the Philosophy of Criminal Law: Review of John Gardner’s *Offences and Defences*,” 29 Oxford Journal of Legal Studies (2009), pp.169-187.

“Review of John Kleinig’s *Ethics and Criminal Justice*,” Notre Dame Philosophical Reviews (2008).

“Markus Dubber’s *The Sense of Justice*,” 10 New Criminal Law Review (2007), pp.483-489.

“Mark R. Reiff’s *Punishment, Compensation, and Law*,” Notre Dame Philosophical Reviews (2006).

“Consent to Sex: Alan Wertheimer’s *Consent to Sexual Relations*,” 25 Law and Philosophy (2005), pp.257-277.

“A Liberal Theory of Excuses: Jeremy Horder’s *Excusing Crime*,” 3 Ohio State Journal of Criminal Law (2005), pp.287-299.

“The Criminalization of Drug Use,” 18 Sociological Forum (2003), pp.503-513.

“John Elster’s *Strong Feelings*,” XX Philosophy in Review (2000), pp.19-21.

“Philosophical Analysis and the Limits of the Substantive Criminal Law: Review of George Fletcher’s *Basic Concepts of Criminal Law*,” 18 Criminal Justice Ethics (1999), pp.58-67.

“Review of Andrew von Hirsch and Andrew Ashworth, eds.: *Principled Sentencing*,” 110 Ethics (2000), p.256.

“The Function and Structure of the Substantive Criminal Law: Review of Paul Robinson’s *Structure and Function in Criminal Law*,” 18 Law and Philosophy (1999), pp.85-104.

“Review of R.A. Duff’s Criminal Attempts,” 8 Criminal Law Forum (1997), pp.293-310.

“The Complete Guide to Self-Defense: Suzanne Uniacke’s Permissible Killing,” 15 Law and Philosophy (1995), pp.399-406.

“The Relevance of the Concept of Action to the Criminal Law: Michael Moore’s Act and Crime,” 6 Criminal Law Forum (1995), pp.327-344.

“Gerald Dworkin’s Morality, Harm and the Law,” 105 Ethics (1995), p.976.

“Alan White’s Misleading Cases,” 103 Ethics (1993), p.976.

“Stanley Benn’s A Theory of Freedom,” 26 Nous (1992), pp.400-402.

“Michael Bayles’ Principles of Law,” 8 Law and Philosophy (1989), pp.405-411.

“Ramon Lemos’ Rights, Goods, and Democracy,” Philosophy and Phenomenological Research (1989), pp.541-544.

“David Jones’ History of Criminal Justice,” Criminal Justice History (1989), pp.246-248.

“Donald VanDeVeer’s Paternalistic Intervention,” Canadian Philosophical Reviews (1987), pp.36-39.

“Ken Kipnis’ and Lawrence Becker’s Cases and Materials on Property,” 13 Teaching Philosophy (1985), pp.163-165.

“Daniel Robinson’s Psychology and the Law,” 93 Ethics (1983), pp.394-395.

“Punishment and Persons: Herbert Morris’ On Guilt and Innocence,” Contemporary Psychology (1981), pp.207-208.

“Ted Hondreich’s Political Violence,” 12 Nous (1978), pp.221-225.

TEACHING AND ADMINISTRATIVE SERVICE:

(A) Teaching Positions

Visiting Professor of Law, Bar-Ilan University (December, 2014).

Visiting Professor of Law, Fordham University Law School (2009).

Visiting Professor of Law, University of Michigan (2006-2007).

Professor II, Philosophy, Rutgers University (2000-present).

Professor, Rutgers University College of Law (Newark) (1987- 2000).

Visiting Associate Professor, Barnard College, Columbia University (1986).
Visiting Assistant Professor, University of Pittsburgh (1980).
Visiting Assistant Professor, Indiana University (1976-1977).

(B) Courses Taught

Introductory Philosophy Courses: Introduction to Logic; Current Moral and Social Issues; Introduction to Ethical Theory.

Byrne Seminar: Criminal Law and Philosophy

Advanced Philosophy Courses: Philosophy of Law; Philosophy and the Law; Ethics; History of Ethics; Moral Responsibility; Rights, Justice and Equality; Medical Ethics; Business Ethics; Modern Social and Political Philosophy; Special Topics in Social and Political Philosophy; British Empiricism.

