

## **Dennis Michael Patterson**

Board of Governors Professor  
Rutgers University

Email: dpatters@rutgers.edu

## **Curriculum Vitae**

### **Personal**

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Born, New York City, 29 September 1955

Citizenship: United States; Republic of Ireland

### **Current Positions**

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2008 to present	<b>Board of Governors Professor</b> Rutgers, The State University of New Jersey Law School Camden, New Jersey, USA
2017 to present	<b>Professor of Legal Philosophy</b> Surrey Law School Guildford, UK
2003 to present	<b>Associate Member</b> Graduate Faculty, Rutgers University Department of Philosophy New Brunswick, New Jersey

### **Education**

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1980	<b>J.D.</b>	University at Buffalo Buffalo, New York Faculty of Law and Jurisprudence Honors: Full Fellowship in Law and Philosophy
1980	<b>Ph.D.</b>	Philosophy University at Buffalo Buffalo, New York Department of Philosophy Dissertation Title: The Political Philosophy of Roberto Mangabeira Unger:

Law, Liberalism and Political Vision  
June, 1980; Dr. Berkeley B. Eddins, Director

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|------|-------------|---|
| 1978 | <b>M.A.</b> | Philosophy<br>University at Buffalo<br>Buffalo, New York<br>Department of Philosophy          |
| 1976 | <b>B.A.</b> | Philosophy and Social Thought (Magna Cum Laude)<br>University at Buffalo<br>Buffalo, New York |

### **Employment History**

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| 2009 to 2017 | <b>Chair in Legal Theory and Legal Philosophy</b><br>European University Institute<br>Florence, Italy               |
| 2007 to 2017 | <b>Professor of Jurisprudence and<br/>International Trade Law</b><br>Swansea University, School of Law<br>Wales, UK |
| 1995 to 2008 | <b>Distinguished Professor</b><br>Rutgers University, School of Law, Camden, New<br>Jersey                          |
| 1991 to 1995 | <b>Professor</b><br>Rutgers University School of Law, Camden, New<br>Jersey   |
| 1990 to 1991 | <b>Associate Professor</b><br>Rutgers University School of Law Camden, New Jersey                                   |
| 1987 to 1990 | <b>Assistant Professor</b><br>Western New England College, School of Law<br>Springfield, Massachusetts              |
| 1985 to 1986 | <b>Lecturer</b><br>University of Maine, School of Law<br>Portland, Maine  |
| 1982 to 1987 | <b>Partner</b><br>Loyd, Bumgardner, Field & Patterson<br>Attorneys at Law, Brunswick, Maine                         |
| 1981 to 1982 | <b>Associate</b><br>Preti, Flaherty & Beliveau  |

Attorneys at Law  
Portland, Maine

1980 to 1981

**Supreme Judicial Court of Maine**

**Law Clerk**

Honorable Vincent L. McKusick, Chief Justice  
Honorable Sidney W. Wernick, Associate Justice  
Portland, Maine

**Visiting Positions**

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March, 2024

**Roma 3**

Law Faculty  
Visiting Professor  
Rome, Italy

December, 2023

**Karl-Franzens-Universität**

Law Faculty  
Dean's Fellow  
Graz, Austria

May, 2021

**Institute for Human Sciences**

Vienna, Austria  
Visiting Fellow

January – March, 2019

**University College London**

Department of Philosophy  
Course: Roots of Responsibility  
(ERC Research Seminar with Professor John Hyman)

August – October, 2015

**Columbia University**

School of Law  
New York City, USA  
Course: Law, Morality and Neuroscience

July – August, 2009

**University of New South Wales**

Faculty of Law  
Sydney, Australia  
Julius Stone Visiting Research Fellow

October – November, 2006

**University College London**

Faculty of Laws  
London  
LL.M. Program in Jurisprudence

June, 2006

**Friedrich-Alexander-Universität**

Nürnberg-Erlangen  
Germany

Course: American Contract Law

October – November, 2005

**University of Trento**  
Faculty of Law  
Trento, Italy  
Course: Methodology in Jurisprudence

May, 2005

**Ruhr-Universität Bochum**  
Faculty of Law  
Bochum, Germany  
Course: Anglo-American Contract Law

2002 – 2003

**Princeton University**  
Department of Politics, Madison Program  
Princeton, New Jersey, USA  
Visiting Fellow

April-May, 2004

**Karl-Franzens-Universität**  
Institut für Rechtsphilosophie  
Graz, Austria  
Graduate Seminar: Contemporary Anglo-American  
Legal Theory

March, 2003

**Karl-Franzens-Universität**  
Institut für Rechtsphilosophie  
Graz, Austria  
Graduate Seminar: Contemporary Anglo-American  
Legal Theory

Summer, 2002

**Karl-Franzens-Universität**  
Institut für Rechtsphilosophie  
Graz, Austria  
Graduate Seminar: Contemporary Anglo-American  
Legal Theory

Winter Term, 1999

**Humboldt Universität**  
Juristische Fakultät  
Berlin, Germany  
Blockseminar with Prof. Dr. Bernhard Schlink:  
Law, Truth, and Justification

Winter Term, 1995

**University of Vienna**  
Law Department  
Vienna, Austria  
Courses: Commercial Law, Philosophy of Language

June, 1995

**University of Vienna**  
Institute for Legal Philosophy and Legal Theory  
Law Department  
Vienna, Austria

Visiting Professor

1994-1995

**Georgetown University Law Center**  
Washington, D.C.  
Courses: Contracts, Legal Justice

Spring, 1993

**University of Texas**  
School of Law  
Austin, Texas, USA  
Courses: Secured Transactions; Jurisprudence

Summer, 1992

**Karl-Franzens-Universität**  
Institut für Rechtsphilosophie  
Graz, Austria  
Graduate Seminar: Contemporary Anglo-American  
Legal Theory

### **Areas of Teaching and Research Interest**

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Legal Theory and Philosophy of Law (General Jurisprudence, Normative Theory)

Law and Neuroscience

International Economic Law

Transnational Legal Theory

Contracts, Commercial Law (Secured Transactions, Sales, Commercial Paper, Bankruptcy)

Law of the European Union

Philosophy of Language

### **Academic Awards, Grants and Honours**

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2015      **Conference Funding Grant (The Future of Law and Neuroscience)**  
European University Institute  
Florence, Italy  
Internal Award (Reviewed)  
14,000 Euros

- 2014      **Research Grant (Law and Neuroscience III) (Mens Rea and Neuroscience)**  
European University Institute  
Florence, Italy  
Externally Reviewed Competitive Process  
46,000 Euros for one year
- 2014      **Dean's Award for Scholarly Excellence**  
Rutgers University  
School of Law  
Camden, New Jersey
- 2013      **Research Grant (Law and Neuroscience II) (Revising the Insanity Standard)**  
European University Institute  
Florence, Italy  
Externally Reviewed Competitive Process  
49,000 Euros for one year
- 2012      **Research Grant (Law and Neuroscience I) (Mind, Brain and Action)**  
European University Institute  
Florence, Italy  
Externally Reviewed Competitive Process  
24,000 Euros for one year
- 2005      **Fulbright Distinguished Chair in Law**  
University of Trento  
Faculty of Law  
Trento, Italy
- 2002      **Senior Fellowship**  
Center for the Critical Study of Contemporary Culture  
Rutgers University (New Brunswick)  
Fellowship Theme: Objectivity, Ethics and the Disciplines
- 2001      **Professor of The Year, Rutgers Law School Class of 2001**
- 1999      **Rutgers University Leave Grant**  
Teaching Excellence Center  
Rutgers (Camden) Campus
- 1998      **Rutgers Research Council Grant  
for Translation of *Law and Truth* into German**
- 1997      **Rutgers University Board of Trustees Award  
for Excellence in Research**
- 1997      **American Council of Learned Societies, Senior Research Fellowship**

