

VITA

JOHN HASNAS

ADDRESS

Georgetown University
McDonough School of Business
37th & O Streets, NW
Washington, DC 20057
Voice - (202) 687-4825
E-mail - hasnasj@georgetown.edu

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

2005 - Associate Professor, McDonough School of Business, Georgetown University &
Visiting Associate Professor of Law, Georgetown University Law Center 2008 -

Courses Taught: Torts (Law Center), Bioethics (Law Center), White Collar
Crime, Legal Compliance, Business Ethics, Social Responsibilities of Business

2008-09 Visiting Associate Professor of Law, Georgetown University Law Center (Fall) &
Duke University School of Law (Spring)

Courses Taught: Torts, Criminal Law, Bioethics

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

PROFESSIONAL EXPERIENCE (Cont.)

Spring 2002 Visiting Scholar, Kennedy Institute of Ethics, Washington, DC

1997-99 Assistant General Counsel, Koch Industries, Inc. (KII)

Responsibilities: Ensure that KII's Public Affairs Division's lobbying activities conformed to ethical standards. Create KII's legal reform vision and strategy to guide lobbying efforts on legal issues on the state and federal levels. Manage the application of KII's market-based management philosophy to KII's legal department.

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:

TRAPPED: WHEN ACTING ETHICALLY IS AGAINST THE LAW (2006)

Articles and Book Chapters:

"Where Is Felix Cohen When We Need Him?: Transcendental Nonsense and the Moral Responsibility of Corporations," forthcoming as part of the Brooklyn Journal of Law and Policy's Symposium "Sharing the Blame: The Law and Morality of Punishing Collective Entities" (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)

Articles and Book Chapters (Cont.):

“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 (2009)

“The Centenary of a Mistake: One Hundred Years of Corporate Criminal Liability,” 46 AMERICAN CRIMINAL LAW REVIEW 1329 (2009)

“The Mirage of Product Safety,” in THE OXFORD HANDBOOK OF BUSINESS ETHICS 677 (2009)

“Two Theories of Environmental Regulation,” 26 SOCIAL PHILOSOPHY AND POLICY 95 (2009)

“The Depoliticization of Law,” 9 THEORETICAL INQUIRIES IN LAW 529 (2008)

“Managing the Risks of Legal Compliance: Conflicting Demands of Law and Ethics,” 39 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 507(2008)

“The Obviousness of Anarchy,” in ANARCHISM/MINARCHISM: IS A GOVERNMENT PART OF A FREE COUNTRY? 111 (2008)

“Foreword to Corporate Criminality: Legal, Ethical, and Managerial Implications,” 44 AMERICAN CRIMINAL LAW REVIEW 1269 (2007)

“Confusion About Hayek's Confusion,” 2 NEW YORK UNIVERSITY JOURNAL OF LAW & LIBERTY 241 (2007)

“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)

“Unethical Compliance and the *Non Sequitur* of Academic Business Ethics,” 21 JOURNAL OF PRIVATE ENTERPRISE 87 (2006) (Anthologized in K. NAGA SRI VALLI, WHITE COLLAR CRIMES: A DEBATE)

“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)

“Hayek, Common Law, and Fluid Drive,” 1 NEW YORK UNIVERSITY JOURNAL OF LAW & LIBERTY 79 (2005) (Anthologized in MARIO RIZZO, AUSTRIAN LAW AND ECONOMICS)

Articles and Book Chapters (Cont.):

“Toward a Theory of Empirical Natural Rights,” 22 SOCIAL PHILOSOPHY AND POLICY 111 (2005) (Anthologized in MARIO RIZZO, AUSTRIAN LAW AND ECONOMICS and CARLOS A. PRIMO BRAGA & OLIVIER CATTANEO, THE WTO AND ACCESSION COUNTRIES)

“Reflections on the Minimal State,” 2 POLITICS, PHILOSOPHY AND ECONOMICS 115 (2003) (Anthologized in MARIO RIZZO, AUSTRIAN LAW AND ECONOMICS)

“Equal Opportunity, Affirmative Action, and the Anti-Discrimination Principle: The Philosophical Basis for the Legal Prohibition of Discrimination,” 71 FORDHAM LAW REVIEW 423 (2002)

“Once More unto the Breach: The Inherent Liberalism of the Criminal Law and Liability for Attempting the Impossible,” 54 HASTINGS LAW JOURNAL 1 (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)

“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) (Anthologized in ED STRINGHAM, ANARCHY AND THE LAW)

“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)

Works in Progress:

“The Supreme Court and the Meaning of Life: A Legal and Philosophical Primer on the Right to Die,” Presented at the Health Law Scholars Workshop, St. Louis University School of Law

“Ethos or Ethics: Should We Punish the Twinkies?”

