

CURRICULUM VITAE

Fernando R. Tesón

Tobias Simon Eminent Scholar
and Courtesy Professor of Philosophy

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EDUCATION

Northwestern University School of Law, Chicago, Illinois. May 1987: *S.J.D.* (Doctor of Juridical Science)

Université Libre De Bruxelles, Brussels, Belgium. May 1982: *Licencié spécial en droit international. Grande Distinction* (magna cum laude). Class Rank: first.

Universidad de Buenos Aires, Facultad de Derecho y Ciencias Sociales, Buenos Aires, Argentina. 1975: *Abogado* (J.D.).

WORK EXPERIENCE

I. Academia

2002- present: Tobias Simon Eminent Scholar and Professor of Law, Florida State University College of Law. International Law, Jurisprudence, International Human Rights, War and Intervention, Law and the Arts, Foreign Relations, International Criminal Law. 2013: Appointed Courtesy Professor of Philosophy.

1984 - 2002: Willard Pedrick Distinguished Scholar, Professor of Law and Affiliate Professor of Philosophy, Arizona State University (Associate Professor, 1984-1988)

1996-present: Visiting Professor (May- July), Escuela de Derecho, Universidad Torcuato Di Tella, Buenos Aires, Argentina. Over the years I taught many courses, including International Trade, Advanced International Law, and International Human Rights.

Visiting professor at Cornell Law School, Oxford University, University of London, University of California Hastings, Cardozo Law School, and Indiana Law School. Visiting Scholar, Summer 2008, Social Philosophy & Policy Center, Bowling Green State University.

II. Diplomacy

1978-1981: Career diplomat, Argentine Foreign Service. Appointed after one-year training in the School of Foreign Service. 1978-1980: Member of the Argentine delegation to the Malvinas (Falkland) negotiations. 1980-December 1981: Second secretary, Argentine Embassy in Brussels. Distinguished by the Belgian Government with the *Ordre de la Couronne*. Resigned in protest against the human rights abuses of the Argentine government.

SELECTED PUBLICATIONS

I. Books

a. Published

Justice at a Distance: Extending Global Freedom [with Loren Lomasky] (Cambridge University Press, 2015)

The Theory of Self-Determination (ed.), ASIL International Legal Theory Series (Cambridge University Press, 2016)

Rational Choice and Democratic Deliberation: A Theory of Discourse Failure [with Guido Pincione] (Cambridge University Press, 2006)

Humanitarian Intervention: an Inquiry into Law and Morality, (Transnational Publishers, 3rd edition, fully updated and revised, 2005, first edition 1988)

A Philosophy of International Law (Westview Press, 1998)

b. In Progress

Debating Humanitarian Intervention [with Bas van de Vossen], under contract with Oxford University Press.

II. Selected Articles, Chapters in Books, and Shorter Publications

“Don't Underestimate the Consequences of Inaction,” *Reason* magazine, December 2015, at <http://reason.com/archives/2014/12/08/in-search-of-libertarian-reali>

"Revising International Law: A Liberal Theory of Natural Resources," *University of San Diego Law Review* (forthcoming 2015)

“Fake Custom,” forthcoming in Brian Leppard (ed.) *Re-Examining Customary International Law* (Cambridge University Press, 2015)

“The Conundrum of Self-Determination,” forthcoming in Fernando R. Tesón (ed.), *The Theory of Self-Determination* (Cambridge University Press, 2016)

“The Mystery of Territory,” forthcoming in *Social Philosophy and Policy* (2015)

“The Kantian Case for the Classical-Liberal State,” [with Bas van der Vossen], 2014, completed article, submitted to journals.

“Natural Law as Part of International Law: The Case of the Armenian Genocide,” 50 *University of San Diego Law Review* 813 (2013)

“The *Kiobel* Decision: The End of an Era,” 8 *NYU Journal of Law and Liberty* 161 (2014)

“La filosofía del derecho internacional,” in *Filosofía del derecho*, J.Fabra and E. Spector (ed.) [in Spanish], vol. 3, (UNAM, 2014). Electronic edition at <http://biblio.juridicas.unam.mx/libros/8/3876/17.pdf>

“Grotius on War and the State,” *Liberty Matters* (March 2014), at http://oll.libertyfund.org/index.php?option=com_content&task=view&id=1693&Itemid=366 [with comments by Eric Mack, Hans Blom, and Paul Carrese]

“When Philosophers Misdiagnose,” 74 *Analysis* 107 (2014)