- 1997            **Fulbright Senior Research and Lecturing Grant**, Germany
- 1996-1997     **Alexander von Humboldt Stiftung**, Senior Research Grant
- 1992-1994     **Dean's Scholar (Research Grant)**, Rutgers University, School of Law, Camden, New Jersey
- 1990            **American Council of Learned Societies**, Travel Grant to attend Second Annual International Conference on Legal Methodology (Louvain-La-Neuve, Belgium)
- 1976            **High Honors**, Philosophy, Department of Philosophy (State University of New York at Buffalo, Buffalo, New York)
- 1975            **Phi Beta Kappa**

## Languages

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German  
Italian  
French (Reading)  
Spanish (Reading)

## Publications

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### BOOKS – AUTHORED

- Elites, Experts, and Populism* (with Jacob Russell), MIT Press (forthcoming, 2024)
- Minds, Brains, and Law: The Conceptual Foundations of Law and Neuroscience* (with Michael Pardo), Oxford University Press (2013) Paperback Edition with New Preface (2015)
- The New Global Trading Order: The Evolving State and the Future of Trade* (with Ari Afilalo), Cambridge University Press (2008); Paperback Edition with New Preface (2010)
- Diritto e Verità* (translation of *Law and Truth*), Giuffrè, Milano (2010)
- Recht und Wahrheit* (translation of *Law and Truth*), Nomos Verlag (1999)
- Law and Truth*, Oxford University Press (1996); Paperback Edition (1999)
- Good Faith and Lender Liability*, Butterworths (1990)

*Maine Debtor/Creditor Law*, Butterworths (1988)

## **EDITED BOOKS AND TEXTBOOKS**

*Neurolaw and Responsibility for Action: Concepts, Courts and Crimes*, Cambridge University Press (Contributing Editor with Bebhinn Donnelly-Lazarov and Peter Raynor) (2018)

*A Companion to European Union Law and International Law*, Wiley-Blackwell (Co-Editor with Anna Södersten) (2016)

*Philosophical Foundations of Law and Neuroscience*, Oxford University Press (2016) (Co-Editor with Michael S. Pardo) (2016)

*Legal Insanity and the Brain: Science, Law and European Courts*, Hart Publishing (Co-Editor with Sofia Moratti) (2016)

*Blackwell Companion to Philosophy of Law and Legal Theory*, (Second Edition) Wiley-Blackwell (2010)

*Mind, Meaning and Law* (Collected Essays with Introduction), Ashgate Publishing (2008)

*The Commercial Sales Transaction: An Introduction to the U.C.C.*, (Co-Editor with Richard Hyland), West Publishing (2d ed., 2006)

*Wittgenstein and Law*, Ashgate Publishing (2004)

*Blackwell Anthology in Legal Theory*, Blackwell (2003)

*Introduction to the Philosophy of Law* (with Jefferson White), Oxford University Press (1999)

*An Introduction to Commercial Law* (with Richard Hyland), West Publishing (1999)

*Blackwell Companion to the Philosophy of Law and Legal Theory*, Blackwell (General Editor, 1996) (Paperback edition, 1999).

*Postmodernism and Law*, Dartmouth and New York University Press (1994)

*Wittgenstein and Legal Theory*, Westview Press (1992)

*Lender Liability: Critical Perspectives*, Butterworths (1990)



**ARTICLES, BOOK CHAPTERS, INTRODUCTIONS, PREFACES and REVIEW ESSAYS**

The Promise and Limits of Grounding in Law (with Bosko Tripkovic), 29 *Legal Theory* 202-228 (2023)

Knowing What the Law Is, Symposium on *Alexander Somek, Knowing What the Law Is* (Hart, 2021), 14 *Jurisprudence* 521 – 525 (2023)

Post-Truth and the Rhetoric of Elites (with Jacob Russell), 35 *Critical Review* 122 - 147 (2023), <https://www.tandfonline.com/doi/full/10.1080/08913811.2023.2231782>

Legal Argumentation and Truth, *Encyclopedia of the Philosophy of Law and Social Philosophy*, M. Sellers and S. Kirste eds  
[https://link.springer.com/referenceworkentry/10.1007/978-94-007-6730-0\\_735-1](https://link.springer.com/referenceworkentry/10.1007/978-94-007-6730-0_735-1)  
1877 – 1881 (2023)

The Fish/Dworkin Debate Revisited, in *New Essays on the Fish-Dworkin Debate*, Hart Publishing 205 - 215 (2023)

Wittgenstein, Ludwig, *Encyclopedia of the Philosophy of Law and Social Philosophy*, M Sellars and S Kirste (eds.) Springer 3629 – 3633 (2023)

Patterson's Wittgenstein, in *Wittgenstein and Other Philosophers: His Influence on Historical and Contemporary Analytic Philosophers* (Ali Khani and Gary Kemp eds.) Routledge (2023)

The Mask Debacle, *Tablet*, 17 February 2022

America's Elite is Harming Our Kids, *Tablet*, 20 April 2021

Inert, Symposium on *Responsible Brains* (William Hirstein, Katrina L. Sifferd & Tyler K. Fagan, MIT (2018)), 16 *Criminal Law and Philosophy* 235 (2021)

Dworkin's Critique of Hart's Positivism, in P. Mindus & T. Spaak (eds.), *The Cambridge Companion to Legal Positivism* 675 - 694 (2021)

Let's Put the Straw Man of Covid Denial Out of His Misery, *Stat*, December 23 2020

Postema, Dworkin, and the Question of Meaning, in T. Bustamante & TL Decat (eds.), in *Philosophy of Law as an Integral Part of Philosophy: Essays on the Philosophy of Gerald J Postema* 141 – 145 (Cambridge 2020)

Global Economic Constitutionalism and the Future of Global Trade, (with Ari Afilalo) 40 *University of Pennsylvania Journal of International Law* 323-381 (2019)

Rechtsdurchsetzung ohne Staat: Paradigms of Enforcement – Justice vs. Efficiency, *Proceedings of the German Society for Comparative Law* 65-76 Mohr Siebeck (2019)

Legal Pragmatism, *Encyclopedia of the Philosophy of Law and Social Philosophy*, (Springer 2019) (with Bosko Tripkovic)

Theoretical Disagreement, Legal Positivism and Interpretation, 31 *Ratio Juris* 260-275 (2018)

Neuroscience and the Explanation of Human Action, in *Neurolaw and Responsibility for Action: Concepts, Crimes and Courts* 11-27 (Bebhinn Donnelly-Lazarov, Dennis Patterson and Peter Raynor eds), CUP (2018)

State and Trade in the Twenty-First Century, *Vienna Lectures on Legal Philosophy*, V. 1, 97-112 (Hart 2018) (with Ari Afilalo)

Rethinking Duress, 7 *Jurisprudence* 672 – 677 (Symposium on John Hyman, *Action, Knowledge & Will* (2016))

Law and Disagreement, 16 *Diritto e Questioni Pubblici* 201– 209 (2016)

Can We Stop Doing This?: And By the Way, Postema Was Right, in *Metaphilosophy of Law* Tomasz Gizbert-Studnicki, ed., 49 – 60 (Hart 2016)

