

JOHN C. DEHN

Senior Fellow, West Point Center for the Rule of Law, U.S. Military Academy
39 Acken Rd · Basking Ridge, NJ 07920 · (732) 778-1000 · johncdehn@gmail.com

Teaching Experience

West Point Center for the Rule of Law, U.S. Military Academy, Senior Fellow 2011-
Course: *Honors Thesis*

Rutgers School of Law – Camden, Adjunct Professor Spring, 2012
Course: *Military Law*

United States Military Academy, Assistant Professor 2006-2007, 2008-2011
Courses: *Constitutional and Military Law; International Law; Honors Thesis*
Other: *Deputy Course Director, Constitutional and Military Law; Coach, Jean-Pictet International Humanitarian Law Competition Team; Law of War Education Coordinator; War Crimes Staff Ride Instructor*
Honors: Selected to Phi Kappa Phi Honor Society for achievement

Hamilton College, Distinguished Visiting Lecturer in American Public Policy and Practice Fall, 2010
Course: *War Powers: Law, Policy and Practice*

Teaching and Research Interests

National Security Law; Professional Responsibility; International Law; Criminal Law & Procedure; Constitutional Law; Military Law; Federal Courts; Administrative Law

Publications

Targeted Killing, Human Rights and Ungoverned Spaces: Considering Territorial State Human Rights Obligations, __ HARVARD INT'L L. J. ONLINE __ (forthcoming 2012)

The Moral Dimension of Security Outsourcing, in THE FOUNDATIONS OF ORGANIZATIONAL EVIL (2012) [with Dr. Frank Anechiarico]

The Commander-in-Chief and the Necessities of War: A Conceptual Framework, 83 TEMPLE L. REV. 599 (2011)

Targeting Killing: The Case of Anwar Al-Aulaqi, 159 U. PA. L. REV. PENNUMBRA 175 (2011) [debate with Kevin Jon Heller]

Institutional Advocacy, Constitutional Obligations and Professional Responsibilities: Arguments for Government Lawyering Without Glasses, 110 COLUM. L. REV. SIDEBAR 73 (2010);
Response to: Trevor W. Morrison, *Stare Decisis in the Office of Legal Counsel*, 110 COLUM. L. REV. 1448 (2010)

The Hamdan Case and the Application of a Municipal Offence: The Common Law Origins of 'Murder in Violation of the Law of War', 7 J. INT'L CRIM. JUST. 63 (2009)

Permissible Perfidy? Analysing the Colombian Hostage Rescue, the Capture of Rebel Leaders and the World's Reaction, 6 J. INT'L CRIM. JUST. 627 (2008)

Why Article 5 Status Determinations are not 'Required' at Guantánamo, 6 J. INT'L CRIM. JUST. 371 (2008)

Armed Humanitarian Intervention and International Law: a Primer for Military Professionals, MIL. REV., Nov.-Dec., 2007

Select Invited Commentary

Should the President (Micro?) Manage the Drone Campaign? Opinio Juris, Jun. 8, 2012
<http://opiniojuris.org/2012/06/08/should-the-president-micromanage-drone-attacks/>

May the US (Still?) Use Military Commissions for Crimes in Iraq? Opinio Juris, Feb. 26, 2012
available at <http://opiniojuris.org/2012/02/26/may-the-u-s-still-use-military-commissions-for-crimes-in-iraq/>

Congress's Constitutional Power to Establish National War Policy in Violation of International Law – A (Belated) Response to Professors Golove & Kent, Opinio Juris, Sep. 5, 2011
available at <http://opiniojuris.org/2011/09/06/congress's-constitutional-power-to-establish-national-war-policy-in-violation-of-international-law-a-belated-response-to-professors-golove-kent-2/>

An Opportunity for Judicial Review of the Existence of Armed Conflict? Opinio Juris Aug. 19, 2011
available at <http://opiniojuris.org/2011/08/19/an-opportunity-for-judicial-review-of-the-existence-of-armed-conflict/>

Should the Judiciary Question the Existence of Armed Conflict? Opinio Juris, Aug. 18 2011
available at <http://opiniojuris.org/2011/08/18/should-the-judiciary-question-the-existence-of-armed-conflict/>

The "Costs" of Accountability in War, Opinio Juris Aug. 16, 2011
available at <http://opiniojuris.org/2011/08/16/the-costs-of-accountability-in-war/>

Targeted Killing and the Rule of Law: Targeting Citizens in Armed Conflict: Examining the Threat to the Rule of Law . . . in Context, CATO – Unbound, Jun. 8, 2011
available at <http://www.cato-unbound.org/2011/06/08/john-c-dehn/targeting-citizens-in-armed-conflict-examining-the-threat-to-the-rule-of-law-in-context>

