

Curriculum Vitae
Martin J. Stone
Professor of Law, Cardozo Law School, Yeshiva University
Adjunct Professor of Philosophy, The New School Graduate Faculty

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Education

Ph.D. (Philosophy), 1996, Harvard University. Dissertation: *Three Essays in Philosophy and Law*.

B. Phil. (Philosophy), 1988, Balliol College, University of Oxford. Subjects studied: Wittgenstein, Moral Philosophy, Philosophy of Law, Philosophical Logic, Kant, Early Modern Philosophy. Thesis: *Understanding and Method in the Philosophy of Law*.

J.D., 1985, Yale University.

B.A. (History and Literature, Summa Cum Laude and Highest Departmental Honors), 1982, Brandeis University. Honors Thesis: *Music and Silence: The Problem of Representation in 19th Century American Literature*.

University of California, Berkeley, 1978-80. Area of Study: English.

Tanglewood Music Festival, Scholarship in Piano, 1978.

California Institute of the Arts, Scholarship in Piano, 1976-78.

Employment

Visiting Professor of Law, University of Southern California, 2007-08 and January, 2009

Visiting Professor of Law, Harvard University Law School, Fall 2005

Professor of Law, Cardozo Law School, Yeshiva University, since 2002.

Adjunct Professor of Philosophy, The New School Graduate Faculty, since 2002.

Professor of Law and Associate Professor of Philosophy, Duke University, 1996-2001

Associate Professor of Law and Philosophy, since 1992-1996 Assistant Professor of Law and Philosophy, 1989-92.

Adjunct Professor, Program in Literature, Duke University since 1997.

Visiting Professor of Law, Cardozo Law School, 2001-02.

Visiting Faculty, School of Criticism and Theory, Cornell University, Summer 1997.

Visiting Professor of Law, University of Michigan, Fall 1996.

Teaching Fellow in Philosophy, Harvard University, 1991-92.

Instructor in Philosophy, Balliol College, University of Oxford, 1987-88.

Law Student Intern, Jerome Frank Legal Services Organization, Yale Law School, summer, 1986.

Research Associate in Law, Yale Law School, summer 1985.

Academic Fellowships and Honors

Harvard University Center for Ethics Faculty Fellowship, 2005 (declined)

Fellow, National Humanities Center, Research Triangle Park, North Carolina, 1998-99.

George Plimpton Adams Prize, Harvard University, 1996 (for Ph.D. dissertation, *Three Essays in Philosophy and Law*).

Graduate Merit Fellowship, Harvard University, 1992 (awarded to twelve students throughout the Graduate School of Arts and Sciences).

Junior Fellowship, Michigan Society of Fellows, (declined), 1991.

Full Scholarship, The School of Criticism and Theory, Dartmouth College, summer 1991.

Fellow, University of California-Irvine Humanities Research Institute, May 1989.

Mellon Post-Doctoral Fellowship in Philosophy, New York University (declined), 1988.

Bost Research Professorship, Duke University Law School, 1988.

Marshall Scholarship, University of Oxford, 1985-88.

Mellon Fellowship in the Humanities, awarded 1985.

Doris Brewer Cohen Prize, Brandeis University, 1982 (awarded for the best senior honors thesis in the humanities).

Josephine and Samuel H. Cohen Prize, Brandeis University, 1982 (for graduate study in law).
Louis D. Brandeis Scholar, Brandeis University, 1982.

Humanities Commencement Ceremony Speaker (by faculty election), Brandeis University, 1982.

Theodore and Edith Brown Scholarship Prize, University of California, 1979.

California Regents Scholar, 1978.

Subjects Taught

Law: Torts, Advanced Torts, Theories of the Tort Law, Responsibility in Law and Morals, Criminal Law Theory, Jurisprudence, Legal Research and Writing, Supervised Research (various topics), Elements of Law; Modern Legal Philosophy, Law and Literature.

Philosophy: Philosophy of Action, Wittgenstein, Moral Philosophy, Responsibility in Law and Morals (philosophy department and law school seminar), Freud and Philosophy (Graduate Program in Literature seminar), Wittgenstein, Nietzsche (undergraduate tutorial), Descartes to Kant (undergraduate tutorial); Philosophy and the Idea of the Ordinary (philosophy Seminar); Wittgenstein, Skepticism and Tragedy (philosophy and literature department seminar); Existentialism and the Problem of Action (philosophy seminar); Philosophy and Literature (philosophy seminar)

Publications

"Anscombe on Expression of Intention," (with Richard Moran), Constantine Sandis (ed), New Essays on the Explanation of Action, Palgrave Macmillan.

