

Curriculum Vitae and publications of Professor David Kennedy

David Kennedy is the Manley O. Hudson Professor of Law at Harvard Law School, where he teaches international law, international economic policy, legal theory, law and development, and European law. He joined the faculty in 1981 after teaching in Germany. He holds a Ph.D. in international affairs from the Fletcher School at Tufts University and a J.D. from Harvard. He is the author of numerous articles on international law, history and legal theory, and founder of the New Approaches to International Law project.

Professor Kennedy's research uses interdisciplinary materials from sociology and social theory, economics and history to explore issues of global governance, development policy and the nature of professional expertise. He is particularly interested in the politics of the transnational regime for economic policy making. Kennedy has been particularly committed to developing new voices from the third world and among women in international affairs.

As a practicing lawyer and consultant, Prof. Kennedy has worked on numerous international projects, both commercial and public, including work with the United Nations, the Commission of the European Union, and with the private firm of Cleary, Gottlieb, Steen and Hamilton in Brussels. His work with Cleary, Gottlieb, Steen and Hamilton combined European antitrust litigation, government relations advising and general corporate law.

Prof. Kennedy served as Chair of the Graduate Committee and Faculty Director of Graduate and International Legal Studies from 1991-1997. He has advised a number of educational institutions on their law and graduate programs, including Brown University, the University of Quebec Laval and the Monterey Institute of International Studies. Professor Kennedy has lectured at numerous universities and institutes, and has been a Visiting Professor at New York University in 1999, at the University of Paris (X) in 1995-1998, 2001-2002, and 2005-2006; at the University of Toronto in 1998 and 1999 and at the University of Paris (II) in the spring of 1998. He was a Visiting Scholar at the School of Oriental and African Studies, University of London 2000-2001.

Professional Experience:

- Manley O. Hudson Professor of Law, Harvard Law School, since 2003;
Director, European Law Research Center, since 1991;
Faculty Director, Graduate and International Legal Studies, 1991-1997;
Chair, Committee of Graduate Studies, 1990-1997;
Henry J. Shattuck Professor of Law, Harvard Law School, 1994-2003;
Professor of Law, 1986-1994; Assistant Professor, 1983-1986; Lecturer, 1981-1983;
Courses: International Law, European Community Law, International Economic Law, Contracts, Evidence, American Legal Thought, Law and Development
- Visiting Professor, New York University Law School, Spring 1999;
Courses: Foreign Relations Law and International Law.
- Of counsel, Cleary, Gottlieb, Steen & Hamilton, Brussels, Belgium, 1989-1990.
General corporate, European Communities and government relations practice.

- Consultant for various projects involving international and European Community Law, including work for the United Nations High Commissioner for Refugees, the European Communities Commission Legal Service, the Monterey Institute of International Studies, Doctors Without Borders and the Thai Foreign Ministry

Education:

- Ph.D., Fletcher School of Law and Diplomacy, Tufts University, 1984. Fields: international law and organizations, international economics, law and development. Dissertation: International Legal Structures
- J.D., magna cum laude, Harvard Law School, 1980.
- M.A.L.D., Fletcher School of Law and Diplomacy, Tufts University, 1979.
- A.B., with honors, Brown University, 1976.

Professional Membership:

- District of Columbia Bar, admitted 1980.
- Council on Foreign Relations, since 2003.

Overseas Experience:

- Visiting Professor, University of Paris X, Nanterre, 1995-96, 1996-97, 1998, 2001-2002, 2005-2006; University of Turin, 2001 and 2002; Visiting Scholar, School of Oriental and African Studies, University of London, 2000-2001; Visiting Professor, Australian National University, 2000; University of Paris II, 1998; University of Toronto 1998 and 1999; Fulbright Fellow, Belgium 1984; Alexander von Humboldt Stiftung and Sheldon Fellow, Germany; Fellow jointly at Institute for International Law, Kiel University and Institute for International Affairs, Hamburg University, Germany, 1980-1981.