John Dehn Responds to Raha Wala Regarding Military Commissions, Lawfare, Feb. 24, 2011
available at <http://www.lawfareblog.com/2011/02/1428/>

The Relevance of International Law to (the Substantive and Procedural Rules of) Preventive Detention in Armed Conflict – A Rejoinder to Al-Bihani, Opinio Juris, Jan. 18, 2010,
available at <http://opiniojuris.org/2010/01/29/the-relevance-of-international-law-to-the-substantive-and-procedural-rules-of-preventive-detention-in-armed-conflict-%e2%80%93-a-rejoinder-to-al-bihani/>

Works in Progress

The Conflict of Laws in Armed Conflict and War

The Laws of War in Comparative Perspective: The Past, Present and Implications for the Future

John C. Dehn

Invited Lectures, Presentations and Conferences

- Invited Panelist, Extrajudicial and Targeted Killings, Harvard International Law Journal Symposium: *State Ethics: Controlling the Behavior of States and Their Partners*, Harvard Law School, Cambridge, MA, February 2012
- Invited Panelist, Debate on Extrajudicial Killing [with Philip Alston], Fordham Law School, New York, NY, February 2012
- Invited Panelist, The Global Projection of U.S. Legal Norms, *The Constitution and the World*, Stanford Constitutional Law Center, Stanford Law School, Stanford, CA, October 2011
- Invited Moderator, Is Targeted Killing Permissible? Institute for Law and Philosophy, University of Pennsylvania Law School, Philadelphia, PA, April 2011
- Invited Panelist, “Challenges to a Differentiated Jus ad Bellum/Jus in Bello of Self-Defense,” *Challenges to International Law, Challenges from International Law: New Realities and the Global Order*, St. John’s Law School, Queens, NY, April 2011
- Invited Speaker, “The Laws of War in Comparative Perspective: The Past, the Present, and Implications for the Future,” Woodrow Wilson School of Public and International Affairs, Princeton University, Princeton, NJ, March 2011
- Invited Panelist, “Implementing the Responsibility to Protect in U.N. Peacekeeping Operations: Worthy Goal or Inevitable Failure?” University of Amsterdam, Amsterdam, The Netherlands, February 2011
- Invited Panelist, “Debating the Issues in the al-Aulaqi Case,” Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, December 2010
- Invited Lecturer, “The Rest of the ‘Taxi to the Dark Side’ Story: Legal and Practical Obstacles to the Criminal Enforcement of International Humanitarian Law,” Seton Hall University School of Law, Newark, NJ, November 2010
- Discussant, “Prosecuting War Crimes in National or International Tribunals,” Telford Taylor Memorial Conference of the Journal of International Criminal Justice; Columbia Law School & West Point, NY, September 2010
- Invited Speaker, “International Humanitarian Law in Comparative Perspective: The Past, the Present, and Implications for the Future,” Comparative and Foreign Law Committee, The Association of the Bar of the City of New York, NY, April 2010
- Invited Lecturer, “An Introduction to International Humanitarian Law and its Implementation in the U.S. Military,” Seton Hall University School of Law, Newark, NJ, March 2010
- Invited Panelist, “The Obligations of States and the Rights and Remedies of Individuals in the War on Terror,” The Association of the Bar of the City of New York, NY, February 2010
- Invited Expert and Panelist, The Transatlantic Dialogues on International Law: The Future of Preventive Detention, hosted by The Atlantic Council of the United States, Washington, DC, December 2009
- Lecturer, International Diploma in Humanitarian Assistance (Center for International Humanitarian Cooperation, New York Program), Fordham University, New York, NY, June 2009

Invited Lecture, “Military Commissions: Origins, Jurisdiction, Governing Law and Alternatives”
Brooklyn Bar Association, Brooklyn, NY, April 2009

Invited Lecture, “Implementing International Humanitarian Law in the U.S. Army – Successes,
Failures and Possible Improvements,” Geneva Academy of International Humanitarian Law
and Human Rights, University of Geneva, Geneva, Switzerland, March 2009

Speaker, “Our Common Law of War: The Common Law Theory of Law of War Violations at
Courts-Martial and Military Commissions,” Department of Law, U.S. Air Force Academy,
Colorado Springs, CO, March 2009

Speaker, “Rediscovering the Rule of Law through the Laws of War,” Woodrow Wilson School
of Public and International Affairs, Princeton University, Princeton, NJ, December 2008

Presenter (with Dr. Frank Anechiarico), “Ultimately Unaccountable? Governance of Private
Military Companies Nationally, Supranationally, and Internationally,” Fourth Transatlantic
Dialogue, Bocconi University, Milan, Italy, June 2008