Graduate Philosophy Courses: Philosophy of Law; Advanced Topics in Philosophy of Law; Ethics; Advanced Topics in Ethics.

Law Courses: Criminal Law; Illicit Drugs: Policy and Practice; Criminal Law Theory; Culpability in Criminal Law (co-taught with Kim Ferzan); Foundations of Criminal Law.

Graduate Criminal Justice Course: Seminar on Culpability (co-taught with Andrew von Hirsch).

(C) Awards, Fellowships

Visiting Assistant Professor, University College London (Spring, 2018).

Criminal Justice Center Fellow, NYU Law School (Fall, 2017).

Visiting Scholar, Research Group on the Legitimization of the Criminal Law, Institute of Advanced Study, Hebrew University, Jerusalem, Israel (Spring, 2016).

Fellow, Straus Institute for the Advanced Study of Law & Justice, N.Y.U. (2010-2011).

Member, MacArthur Foundation; Law and Neuroscience Project (2007-2010).

Visiting Fellow, Institute of Criminology, Penal Theory and Penal Ethics Centre, Cambridge University (2001).

Denison University Alumni Citation (1995).

Fellow, N.E.H. Seminar on Law and Philosophy (Jules Coleman, Director), Yale Law School (1989).

Fellow, Center for the Critical Analysis of Contemporary Culture, Rutgers University (1987-1988).

Fellow, Institute for Health, Health Care Policy, and Aging, Rutgers University. Parents Association Outstanding Teaching Award, Rutgers College (1980-1981).

Delegate in Professional Seminar Consultant Organization to Study Legal Systems and Prisons in The Soviet Union (1983 and 1987); People's Republic of China (1984), and Kenya (1986).

Phi Beta Kappa, Denison University (1970).

(D) Memberships in Professional Groups

Co-Director, Institute for Law and Philosophy, Rutgers University
Ohio Bar Association
Advisory Board, NJ NORML
American Philosophical Association
American Civil Liberties Union
Society for American Social, Political, and Legal Philosophers
Board of Directors, Center for Cognitive Liberty

(E) Administrative Service

I have served on just about every department committee, including serving (twice) as Acting Chairperson and (several times for eleven years) as Undergraduate Director. I am serving or have recently served on numerous college, University, and state committees, including the AAUP Executive Council; the New Brunswick Faculty Council; the New Jersey Supreme Court Criminal Practice Committee; the New Jersey District VIII Ethics Committee; the New Jersey Commission on Professionalism in the Law; and the University PRC, the highest promotion-review committee in the University. I currently direct the M.A. Program in Law and Philosophy at Rutgers, Chairing the Search Committee for a position in Ethics and Value Theory, and serving as the Value Theory Representative on the Graduate Admissions Committee.

(F) Editorial Board Memberships

Criminal Law and Philosophy (Editor-in-Chief 2007-present)
Law and Philosophy (Editorial Board; Editor-in-Chief from 2009-2013)
New Criminal Law Review (formally Buffalo Criminal Law Review) (Editorial Advisory Board)
Criminal Justice Ethics (Associate Editor and Advisory Board)
Journal of Applied Philosophy (Editorial Board)
Legal Theory (Editorial Board)
Ohio State Journal of Criminal Law (Editorial Board)
Substance Abuse: Treatment, Prevention, and Policy (once on Editorial Board)
Criminal Justice Books (Advisory Board)

(G) Other

I have delivered several public lectures and appeared on many radio and television shows, most recently on *Due Process*, NJT (December, 2011). I have served as outside reviewer for several dissertations, most recently James Edwards' D.Phil. exam at Oxford (December, 2011).

(H) Selected Presentations (since 2006; earlier presentations available on request):

“Small Progress Toward a Theory of Criminalization,” Bowling Green University, September 29, 2006; University of Warsaw, Poland, October 11, 2006.

“Thoughts About Overcriminalization,” University of Michigan Law School, October 3, 2006.