Criminal Law, Neuroscience and Voluntary Acts, 3 *Journal of Law and The Biosciences* 355-358 (2016)

Transnational Law, in *Handbook on the Theory and Practice of International Lawmaking* 56-65 (Edward Elgar 2016)

The Promise of Neuroscience for Law: ‘Overclaiming’ in Jurisprudence, Morality, and Economics, in *Philosophical Foundations of Law and Neuroscience* (with Michael S. Pardo) (OUP 2016)

The Nature of International Law, in *Wiley-Blackwell Companion to EU Law and International Law* (Wiley-Blackwell 2016) (with Anna Södersten)

Philosophy, Neuroscience and Law: The Conceptual and Empirical, Rule-Following, in *Interpretation and Knowledge, in Problems of Normativity, Rules and Rule-Following* 177-188, M. Araszkievicz, Pawel Banas, Tomasz Gizbert-Studnicki & Krzysztof Pleszka, eds., Springer (2015) (with Michael Pardo)

The Dark Future of Constitutionalism, Review Essay reviewing Alexander Somek, *The Cosmopolitan Constitution* (OUP, 2014), 30 *Constitutional Commentary* 667 (2015)

The Gathering and Use of Neuroscientific Evidence in Criminal Trials in the United States. Compatibility with the 4<sup>th</sup> and 5<sup>th</sup> Amendments and with Due Process, *Rivista di filosofia del diritto (Journal of Legal Philosophy)* 41-70 (2014) (Special Issue on Law and Neuroscience)

Adverse Psychological Effects to Deep Brain Stimulation: Overturning the Question. 5 *AJOB Neuroscience* 62 (2014) (with Sofia Moratti)

Morse, Mind, and Mental Causation, *Criminal Law and Philosophy*  
<http://link.springer.com/article/10.1007/s11572-014-9327-0> (July, 2014), (Special Issue)  
(with Michael Pardo)

Post Positivism and Transnational Law, *International Legal Positivism in a Post-Modern World*, Jean d'Aspremont and Jörg Kammerhoffer eds, Cambridge University Press 401-420  
(2014)

Legal Dimensions to Neural Antecedents to Voluntary Action, 5 *Cognitive Neuroscience*,  
216-17 (2014) (peer reviewed)

A Paradox About Meaning, *Reality and Culture, Festschrift for Bernard Harrison*, 181-184  
Rodolphi (2014)

The Limits of Normative Legal Pluralism, Review Essay, reviewing Paul Schiff Berman,  
*Global Legal Pluralism: A Jurisprudence of Law Beyond Borders*, Cambridge University  
Press (2012), 11 *International Journal of Constitutional Law* 783-800 (2013) (with Alexis  
Galán)

Statecraft, the Market State and the Development of European Legal Culture, in *Towards a  
European Legal Culture*, Geneviève Helleringer and Kai Purnhagen eds. 277-302  
München/Oxford/Baden-Baden: C.H. Beck/Hart/Nomos (2013) (with Ari Afilalo and Kai  
Purnhagen)

Neuroscientific Challenges to Retributivism, in *The Future of Punishment*, Thomas  
Nadelhoffer, ed., Oxford University Press 133-153 (2013) (with Michael Pardo)

From the Nation State to the Market: The Evolution of EU Private Law as Regulation of the  
Economy Beyond the Boundaries of the Union?, in *The EU's Role in Global Governance:  
The Legal Dimension*, Bart Van Vooren, Steven Blockmans, and Jan Wouters, eds., 59-78  
Oxford University Press (2013) (with Hans W. Micklitz)

Statecraft and the Foundations of European Law, *Philosophical Foundations of EU Law*, J.  
Dickson & P. Eleftheriadis, eds., 275-303, Oxford University Press (2012) (with Ari Afilalo)

Kovesi and Legal Theory, in *The Philosophy of Julius Kovesi*, Alan Tapper and T. Brian  
Mahoney eds, 139-142, Brill (2012)

Alexy on Necessity in Law and Morals, 25 *Ratio Juris* 47 (March 2012)

Methodology and Theoretical Disagreement, *Essays in European Legal Method* 227-241,  
Ulla Neergaard, Ruth Nielsen and Lynn Roseberry, eds., DJOEF Publishing (2011)

Transnational Law (Discussion of Calliess and Renner, "Between Law and Social Norms")  
Jotwell, <http://juris.jotwell.com/transnational-law/> (2011)

More on the Conceptual and the Empirical: Misunderstandings, Clarifications and Replies  
(with Michael Pardo), (Replies to Commentators), 4 *Neuroethics* 215-222 (2010)

Minds, Brains and Norms, 4 *Neuroethics* 179-90 (2010) (with Michael Pardo)

Rethinking “International Law”, *Jotwell* <http://juris.jotwell.com/rethinking-international-law/> (April 26, 2010)

Philosophical Foundations of Law and Neuroscience (with Michael Pardo), 2010 *Illinois Law Review* 1211 (2010). Spanish translation “Fundamentos filosóficos del Derecho y la neurociencia”, *Indret Penal*, <http://www.indret.com/pdf/819.pdf> (April 2011)

Postmodernism, in *Blackwell Companion to the Philosophy of Law and Legal Theory*, 2d ed., Dennis Patterson ed., (2010)

Statecraft, Trade and Strategy: Toward a New Global Order (with Ari Afilalo), in *Theorising the Global Legal Order* 125 – 144, Andrew Halpin and Volker Roeben, eds., Hart Publishing (2009)

Disaccordo teorico e interpretazione, *Ars Interpretandi (Annuario di Ermeneutica Giuridica)* XIV, 65 - 78 (2009)

Statecraft, Trade and Strategy: Toward a New Global Order (with Ari Afilalo), 2 *Int. J of Private Law* 269 – 289 (2009), also in *The Dynamics of Trade*, Sylvia M. Kierkegaard ed., Proceedings of the International Association of IT Lawyers, 82 – 96 (2008)

From Conceptual Analysis to a Practice Theory of Law, in *Concepts in Law*, Jaap Hage and Dietmar Von Der Pfordten, eds, Springer (2009); also published in *Philosophy in American Law*, J. Mootz ed., Cambridge University Press (2008)

On the Conceptual and the Empirical - A Critique of John Mikhail's Cognitivism , (Symposium on A Cross-Disciplinary Look at Scientific Truth), 73 *Brooklyn Law Rev.* 1053 (2007-2008)

Twining's Complaint, 15 *University of Miami International & Comparative Law Review* 61 – 67 (2007)

Moral Evaluation and Conceptual Analysis in Jurisprudential Methodology (with John Oberdiek), in *Legal Philosophy*, Ross Harrison ed., Oxford University Press (2007): 60-75

Law and Argument, 2 *Acta Methodologica (Interpretazione Giuridica e Retorica Forense)* 151 – 161, Maurizio Manzin & Paolo Sommaggio eds., Guiffré, Milano (2006)

Dworkin on the Semantics of Legal and Political Concepts, 26 *Oxford J. Legal Studies* 545-557 (2006)

Wittgenstein on Understanding and Interpretation (Comments on the work of Thomas Morawetz), 29 *Philosophical Investigations* 129-139 (2006)

Notes on the Methodology Debate in Contemporary Jurisprudence: Why Sociologists Might Be Interested, in *Law and Sociology* 254-258 Michael Freeman ed., Oxford University Press (2006)

Statecraft, Trade, and the Order of States (with Ari Afilalo), 6 *University of Chicago Journal of International Law* 725-759 (Winter, 2006)