“The Moral Basis of Humanitarian Intervention Revisited,” in Don Scheid (ed.) *The Ethics of Armed Intervention* (Cambridge University Press, 2014): 61

“The Moral Structure of Humanitarian Intervention,” in A. Altman and C. Wellman (ed.), *Contemporary Debates in Applied Ethics* (Wiley-Blackwell, 2014): 391

“War”, in G. Gaus and Fred D’Agostino (ed.) *Routledge Companion to Social and Political Philosophy*, (Routledge, 2013): 537

“Global Justice and Trade,” [with Jon Klick] in *Global Justice and International Economic Law: Opportunities and Prospects*, Carmody, Garcia, & Linarelli ed. (Cambridge University Press, 2012): 217.

“Targeted Killing in War and Peace: A Philosophical Analysis” in *Targeted Killings: Law and Morality in an Asymmetrical World*, Claire Finkelstein, Jens Ohlin, and Andrew Altman ed. (Oxford University Press, 2012): 403

“Assassination,” in Hugh LaFollete (ed.) *The International Encyclopedia of Ethics* (Wiley, 2012)

“Humanitarian Intervention: Loose Ends,” 10 *Journal of Military Ethics* 192 (2011); reprinted in D. Brown and Henry Syse (ed.) *The Just War Tradition: Applying Old Ethics to New Problems*, (Routledge, 2014): 67

“Why Free Trade is Required by Justice,” 29 *Social Philosophy & Policy* 126 (2011)

“Enabling Monsters: A Reply to Professor Miller,” 25 *Ethics and International Affairs* 165 (2011)

“The Liberal Constitution and Foreign Relations,” 28 *Social Philosophy & Policy* 115 (2011)
Republished in Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul ed. *What Should Constitutions Do?* (Cambridge University Press, 2011) p. 115

“Kosovo: A Powerful Precedent for the Doctrine of Humanitarian Intervention,” 1 *Amsterdam Law Forum* 42 (2009), available at <http://www.amsterdamlawforum.org/>

“Brain Drain,” 45 *University of San Diego Law Review* 899 (2008)

“Kantianism and Legislation” 16 *Jahrbuch für Recht und Ethik* 275 [Annual Review of Law and Ethics, University of Jena, Germany] (2008)

“La defensa liberal del derecho de intervención por razones humanitarias con referencia especial al continente americano,” in Covarrubias Velasco & Ortega Nieto (ed.), *La protección internacional de los derechos humanos: un reto en el siglo XXI*” (Colegio de México, 2007)

“The Vexing Problem of Authority in Humanitarian Intervention: A Proposal,” 24 *Wisconsin Journal of International Law* 762 (2006)

“Rational Ignorance and Political Morality” [with Guido Pincione], 72 *Philosophy & Phenomenological Research* 71 (2006)

“Eight Principles for Humanitarian Intervention,” 5 *Journal of Military Ethics* 93 (2006)

“Ending Tyranny in Iraq,” 19 *Ethics & International Affairs* 1 (2005), [with a reply to comment, “Of Tyrants and Empires: Reply to Terry Nardin,” *id.*, p. 27]

“Liberal Security,” in Richard Wilson (ed.), *Human Rights in “The War on Terror”* (Cambridge University Press, 2005): 37

“Self-Defense in International Law and Rights of Persons,” 18 *Ethics & International Affairs* 87 (2004)

“International Law,” in Peter Cane and Mark Tushnet (ed.), *Oxford Handbook of Legal Studies* 941 (Oxford University Press, 2003)

“The Liberal Case for Humanitarian Intervention,” in J. Holzgrefe & R. O. Keohane (eds.), *Humanitarian Intervention: Ethical, Political and Legal Dilemmas* 93 (Cambridge University Press, 2003)

“Self-Defeating Symbolism in Politics” [with Guido Pincione], 98 *The Journal of Philosophy* 636 (2001)

“A Defense of Liberal Democracy for Africa,” 12 *Cambridge Review of International Affairs* 29 (1999)

“Kantian International Liberalism,” in T. Nardin & D. Mapel, (eds.), *International Society: Diverse Ethical Perspectives* (Princeton University Press, 1998).