"Theory, Practice and Ubiquitous Interpretation: The Basics" in Enrique Villanueva, ed., Law, Meaning, and Objectivity: Social, Political, & Legal Philosophy, Vol. 2, pp. 145-78, Rodopi Philosophical Studies (2007); also in Enrique Cáceres, Imer B. Flores, Javier Saldaña, y Enrique Villanueva (eds.), *Problemas contemporáneos de la filosofía del derecho*, México, Instituto de Investigaciones Jurídicas, UNAM (2005), pp. 799-831.

"On Reflective Practices and Substituting for God," in Enrique Villanueva, ed., Law, Meaning, and Objectivity: Social, Political & Legal Philosophy, Vol 2. pp. 189-214, Rodopi Philosophical Studies (2007).

"Review Essay: Roberto Unger's The Self Awakened: Pragmatism Unbound", *Notre Dame Philosophical Studies* (2007)

"Questions on Law and Literature," *Der Deutschunterricht*, 2007

"The Questioning Attitude: Questions about Derrida" 27 *Cardozo Law Review* (2006).

"Interpretation: Ordinary and Philosophical," in James Conant and Andrea Kern (eds.), *Skepticism in Context*, Routledge Press, forthcoming.

"Literature or Philosophy: Commentary on Camus' 'The Stranger' (audiobook recording) in *The Stranger*, trans. Matthew Ward and read by Jonathan Davis, Recorded Books, Inc., 2005.

"Interpretive Pluralism in Law and Literature" in Riccardo Dottori (ed.), *Reason and Reasonableness: Yearbook of Philosophical Hermeneutics*, Lit Verlag, 2005.

"On the Old Saw, 'Every reading of a text is an interpretation': some comments" in John Gibson and Wolfgang Heumer (eds.), *The Literary Wittgenstein*, Routledge Press, 2004; forthcoming in German translation, Surkamp Press; reprinted as a special discussion forum at *The Valve: A Literary Organ*, (www.thevalve.org/go), with replies to comments, August, 2005.

"Theory, Practice and the Ubiquity of Interpretation" in Gary Olson, ed., *Postmodernism and Sophistry: Stanley Fish and The Critical Enterprise*, SUNY Press, 2004.

"Die dekonstruktive Stimme in Wittgenstein's *Philosophischen Untersuchungen*," in Andrea Kern and Christoph Menke, *Philosophie der Dekonstruktion: Zum Verhältnis von Normativität und Praxis*, Surkamp Verlag, 2003; a partial translation of "Wittgenstein on Deconstruction."

"Legal Formalism," in Jules Coleman and Scott Shapiro (eds.), *Oxford Handbook of Jurisprudence and Legal Philosophy*, Oxford University Press, 2002

"History Meets Theory: Pastime on Law and Command" in Enrique Villanueva (ed.), *Social, Political and Legal Philosophy*, Vol I, Rodopi Philosophical Studies, 2002

"Wittgenstein on Deconstruction," in Alice Crary and Rupert Read (eds.), *The New Wittgenstein*, Routledge Press, 2000.

"The Significance of Doing and Suffering," in G. Postema (ed.), *Philosophy and Tort Law*, Cambridge University Press, 2001.

"Stanley Cavell on Wittgenstein's Argument of the Ordinary," *Deutsche Zeitschrift Fur Philosophie*, Vol. 46, no. 2, 1998.

"On the Idea of Private of Law," *Canadian Journal of Law and Jurisprudence* (Vol. IX, no. 2, July 1996); reprinted in E. Weinrib, ed., *Tort Law*, The International Library of Essays in Law and Legal Theory (2nd Series), Ashgate Publishing, 2002.

"Focusing the Law: What Legal Interpretation is Not" in *Law and Interpretation: Essays in Legal Philosophy*, ed. Andrei Marmor, Oxford University Press (1995); reprinted in D. Patterson, ed., *Wittgenstein and Law*, Ashgate Publishing, 2004.

"The Trouble With Interpretation," *Duke Law Magazine*, 1992.

"The Placement of Politics in Roberto Unger's Politics," *Representations* 30, 1990; reprinted in *Law and the Order of Culture*, ed. R. Post, University of California Press, 1991.

Work in Progress

"Tradition and the First Person," for Suzanne Stone and Adam Seligman (eds.), *Text, Tradition and Reason in Comparative*.

"Tort Law and Moral Luck" (manuscript)

"Positivism as Opposed to What: Law and the Moral Concept of Right" (manuscript)

"Interpretation as Explanation" (manuscript)

"Philosophy of Law," for *The Stanford Online Encyclopedia of Philosophy*.