Wittgenstein and Jurisprudence: Prolegomenon To Any Future Legal Theory, *Law and Social Justice* 231-237, Joseph Keim Campbell, Michael O'Rourke, & David Shier, eds., MIT Press (2005)

Cognitivism, in *Encyclopedia of Law and Society: American and Global Perspectives*, Sage Publications (2005)

Determinism, in *Encyclopedia of Law and Society: American and Global Perspectives*, Sage Publications (2005) (with Justine Kasnicza)

Interpretation in Law, 42 *U. San Diego Law Review* 685 (2005) (Symposium Issue devoted to *Legal Interpretation*), also published in *Diritto e questioni pubbliche*, v. 4, 241-259 (2005): [http://www.dirittoequestionipubbliche.org/page/2004\\_n4/studi\\_D\\_Patterson.pdf](http://www.dirittoequestionipubbliche.org/page/2004_n4/studi_D_Patterson.pdf)  
Spanish translation Colección de Estudios Jurídicos Mario Alario D'Filipo, No. XI (2010)  
Portuguese translation: *Direito E Interpretacao* 193-210 Editora Saraaiva (2011)

Aspirations, 36 *Rutgers Law Journal* 163-164 (Inauguration of Rutgers (Camden) Institute for Law and Philosophy) (2004)

Fashionable Nonsense, 81 *Texas Law Review* 841 (2003) Review Essay reviewing: Vincent Descombes, *The Mind's Provisions: A Critique of Cognitivism*, Princeton University Press (Stephen A. Schwartz, trans., 2001); Anthony G. Amsterdam & Jerome E. Bruner, *Minding The Law*, Harvard University Press (2000); Steven L. Winter, *A Clearing In The Forest: Law, Life and Mind*, University of Chicago Press (2001)

From Postmodernism To Truth In Law, 26 *Harvard Journal of Law and Public Policy* 101 (2003)

American Jurisprudence: 1970-Present, in *Oxford Dictionary of American Law*, Kermit L. Hall ed., Oxford University Press, (2002)

Commercial Law, in *Oxford Dictionary of American Law*, Kermit L. Hall ed., Oxford University Press, (2002)

Statute of Frauds, in *Oxford Dictionary of American Law*, Kermit L. Hall ed., Oxford University Press, (2002)

What Is at Stake in Jurisprudence?, Endowed Lecture, 20 *Oklahoma City University Law Review* 173 (2003)

Normativity and Objectivity in Law, 43 *William and Mary Law Review* 325 (2001), also printed in *Wittgenstein and Law*, Dennis Patterson, ed., (2004)

*Introduction to Symposium on Brian Tamanaha, Realistic Socio-Legal Theory*, in 32 *Rutgers Law Journal* 225 (2000)

The Limits of Empiricism: What Facts Tell Us, 98 *Michigan Law Rev.* 2738 (2000)  
(Symposium on Empirical Research in Commercial Transactions)

On Law and Truth: A Reply to Neil Duxbury, 13 *Ratio Juris* 216 (2000)

Theory, Practice and Jurisprudence: Reflections on the Work of Frederick Schauer, in *The Jurisprudence of Frederick Schauer* 29 Hart Publishing Company (1999)

Karl Llewellyn, in *The Philosophy of Law: An Encyclopedia*, Christopher Gray, ed., Garland Publishing, New York & London (1999)

Ludwig Wittgenstein, in *The Philosophy of Law: An Encyclopedia*, Christopher Gray, ed., Garland Publishing, New York & London (1999)

Taking Commercial Law Seriously, 74 *Chi.-Kent Law Rev.* 625 (1999) (Symposium On Taking Legal Argument Seriously)

Explicating the Internal Point of View, 52 *S.M.U.L.Rev.* 67 (1999) (Symposium on the Jurisprudence of H.L.A. Hart)

Response to Critics: Symposium on Dennis Patterson, *Law and Truth*, 50 *S.M.U. Law Review* 1563 (1997)

Postmodernism, in *Blackwell Companion to the Philosophy of Law and Legal Theory*, Dennis Patterson ed., Wiley-Blackwell (1996)

Law as a Social Fact: A Reply to Professor Martinez, 29 *Loyola L.A. L. Review* 579 (1996)

Against A Theory of Meaning, 73 *Washington University Law Quarterly* 1153 (1995)

Langdell's Legacy, 90 *Northwestern University Law Review* 196 (1995) (Symposium Issue)

Wittgenstein and Constitutional Theory, 72 *Texas Law Review* 1837 (1994) (Symposium Issue)

Good Faith in Tort and Contract Law, 72 *Texas Law Review* 1291 (1994) (Symposium Issue)

Why Habermas' Theory of Law Must Fail, 19 *Indian Socio-Legal Journal* 1 (1993)

The Pseudo-Debate Over Default Rules in Contract Law, 3 *Southern California Interdisciplinary Law Journal* 235 (1993) (Symposium Issue)

"You Made Me Do It": My Reply to Stanley Fish, 72 *Texas Law Review* 67 (1993)

The Poverty of Interpretive Universalism: Toward the Reconstruction of Legal Theory, 72 *Texas Law Review* 1 (1993)

Foreword: The Challenge of Legal Formalism, 16 *Harvard Journal of Law and Public Policy* 579 (1993) (Symposium Issue)

Conscience and the Constitution, Review Essay reviewing Philip Bobbitt, *Constitutional Interpretation*, 93 *Columbia Law Review* 270 (1993)

The Value of A Promise, 11 *Law and Philosophy* 385 (1992)

The Metaphysics of Legal Formalism, 77 *Iowa Law Review* 741 (1992) (Symposium Issue)

The Role of Good Faith in Lender Liability- A Reply to Hirshman and Taft, 7 *Commercial Damages Reporter* 39 (1992)

Postmodernism/Feminism/Law, 77 *Cornell Law Review* 254 (1992)

The Philosophical Foundations of Modern Contract Law: An Open Letter to James Gordley, 1991 *Wisconsin Law Review* 1432 (1991), also printed in Peter Linzer, *A Contracts Anthology*, 2d ed. (1995)

Preface to *Wittgenstein and Legal Theory*, Dennis Patterson ed., Westview Press (1992)

Lender Liability, Good Faith, and the Concept of Agreement Under the Uniform Commercial Code, 6 *Commercial Damages Reporter* (Jan./Feb. 1991)

A Fable from the Seventh Circuit: Frank Easterbrook on Good Faith, 76 *Iowa Law Review* 503 (1991)

The Importance of Asking the Right Questions: A Reply to Steve Fuller, 5 *Social Epistemology* 75 (1991)

Law, Practice, Interpretation and Argument: Toward a Narrative Conception of Legal Discourse, 5 *Social Epistemology* 61 (1991), also printed in *Le Recours Aux Objectifs De La Loi Dans Son Application* (1990) (Travaux préparatoires du Congrès des 10-12 Septembre 1990 à Louvain-la-Neuve, 1990)

Introduction to Special Issue on Legal Theory & Wittgensteinian Thought, 3 *Canadian Journal of Law and Jurisprudence* 3 (1990)

Law's Pragmatism: A Theory of Law as Practice and Narrative, 76 *Virginia Law Review* 937 (1990)

Law's Practice, Review Essay reviewing Karl Llewellyn, *The Case Law System in America*, University of Chicago Press (1989), 90 *Columbia Law Review* 575 (1990)