“Ethnicity, Human Rights, and Self-Determination,” in David Wippman, (ed.), *International Law and Ethnic Conflict* 86 (Cornell University Press, 1998)

“Collective Humanitarian Intervention,” 17 *Michigan Journal of International Law* 323 (1996)

“Changing Perceptions of Domestic Jurisdiction and Intervention,” in Tom Farer (ed.) *Beyond Sovereignty: Collectively Defending Democracy in the Americas* 29 (Johns Hopkins University Press, 1996)

“The Rawlsian Theory of International Law,” 9 *Ethics & International Affairs* 79 (1995)

“International Abductions, Low Intensity Conflicts, and State Sovereignty: A Moral Inquiry,” 31 *Columbia Journal of Transnational Law* 521 (1994).

“Feminism and International Law: A Reply,” 33 *Virginia Journal of International Law* 647 (1993)

“The Kantian Theory of International Law,” 92 *Columbia Law Review* 53 (1992)

“International Obligation and the Theory of Hypothetical Consent,” 15 *Yale Journal of International Law* 84 (1990)

“Le Peuple, C'Est Moi! The World Court and Human Rights,” 81 *American Journal of International Law* 173 (1987)

“International Human Rights and Cultural Relativism,” 25 *Virginia Journal of International Law* 869 (1985)

OTHER PROFESSIONAL ACTIVITIES AND QUALIFICATIONS

Referee, *Cambridge University Press; Oxford University Press; Cornell University Press; Ethics; Journal of Human Rights; Philosophy, Politics & Economics; International Political Economy; Millennium; Routledge Publishers; Palgrave Press; Polity Press; Legal Theory. Journal of Global Ethics; Journal of Social Philosophy; International Relations, Contemporary Political Theory; Journal of Moral Philosophy; Wiley.*

Chair, International Legal Theory Interest Group, American Society of International Law. 2003-2005

Member of the American Bar Association (Associate); The American Society of International Law, The European Society of International Law, AMINTAPHIL, the American Society for Political and Legal Philosophy. Listed in Who's Who in America; Distinguished Intellectuals of the 21st Century.

2011-present: Founding member of the blog “Bleeding Heart Libertarians.”

Member, Florida Advisory Committee, U.S. Commission on Civil Rights, 2013-present.

Participation in Conferences and Symposia

I attend numerous conferences every year, always by invitation. Here is a selection of recent and upcoming events:

October 1-3, 2015: "The Future of Freedom of Expression in Liberal Democracies," Wellesley College. Paper: "The Demise of Freedom of Expression in International Law."

September 11-13, 2015: “Anarchy and Legal Order: Legal and Political Arguments for a Stateless Society,” Liberty Fund conference, Indianapolis.

May 28-29, 2014: Conference, "Constitutional Interpretation and Legal Positivism," Universidad Torcuato Di Tella, Buenos Aires, Argentina.

April 24-25, 2015: "Global Justice and Global Trade," University of San Diego School of Law. Paper: "Visions of Trade in the Global Justice Literature."

April 1-3, 2015: Annual Meeting of the American Philosophical Association. Panel commentator on "On the Justness of Defensive Wars."

March 17-18, 2015: Lecture at the University of Copenhagen Faculty of Law, Denmark. Topic: "Territory and Global Justice."

March 14-16, 2015: Lecture and seminar at the University of Stockholm Faculty of Law, Sweden. Topics: "The Structure of Humanitarian Intervention Revisited" and "The Concept of Territory in International Law and Justice."

January 25, 2015: Workshop on the manuscript of my book *Justice at a Distance*, University of Arizona Philosophy Department, Freedom Center

June 12-13, 2014: "The Approaches of Liberal and Illiberal Governments to International Law: A Conference Marking 25 Years since the Collapse of Communist Regimes in Central and Eastern Europe," Tallin, Estonia, organized by the University of Tartu. Paper: "The Illiberal Features of International Law."

June 20-23: 2014 "La Libertad, la Competencia y la Empresarialidad de Kirzner," Liberty Fund conference, Guatemala City.

May 29-June 1, 2014: Authors' Conference for the journal *Social Philosophy and Policy*, sponsored by the Liberty Fund, London. Paper: "The Mystery of Territory."

February 26-March 1, 2014: Annual Conference of the American Philosophical Association, Central Division. Panel commentator on "The Anti-Realist Mill."

LANGUAGES

Native Spanish; perfectly fluent in English and French. Reading and speaking fluency in Italian; reading fluency in Portuguese. Some German.

PERSONAL

Born in Buenos Aires, Argentina, August 3, 1950. Dual U.S. and Argentine citizenship. Married, three children. Founder, director, arranger, and bandoneón player, *Tango Sur*, Argentine tango band. Silver Life Master, American Contract Bridge League. Other hobbies: food and wine.