

Sovereignty and the New Executive Authority

April 19-20, 2013

Schedule & Required Readings

Friday, April 19th	
9:30 - 10:00 a.m.	Breakfast Shuster Room, Silverman 147
10:00 - 11:30 a.m.	Session 1: <i>The Concept of Sovereignty</i> Shuster Room, Silverman 147 Moderator: <i>Claire Finkelstein</i> Readings: • Christopher Morris, "Sovereignty," <i>Encyclopedia of Utilitarianism</i>, edited by James E. Crimmins and Douglas G. Long. London and New York: Continuum Press, forthcoming. • Christopher Morris, "The Modern State," <i>The Handbook on Political Theory</i>, edited by Gerald Gaus and Chandran Kukathas. London: Sage Publications, 2004, pp. 198-209. • Thomas Hobbes, Leviathan, ed. Edwin Curley. Indianapolis: Hackett Publishing Company, 1994. Chapters 18, 21, and 28 • Jean-Jacques Rousseau, The Social Contract, trans. and ed. Donald A. Cress. Hackett Publishing Company, Inc., 2011. (Excerpted: Book I, Chapter 7.) • David Gauthier, Notes on Sovereignty. [Abstract] • Claire Finkelstein, "Rational Contractarianism and International Law." (Excerpted) [Paper]
11:30 a.m. – Noon	Break

Noon - 1:30 p.m.	Session 2: <i>Sovereignty, Religion and the Rule of Law</i> Shuster Room, Silverman 147 Moderator: <i>Sharon Lloyd</i> Readings: • Sanford Levinson, “Divided Loyalties: The Problem of Dual Sovereignty and Constitutional Faith.” [Paper] • David Linnan, “Sovereignty and Legitimacy in the Rule of Law Equation.” [Abstract] [Paper] • Rudy Barnes, “Religion, the Rule of Law and Military Legitimacy.” [Abstract] [Paper].
1:30 - 2:30 p.m.	Lunch Levy Conference Room, Silverman 245 Keynote Address: <i>Jeffrey Addicott</i> “Addressing the War on Terror Under the Rule of Law.” [Abstract]
2:30 - 4:00 p.m.	Session 3: <i>Sovereignty and Emergency Powers</i> Shuster Room, Silverman 147 Moderator: <i>Kermit Roosevelt</i> Readings: • Eric Posner and Adrian Vermeule, <i>Terror in the Balance: Security, Liberty and the Courts</i>, “Introduction,” Oxford: Oxford University Press, 2007. • Memorandum for Alberto R. Gonzales, Counsel to the President, August 1, 2002 (written by John Yoo, signed by Jay Bybee) (Excerpted) • John Yoo, “The Continuation of Politics by Other Means,” <i>California Law Review</i>, Vol. 84, March 1996, No. 2. (Excerpted, pp. 241-256, 295-305) • John Yoo, <i>War by Other Means</i>, Atlantic Monthly Press, 2006. (Excerpted, pp 52-64) • Janet Alexander, “John Yoo’s War Powers: The Law Review and the World,” <i>California Law Review</i>, April 2012, Centennial Tribute Issue. (Excerpted, pp. 338-343, 347-352, 363-364) • Glenn Sulmasy and John Yoo “Challenges to Civilian Control of the Military: A Rational Choice Approach to the War on Terror,” <i>UCLA Law Review</i>, Vol. 54, Aug 2007, No. 6. • Alexander Guerrero, “National Insecurity: Democracy, War, and Popular Sovereignty.” [Abstract] [Paper]
4:00 – 5:00 p.m.	Break

5:00 – 6:30 p.m.	Session 4: Sovereignty and Foreign Relations The Racquet Club of Philadelphia 215 South 16th Street, Philadelphia, PA 19102 Moderator: <i>Rogers Smith</i> Readings: • Sharon Anderson-Gold, “Terrorism and the Politics of Human Rights,” <i>Social Philosophy Today</i>, 2004. • Christopher Wellman, “Taking Human Rights Seriously,” <i>Journal of Political Philosophy</i>, 2012, (Excerpted, pp. 126-130.) • Jens Ohlin, “Disentangling the Unwilling or Unable Standard for Foreign Intervention.” [Abstract] • Kevin Govern, “Smart Power For Hard Problems: The Role of Special Operations Forces Strengthening the Rule of Law and Human Rights in Africa.” [Abstract] [Paper]
6:30 pm	Drinks and Dinner The Racquet Club of Philadelphia 215 South 16th Street, Philadelphia, PA 19102 Keynote Address: <i>Mary Ellen O’Connell</i> “Sovereign Myths.” [Abstract]

Saturday, April 20th	
8:30 - 9:00 a.m.	Breakfast Shuster Room, Silverman 147
9:00 - 10:30 a.m.	Session 5: <i>Executive Discretion, Secrecy and Targeted Killing: The Case of Anwar al-Awlaki</i> Shuster Room, Silverman 147 Moderator: <i>Kevin Govern</i> Readings: • Nasser al-Aulaqi v. Obama, Gates and Panetta, Complaint and Decision of the D.C. Circuit (2010), (Excerpted.) [Complaint] [D.C. Circuit Decision] (Excerpted, pp. 1-4, 49-65, 80-83) • Department of Justice White Paper, Lawfulness of a Lethal Operation Directed Against a U.S. Citizen Who is a Senior Operational Leader of Al'Qa'ida or An Associated Force • Claire Finkelstein, "Secrecy, Targeted Killing and the Rule of Law." [Abstract] • American Civil Liberties Union v. Central Intelligence Agency, U.S. Court of Appeals for the D.C. Circuit, Decided March 15, 2013. • Jules Zacher, "Presidential Authority and Nuclear Weapons: Taking Back Our Rights." [Abstract][Paper] • Glenn Sulmasy, "Executive Power: The Last Thirty Years," University of Pennsylvania International Law Journal, Volume 30, Summer 2009, No. 4.
10:30 - 11:00 a.m.	Break
11:00 - 12:30 p.m.	Session 6: <i>Alternative Conceptions of Sovereignty</i> Shuster Room, Silverman 147 Moderator: <i>Nancy Hirschmann</i> Readings: • Thomas Pogge, "Cosmopolitanism and Sovereignty," <i>Ethics</i> Vol. 103 No. 1 (1992). (Excerpted, pp. 57 – 71.) • Anne-Marie Slaughter, "Disaggregated Sovereignty: Towards the Public Accountability of Global Government Networks," <i>Government & Opposition</i> 2004, (Excerpted, pp.162-163, 174-190) • Ekow Yankah, "The Sovereign and the Republic: A Republican View of Political Obligation." [Abstract] [Paper]

12:30 - 2:00 p.m.	Lunch Keynote Address and Film Levy Conference Room, Silverman 245 Keynote Address: <i>Peter Galison</i> “Secrecy and the Centralization of Power.” Clips from <i>Secrecy</i>, A film by Peter Galison and Rob Moss (2008). Website
2:00 - 3:30 p.m.	Session 7: <i>Comparative and International Perspectives on Sovereignty</i> Shuster Room, Silverman 147 Moderator: <i>Bill Burke-White</i> Readings: • Matthew Lister, “Contract, Treaty, & Sovereignty.” [Abstract] [Paper] • Gordon Smith, “Russian Exceptionalism: Putin’s Assertion of Sovereignty at Home and Abroad.” [Abstract] [Paper]