Publications

Books

- ["The Dark Sides of Virtue: Reassessing International Humanitarianism,"](#) Princeton University Press (2004).
- **"The Canon of American Legal Thought"**, (with William Fisher), Princeton University Press (Forthcoming, 2006)
- **"Of War and Law"**, Princeton University Press (Forthcoming, 2006)

- **"Economic Development Expertise"**, Princeton University Press (Forthcoming, 2007)
- **"International Legal Structures,"** (Nomos, 1987)

Articles and Book Chapters

- **"Reassessing the Humanitarian Promise of the International Legal Tradition"**
126 Zeitschrift für Schweizerisches Recht I, 133-156 (2006)
- **"The 'Rule of Law,' Political Choices and Development Common Sense"**, in "The New Law and Economic Development," David M. Trubek, and Alvaro Santos, eds., Cambridge University Press (Forthcoming 2006).
- **"Reassessing International Humanitarianism: The Dark Sides"**, in "International Law and its Others," Anne Orford, Editor, Cambridge University Press (Forthcoming, 2006)
- **"Leader, Clerk, or Policy Entrepreneur? The Secretary-General in a Complex World"** in "Secretary or General? The Role of the United Nations Secretary-General in World Politics" Simon Chesterman, Editor, Cambridge University Press (Forthcoming, 2006)
- **"How Should Sovereignty be Defended?"** (with James Der Derian, Michael W. Doyle & Jack L. Snyder) in "Politics Without Sovereignty: A Critique of Contemporary International Relations" Alex Gourevitch, Editor, UCL Press (Forthcoming, 2006)
- **Proceedings of the Symposium "Representing Culture: Translating Human Rights"** Texas International Law Journal (Forthcoming, 2006)
- **"War and International Law: Distinguishing Military and Humanitarian Professions,"** Navy Blue Book (Forthcoming, 2006)

- ["Speaking Law to Power: International Law and Foreign Policy: Closing Remarks"](#), University of Wisconsin Law School, March 6, 2004, 23 Wisconsin International Law Journal 1, 173-181 (Winter 2005).
- Proceedings from the Conference **"Working Borders: Linking Debates About Insourcing and Outsourcing of Capital and Labor"**, University of Texas Law School, February 10-11, 2005, 40 Texas International Law Journal 4, 692-805 (Summer 2005).
- **"THEMIS Interview"**, 51 THEMIS Law Review 2005.
- ["Challenging Expert Rule: The Politics of Global Governance,"](#) 27 Sydney Journal of International Law, 5-28 (2005)
- ["International Humanitarianism: The Dark Sides,"](#) 6 The International Journal of Not-for-Profit Law 3, (June, 2004).
- ["Proceedings of the International Symposium on the International Legal Order,"](#) (5.8 MB) 16 Leiden Journal of International Law 4, 839-843 (December 2003).
- ["Tom Franck and the Manhattan School,"](#) (239 KB) 35 New York University Journal of International Law and Politics 2, 397-435 (Winter 2003).
- ["Laws and Developments,"](#) (1.4 mb) in Law and Development: Facing Complexity in the 21st Century, edited by Amanda Perry-Kessaris and John Hatchard, Cavendish Publishing, (2003). Published in Spanish as ["Derecho y Desarrollo"](#), by Dr. Encarnacion Postigo Pinzano (Forthcoming)
- ["The Politics and Methods of Comparative Law,"](#) (584 KB) in The Common Core of European Private Law: Essays on the Project, edited by Mauro Bussani and Ugo Mattei, Kluwer Law International, 131-207 (2003). Originally published in Comparative Legal Studies: Traditions and Transitions, edited by Pierre Legrand and Roderick Munday, 345-433 (Cambridge University Press 2003).

