

**J. BENTON HEATH**  
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**ACADEMIC EXPERIENCE**

**Temple University Beasley School of Law, Philadelphia, PA**

*Assistant Professor of Law*, 2020 – Present

*Teaching*: Civil Procedure, International Investment Law & Arbitration

*Committee Assignments*: Graduation Prizes (2020–21)

**New York University School of Law, New York, NY**

*Acting Assistant Professor of Lawyering*, 2018 – 2020

*Teaching*: Lawyering (full-year course on legal research, legal writing, and lawyering skills)

*Committee Assignments*: Negotiation Exercise Committee

**PUBLICATIONS**

**Articles**

*The Perils of Pandemic Exceptionalism*, AM. J. INT'L L. (forthcoming 2020) (with Julian Arato & Kathleen Claussen).

*Trade and Security Among the Ruins*, 30 DUKE INT'L & COMP. L.J. 223 (2020) (invited symposium contribution).

*From the 'Spirit of the Federalist Papers' to the End of Legitimacy: Reflections on Gundy v. United States*, 114 NW. U. L. REV. 1723 (2020).

*The New National Security Challenge to the Economic Order*, 129 YALE L.J. 924 (2020).

*National Security and Economic Globalization: Toward Collision or Reconciliation?*, 42 FORDHAM INT'L L.J. 1431 (2019) (invited symposium contribution).

*The New Debate on the Interpretation of MFN Clauses in Investment Treaties: Putting the Brakes on Multilateralization*, 111 AM. J. INT'L L. 873 (2018) (with Simon N. Batifort).

*Global Emergency Power in the Age of Ebola*, 57 HARV. J. INT'L L. 1 (2016).

*Managing the 'Republic of NGOs': Accountability and Legitimation Problems Facing the UN Cluster System*, 47 VAND. J. TRANSNAT'L L. 239 (2014).

*Human Dignity at Trial: Hard Cases and Broad Concepts in International Criminal Law*, 44 GEO. WASH. INT'L L. REV. 317 (2012).

Note, *Disasters, Relief, and Neglect: The Duty to Accept Humanitarian Assistance and the Work of the International Law Commission*, 43 N.Y.U. J. INT'L L. & POL. 419 (2011).

## **Book Chapters & Other Works**

*Pandemics and Other Health Emergencies*, in OXFORD HANDBOOK ON THE INTERNATIONAL LAW OF GLOBAL SECURITY (Robin Geiss & Nils Melzer eds., Oxford University Press forthcoming 2020).

*Suspending Investor-State Arbitration During the Pandemic*, INT'L ECON. L. & POL'Y BLOG, May 12, 2020, worldtradelaw.typepad.com.

*Trade, Security, and Stewardship*, INT'L ECON. L. & POL'Y BLOG, May 2019, worldtradelaw.typepad.com (five-part series).

*Causation and Injury in Investor-State Arbitration*, in EMERGING ISSUES ON THE LAW OF DAMAGES AND VALUATION IN INTERNATIONAL INVESTMENT ARBITRATION (Christina Beharry ed., Brill 2018) (with Patrick W. Pearsall).

*Mapping Expansive Uses of Human Dignity in International Criminal Law*, in ETHICS AND LAW: THE ETHICALIZATION OF LAW 253 (Silja Vöneky ed., Springer Press, 2013).

*Securing 'Orderly' Movement of Peoples: The International Organization for Migration*, in GLOBAL ADMINISTRATIVE LAW 84 (Sabino Cassese et al. eds., 3d ed. 2012).

*SARS, the 'Swine Flu' Crisis and Emergency Procedures in the WHO*, in GLOBAL ADMINISTRATIVE LAW 147 (Sabino Cassese et al. eds., 3d ed. 2012).

Book Note, 42 N.Y.U. J. INT'L L. & POL. 1057 (2010) (reviewing MOSHIK TEMKIN, THE SACCO & VANZETTI AFFAIR (2009)).

## **Works in Progress**

*Securitizing International Economic Relations: Toward a Research Agenda*

*Disease and the Liberal Ideal in International Law*

## **PRESENTATIONS**

*Pandemic Responses at the Intersection of Health, Trade, and Investment Law*, World Bank, June 3, 2020.

*The WHO, Infectious Disease, and the Future of Global Health Security*, Queens Law Summer Program on International Law, May 19, 2020.

*Trade and Security Among the Ruins*, Duke Journal of International & Comparative Law Symposium: National Security and Trade, Duke Law School, Feb. 7, 2020.

Panelist, *Changing Concepts of International Economic Security and the Law*, AALS Discussion Group, Washington, DC, Jan. 4, 2020.

Moderator, *The Return of the State in International Trade and Investment Law*, Roundtable Discussion, International Law Weekend, Fordham Law School, Oct. 12, 2019.

*The New National Security and the Global Economic Order*, at:

- American Society of International Law Midyear Meeting, Brooklyn Law School, New York, Nov. 7–9, 2019

- Hauser Colloquium: International Law and Policy in an Insecure World, N.Y.U. School of Law, Sept. 11, 2019.
- Geoeconomics and the Future of Globalization Workshop, Cato Institute, Washington, D.C., Mar. 26, 2019.
- Symposium on International Trade: Isolationism, Trade Wars, and Trump, Fordham Law School, New York, Feb. 8, 2019.
- International Business Law Roundtable, Brooklyn Law School, New York, Nov. 17, 2018.
- Joint American Conference on International Economic Law, McGill University, Montreal, Sept. 22, 2018.