“Overcriminalization,” University of Stirling, Scotland, October 9, 2006

“Another Elephant in the Room,” Conference on Democratic Criminal Justice, University of Warsaw, Poland, October 12, 2006.

“Rethinking the Act Requirement,” Conference on George Fletcher’s *The Grammar of Criminal Law*, Cardozo Law School, November 5, 2006.

“Why Criminal Law: A Question of Content?” British Academy, London, January 2007.

“Constraints on Criminalization,” University of Michigan Law School, February, 2007; Analytical Legal Philosophy Conference, Berkeley, April 14, 2007.

Roundtable Discussant, “Retributive and Corrective Justice,” San Antonio, Texas, April, 2007.

Roundtable Discussant, “Sharp Boundaries of Law,” University of Pennsylvania Law School, May, 2007.

“The Moral Relevance of Addiction,” University of Alabama at Birmingham, May 2007.

“Paternalism and Consent,” International Congress on Social, Political, and Legal Philosophy, Krakow, Poland. July 2007; Virginia Commonwealth University Department of Philosophy, September, 2007.

“Four Points About Drug Decriminalization,” Virginia Commonwealth University, General Audience. September, 2007; University of Utah, Salt Lake City, March, 2008; Public Lecture at The University of Alabama (September 2008).

“The Reasonable in Law and Morality.” Roundtable Discussant, Institute of Law and Philosophy, Vermont. November, 2007.

“Indirect Paternalism in Criminal Law,” Conference on Paternalism in Criminal Law, University of Frankfurt, Germany, December, 2007.

“Therapeutic Justice and the Drug Court Movement,” Institute of Law and Criminology, Leiden, The Netherlands, January, 2008.

“Illicit Drugs: A Test of Joel Feinberg’s *The Moral Limits of the Criminal Law*,” Faculty of Law, Parma, Italy, January, 2008.

“Blame,” Roundtable Discussant, College of Law, University of San Diego, January 2008.

“The Criminalization of Risk,” Conference on Risk and Public Policy, University of North Carolina at Greensboro, March 1, 2008.

“Legal Paternalism,” N.I.H. Seminar at Georgetown University, April, 2008.

“4 Preliminaries About Drug Decriminalization,” Rider College, New Jersey, April 2008.

“The Costs to Criminal Theory of Supposing that Intentions are Irrelevant to Permissibility,” Conference in New Directions in Criminal Theory, Institute of Law and Philosophy, Rutgers University, May 30, 2008.

Response to Various Critics” (Michael Moore, Heidi Hurd, Young) on my book *Overcriminalization*,” Australian National University, Canberra, Australia, July, 2008.

“De Minimis,” CAPPE, University of Melbourne, Australia, July 2008.

“Response to Critics,” of my book *Overcriminalization*, University of Glasgow, U.K., September 2008.

“Reply to Ashworth and Zedner,” University of Glasgow, U.K., September 2008.

Series of four seminars on “Overcriminalization,” University of Oslo, Oslo, Norway, September 2008.

“The De Minimis ‘Defense’ to Criminal Liability,” Department of Philosophy, University of Alabama, September 2008); Seminar, Fordham Law School, (February, 2009).

“Addiction and Autonomy,” Institute for Human Values, Princeton University (October 2008); Columbia University Law School, (March 11, 2009).

“Response to My Critics,” Workshop on my book *Overcriminalization*, Hebrew University, Jerusalem, (March 13, 2009).

“Is the Criminal Law Important?” University of Bergamo, Italy, (March 2009).

“Drugs and Rights Again,” University of Bergamo, Italy, (March 2009).

“Ashworth and Zedner on Undercriminalization,” Workshop on Criminalization, University of Warwick, (March 2009).

“What Moral Philosophers Might Learn from Criminal Theorists,” Palermo Università degli Studi di Palermo, Italy, (March 2009).

“The De Minimis ‘Defense’ to Criminal Liability,” MacMaster University, Canada (April 2009); University of California at Berkeley Law School, November, 2009; University of Tulsa Law School (March, 2010).

“Ignorance of Law and Retributivism,” Fordham University Law School, September 2009; Harvard University Law School Criminal Justice Workshop, October, 2009; Roundtable on Ignorance of Law at Law and Philosophy Institute, Rutgers (Camden) (November 2009).

