

VITA

JOHN HASNAS

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EDUCATION

LL.M., Legal Education, Temple University School of Law
Ph.D., Philosophy, Duke University
J.D., Duke University School of Law
B.A., Philosophy, Lafayette College

BAR ADMISSIONS

North Carolina

PROFESSIONAL EXPERIENCE

2015 - Professor of Ethics, McDonough School of Business, Georgetown University;
Professor of Law (by courtesy), Georgetown University Law Center; Executive
Director, Georgetown Institute for the Study of Markets and Ethics

Courses Taught: Business School - Structure of Global Industries, Leadership
and Business Ethics, Ethical Management and White Collar Crime, Social
Responsibilities of Business; Law School - Torts, Criminal Law, Bioethics, White
Collar Crime

2011- Executive Director, Georgetown Institute for the Study of Markets and Ethics

2006 - 2015 Associate Professor of Ethics, McDonough School of Business, Georgetown
University; Associate Professor of Law (by courtesy), Georgetown University
Law Center

Spring 2009 Visiting Associate Professor of Law, Duke University School of Law

Courses Taught: Criminal Law

PROFESSIONAL EXPERIENCE (Cont.)

- 1999 - 2005 Associate Professor of Law, George Mason University School of Law
Courses Taught: Torts, Criminal Law, White Collar Crime, Bioethics
- 2002-03 Visiting Associate Professor of Law, Washington College of Law, American University
Courses Taught: Torts, Bioethics, Jurisprudence
- Spring 2002 Visiting Scholar, Kennedy Institute of Ethics, Washington, DC
- 1997-99 Assistant General Counsel, Koch Industries, Inc.
- 1991-97 Assistant Professor of Business Ethics and Adjunct Professor of Law and Philosophy, Georgetown University
Courses taught: Ethics and Public Policy, Business Ethics, Social Responsibilities of Business, Legal History Seminar: Law and Equity (Georgetown Law Center)
- 1991-97 Senior Research Fellow, Kennedy Institute of Ethics, Washington, DC
- Spring 1994 Visiting Scholar, Social Philosophy and Policy Center, Bowling Green, OH
- 1989-91 Law and Humanities Fellow, Temple University School of Law
Courses taught: Bioethics, Criminal Law, Jurisprudence

SCHOLARSHIP

Books:

Common Law Liberalism: a New Theory of the Libertarian Society (currently under review)

Against Corporate Responsibility (currently under review)

Better Ethics for Better Behavior (Oxford University Press, 2021) (with Jason Brennan, William English, and Peter Jaworski)

Trapped: When Acting Ethically Is Against the Law (Cato Institute 2006)

SCHOLARSHIP (Cont.)**Edited Anthologies:**

"The Ethics of Freedom of Speech," 20 *Georgetown Journal of Law and Public Policy* (2022) (co-editors: Peter Jaworski, William English, and Sahar Akhtar)

"The Ethics of Regulation," 19 *Georgetown Journal of Law and Public Policy* (2021) (co-editors: Peter Jaworski, William English, and Eric Sampson)

"Proportionality in the Criminal Law" *Criminal Law and Philosophy* (2021)

"The Ethics of Democracy," 18 *Georgetown Journal of Law and Public Policy* (2020) (co-editors: Peter Jaworski, William English, and Sahar Akhtar)

"The Ethics of Corporate Moral Agency," 17 *Georgetown Journal of Law and Public Policy* (2019) (co-editors: Peter Jaworski, William English, and Sahar Akhtar)

"The Ethics of Diversity," 16 *Georgetown Journal of Law and Public Policy* (2018) (co-editors: Peter Jaworski and William English)

"Crime Without Fault: The Justifiability of Public Welfare Offenses and the Responsible Corporate Officer Doctrine," 12 *Criminal Law and Philosophy* (2018)

"Ethics and What Is Not Seen: The Effects of Remote Consequences on Ethical Analysis" 15 *Georgetown Journal of Law and Public Policy* (2017) (co-editors: Jason Brennan, Peter Jaworski, & David Faraci)

"The Ethics of Nudging" 14 *Georgetown Journal of Law and Public Policy* (2016) (co-editors: Jason Brennan & Peter Jaworski)

"The Ethical Limits of Markets" 13 *Georgetown Journal of Law and Public Policy* (2015) (co-editors: Jason Brennan & Peter Jaworski)

"The Ethics of Lobbying," 12 *Georgetown Journal of Law and Public Policy* (2014) (co-editors: Jason Brennan & Peter Jaworski)

"The Ethics of Bailouts and Government Support for Corporations: Public Benefit or Crony Capitalism?" 11 *Georgetown Journal of Law and Public Policy* (2013) (co-editors: Jason Brennan & Peter Jaworski)

SCHOLARSHIP (Cont.)