“Reflections on *Prince*, Public Welfare Offenses, *American Cyanamid*, and the Wisdom of the Common Law”

Columns:

“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

“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/April 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

Other Publications:

“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)

“The Social Responsibility of Corporations and How to Make It Work for You” 44 THE FREEMAN 332 (1994)

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)

RECENT HONORS AND EDITORIAL POSITIONS

Recipient of the 2009 Bastiat Prize for Journalism
Selected to present the 2009 Tabor Lectures by the Tabor Institute on Legal Ethics
Recipient of Best Paper Award, 2006 Society for Business Ethics annual conference
Editorial Board, Business Ethics Quarterly
Editorial Board, Annals of Bioethics

LECTURES AND PROFESSIONAL PRESENTATIONS:

“Where Is Felix Cohen When We Need Him?: Transcendental Nonsense and the Moral Responsibility of Corporations,” Brooklyn Law School, Brooklyn, NY February 2010

“The Illiberalism of Corporate Criminal Liability,” Columbia Law School, New York, NY January 2010

“The Discordance of *New York Central Jazz*,” Duke University School of Law, Durham, NC, November 2009

“Corporate Criminal Liability: A Debate,” University of Illinois College of Law, Champaign, Ill, October 2009

“The Proper Application of the Market Failure Argument,” Lecture to Congressional Staff, Rayburn Building, Washington, DC, August 2009

“The Nature of the Right to Die,” Duke University Law School Workshop Series, Durham, NC, April 2009

2009 Tabor Lectures, Tabor Institute on Legal Ethics, Valparaiso University School of Law, Valparaiso, IN, March, 2009:

Bench and Bar Lecture: “Between Scylla and Charybdis: Ethical Dilemmas of Corporate Counsel in the World of the Holder Memorandum”

Public Lecture: “Of Sirens, Shepherds, and Lawyers: Imagery and the Attorney’s Ethical Obligation”

“Did Nineteenth Century Legal Reform Enable the Regulatory State?” Center for the History of Political Economy, Duke University, Durham, NC, March 2009

“The Supreme Court and the Meaning of Life,” American Constitutional Society, Duke University School of Law, Durham, NC, March 2009

“Law and the Market: The Failure of the Market Failure Argument,” Rhodes College, Memphis, TN, November 2008

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

Commentator for “The Roles of Standardization, Certification, and Assurance Services in Global Commerce,” at Symposium on Corporate Social Responsibility: Law, Operations, and Strategy, Georgetown University Law Center, November 2008

“Ethical Controversies in Ethnic Medicine,” Symposium on Ethnic Influences in Cardiovascular Disease, Orlando, FL, October 2008

“When is it Unethical to Obey the Law?” Cumberland School of Law, Birmingham, AL, October 2008

Director, “Tort Law, Liberty, and Responsibility,” Liberty Fund colloquium, Alexandria, VA, September, 2008

“Federal Prosecution of Corporate Crime,” University of Miami School of Law, Miami FL, September 2008

Invited participant, Social Philosophy and Policy Center/Liberty Fund conference “Liberty and Environmentalism,” Orlando FL, June 2008

“What’s Wrong with Punishing the Innocent,” University of Cincinnati College of Law, Cincinnati, OH January 2008

“What’s Wrong with Punishing the Innocent,” Northern Kentucky University Chase College of Law, Cincinnati, OH, January 2008

Academic participant, Mitchell Forum on Ethical Leadership, Naples, FL, January 2008

Director, “Hayek, the Common Law, and Liberty,” Liberty Fund colloquium, Alexandria, VA, December, 2007

“Corporate Criminal Liability: Conflict between Law and Ethics,” Thomas Jefferson School of Law, November 2007