Wittgenstein and Deconstruction, Four Lectures at the School of Criticism and Theory, Cornell University, summer 1997 (book manuscript).

"Legal Formalism Part II: Rules and Interpretation"

"Arresting Time/Negating Law: Legal Realism in Tarantino's *Pulp Fiction*"

"Wittgenstein and Pragmatism," for Routledge Press Volume, ed. by Marrie McGinn

Selected Papers, Seminars and Conferences

Invited Speaker, Stanford University Dept of Philosophy, May 2009

"On Austin's Dictum, 'The Existence of Law is One Thing...,'" Columbia University Legal Theory Workshop, March 2009.

"Positivism as Opposed to What?," University of Connecticut Law School, November 2008

Invited Speaker, Conference on Aristotelian Philosophy of Action, University of Uppsala, Sweden, September, 2008

Comment on Hobbes on the Right to Resist Punishment, Law and Humanities Junior Scholars Workshop, UCLA School of Law, June 2008

Comment on Marmor's Law in the Age of Pluralism, USC Law School Workshop, April, 2008

"Expressions of Intention," University of Southern California Philosophy Colloquium, January, 2007

Invited Speaker, University of Southern California Law School Faculty Workshop, December, 2007

Invited Speaker, University of California, Los Angeles, Legal Theory Workshop, November, 2007

Invited Speaker, Oxford University Jurisprudence Colloquium, May 2007.

"Law, Morality and Private Law," University of Toronto Legal Theory Workshop, March 2007

"Anscombe's Intention," University of Pittsburgh Philosophy Department, November, 2006

"Anscombe on Expression of Intention," University of Chicago Philosophy Department, October, 2006

"The Moral Idea of Right," University of Chicago Philosophy Department, October, 2006.

Invited Speaker, Law and Humanities Colloquium, Cornell University Law School, April 2006.

"Expression of Intention," American Philosophical Association, Panel on Elizabeth Anscombe, April, 2006

"Tort Law and Moral Luck," Conference on The Morality of Fortune, Center for Law and Philosophy, University of Southern California, March 2006.

Positivism and Utilitarianism," Inaugural Speaker, Jewish Law and Legal Theory Workshop, Cardozo Law School, November, 2005.

"Positivism as Opposed to What," University of Southern California Law School, October, 2005

Guest Author, *The Valve: A Literary Organ*, (www.thevalve.org/go), an online-discussion of Stone, "On the Old Saw: Every reading of a text is an interpretation," with replies to comments, August, 2005.

"Positivism as Opposed to What?," Panel on The Future of Legal Positivism, IRV Conference, Granada, Spain, May 2005.

"The Separation Thesis," Jurisprudence Discussion Group, New College, University of Oxford, May 2005.

"The Place of Jurisprudence in Vocational Training," Address to the Dean's Scholars, Cardozo Law School, April, 2005.

"Wittgenstein and Derrida," Derrida/America Conference, Cardozo Law School, February 2005

"Comment: Gilbert Harman on Moral Particularism and Learning Theory," Sofia Conference, Hautulco, Mexico, January 2005.

"Comment: Brian Leiter on The Hermeneutics of Suspicion," Burns Seminar, Cardozo Law School, Fall 2004.

"Tradition and the First Person," Conference on Authority and Tradition, Cardozo Law School, October, 2004.

"Meaning and Interpretation," Central European University, Budapest, June, 2004.

"Stanley Fish on Interpretation," Burns Faculty Workshop, Cardozo Law School, March, 2004.

"Interpretation in Law and Literature," 4th Annual Meeting of Italian and American Philosophy, Rome, October, 2003

"Fish on Interpretation," International Congress on Contemporary Problems in Philosophy of Law, UNAM, Mexico City, July, 2003..

Invited Speaker, Conference on "The New Negligence," Georgetown University Law Center, May 2002.

Commentator, Sociedad Filosofica Ibero Americana (Sofia), Conference on Law and Objectivity, December, 2001.

Invited Speaker, Third Annual Meeting of Italian and American Philosophers, Rome, June, 2001.

"Legal Education and the Humanities," University of California, Irvine, April, 2001.

"Bringing Words Back," Philosophy Department., University of Chicago, April, 2001.

"Pastime on Law and Command," North Carolina Philosophical Association, Guilford College, February, 2001.

"Corrective Justice and Relational Responsibility," Philosophy Department, New School for Social Research, New York, November, 2000.

"Skepticism in Law," Conference on Skepticism and Interpretation, Amsterdam School for Cultural Analysis, June, 2000.

"Introduction to Wittgenstein," One-week seminar, Johns Hopkins University, April, 2000.