Book Chapters:

"Freedom of Expression at the Private University," in *The Value and Limits of Academic Speech*, Routledge (2018)

"The Problem of Punishment" in *Policing and Punishment: Philosophical Problems and Policy Solutions*, Routledge (2017)

"The Phantom Menace of the Responsibility Deficit" in *The Moral Responsibility of Firms*, Oxford University Press (2017)

"The Mirage of Product Safety," in *The Oxford Handbook of Business Ethics* (2009)

"The Obviousness of Anarchy," in *Anarchism/Minarchism: Is a Government Part of a Free Country?* 111 (2008)

Articles:

"Free Speech and the Common Law: A Contrarian View" forthcoming *Georgetown Journal of Law and Public Policy* (2023)

"Free Speech on Campus: Countering the Climate of Fear," 20 *Georgetown Journal of Law and Public Policy* 975 (2022)

"The Forlorn Hope: A Final Attempt to Storm the Fortress of Corporate Criminal Liability," forthcoming in *Journal of Corporation Law* (2022)

"Market Failure, Regulation, and Invisible Gorillas," 19 *Georgetown Journal of Law and Public Policy* 813 (2021)

"The Core of Business Ethics," 125 *Business and Society Review* 375 (2020)

"Ten Questions About Democracy," 18 *Georgetown Journal of Law and Public Policy* 643 (2020)

"Hierarchy? What Hierarchy? Why Legal Education is the Most Egalitarian Form of Higher Education," *Temple Law Review* <https://www.templelawreview.org/symposium-series-3/> (2020)

"Two Conceptions of Rights: Twenty-Five Years Later," *Northwestern University Law Review Blog* (2020), <http://blog.northwesternlaw.review/?p=1191>.

SCHOLARSHIP (Cont.)

Articles (Cont.):

“The Real Menace of the Responsibility Surplus,” 17 *Georgetown Journal of Law and Public Policy* 935 (2019)

“The Corruption of the Rule of Law” 35 *Social Philosophy and Policy* 12 (2019)

“Clockwork Corporations: A Valiant Attempt to Do the Impossible,” 103 *Iowa Law Review Online* 28 (2018)

“Corporations and Voting: A Reply to Kenneth Silver,” 6 *Business Ethics Journal Review* 36 (2018)

"The Quest for a Diverse Faculty: Theory and Practice," 17 *Georgetown Journal of Law and Public Policy* 753 (2018)

“How to Change University Policy: A Case Study” in *Foundation for Individual Rights in Education 2018 Conference Proceedings*

"Reflections on Prince, Public Welfare Offenses, American Cyanamid, and the Wisdom of the Common Law" 12 *Criminal Law and Philosophy* 427 (2018)

"Should Corporations Have the Right to Vote? A Paradox in the Theory of Corporate Moral Agency," 150 *Journal of Business Ethics* 657 (2018) DOI 10.1007/s10551-016-3172-0.

"Does Corporate Moral Agency Entail Corporate Freedom of Speech?" 43 *Social Theory and Practice* 589 (2017)

"Some Noodging about Nudging: Four Questions about Libertarian Paternalism," 14 *Georgetown Journal of Law and Public Policy* 645 (2016)

Hasnas, J., Prentice, R., Reynolds, S., Weaver, G. “Oil and Water, or Peas in a Pod: Making Sense of Behavioral and Normative Approaches to Business Ethics” *Academy of Management Learning and Education*

"A Context for Evaluating Department of Justice Policy on the Prosecution of Business Organizations: Is the Department of Justice Playing in the Right Ballpark?," 51 *American Criminal Law Review* 7 (2014)

"Lobbying and Self-Defense," 12 *Georgetown Journal of Law and Public Policy* 391 (2014)

SCHOLARSHIP (Cont.)