- **"The Twentieth Century Discipline of International Law in the United States,"** in Looking Back at Law's Century, edited by Austin Sarat et al., Cornell University Press, 386, (2002).
- **"The Politics of the Invisible College: International Governance and the Politics of Expertise,"** (5.3 mb) 5 European Human Rights Law Review 2001.
- **"The Spectacle and the Libertine"** in Aftermath (150 kb), edited by L.V. Kaplan and B.I. Moran, New York University Press, (2001). Originally presented at a conference held at the University of Wisconsin Law School on February 5, 2000 entitled "Aftermath: Conversations on the Clinton Scandal, the Future of the Presidency and the Liberal State."
- **"The International Human Rights Movement: Part of the Problem?"** (1.54 mb) 14 Harvard Human Rights Journal 2001. Originally published in 3 European Human Rights Law Review 2001. Published in Spanish as "El Movimiento por los Derechos Humanos Internacionales: ¿Forma Parte del Problema?," by Laura Parrilla Gomez (Forthcoming)
- **"The Forgotten Politics of International Governance"** (1.1 mb) 2 European Human Rights Law Review 2001. Previously published as "Background Noise? - The Politics Beneath Global Governance", 21 Harvard Int'l Review 3, 52 (Summer 1999). Published in Italian as "Tecnocrazia e Contesto: Ovvero i fraintendimenti della globalizzazione e la (ri)scoperta del background," Anno XIX Rivista Critica del Diritto Privato 663 (2001).
- **"The Politics and Methods of Comparative Law,"** presented at Downing College, Cambridge, July 26-30, 2000.
- **"Introduction,"** Hague Yearbook of International Law 1 (2000).
- **"Putting the Politics Back in International Politics,"** The Finnish Yearbook of International Law 17 (2000).

- ["My Talk at the ASIL: What is New Thinking in International Law?,"](#) (1.4 mb) Proceedings of the 94th Annual Meeting of the American Society of International Law, 104-125, April 5-8, 2000.
- ["When Renewal Repeats: Thinking Against the Box,"](#) (9.4 mb) 32 New York Journal of International Law and Politics 2, 335 (Winter 2000). Reprinted in Left Legalism/Left Critique Duke University Press (2001). Published in Spanish as "Cuando la Renovación solo es Repetición: Ideas Contra el Paradigma," in 4 Revista Electrónica de Estudios Internacionales 2002 and as "Rompiendo moldes en el Derecho Internacional: Cuando la renovación es repetición," translated by Ignacio Forcada, Dykinson, 2002.
- [Book Review](#) (142 kb) 22 Cardozo Law Review, 991 (March 2001) (reviewing Duncan Kennedy, A Critique of Adjudication (fin de siècle) (1997)).
- ["The International Anti-Corruption Campaign,"](#) (1.5 mb) 14 U. Conn. J. of Int'l Law, 101 (1999).
- ["The Disciplines of International Law and Policy,"](#) (16.7 mb) five lectures delivered at The University of Paris, February (1998), published in French as "Les clichés revisités, le droit international et la politique," Droit International 4, 1999/2000; and in English, in 12 Leiden Journal of International Law, 9 (1999).
- ["The Nuclear Weapons Case: International Law at the Close of the Twentieth Century,"](#) in "International Law, the International Court of Justice and Nuclear Weapons," edited by Philippe Sands, Cambridge university Press pp 462-472 (1999).
- ["Losing Faith in the Secular: Law, Religion and International Governance,"](#) (104 kb) presented at the Center for Literary and Cultural Studies, Harvard University, November 15, 1997, published in 4 Graven Images: Transgression, Punishment, Responsibility and Forgiveness, 138 (1998); re-titled "Global Religion and the Law" in One Nation Under God?, edited by Marjorie Garber and Rebecca L. Walkowitz, Routledge, Inc, 115 (1999); also published as "Images of Religion in International Legal Theory" in Religion and International Law, edited by Mark Janis, by Kluwer Academic Publishers (1999).