Student Panelist, DEFENDING HUMANITY Book Review, “The Dangers of Eliminating State
Sovereignty and Collective Action in Humanitarian Intervention,” Columbia Law School,
New York, NY, March 2008

Invited Lecture, “The President, the Congress, and the Global War on Terrorism,” Hamilton
College, Clinton, NY, March 2008

Education

Columbia University Law School **LL.M. (2008); J.S.D. (ABD)**

- Dissertation: “The Laws of War, the Rule of Law and Civil-Military Relations in Armed Conflict”
- James Kent Scholar (2008)
- Concentrations: Public International Law, U.S. National Security Law

The Judge Advocate General’s School, U.S. Army **LL.M. (2003)**

University of Oklahoma College of Law **J.D., highest honors (1998)**

- Order of the Coif
- Judicial Summer Intern: The Honorable Wayne E. Alley (BG, US Army (Ret)), US District Court for the Western District of Oklahoma (1996)

United States Military Academy, West Point **B.S. (1990)**

- Concentration: Engineering Physics

Professional Activities/Memberships

Editorial Committee, *Journal of International Criminal Justice* (2008-present)

American Society of International Law (2009-present)

Oklahoma Bar Association (1998-present)

Work Experience

Judge Advocate, U.S. Army

September 1998 - Present

- Deputy legal advisor to a joint base Army support activity with active criminal jurisdiction and novel joint base administrative, fiscal and military law issues
- Specially appointed advisor to criminal investigation and prosecution of allegations of detainee abuse surrounding the December 2002 deaths of two detainees in Afghanistan
- Executive officer for office providing technical guidance and assistance to U.S. Army prosecutors throughout the world
- Staff attorney in a high-level headquarters providing military administrative, military criminal, international and federal law guidance to deploying Army units
- One year terms as an army installation Chief of Military Justice (chief prosecutor supervising four prosecutors), Chief of Administrative Law (functionally the equivalent of a city attorney) and Chief of Legal Assistance (advising/assisting soldiers with military administrative and civil legal issues)

Commissioned Officer, U.S. Army

May 1990 - August 1995

- Artillery and logistics officer, primarily in paratrooper units – led and managed units of up to 260 members providing combat and aerial logistics support; managed millions of dollars of military equipment and budgets of up to \$500,000
- Supported Hurricane Andrew relief (1992) and Haiti (1994) deployments; managed aerial deployment and resupply
- Military certifications as aerial delivery officer, parachutist and jumpmaster
- Selected for government funded law degree

Primary References

Jose E. Alvarez

Herbert and Rose Rubin Professor of International Law

New York University School of Law

40 Washington Square South, 419; New York, NY 10012

Telephone: (212) 992-8835 E-mail: AlvarezJ@exchange.law.nyu.edu

Lori F. Damrosch

Henry L. Moses Professor of Law and International Organization

Columbia University Law School

435 West 116th Street; New York, NY 10027

Telephone: (212) 854-3740 E-mail: damrosch@law.columbia.edu

Henry P. Monaghan

Harlan Fiske Stone Professor of Constitutional Law

Columbia University Law School

435 West 116th Street; New York, NY 10027

Telephone: (212) 854-2644 E-mail: monaghan@law.columbia.edu

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Kim Lane Scheppele
Laurance S. Rockefeller Professor of Public Affairs and
Director, Program in Law and Public Affairs
Princeton University
415 Robertson Hall; Princeton, New Jersey 08544
Telephone: (609) 258-6949 E-mail: kimlane@princeton.edu

Colonel David Wallace
Professor and Deputy Department Head,
Department of Law United States Military Academy
Bldg. 606, Thayer Rd; West Point, NY 10996
Telephone: (845) 938-3510 E-mail: david.wallace@usma.edu

Other Professional References

Kenneth Anderson
Professor of Law
American University Washington College of Law
4801 Massachusetts Avenue, NW; Washington, DC 20016
Telephone: (202) 274-4212 E-mail: kanderson@wcl.american.edu

Christopher J. Borgen
Professor of Law
Associate Dean for International Studies
St. John's Law School
8000 Utopia Parkway; Queens, NY 11439
Telephone: (718) 990-1982 E-mail: borgenc@stjohns.edu

Robert M. Chesney
Charles I. Frances Professor in Law
The University of Texas at Austin School of Law
727 E Dean Keeton Street; Austin, TX 78705
Telephone: (512) 232-1298 E-mail: rchesney@law.utexas.edu

Thomas H. Lee
Leitner Family Professor of Law
Fordham University School of Law
33 West 60th Street, Second Floor; New York, NY 10023-7905
Telephone: (212) 636-6728 E-mail: thlee@law.fordham.edu

Additional professional and personal references available upon request.