Articles (Cont.):

"Is There a Duty to Obey the Law?" 30 *Social Philosophy and Policy* 450 (2013)

"Teaching Business Ethics: The Principles Approach," 10 *Journal of Business Ethics Education* 275 (2013)

"Whither Stakeholder Theory?: A Guide for the Perplexed Revisited," 112 *Journal of Business Ethics* 47 (2013)

"Attempt, Preparation, and Harm: The Case of the Jealous Ex-Husband," 9 *Ohio State Journal of Criminal Law* 761 (2012)

"Reflections on Corporate Moral Responsibility and the Problem Solving Technique of Alexander the Great," 107 *Journal of Business Ethics* 183 (2012)

"Is Moral Imagination the Cure for Misapplied Judicial Empathy?: Bandes, Bastiat, and the Quest for Justice," 51 *Washburn Law Review* 25 (2012)

"Where Is Felix Cohen When We Need Him?: Transcendental Nonsense and the Moral Responsibility of Corporations," 19 *Brooklyn Journal of Law and Policy* 55 (2010)

"New Directions in Legal Scholarship: Implications for Business Ethics Research, Theory, and Practice," (with Alan Strudler and Robert Prentice) 20 *Business Ethics Quarterly* 503 (2010)

"Between Scylla and Charybdis: Ethical Dilemmas of Corporate Counsel in the World of the Holder Memorandum," 2009 Tabor Lecture, Tabor Institute on Legal Ethics, 44 *Valparaiso University Law Review* 1199 (2010)

"The Centenary of a Mistake: One Hundred Years of Corporate Criminal Liability," 46 *American Criminal Law Review* 1329 (2009)

"Two Theories of Environmental Regulation," 26 *Social Philosophy and Policy* 95 (2009)

"Managing the Risks of Legal Compliance: Conflicting Demands of Law and Ethics," 39 *Loyola University Chicago Law Journal* 507 (2008)

"The Depoliticization of Law," 9 *Theoretical Inquiries in Law* 529 (2008)

"Up From Flatland: Business Ethics in the Age of Divergence," 17 *Business Ethics Quarterly* 399 (2007) (Best Paper, 2006 Society for Business Ethics annual conference)

SCHOLARSHIP (Cont.)

Articles (Cont.):

"Confusion About Hayek's Confusion," 2 *New York University Journal of Law & Liberty* 241 (2007)

"Unethical Compliance and the *Non Sequitur* of Academic Business Ethics," 21 *Journal of Private Enterprise* 87 (2006)

"Toward a Theory of Empirical Natural Rights," 22 *Social Philosophy and Policy* 111 (2005)

"Hayek, Common Law, and Fluid Drive," 1 *New York University Journal of Law & Liberty* 79 (2005)

"The Significant Meaninglessness of *Arthur Andersen LLP v. United States*," 2004-2005 *Cato Supreme Court Review* 187 (2005)

"Ethics and the Problem of White Collar Crime," 54 *American University Law Review* 579 (2005)

"Reflections on the Minimal State," 2 *Politics, Philosophy and Economics* 115 (2003)

"Once More unto the Breach: The Inherent Liberalism of the Criminal Law and Liability for Attempting the Impossible," 54 *Hastings Law Journal* 1 (2002)

"Equal Opportunity, Affirmative Action, and the Anti-Discrimination Principle: The Philosophical Basis for the Legal Prohibition of Discrimination," 71 *Fordham Law Review* 423 (2002)

"Ethics and Information Systems: The Corporate Domain," (with H. Jefferson Smith) 23 *Management Information Systems Quarterly* 109 (1999)

"The Normative Theories of Business Ethics: A Guide for the Perplexed," 8 *Business Ethics Quarterly* 19 (1998) (Anthologized in Beauchamp and Bowie, *Ethical Theory and Business*, 7th ed. and in Allhoff & Vaidya, *Business Ethics*)

"The Dangerous Dichotomy of *Democracy's Discontent* or Michael Sandel and the Fallacy of the False Dilemma," 85 *Georgetown Law Journal* 2139 (1997)

"What's Wrong with a Little Tort Reform?" 32 *Idaho Law Review* 557 (1996)

SCHOLARSHIP (Cont.)