Good Faith, Lender Liability and Discretionary Acceleration: Of Llewellyn, Wittgenstein and the Uniform Commercial Code, 68 *Texas Law Review* 169 (1989), also printed in Peter Linzer, *A Contracts Anthology* 2d ed., (1995)

What Was Realism?, 2 *Canadian Journal of Law and Jurisprudence* 193 (1989), also printed in *The International Library of Essays in Law and Legal Theory*, T.D. Campbell ed., (1992)

A Reply to David Jones (Rejoinder to review of *Maine Debtor-Creditor Law*), 41 *Maine Law Review* 467 (1989)

Realist Semantics and Legal Theory, 2 *Canadian Journal of Law and Jurisprudence* 175 (1989), also printed in *The International Library of Essays in Law and Legal Theory*, T.D. Campbell ed., (1992)

Hegel and Postmodernity, 10 *Cardozo Law Review* 1665 (1989)

Authorial Intent and Hermeneutics, 2 *Canadian Journal of Law and Jurisprudence* 79 (1989)

Wittgenstein and the Code: A Theory of Good Faith Performance and Enforcement Under Article Nine, 137 *University of Pennsylvania Law Review* 335 (1988)

An Introduction to Conventionalism (Review Essay), 10 *Western New England Law Review* 43 (1988)

The Waiver Problem in Maine Real Property Foreclosure Law: A Commercial Paper Perspective, 38 *Maine Law Review* 49 (1986)

Interpretation In Law: Toward A Reconstruction of the Current Debate, 29 *Villanova Law Review* 671 (1984), also printed in 34 *Law Review Digest* 4 (1985)

The Decline of the Privity Rule in the Maine Law of Tort Products Liability: A Conceptual History, 35 *Maine Law Review* 1 (1983)

The Liability of Attorneys to Third Parties for Negligence: An Issue Ripe for Appellate Review, 17 *Maine Bar Bulletin* 205 (1983)

## **BOOK and ARTICLE REVIEWS**

Maximilian Kiener, *Voluntary Consent Theory and Practice* (Routledge, 2023), *Law and Philosophy* (in press, 2023)

William Hirstein, Katrina L. Sifferd and Tyler K. Fagan, *Responsible Brains: Neuroscience, Law, and Human Responsibility* (MIT Press, 2018) Jotwell, <https://juris.jotwell.com/the-neuroscience-of-responsibility/> April 17, 2019

Alexander Somek, *The Legal Relation* (Cambridge UP, 2017) Jotwell, <https://juris.jotwell.com/> July 24, 2018

Peter A. Alces, *The Moral Conflict of Law and Neuroscience* (U. Chicago Press, 2018), 5 *Journal of Law and the Biosciences* 440-456 (2018)

Neil Levy, *Consciousness and Moral Responsibility* (OUP, 2014), 2 *Journal of Law and the Biosciences* 771-774 (2016)

Jan Smits, "A Radical View of Legal Pluralism," *Jotwell* <http://juris.jotwell.com/2012/04/> (March 2012)



Keith Culver and Michael Giudice, *Legality's Borders*, 31 *Law and Philosophy* 593-599 (2012)

Andrei Marmor, *Philosophy of Law*, *Notre Dame Philosophical Reviews*  
<http://ndpr.nd.edu/review.cfm?id=24311> (2011)

*Law, Mind and Brain* (Michael Freeman and Oliver R. Goodenough, eds.) (2009), 7 *Script*,  
<https://www.technollama.co.uk/scripted-april-2010-published> (April 15, 2010)

*The Grammar of Politics: Wittgenstein and Political Philosophy* (Cressida J. Heyes ed.), 30  
*Social Theory and Practice* 287-293 (2004)

Philip Bobbitt, *The Shield of Achilles*, 101 *Michigan Law Review* 2501-2514 (2003) (Special  
Issue "Books on Law")

M.R. Bennett, & P.M.S. Hacker, *Philosophical Foundations of Neuroscience*, *Notre Dame  
Philosophical Reviews* (2003), *Notre Dame Philosophical Reviews*,  
<http://ndpr.nd.edu/news/23573-philosophical-foundations-of-neuroscience/>

*Objectivity in Law and Morals*, (Brian Leiter ed.), <http://www.jurist.pitt.edu> (2001)

Guyora Binder and Robert Weisberg, *Literary Criticisms of Law*, 49 *Buffalo Law Rev.* 477  
(2001)

Georgia Warnke, *Legitimate Differences: Interpretation in the Abortion Controversy and  
Other Public Debates*, 110 *Mind* 284 (2000)

E. Allan Farnsworth, *Changing Your Mind: The Law of Regretted Decisions*,  
<http://www.jurist.law.pitt.edu> (1999)

Peter Morton, *An Institutional Theory of Law: Keeping Law in Its Place*  
<http://www.jurist.pitt.edu> (1999)

Richard Markovits, *Matters of Principle*, <http://www.jurist.pitt.edu> (1999)

David Dyzenhaus, *Legality and Legitimacy: Carl Schmitt, Hans Kelsen and Hermann Heller  
in Weimar*, July, 1998 *Jurist*, <http://www.jurist.law.pitt.edu> (1998)

Jorge J.E. Gracia, *A Theory of Textuality: The Logic and Epistemology*, 50 *Review of  
Metaphysics* 894 (June, 1997)

Ernest Weinrib, *The Idea of Private Law*, 58 *Modern Law Review* 916 (1995)

Ora F. Harris and Alphonse M. Squillante, *Warranty Law in Tort and Contract Actions* (two  
volumes), 46 *Business Lawyer* 365 (November, 1990)

A. London Fell, *Origins of Legislative Sovereignty and the Legislative State*, Vols. 1, 2, & 3,  
76 *Arch. F. Phil of Law & Soc. Phil.* 127 (1990)

Elizabeth H. Wolgast, *The Grammar of Justice*, 2 *Can. J. Law & Juris.* 85 (1989)

Neil MacCormick & Peter Birks eds., *The Legal Mind: Essays for Tony Honoré*, 75 *Arch. F. Phil. of Law & Soc. Phil.* 540 (1989)

Tony Honoré, *Making Law Bind*, 75 *Arch. F. Phil. of Law & Soc. Phil.* 540 (1989)

A. Barry Cappello & F. Komoroske, *Lender Liability*, 43 *Business Lawyer* 1595 (1988)

Lincoln Allison, *Right Principles: A Conservative Philosophy of Politics*, 73 *Arch. F. Phil. of Law & Soc. Phil.* 157 (1987)

Bob Fine, *Democracy and the Rule of Law: Liberal Ideals and Marxist Critiques*, 80 *Am. Pol. Sci. Rev.* 298 (1986)

Hugh Collins, *Marxism and Law*, 9 *Leg. Stud. F.* 343 (1985)

Larry G. Gerber, *The Limits of Liberalism*, 78 *Am. Pol. Sci. Rev.* 1185 (1984)

London Fell, *Origins of Legislative Sovereignty and the Legislative State*, Vols. 1 & 2, 78 *Am. Pol. Sci. Rev.* 580 (1984)

Allen E. Buchanan, *Marx and Justice*, 8 *Con. Cri.* 194 (1984)

Thomas Morawetz, *The Philosophy of Law*, 7 *Vermont L. Rev.* 273 (1982)

Theodore M. Benditt, *Law as Rule and Principle*, 28 *Buffalo L. Rev.* 195 (1979)

## **Legislative Work**

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Author, Revised Section 1-205, Uniform Commercial Code

Author, Permanent Editorial Board Commentary on Section 1-203 of the Uniform Commercial Code, Draft approved by Permanent Editorial Board, Uniform Commercial Code, November 20, 1993 (co-author, David Frisch)

## **Invited Lectures and Presentations**

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Panel discussion of Chloe Deambrogio, *Judging Insanity, Punishing Difference: A History of Mental Illness in the Criminal Court*, Stanford University Press (2024), Merton College, Oxford, 29 November 2023.