*E-Commerce for Hedgehogs: The Cybersecurity Problem*, Global Data Law Conference, N.Y.U. School of Law, Apr. 27, 2019.

*Trade, Security, and Stewardship*, International Economic Law in Times of Crisis, N.Y.U. School of Law, Apr. 24, 2019.

Discussant, *Addressing Global Health Inequity in the Global South through Reform of Procurement Process for Medicine* by Vincent Mutai, Global Health Inequities & Infectious Diseases Workshop, University of Pittsburgh School of Law, Apr. 12, 2019.

Discussant, *Can California Join the Paris Agreement?* by Sarah Coco, Emerging Scholarship Conference, N.Y.U. School of Law, Apr. 9, 2019.

Discussant, *Globalization's Wrong Turn* by Dani Rodrik, Annual Lecture on International Business Law, Brooklyn Law School, New York, Mar. 13, 2019.

*Causation and Injury in Investor-State Arbitration*, Book Launch: Contemporary and Emerging Issues on the Law of Damages and Valuation in International Investment Arbitration, International Centre for Settlement of Investment Disputes, Washington, D.C., Oct. 25, 2018.

Discussant, *Forging Modern States with Imperfect Tools* by Guy Fiti Sinclair, History and Theory in International Law Workshop, N.Y.U. School of Law, Sept. 25, 2018.

*The New Debate on the Interpretation of MFN Clauses in Investment Treaties*, American Society of International Law Midyear Meeting and Research Forum, Washington University in St. Louis Law School, Oct. 28, 2017.

*Competition, Duty, and Virtue in International Organizations*. Presented at:

- Workshop of the International Organizations Interest Group, American Society of International Law, Columbia University Law School, Dec. 12, 2014.
- American Society of International Law Midyear Meeting and Research Forum, Northwestern University Law School, Nov. 6, 2014.

*Disease Control, WHO, and Emergency Power in International Organizations*. Presented at:

- *Imagining the Future: Conceptions of Risk and the Regulation of Uncertainty in International Law*, Hungarian Academy of Sciences, Budapest, Oct. 18, 2014.

- Workshop of the International Organizations Interest Group, American Society of International Law, Arizona State University, Feb. 7, 2014.
- Institute for International Law and Justice Scholars Conference, New York University, Feb. 24 – 25, 2011.

*Institutions as Arguments: From Legitimacy to Legitimation in the Study of Global Governance*, Conference on the Legitimation and Delegitimation of Global Governance Organizations, University of Bremen, Germany, Sept. 13, 2013.

*Accountability in the United Nations Cluster System*. Presented at:

- American Society of International Law Midyear Meeting and Research Forum, University of Georgia, Oct. 20, 2012.
- Analyzing and Shaping Inter-Institutional Relations in Global Governance, New York University, April 16, 2012.
- International Law and Human Rights Scholarship Conference, New York University, Feb. 29, 2012.

*Expansive Uses of Dignity in International Criminal Law*, The Ethicalization of Law, University of Freiburg, Germany, Sept. 30, 2011.

## **EDUCATION**

**New York University School of Law**, New York, NY

J.D., *magna cum laude*, 2011

LL.M. (International Legal Studies), 2012

Editor-in-Chief, *N.Y.U. Journal of International Law & Politics*

Butler Scholar (top ten students in class after four semesters)

Institute of International Law and Justice Scholar (full tuition for LL.M.)

Order of the Coif

**University of Texas at Austin**, Austin, TX

B.A. (Philosophy), *high honors*, 2005

Editor-in-Chief, *The Daily Texan*

## **PRACTICE EXPERIENCE**

**U.S. Department of State Office of the Legal Adviser**, Washington, DC

*Attorney-Adviser*, 2015 – 2018

Represented the United States before international courts and tribunals. Negotiated lump-sum settlements with foreign governments. Advised on litigation in U.S. courts.

**Curtis, Mallet-Prevost, Colt & Mosle**, New York, NY

*Associate*, 2012 – 2013, 2014 – 2015

Represented governments and state-owned enterprises before arbitral tribunals and U.S. courts. Advised on legal issues and transactions involving state-owned enterprises.

**The Hon. Robert D. Sack, U.S. Court of Appeals, Second Circuit**, New York, NY

*Law Clerk*, 2013 – 2014

**PROFESSIONAL SERVICE**

Co-Vice Chair, International Economic Law Interest Group, American Society of International Law, 2019–Present (elected by membership)

Member, 2021 Mid-Year Meeting Site Selection Committee, American Society of International Law, 2020

Co-Executive Director, State Dept. Advisory Committee on International Law, 2017–2018

**PRIMARY RESEARCH INTERESTS**

International Investment Law, International Arbitration, Public International Law, Administrative Law, National Security, Trade, Civil Procedure, Global Health Law.

**BAR ADMISSIONS**

New York; Southern District of New York; U.S. Court of Appeals for the Second Circuit