“Four Misconceptions about Drug Decriminalization,” John Jay College of Criminal Justice, (December, 2009).

“Alexander and Ferzan on Liability for Attempts,” University of Pennsylvania Law School, (December, 2009).

“Culpability and Mistake of Law,” Florida State University College of Law (January, 2010); Davidson College, North Carolina (February, 2010).

“Reservations About *Overcriminalization*,” Pace University School of Law, White Plains, New York (April, 2010).

“Blame, Liability, and Negligence: The Special Case of Forgetting,” Straus Institute for the Advanced Study of Law and Justice, N.Y.U. (September, 2010). Also presented at Fordham Law School (January, 2012). Also presented at CUNY Graduate Center (February, 2012).

“Degradation and Retributivism,” Copenhagen, Denmark (October, 2010).

“The Future of Criminal Law,” University of Minnesota Law School (October, 2010).

“Criminalization,” The Hoffinger Lecture at NYU Law School (February, 2011).

“Distraction and Negligence,” Davidson University Department of Philosophy (March, 2011).

“Lifting the Cloak: ‘Preventive Detention as Punishment,’” Straus Institute, NYU (March, 2011); San Diego State University College of Law (April, 2011); Oxford University (September, 2011).

“The Special Problems of Legal Paternalism,” Keynote Address at Bowling Green State University Conference on Paternalism (March, 2011).

“The Principled Case for Drug Decriminalization,” Seton Hall University Department of Philosophy (April, 2011).

“Polygamy and Criminalization,” Keynote Address at the Criminalization Conference, Stirling University (September, 2011).

“Drugs, Crime, and Public Health: Some Insights from Criminology,” NYU (September, 2011).

“Why Punish Attempts At All? Yaffe on the ‘Transfer Principle,’ ” University of Southern California College of Law (October, 2011).

“Hard Economic Times: Crisis or Opportunity?” Georgia State University College of Law (January, 2012).

“What Is Restorative Justice?” Georgia State University College of Law (January, 2012).

“Social Engineering and the Presumption of Innocence,” University of Aberdeen, U.K. (February, 2012).

“Paternalism and Consent,” University of Hamburg, Germany (March, 2012).

“Retributivism *In Extremis*,” Conference on Victor Tadros’s *The Ends of Harm*, Rutgers Camden Law (March, 2012).

“Intoxication and Culpability,” Conference on *Actio Libra in Causa*, University of Pennsylvania Law School, (December, 2011); Advanced Legal Studies Seminar, Yale University Law School (April, 2012); Criminal Law Roundtable at Columbia University Law School (May, 2012); University of Sussex, England (January, 2018).

“Abetting a Crime,” Oxford University Conference on Collective Responsibility (September, 2012); Union College Lecture Series (September, 2012); University of Toronto Legal Theory Workshop (September, 2012).

“Retributivism, Proportionality, and the Challenge of the Drug Court Movement,” Harvard University Kennedy Center (October, 2012).

“How Philosophers Think About Criminalization,” Keynote Address at the Illicit Trade in Tobacco Conference of the Tobacco Information Service Organization, Leesburg, Virginia (February, 2013).

“Prevention as Punishment,” APA Pacific Division (March, 2013).

“What Do Criminals Deserve?” Keynote address at the International Conference on Motives and Emotions in Criminal Law, Ona Academic College, Tel Aviv, Israel (May, 2013). Also presented at THE University of Illinois Department of Philosophy (January, 2013); the Institute for Law and Philosophy, University of Illinois, Chicago (July, 2013); Columbia Law School (October, 2013); and at the Universitat Pompeu Fabra, Barcelona, Spain (June, 2014).

“Ignorance of Law as a Denial of Criminality,” Workshop on Criminal Law Theory, Brooklyn Law School (October, 2013).

“Alexander on the Means Principle,” Conference on Deontological Principles and the Criminal Law, Rutgers University (October, 2013).

“Moral and Criminal Responsibility,” Workshop on Responsibility, Blame, and the Criminal Law,” Centre for Penal Theory and Penal Ethics, Institute of Criminology, Cambridge England (November, 2013).