Grounding in Law: What It Can and Cannot Do, Edinburgh Legal Theory Seminar, University of Edinburgh, 3 November 2022

Scientific Evidence for Hard Compatibalism, Surrey Center for Legal Philosophy, Comment on Gregg Caruso, 15 June 2022

Will Neuroscience Change Fundamentally the Nature of Court Practice?, Conference on Neuroscience and Law, British Academy of Forensic Sciences, Gray's Inn, London, May 14 2022

Comments on Carla Bagnoli, Disclaiming Responsibility as Boundary Negotiation, (ERC) Roots of Responsibility Seminar, European University Institute, April 12, 2022

Theoretical Disagreement, Legal Positivism and Interpretation, Surrey Law School, Hart Lecture Series, 23 January 2019

Dworkin's Criticisms of Hart's Positivism, Uppsala University, Department of Philosophy, Sweden, May 3, 2018

How to Think Clearly about Law and Neuroscience, Fordham Law School, April 3, 2018

Law and Neuroscience: Symposium on Peter A. Alces, *The Moral Conflict of Law and Neuroscience*, University of Pennsylvania school of Law, March 28, 2018

Rechtsdurchsetzung ohne Staat: Paradigms of Enforcement – Justice vs. Efficiency, German Comparative Law Association, Basel, Switzerland, September 14, 2017

Neuroscience, Philosophy, and Law, Agora Conference on Free Will, Sigtuna, Sweden, June 28, 2017

The Criminal Mind: Can You Blame Your Brain?, Cheltenham Science Festival, June 7, 2017

Duress and The Will, Surrey Law School, Guildford, England, May 5, 2017

Current Issues in Law and Neuroscience, Maastricht University, Maastricht, Netherlands, December 9, 2016

The Neuroscientific Challenge to Law, University of Lisbon, Lisbon, Portugal, November 17, 2016

The Future of Global Trade and the World Economy, University of Vienna, Business School, Vienna, Austria, May 31, 2016

Realism and Anti-Realism in Jurisprudence, University of Trento, Trento, Italy, May 19, 2016

The Nature of Law: A Posteriori Arguments for the Nature of Law, (Symposium on Michael Giudice, *Understanding the Nature of Law*) (2015), Queen Mary Law School, London, England, March 30, 2016

Dennis M. Patterson  
Page 20

Is There a Global Economic Constitution?, Global Constitutionalism Without Global Democracy, European University Institute/University of Oslo, Florence, Italy, January 14, 2016

Global Economic Constitutionalism, Conference on Globalization and Law, Swansea University, Swansea, Wales, December 28, 2015

Law and Neuroscience: Fundamental Issues, University of Palermo, Palermo, Italy, December 2, 2015

The Neuroscientific Challenge to Law, Bocconi University, Law Department, Milan, Italy, November 11, 2015

Why Neuroscience Will Never Solve the Problem of Free Will, Conference on Consciousness (Voluntary Action and The Brain), University of Vienna, Vienna, Austria, November 8, 2015

American Political Science Association, Author Meets Critics Panel on *Minds, Brains, and Law*. San Francisco, USA, September, 2015

Can We Please Stop Doing This?: By The Way, Postema was Right, Conference on “The Philosophy of Legal Philosophy,” Jagiellonian University, Krakow, Poland, May 23, 2015

Statecraft, Legitimacy, and the Evolving State, University of Amsterdam, Amsterdam, Netherlands, April 16, 2015

Keynote Address, European Association of Neuroscience and Law, Pavia, Italy, February, 2015

Neuroscience and Law, Cambridge University, Peterhouse College, Cambridge, UK, October 15, 2014

Neuroscience in the Courtroom, World Congress for Freedom of Scientific Research, Rome, Italy, April 6, 2014

Philosophical and Conceptual Issues in Law and Neuroscience, European Association of Neuroscience and Law, University of Pavia, Pavia, Italy, January 23, 2014

Philosophical Naturalism versus Conceptual Analysis, American Philosophical Association, Eastern Division, Baltimore, MD, USA, December 30, 2013

Law and Neuroscience from a Wittgensteinian Perspective, Conference on Wittgenstein, Language and Law, Aarhus University, Aarhus, Denmark, November 28, 2013

Cosmopolitanism and Human Rights, Conference on Global Law, Swansea University, Swansea, Wales, UK, June 6, 2013

Inaugural Lecture, European Association for Neuroscience and Law, Winter School, Pavia, Italy, January 7, 2013

Dennis M. Patterson  
Page 21

Law and Neuroscience: Current Challenges, University of Lucerne, Lucerne, Switzerland,  
November 6, 2012

Book Presentation: *The New Global Trading Order*, NCCR, Bern, Switzerland, November 7,  
2012

Kenny on Intention and the Criminal Law, Milan University, Dipartimento Cesare Beccaria,  
Milan, Italy, October 10, 2012

Law and Neuroscience, Freiberg University, Law Department, Freiberg, Germany, May 2012

Oxford University, Theme: Towards a European Legal Culture, Presentation “The Market  
State and EU Law” (with Kai Purnhagen), Oxford, UK, December 16, 2011

Theory of Transnational Legal Orders, International Conference on the Theory of  
International Law, University of Amsterdam, Amsterdam, Netherlands, November 2011

International Conference on “Law and Truth.” University of Mexico, Mexico, Mexico,  
October 2011

EU Law and the Market State, University of Copenhagen, Copenhagen, Denmark, October  
2011

Understanding and Interpretation in Law, IVR Congress Lecture, Frankfurt, Germany,  
August 2011

Law and Neuroscience, University of Girona, Girona, Spain, March 2011

Law and Natural Kinds, Humboldt University, Berlin, December 2010

Methodology and Theoretical Disagreement, University of Copenhagen, Copenhagen,  
Denmark, November 2010

University of Bologna, Alexy on Necessity in Law and Morals, Ratio Juris Sponsored  
Conference on the work of Robert Alexy, University of Bologna, Bologna, Italy, November  
2010

“The Idea of a ‘Legal System’ in the Age of Transnational Legal Orders, Conference “How  
to Build a Legal System” Bocconi University, Law Faculty, Milan, Italy, June 3, 2010

Theoretical Disagreement in Law , Birmingham Law School, Birmingham, UK, October 29,  
2009

Law and Society, Annual Meeting, Author Meets Reader, Discussion of Afilalo and  
Patterson, *The New Global Trading Order* (CUP, 2008), Montreal, Canada, June 2008

Global Legal Order, International Conference, Swansea University, Faculty of Law,  
Swansea, Wales, May 21 – 22, 2008

Jurisprudence and Conceptual Analysis, IVR Conference, Krakow, Poland, August, 2007

Cognitivism and Legal Theory (Comments on the work of John Mikhail), IVR Conference, Krakow, Poland, August 2007

Critical Notice of Brian Z. Tamanaha, *Law as a Means to an End* (Cambridge University Press, 2006), Law and Society Meeting, Berlin, Germany, July 2007

Statecraft, Trade and the Order of States, Columbia University, School of Law, New York, USA, April 17, 2007

Legal Methodology and Law as a Normative Practice (2 Lectures), University of Palermo, Palermo, Sicily, Italy, March 7, 2007

