

## JOHN C. DEHN

Assistant Professor, Loyola University Chicago School of Law  
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### Teaching Experience

- Loyola University Chicago School of Law**, Assistant Professor 2013-present  
Courses: *Criminal Law and Procedure, Military Law, Public International Law*  
Other: *Co-Director, National Security and Civil Rights Program; Faculty Adviser, Clara Barton Competition Teams*
- West Point Center for the Rule of Law, U.S. Military Academy**, *Senior Fellow* 2011-present
- 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; International Law; Military Law; Constitutional Law;  
Criminal Law & Procedure; Professional Responsibility; Federal Courts; Administrative Law

### Publications

#### Articles and Book Chapters

- Customary International Law, the Separation of Powers, and the Choice of Law in Armed Conflict*, 102 CARDOZO L. REV. \_\_\_ (forthcoming 2016)
- Whither International Martial Law: Human Rights as Sword and Shield in Ineffectively Governed Territory* in THE THEORETICAL BOUNDARIES OF ARMED CONFLICT AND HUMAN RIGHTS (Jens Ohlin, ed. forthcoming 2016)
- Targeted Killing, Human Rights and Ungoverned Spaces: Considering Territorial State Human Rights Obligations*, 54 HARVARD INT'L L. J. ONLINE 84 (2013)
- 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)

*Targeted 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 Online Commentary

*The DoD Law of War Manual's Potential Contribution to International Law*, July 16, 2016  
<https://www.justsecurity.org/24675/dod-law-war-manuals-potential-contribution-international-law/>

*Letter to the Editor: A Reply from John Dehn to Daphne Eviatar on the 9/11 Military Commissions*, January 6, 2014, <https://www.justsecurity.org/5309/letter-editor-reply-john-dehn-daphne-eviatar-911-military-commissions/>

*A Critique of Dodge and Cleveland, And Thoughts on Bond*, Opinio Juris, Oct. 1, 2013  
<http://opiniojuris.org/2013/10/01/guest-post-critique-dodge-cleveland-thoughts-bond/>

*Dehn on Syria and Humanitarian Intervention*, Sep. 6, 2013  
<http://www.lawfareblog.com/2013/09/dehn-on-syria-and-humanitarian-intervention/>

*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, 2001  
available at <http://opiniojuris.org/2011/08/19/an-opportunity-for-judicial-review-of-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 Constitutional Power to Punish in War

The Tactical Consequences of Torture at Bagram (to be published by Oxford in a volume being produced by West Point’s Center for the Rule of Law and Harvard Kennedy School’s Carr Center for Human Rights)

Customary International Human Rights Law and Counterterrorism: Moving Beyond Idealism to Find the Legal Framework

Legislative Law of War Execution and Interpreting of Authorizations to Use of Military Force

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

### **Lectures, Presentations and Conferences**

*The Constitutional Power to Punish in War*, Mid-American Jesuit Workshop, Marquette Law School, Milwaukee, WI (Feb. 26, 2016)

Symposium Organizer, Speaker, and Moderator: *The New Law of War Manual: Accurate? Authoritative? Influential?*, Loyola University Chicago School of Law, Chicago, IL (Feb. 12, 2016)

*The Constitutional Power to Punish in War*, Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL (Nov. 26, 2016) (moderated four other panels)

Panelist, Legal Challenges; Urban Warfare Symposium: Operational, Ethical and Legal Challenges, Pritzker Military Museum & Library (in partnership with Consulate General of Israel to the Midwest), May 7, 2015

*The Conflict of Laws in Armed Conflicts and Wars*, Mid-American Jesuit Workshop, February 20, 2015

*The Conflict of Laws in Armed Conflicts and Wars*, ASIL International Law in Domestic Courts Workshop, Santa Clara Law School, CA, Dec. 5, 2014

*The Conflict of Laws in Armed Conflict and Wars*, Loyola University Chicago School of Law Constitutional Law Colloquium, Chicago, IL (Nov. 8, 2014) (moderated two other panels)

Panelist, ASIL International Law Career Panel, Chicago, IL (Nov. 6, 2014)

*The Legality of Airstrikes Against ISIS in Syria*, Loyola University Chicago School of Law, Chicago, IL (Oct. 8, 2014)

Symposium Organizer and Moderator: *National Security Law, Policy, and Practice: Are We Safer in 2014 and at What Cost?* Loyola University Chicago School of Law, Chicago, IL (Feb. 7, 2014)

*Whither International Martial Law?* ASIL International Legal Theory Interest Group Symposium: *The Theoretical Boundaries of Armed Conflict and Human Rights*, Washington D.C. (Nov. 8, 2013)

Invited Panelist, Workshop: *Theoretical Boundaries of Armed Conflict and Human Rights*, American Society of International Law: International Legal Theory Interest Group, Washington D.C., November 2013

Moderator, *Roundtable on Cyberwar and the Rule of Law*, Center for Ethics and the Rule of Law, University of Pennsylvania Law School, Philadelphia, PA, October 2012

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, D.C., 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

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

## **Education**

<b>Columbia University Law School</b>	<b>LL.M. (2008)</b>
<ul style="list-style-type: none"> <li>• James Kent Scholar (2008)</li> <li>• Concentrations: Public International Law, U.S. National Security Law</li> </ul>	
<b>The Judge Advocate General’s School, U.S. Army</b>	<b>LL.M. (2003)</b>
<b>University of Oklahoma College of Law</b>	<b>J.D., highest honors (1998)</b>
<ul style="list-style-type: none"> <li>• Order of the Coif</li> <li>• Judicial Summer Intern: The Honorable Wayne E. Alley (BG, US Army (Ret)), US District Court for the Western District of Oklahoma (1996)</li> </ul>	
<b>United States Military Academy, West Point</b>	<b>B.S. (1990)</b>
<ul style="list-style-type: none"> <li>• Major: Engineering Physics</li> </ul>	

### **Professional Activities/Memberships**

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

Editorial Board, *Public Integrity* (2015-present)

American Society of International Law (2009-present)

American Bar Association (2014-present)

Oklahoma Bar Association (1998-present)

### **Work Experience**

Judge Advocate, U.S. Army

September 1998 - August 2013

- 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 1998

- 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