- ["New Approaches to Comparative Law: Comparativism and International Governance"](#) (8.7 mb), 2 Utah Law Review, 545 (1997).
- ["International Law in the Nineteenth Century: History of an Illusion"](#) (4.5 mb) 17 Quinnipiac L.R., 199-136 (1998). Originally published in 65 Nordic Journal of International Law, 385-420 (1996).
- ["A New World Order: Yesterday, Today and Tomorrow,"](#) (3.4 mb) 4:X Transnational Law and Contemporary Problems, 330 (1995).
- ["Receiving the International,"](#) (2.3 mb) 10 Conn. J. of Intl. L., 1 (1994); reprinted, 5 (1994); and in "Law, Life and the Images of Man: Modes of Thought in Modern Legal Theory," edited by Frank Fleerackers, Evert van Leeuwen and Bert van Roermund, Duncker & Humblot, Berlin, 393 (1997).; "La internacionalización," in Mundialización económica y crisis político-jurídica, Anales de la Cátedra Francisco Suárez N.º 32, 49 (1995).
- ["The International Style in Postwar Law and Policy,"](#) (2.5 mb) 1 Utah Law Review, 7 (1994). Excerpt reprinted as "Il Kelsen delle 'Oliver Wendell Holmes' Lectures: un pragmatista del diritto internazionale pubblico.," IV 2 Diritto e Cultura, translated by Angelo Di Giovanni, 12 - 47 (July - Dec. 1994); Excerpt reprinted as "The International Style in Postwar Law and Policy: John Jackson and the Field of International Economic Law," 10 The American Journal of International Law and Policy, 671 (1995). Excerpt reprinted as "The International Style in Postwar Law and Policy," Chapter 4 of Law and Moral Action in World Politics, Northwestern University Press, (1997).
- ["Autumn Weekends: An Essay on Law and Everyday Life," in Law and Everyday Life](#) (3.6 mb), edited by Austin Sarat and Thomas R. Kearns, 191 (1993). Excerpts reprinted as "An Autumn Weekend" in After Identity: A Reader in Law and Culture, edited by Danielsen and Engel, 191-210 (Routledge, Chapman, Hall, 1995); translated as "Weekends d'Automne," Droit International 4, 1999/2000 (133-178).
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- ["The Limits of Integration: Eastern Europe and the European Communities,"](#) (2.9 mb) (with David Webb). 30 Common Market Law Review, 1095 (1993).
- ["Spring Break,"](#) (3.0 mb) 63 Texas Law Review, 1377 (1985). Reprinted with a new introduction in Knowledges: Historical and Critical Studies in Disciplinarity, edited by Messer-Davidow, Shumway and Sylvan, 422 (Virginia, 1993).
- **Some Reflections on "The Role of Sovereignty in the International Order,"** in State Sovereignty: The Challenge of a Changing World: Proceedings of the 1992 Conference of the Canadian Council on International Law, 237 (1992).
- ["Turning to Market Democracy: A Tale of Two Architectures,"](#) (1.3 mb) 32 Harvard International Law Journal, 373 (1991).
- ["Images of Religion in International Legal Theory,"](#) (1.1 mb) in The Influence of Religion on the Development of International Law, edited by Janis, 137 (Kluwer, 1991); Religion and International Law, edited by Mark Janis, by Kluwer Academic Publishers (1999).
- ["A New Stream of International Law Scholarship,"](#) (3.7 mb) 7 Wisconsin International Law Journal, 1 (1988).
- **"Religion and International Law,"** Proceedings of the American Society of International Law, 198 (1988).
- ["The Sources of International Law,"](#) 2 American U. J. Int. L. & Pol., 1 (1987).
- ["The Move to Institutions,"](#) (12.7 mb) 8 Cardozo Law Review, 841 (1987). Reprinted in "International Organization," Jan Klabbers, editor, Ashgate Publishing Limited (2006)
- ["Critical Theory, Structuralism and Contemporary Legal Scholarship,"](#) (1.1 mb) 21 New England Law Review, 209 (1986).

- ["Primitive Legal Scholarship,"](#)(5.4 mb) 27-1 Harvard International Law Journal, 1 (1986).
- ["International Refugee Protection,"](#) (5.4 mb) 8 Human Rights Quarterly, 1 (1986).
- ["The Turn to Interpretation,"](#) (1.4 mb) 58 So. Calif. Law Review, 1 (1985).
- **"Theses about International Law Discourse,"** 23 German Yearbook of International Law, 353 (1980).