On the Conceptual and the Empirical: Matters of Sense and Matters of Truth, Brooklyn Law School, A Cross-Disciplinary Look at Scientific Truth: What's the Law to Do?, Center for the Study of Law, Language and Cognition, New York, USA, March 2, 2007

The Methodology Debate in Legal Theory: What is At Stake and Why It Is Important, University College London, Faculty of Law, London, UK, October 25, 2006

Raz on Authority, Oxford/UCL Colloquium in Legal Theory, University College, London, UK, October 16, 2006

Raz on Authority, Princeton University, Department of Politics, Celebrating the Twentieth Anniversary of Joseph Raz, *The Morality of Freedom*, Princeton, New York, USA, October 2006

States and Trade in the 21<sup>st</sup> Century, Universität Erlangen, Erlangen, Germany, June 1, 2006

The Future of the Methodology Debate in Analytic Jurisprudence, Institut Universitaire de France, Paris, March 17, 2006

Statecraft, Trade, and the Order of States (with Ari Afilalo), Boston University School of Law, Boston, USA, September 2005

Anglo-American Jurisprudence: Current Controversies, Universities of Padova and Verona, Padova, April and May 2005

Statecraft, Trade, and the Order of States (with Ari Afilalo), Brooklyn Law School, New York, USA, February 2005

Chair and Speaker, Association of American Law School, Panel on Law and Foreign Affairs, with Philip Bobbitt, Samuel Issacheroff, Sanford Levinson and Akhil Amar, San Francisco, California, USA, January 2005

Morawetz, Methodology and Legal Theory, Panel Discussion with Thomas Morawetz, Author of *Law's Premises and Law's Promise: Jurisprudence after Wittgenstein* American Philosophical Association, Eastern Division Meetings, Boston, Massachusetts, USA, December 2004

Trade in the Post-Modern Age (with Ari Afilalo), Conference on the WTO at the Crossroads, Bar-Ilan University, Tel Avi, Israel, December 2004

Dworkin on the Semantics of Legal and Political Concepts, Legal Theory Workshop, University of Pennsylvania, Philadelphia, USA, October 2004

Methodology in Legal Theory, Conference on Law and Sociology, University College London, London, UK, September 2004

Anglo-American Jurisprudence: Our Current Disagreements and Rechtspositivismus, Ruhr Universität Bochum, Bochum, Germany, April 2004

Interpretation in Law, The Law Faculties at Palermo and Rome (Luiss Guido Carli University), Italy, January 2004

Postmodernism and Law, The Law Faculties at Genoa, Bologna, and Palermo, Italy, January 2004

Legal Interpretation, University of Southampton Law Faculty, Southampton, UK, December 2003

Legal Interpretation, Oxford University, Oxford University Legal Theory Discussion Group, Trinity College, Oxford, UK, December 2003

Law and Objectivity, Invited Speaker on discussion of Objectivity in Law, Law and Society, Annual Meeting, Pittsburgh, Pennsylvania, USA, June 2003

Law and Argument, Luiss Guido Carli University, Rome, Italy, March 2003 (Invited Lecture)

Fashionable Nonsense, Princeton University, James Madison Program, Princeton, New Jersey, USA, October 7, 2002 (Invited Lecture)

What Is Interpretation In Law?, Mind and Society Conference, University of Manchester, Manchester, England, June 2002 (Invited Lecture)

Wittgenstein and Jurisprudence: Prolegomenon To Any Future Legal Theory, Inland Northwest Philosophy Conference, Law and Social Justice, University of Idaho, Moscow, Idaho, USA, April 2002 (Invited Lecture and Panel Discussion)

From Post-Modernism To Truth And Law, 21<sup>st</sup> Annual National Student Symposium on Law and Public Policy, Federalist Society, Yale Law School, New Haven, Connecticut, USA, March 2002 (Invited Lecture and Panel Discussion)

Normativity and Objectivity in Law, Boston Colloquium for the Philosophy of Science, Boston, USA, March 2002 (Invited Lecture).

What Is at Stake in Jurisprudence?, Oklahoma City School of Law, Oklahoma City, Oklahoma, USA, February 2002 (Quinlan Lecture),

The Limits of Legal Interpretation, American Society of Aesthetics, Minneapolis, Minnesota USA, October 2001, (Invited Panel Presentation),

The Future of Legal Theory, Annual Meeting, Law and Society Association, Budapest, Hungary, July 2001 (Invited Panel Presentation)

Commercial Law Pedagogy, University of Cincinnati, School of Law, Cincinnati, USA, October 2000

The Rule of Law (Invited Panel Presentation), Law and Society Conference, Miami Florida, USA, May 2000

The Normativity of Law, Florida State University, School of Law, USA, April 2000

Law and Postmodernism, Universität Heidelberg, Heidelberg, Germany, December 1999

The Normative Basis of Law, The American Academy, Berlin, German, December 1999

Normativity, Law and Objectivity, Department of Philosophy, University of Buffalo, Buffalo, USA, October 1999

*On Richard Markovits, Matters of Principle: Legitimate Legal Argument and Constitutional Interpretation*, (New York University Press, 1998), University of Texas at Austin, School of Law, Austin, Texas, United States, April 1999 (Invited Faculty Workshop)

Good Faith and the Uniform Commercial Code: The Hidden Jurisprudential Dimension, Northwestern University, School of Law, Chicago, USA, February 1998

Theory, Practice, and Jurisprudence: Reflections on the Work of Frederick Schauer, Quinnipiac University School of Law, New Haven, USA, October 1997

Recht und Richtigkeit, Göttingen Juristisches Gesellschaft, Göttingen, Germany, June 1997

Contemporary Anglo-American Jurisprudence, Lecture delivered at the following German Universities from November 1996 through March, 1997: Heidelberg, Erlangen, Hannover, Frankfurt, Chemnitz, Leipzig and Munich

Law and Objectivity, University of Manchester, Manchester, England, May 1996

Law and Truth, Columbia Legal Theory Workshop, Columbia University, School of Law, New York, USA, January 1996

Postmodernism, Law and Truth, International Conference on "Practices and The Social Order," Universität Bielefeld, Bielefeld, Germany, January 1996

Indeterminacy, Postmodernity, and Law, International Conference on "Indeterminacy and Social Integration," Internationales Forschungszentrum Kulturwissenschaften, Vienna, Austria, December 1995



Agreement and Good Faith Under the Uniform Commercial Code, Harvard Law School, Cambridge, Massachusetts, USA, October 1994

The Pseudo-Debate Over Default Rules in Contract Law, Conference on Default Rules in Contract Law, University of Southern California, Law Center, Los Angeles, California, USA, March 1993

Interpreting the Uniform Commercial Code: The Case of Good Faith, Southern Methodist University, School of Law, Dallas, Texas, USA, March 1993

Contract Law and Justification, 22nd Annual Canadian Consumer and Commercial Law Workshop, McGill University School of Law, Montreal, Quebec, Canada, October 1992

Understanding, Interpretation, and the Possibility of Legal Knowledge, Clason Lecture, Western New England College, School of Law, Springfield, Massachusetts, USA, March 1992

Scanlon on Promises and Practices: A Tale of Incommensurables, American Philosophical Association, Eastern Division Meeting, New York, New York, USA, December 1991

The Legal Case Against Realism, Society for Realism and Antirealism, American Philosophical Association, Eastern Division Meeting, New York, New York, USA, December 1991