“Depoliticized Law and the Rule of Law,” New York University Austrian Economics Colloquium, New York, November 2007

“The Ethics of Compliance,” Symposium on Unearthing Corporate Wrongdoing: Detecting and Dealing with Ethical Breaches in the Business World, University of Dayton School of Law, October 2007

“The Ethical Impropriety of Corporate Criminal Punishment,” Annual Conference of the Society for Business Ethics, Philadelphia, PA, August 2007

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

“What’s Wrong with Punishing the Innocent,” Annual Conference of the South Eastern Association of Law Schools conference, Amelia Island, FL, July 2007

“The Depoliticization of Law” Cegla Center International Conference on Legal Pluralism, Privatization of Law and Multiculturalism, Tel Aviv, Israel, May 2007

“When Acting Ethically is Against the Law,” Keynote Address, Conference on Integrated Risk Management and Corporate Governance, Loyola University, Chicago, April 2007

Organizer/Director, Georgetown Business Ethics Institute/American Criminal Law Review Symposium: *Corporate Criminality: Legal, Ethical, and Managerial Implications*, March 2007

“What’s Wrong with Punishing the Innocent,” Georgetown Law Center Faculty Retreat, February, 2007

Panelist, “Syriana: Fact or Fiction,” ABA Young White Collar Lawyers Subcommittee, Washington, DC, February 2007

“White Collar Crime and Shareholder Wealth,” Wake Forest School of Law, January 2007

“Criminalization of Commercial Activity and Its Consequences,” AEI-Brookings Civil Justice Symposium, Georgetown Law Center, December 2006

“Punishing Businesses for Employees Crimes,” American College of Business Court Judges, Washington, DC, November 2006

“Are Technology Entrepreneurs Crooks?” Gilder/Forbes Telecom Conference, Lake Tahoe, CA, October 2006

“Business Ethics and the Federal Campaign Against White Collar Crime,” Loyola School of Business, New Orleans, LA, September, 2006

“The Ideal System of Tort Law,” Association of American Physicians and Surgeons, Phoenix, AZ, September 2006

Panelist, Corporate Criminality, Brooklyn Law School, September 2006

“Sins Of The Children: Punishing Businesses For Employees’ Crimes,” Heritage Foundation, August 16, 2006

“Up From Flatland: Business Ethics in the Age of Divergence,” Society for Business Ethics annual conference, August 2006

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

Director, "Hayek, the Common Law, and Liberty," Liberty Fund colloquium, Arlington, VA, July, 2006

Book Forum on "Trapped: When Acting Ethically is Against the Law," with Alice Fisher, Assistant Attorney General, Criminal Law Division as commentator, Cato Institute, April 2006

"Royal Rent-Seeking and the Emergence of Criminal Law," Plenary addresses, Association of Private Enterprise Education annual conference, April 2006

Director, Corporate Ethical Responsibility in the Contemporary Business Environment, Liberty Fund colloquium, Arlington, VA, February 2006

"Toward a Three Dimensional Theory of Business Ethics," Ross School of Business, University of Michigan, September 2005

"Deputizing Company Counsel as Agents of the Federal Government," Cato Institute, April 2005

"Hayek's Confusion, or Customary Misconceptions of Common Law and Common Misconceptions of Customary Law" American Philosophical Association, Eastern Division Meeting, December 2004

"Hayek, Common Law, and Fluid Drive," New York University School of Law, November 2004

"Ethics and the Problem of White Collar Crime," Washington College of Law, American University, October 2004

"The Supreme Court and the Meaning of Life: A Legal and Philosophical Primer on the Right to Die" Health Law Scholars Workshop, St. Louis University School of Law, September 2004

"The First Amendment and the Right to Freedom of Speech," Koch Summer Fellows Program, July 2004

"Ethics and the Problem of White Collar Crime," Presentation to Congressional staff, Rayburn House Office Building, June 2004

Invited Participant, Workshop on Morality and Capitalism, University of North Carolina, April 2004

Director, Liberty Fund Colloquium, "Liberty and Corporate Ethical Responsibility in the Contemporary Business Environment," March 2004

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

“Ethics and the Problem of White Collar Crime,” McDonough School of Business, Georgetown University, February, 2004