"Comment on Pastime," Sociedad Filosofica Ibero Americana (Sofia) XI Conference on The Philosophy of Law and Politics, Mazatlan, Mexico, December, 1999.

"Wittgenstein and Deconstruction," University of Toronto Legal Theory Workshop, March, 1999; Cardozo Law School Legal Theory Workshop, April, 1999.

"Functionalist Theories of Tort Law," University of North Carolina Law School, September, 1997; University of Illinois Urbana-Champaign Law and Philosophy Colloquium, March, 1988.

Invited Participant, Workshop on Autonomy and Formalism in Law and the Arts, Center for Law and Philosophy, Columbia University, October, 1998; Workshop on Nature and Methods in Legal Philosophy, March, 2000.

"The Significance of Doing and Suffering," Harvard University Philosophy Department, April, 1997.

Invited Participant, Analytical Legal Philosophy Conference (Columbia University, University of San Diego, University of Pennsylvania), 1997-2004

Invited Participant, UNC Workshops in Law and Philosophy, National Humanities Center, 1997-2000.

"Cavell on Wittgenstein's Argument of the Ordinary," Society for the Advancement of American Philosophy, University of New Mexico, March, 1997.

"Wittgenstein on Deconstruction," Johns Hopkins University Philosophy Department and Humanities Center, March. 1997.

"Why Tort Law Matters to Philosophy," Johns Hopkins University Philosophy Department and Humanities Center, April, 1996.

"Wittgenstein and Derrida," American Philosophical Association Central Division Meeting, Panel on "Inter-Continental Philosophy," April. 1996.

"Formalism and Rule-Following," Yale Law School Legal Theory Workshop, April, 1995.

"Weinrib and Corrective Justice," American Philosophical Association Eastern Division Meeting, December, 1994.

"What Legal Interpretation is Not," Legal Theory Workshop, University of Toronto Faculty of Law, January, 1994.

"Theory in the Curriculum" (and Small Section on Torts discussion leader), Panel on Jurisprudence and the Curriculum, American Association of Law Schools Annual Meeting, January, 1992.

"Critical Legal Studies and the Critique of Legal Formalism," Symposium on Law and Interpretation, University of California-Irvine Humanities Research Institute, May, 1989.

"Wittgenstein and Skepticism," Faculty Work in Progress Lunch Series, Duke University Department of Philosophy, April, 1989.

"Roberto Unger's Politics," Legal Theory Workshop, University of Toronto Faculty of Law, September, 1988.

"Adjudication and Formalism," Seminar on Legal and Literary Theory, School of Criticism and Theory, Northwestern University, July, 1985.

Academic Service at Cardozo (Yeshiva University) and Duke

Cardozo Academic Standards Committee, 2008-09

Cardozo Educational Policy Committee, 2005-06.

Cardozo Building Committee, 2004-05.

Cardozo Information Technology Committee, 2004-05.

Cardozo Faculty Initiatives and Faculty Development Committees, 2002-04.

Cardozo Burns Fund Committee, 2002-05.

Chair, Duke Graduate Studies Committee, 2000, 1994-1996; member since 1996.

Board Member, *Law and Contemporary Problems*, 2000.

Law School Curriculum Committee, 1999.

Law School Admissions Committee, 1999.

Law School Placement Committee, 1999.

Duke Law School Appointments Committee, 1997.

Coordinator, Duke Law School Legal Theory Workshop, since 1994.

Committee on Journals and Electronic Publishing, since 1996.

Editorial Advisory Board, Duke University Press (appointed by Provost), 1994-1997.

Journal of Law and Contemporary Problems Faculty Committee, 1993-94

Moderator, Duke Law School Annual Currie Lecture, 1993 and 1994.

Ad-Hoc Committee on the First Year Curriculum, 1992-94.

Duke Law School Library Committee, 1992-93, 1994-96.

Other Academic Service

Member, Editorial Board, *Legal Theory*.

Manuscript Reader for Harvard University Press, Duke University Press, Little Brown & Co., Aspen Press, Oxford University Press, Cambridge University Press, Routledge Press.

Manuscript Reader for *Law and Philosophy*, *Journal of Ethics and Social Philosophy*, *Legal Theory*, *Ethics*, *Law and Social Inquiry*, *Law and Humanities Junior Scholars Conference*

Tutor in Philosophy and Sophomore Advisor, Adams House, Harvard University, 1989-1992.

Current Memberships

American Association of Law Schools, American Philosophical Association, Association of Marshall Scholars, Oxford Society of North America, Phi Beta Kappa Society

[Revised 1/26/09]