Hermeneutics and the Theory of Praxis, Second Annual Symposium on Knowledge Development and Nursing Practice, The University of Rhode Island, College of Nursing, Kingston, Rhode Island, USA, September 1991

Why Habermas's Theory of Law Must Fail, 15th Annual World Congress on Philosophy of Law and Social Philosophy, University of Göttingen, Göttingen, Germany, August 1991

Postmodernism/Feminism/Law, International Association for Philosophy and Literature, University of Montreal, Canada, May 1991

A Promise is a Promise is a Promise: Scanlon on Promises and Practices, American Philosophical Association, Central Division Meeting, Chicago, Illinois, USA, April 1991

Good Faith and Lender Liability, American Bar Association (Section of Business Law), Spring Meeting, Williamsburg, Virginia, USA, April 1991

A Promise is a Promise is a Promise: Scanlon on Promises and Practices, North American Society for Social Philosophy, American Philosophical Association, Pacific Division Meeting, San Francisco, California, USA, March 1991

The Metaphysics of Legal Formalism, Iowa College of Law, Symposium on Corrective Justice, USA, March 1991

Lex Narratio, McGill Legal Theory Workshop, McGill University, School of Law, Montreal, Québec, Canada, November 1990

A Promise is a Promise is a Promise: Scanlon on Promises and Practices, Department of Philosophy, University of Western Ontario, London, Ontario, Canada, October 1990

Wittgenstein As Liberator, Faculty of Law, University of Western Ontario, London, Ontario, Canada, October 1990

Law, Practice, Interpretation and Argument: Toward a Narrative Conception of Legal Discourse, Second International Congress on Legal Methodology, Louvain-La-Neuve, Belgium, September 1990

Law As A Narrative Discourse, University of Maine, Department of Philosophy, Orono, Maine, USA, April 1990

Relativism, Legal Discourse, and the Ethical, Conference on Critical Pluralism, University of Nebraska, Lincoln, Nebraska, USA, April 1990

Law, Practice, Interpretation and Argument, American Philosophical Association, Central Division Meeting, April 1990

Law's Pragmatism: Law as Practice & Narrative, Legal Theory Workshop, University of Toronto School of Law, Toronto, Ontario, Canada, November 1988

The Jurisprudence of Michael Oakeshott, Maine Philosophical Institute, University of Southern Maine, USA, April 1984

Unger on Universals and Particulars in Political Theory, Critical Legal Studies Conference, State University of New York at Buffalo, Faculty of Law and Jurisprudence, USA, May 1981

## **Editorial Position, Board Memberships and Professional Associations**

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### **EDITORIAL POSITION**

General Editor  
Series: Oxford Introductions to US Law  
Oxford University Press, New York and Oxford

### **EDITORIAL BOARD MEMBERSHIPS**

Board of Editors, Journal of Law and the Biosciences  
Board of Editors, Legal Theory  
Board of Editors, The Canadian Journal of Law and Jurisprudence  
Board of Editors, Law and Philosophy  
Board of Editors, Ratio Juris

Board of Editors, European Economic Law and Regulation, Springer Publishers

## **PROFESSIONAL ASSOCIATIONS**

European Association for Neuroscience and Law  
American Bar Association  
American Bar Association Committee for the Revision of the Uniform Commercial Code  
American Bar Association, Uniform Commercial Code, Article One Study Group Member, Planning Committee, AALS Mini-Workshop on Jurisprudence, 1995  
Chair, AALS Section on Scholarship, 2006  
Chair, AALS Section on Jurisprudence (1993-94)  
Chair and Co-Founder, AALS Section on Law and Interpretation (1989-92)  
American Philosophical Association (Lifetime Member)  
Amintaphil  
Phi Beta Kappa  
Society of Legal Scholars (UK)  
British Wittgenstein Society

## **Bar Admissions**

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1996 **New Jersey**  
1984 **Supreme Court of the United States**  
1982 **U.S.D.C., Maine**  
1981 **Maine**  
1981 **New York**

## **Committee Assignments**

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### **Rutgers**

Law Journals, 2022 - 2023

Foreign Programs Committee, 2013-2022

University Committee for Selection of Honorary Degrees, 2004 - 2009

Faculty Appointments, 1998-1999 (Chair); 1999-2000 (Chair);  
2000-2001 (Member); 2003-2004 (Chair), 2004-2005 (Member)

Faculty Academic Merit Service Award Committee, 1996 - 2009

## **Other Service**

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### **Rutgers**

Co-Founder and Co-Director  
Rutgers University School of Law  
Institute for Law and Philosophy at Camden  
2003 – Present

### **UK Service**

Research Excellence Framework  
Law Sub-Panel (Full Member)  
2011-2014

### **EUI Service**

Director, First-Year Program, Law Department  
2011-2014

Coordinator, US Exchange Program, Law Department  
2010-2017

Director, LLM Program  
2011- 2014

### **Public Service (Florence)**

Council of Advisors  
Richmond University in Florence  
2012 – 2017

### **Thesis Supervisions (Supervisor)**

Caterina Fabiani  
Exploring Human Development: a Challenge to the Incapacitative-Essentialist Duo in  
American Criminal Justice  
Surrey Law School  
PhD awarded 21 June 2023  
(co-supervised with Bebhinn Donnelly-Lazarov)

Marcin Baranski  
Constitutional Pluralism in the European Union: A Critical Assessment  
PhD Awarded 26 July 2021

Sofie Christine Møller

Dennis M. Patterson  
Page 29

The Nomothetics of Pure Reason: A Juridical Account of Immanuel Kant's 'Critique of Pure Reason'

PhD Awarded: 3 November 2017

Published by Cambridge University Press (2020)

Federica Coppola

The Moral Brain and the Guilty Mind: Towards an Emotion-Oriented General Theory of Culpability Informed by the Neuroscience of Moral Decision-Making and Antisocial Behavior

PhD Awarded: 15 June 2017

Published by Hart Publishing (2021)

Javier Habib

The Methodology of Private Law

PhD Awarded: 28 May 2016

Javier Alexis Galán Avila

International Law and Legitimacy: A Critical Assessment

PhD Awarded: 2 February 2016

Jacobien Elisabeth van Dorp

On The Nature of Legal Understanding and The Quality of Transnational Communication In Law

PhD Awarded: 14 December 2015

Bosko Tripkovic

The Metaethics of Constitutional Adjudication

PhD Awarded: 26 May 2015

Thesis awarded the Mauro Cappalletti Prize by the EUI Law Department for the Best Thesis in Comparative Law (2016)

Thesis published by Oxford University Press (2017)

Tiago Andreotti e Silva

Dispute Resolution in Transnational Securities Transactions

PhD Awarded: December, 2014

Thesis published by Hart Publishing (2017)

Daniela Jaros

Tracing the Law of Sovereign Debt Within and Beyond the State

EUI Law Department

PhD Awarded: January, 2014

Julien Topal

Conceptualizing Corporate Responsibilities: Agency, Reciprocity and the Constitutive Role of Law

EUI Department of Political and Social Sciences

PhD Awarded: January 2014

Marina Lostal Becerril

Thesis: International Cultural Heritage Law in Armed Conflict

Dennis M. Patterson  
Page 30

EUI Law Department  
PhD Awarded: June, 2013  
Published by Cambridge University Press (2017)

Julia Hermann  
Thesis: Wittgenstein and Moral Philosophy  
EUI Department of Political and Social Sciences  
PhD Awarded: June, 2011  
Thesis published as *On Moral Certainty, Justification and Practice* (Palgrave, 2015)