“The Persistence of Drug Prohibitions,” Keynote Address at Center for Ethics and Public Affairs, Murphy Institute of Tulane University (January, 2014); Keynote Address at Binghamton University (March, 2014); Robina Institute, University of Minnesota Law School (April, 2014).

“Tomlin on the Indispensability of Desert and the Punishment of the Innocent,” New Voices in Criminal Law Theory, Death Valley, California (February, 2014).

“Misgivings About *Overcriminalization*,” Bar-Ilan University, Israel, Conference on the Work of Douglas Husak, (December, 2014); DiTella University, Buenos Aires, Argentina (June, 2015); University of Buenos Aires, Argentina (June, 2015).

“Culpable Ignorance and a Duty to Inquire,” McMaster University, Ontario, Canada (March, 2015); Southern Methodist University, Dallas, Texas (March, 2015); University of Buenos Aires, Argentina (June, 2015); University of Virginia (October, 2015); University of North Carolina at Greensboro (January, 2016).

Roundtable Discussant on “Punitiveness in American Penal Policy,” John Jay College of Criminal Justice, New York City (March, 2015).

“Courses of Conduct,” Conference on Omissions, University of California at San Diego (April, 2015).

“Comments on Hoven’s *The Limits of Criminal Legislation*,” Conference on Emerging Voices in Latin American and European Criminal Law Theory,” SUNY Buffalo (May, 2015).

“The Drug War and the Ethics of Prohibition,” Society for Ethics, Peace and Global Affairs, American University, Washington DC (August, 2015).

“Ignorance of Law,” Roundtable Discussion of my book draft, Yale Law School (September, 2015).

“The Perils of Categorization: Why Nudges are Even More Defensible than their Advocates Suppose,” Georgetown University (November, 2015).

“Proxy Offenses in Crime Prevention: The Special Case of Drug Prohibitions,” University of North Carolina at Greensboro (February, 2016); Keynote Address at the Ethics of Policing and Prisons Conference, Bowling Green State University (March, 2016); Hebrew University, Jerusalem, Israel (March, 2016) Oxford University Moral Philosophy Seminar (April, 2016); University College, London (March, 2018).

“What’s Legal About Legal Moralism?”, University of San Diego (May, 2016); University of Edinburgh, Scotland (March, 2018); University of Warwick, U.K. (March, 2018); University of Surrey, U.K. (March, 2018).

“The Vindication of Good over Evil,” University of San Diego (November, 2016).

“A Framework for Thinking about Ignorance of Law,” King’ College, London (November, 2016).

“The Politicization of Overcriminalization,” Criminal Justice Reform Conference, Arizona State University, (February, 2017); Keynote Address at the conference on “Overcriminalization and the Disadvantaged,” Georgia State University, Atlanta (April, 2017).

“Comments on Jorn Jacobsen’s “Constitutional and Criminal Law Reform,” Conference on Theorizing Criminal Law Reform, Rutgers University, Newark (April, 2017).

“The Metric of Punishment Severity,” University of Minnesota Law School (April, 2017); University of California Irvine (October, 2017).; University College, London (January, 2018); Oxford University (March, 2018).

“Kinds of Punishment,” Conference on the Influence of Larry Alexander, Yale Law School (May, 2017); Oxford University (February, 2018).

“Ignorance of Law: How to Conceptualize (and Maybe Resolve) the Issue,” Keynote Address, McMaster College (June, 2017); Hoffinger Lecture of Crime and Justice, New York University School of Law (November, 2017); University College, London (January, 2018).

“The Vast Scope of Preventive Harming,” Oxford Institute for Ethics, Law and Armed Conflict (ELAC), Oslo, Norway (August, 2017).

“The Politics of Criminal Justice Reform,” Keynote Address, Lindenwood University, St. Charles, Missouri (September, 2017).

“Do We Punish Violent Criminals Too Severely?” Fordham University Law School (October, 2017).

“Criminalization and Human Rights,” Center for Human Rights, Harvard Law School (November, 2017).

“A Philosophical Look at Drug Policy,” Keynote Address, Bergen Lecture of Criminal Law and Criminal Justice,” Bergen, Norway (November, 2017).