Articles (Cont.):

"Back to the Future: From Critical Legal Studies Forward to Legal Realism, or How Not to Miss the Point of the Indeterminacy Argument," 45 *Duke Law Journal* 84 (1995)

"From Cannibalism to Caesareans: Two Conceptions of Fundamental Rights," 89 *Northwestern University Law Review* 900 (1995)

"The Myth of the Rule of Law," 1995 *Wisconsin Law Review* 199 (1995)

"Are There Derivative Natural Rights?" 9 *Public Affairs Quarterly* 215 (1995)

"Affirmative Action and the New Discrimination: A Reply to Duncan Kennedy," 54 *Louisiana Law Review* 263 (1993)

Book Reviews and Shorter Publications:

"Business Persons: A Legal Theory of the Firm" Book Review 25 *Business Ethics Quarterly* 397 (2015)

"Not Quite Breaking the Ice," Review of *Free Market Fairness*, 35(3) *Regulation* 52 (2012)

"A Useful Frightening Book," Review of *Prosecutors in the Boardroom*, 35(1) *Regulation* 52 (2012)

"The Discordance of *New York Central Jazz*," 33 *Regulation* 46 (2010)

"Criminalizing Corporate Conduct: How Far Is Too Far?" Point of Law.com Featured Discussion, July 27-31, 2009

"*Mens Rea* Requirement: A Critical Casualty of Overcriminalization," Washington Legal Foundation Paper, December 12, 2008

"Sins of the Children: Punishing Businesses for Employees' Crimes," Heritage Foundation Web Memo, August 16, 2006

"Who Put the Public in Public Philosophy?" 8 *The Good Society* 19 (1998)

"Sexual Harassment" in Werhane and Freeman, *The Blackwell Encyclopedic Dictionary of Business Ethics* (1997)

SCHOLARSHIP (Cont.)

Book Reviews and Shorter Publications (Cont.):

"The Social Responsibility of Corporations and How to Make It Work for You" 44 *The Freeman* 332 (1994)

Columns:

"Why Colleges Don't Care About Free Speech," Wall Street Journal, February 6, 2022

"Why I'll Be on Campus This Fall," Wall Street Journal, July 13, 2020

"The One Kind of Diversity Colleges Avoid," Wall Street Journal, March 31, 2016

"Nudging Voters," The Hill Congress Blog, March 15, 2016

"The Surprising Obstacle Mizzou and Yale Face in Increasing Diversity," Fortune, November 21, 2015

"Out of the Mouths of Babes," Huffington Post, September 17, 2013

"The 'Unseen' Deserve Empathy, Too," Wall Street Journal, May, 29 2009 (Awarded the 2009 Bastiat Prize for Journalism)

"Felony Inc.," Worth Magazine, January 2007

"Do Nothing," Wall Street Journal, September 16, 2006

"End the Draft," National Law Journal, April 24, 2006

"Department of Coercion," Wall Street Journal, March 11, 2006

"Diversity Thumbs on the Scales" Washington Times, June 22, 2003

"Too Much Official Power," National Law Journal, May 5, 2003

"Racial Preferences, Even If for Good, Open Door to Future Abuse," Detroit Free Press, March 27, 2003

"Novel View of Election Money," National Law Journal, January 29, 2001

"Rick-Hil Deal Is How to End Soft Money," N.Y. Daily News, October 4, 2000

SCHOLARSHIP (Cont.)

Columns (Cont.):

"New Life for Smokers," Washington Post, August 20, 1995

"Establishing an Ethical Framework," (with Jeff Smith) *Beyond Computing* magazine, January/February 1994

"Debating the Stakeholder Theory," (with Jeff Smith) *Beyond Computing* magazine, March 1994.

"Overgrazing Till the Cows Come Home," L.A. Times, November 1, 1992

"The Tragedy of the Commons—and the Congress," Baltimore Sun, November 20, 1992

Case Studies:

"An Explosive Problem at Gigantic Motors" in Tom L. Beauchamp, *Case Studies in Business, Society, and Ethics* (5th. ed. 2004)

"Stirling Bridge Tool and Machinery Company" in Tom L. Beauchamp, *Case Studies in Business, Society, and Ethics* (5th. ed. 2004)

"Awkward Advances at Your Old House Magazine" in Tom L. Beauchamp, *Case Studies in Business, Society, and Ethics* (5th. ed. 2004)

"Rumpole's Revenge or Women in Catering" in Tom L. Beauchamp, *Case Studies in Business, Society, and Ethics* (5th. ed. 2004)

"Confronting Harassment" in Thomas Donaldson and Patricia Werhane, *Ethical Issues in Business* (5th ed. 1996)

"The Hazards of the Enterprise" in Thomas Donaldson and Al Gini, *Case Studies in Business Ethics* (4th ed. 1996)

"Gender Issues at Your House" in Thomas Donaldson and Al Gini, *Case Studies in Business Ethics* (4th ed. 1996)