Invited Participant, Social Philosophy and Policy Center Conference: Natural Rights Liberalism from Locke to Nozick, September 2003

“The Philosophical Basis of Anti-discrimination Law,” Koch Summer Fellows Program, June 2003

“Reflections on the Minimal State,” APEE Annual Conference, March 2003

“The Economics of Tort Law” Mercatus Center Capitol Hill Course, October 2002

“Common Law and the Environment” University of North Carolina, November, 2001

“Reflections on the Minimal State,” Austrian Economics Colloquium, New York University, October 2001

“Equality and Discrimination,” Mercatus Center Executive Seminar Series, Capitol Hill, August 2000

“Campaign Finance Reform: The Benefits of a Bad Idea,” Koch Summer Fellows Program, June 2000

“Equal Opportunity, Affirmative Action, and the Anti-Discrimination Principle,” J. M. Kaplan Workshop in Politics, Philosophy and Economics, George Mason Department of Economics, April 2000

“Law and Economics Seminar: Tort Law,” Mercatus Center Capitol Hill Course, June 1999

“Restitution and the Criminal Law,” Washington University School of Law, February 1999

“How the Provisions of Oxford of 1259 Protected Agnes Syster from the Predations of Arthur Murray Dance Studio #51540,” Centers for the Study of Emerging Institutions Conference, Reykjavik, Iceland, October 1998

Panelist, “Judgment Day: A Lawyer’s Soul on Trial,” Ethics CLE presentation, Robert T. Roberts Inn of Court, Kansas City, Missouri, September 1998

“Corporate Responsibility,” Conference on “Ethics, Law, and the Tobacco Industry,” Virginia Commonwealth University, November 1997

“Three Theories of Discrimination,” University of Texas, Austin, March 1997

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

“How the Provisions of Oxford of 1259 Made Ronald Dworkin a Star (and Incidentally Helped Give Rise to the Critical Legal Studies Movement),” University of Missouri-St. Louis, February 1997

“Considerations on Liberty, the Rule of Law, Shoes, and Unrequited Love,” Washington and Lee University, January 1997

“The Economics of Tort Reform,” Southern Economic Association Conference, November 1996

“A Tale of Two Tort Systems,” George Mason University School of Law, November 1996

“Overconsumption, Environmental Ethics, and the Common Law,” Central Division Meeting of the American Philosophical Association, April 1996

Public Radio, “New York Beat,” WNYC, Interview concerning smoking and the Americans with Disabilities Act, August 1995

“How the Provisions of Oxford of 1259 Made Ronald Dworkin a Star (and Incidentally Helped Give Rise to the Critical Legal Studies Movement),” Stanford Law School, April 1995

“Considerations on Liberty, the Rule of Law, Shoes, and Unrequited Love,” Loyola University, New Orleans, Business School/Economics Department, March 1995

“Common Law, Legislation, and Market Failure,” Loyola University, New Orleans, Business School/Economics Department, March 1995

“Critical Legal Studies, Legal Realism, and Public Choice,” New York University Department of Economics, November 1994

“How the Provisions of Oxford of 1259 Made Ronald Dworkin a Star (and Incidentally Helped Give Rise to the Critical Legal Studies Movement),” Social Philosophy and Policy Center, April 1994

“How Not to Miss the Point of the Indeterminacy Argument,” Social Philosophy and Policy Center, March 1994

“From Cannibalism to Caesareans: Two Concepts of Fundamental Rights,” Pacific Division Meeting of the American Philosophical Association, March 1994

“Affirmative Action in the Legal Academy,” University of Toledo School of Law, February 1994

“Back to the Future: From Critical Legal Studies Forward to Legal Realism or How Not to Miss the Point of the Indeterminacy Argument,” American Philosophical Association, December 1993

Public Television, “The Open Mind,” WNYC, New York, September, 1993

LECTURES AND PROFESSIONAL PRESENTATIONS (CONTINUED):

“Affirmative Action and the New Discrimination in Academic Hiring,” Pacific Division Meeting of the American Philosophical Association, March 1993

“Why the Law Should Not Recognize Welfare Rights,” Washington and Lee University School of Law, March 1992

“Law and Spontaneous Order: Classical Liberalism Meets the Critical Legal Studies Movement,” University of Virginia School of Law, February 1992