

Rebecca Ingber

Professor, Benjamin N. Cardozo School of Law
rebecca.ingber@yu.edu • 617-312-6965

EDUCATION

Harvard Law School, J.D., *cum laude*

Yale University, B.A., *cum laude*, distinction in major

EXPERIENCE

Benjamin N. Cardozo School of Law, New York, NY (July 2020 – present)

Professor of Law and Co-Director of the Floersheimer Center for Constitutional Democracy

European Commission for Democracy Through Law (Venice Commission) (2024 – present)

Substitute U.S. Member, Independent Expert Appointed by the United States to four-year term

Princeton University Program in Law and Public Policy (2024 – 2025)

Crane Fellow in Law and Public Policy

Reiss Center on Law and Security at NYU School of Law (2018 – 2021; 2023 – present)

Senior Fellow

State Department, Office of the Legal Adviser, Washington, DC (2021 – 2023)

Counselor on International law

Boston University School of Law, Boston, MA (July 2015 – July 2020)

Associate Professor of Law

Columbia Law School, New York, NY (2011 – 2015)

Associate-in-Law; Fellow with the Human Rights Institute;

International Affairs Fellow with the Council on Foreign Relations, in residence at Columbia Law School

State Department, Office of the Legal Adviser, Washington, DC (2006 – 2012)

Attorney-Adviser

The Honorable Robert P. Patterson, Jr., New York, NY (2005 – 2006)

United States District Court for the Southern District of New York

Law Clerk

TEACHING SUBJECTS

Constitutional Law, International Law, National Security Law, International Business Transactions, Law and War, Foreign Relations Law

PUBLICATIONS

Selected Articles

The Abuse of Neutrality, 65 VIRGINIA JOURNAL OF INTERNATIONAL LAW 437 (2025)

The War Powers Status Quo, YALE LAW JOURNAL FORUM, (2024) (solicited exchange with Matthew Waxman)

Insurrection, War Powers, and the “Deep State,” in CHECKING THE COSTS OF WAR (Eds. Sarah Kreps and Douglas Kriner)

Congressional Administration of Foreign Affairs, 106 VIRGINIA LAW REVIEW 395 (2020)

Bureaucratic Resistance and the National Security State, 104 IOWA LAW REVIEW 139 (2018)

Interpretation Catalysts in Cyber Space, 95 TEXAS LAW REVIEW 1531 (2017) (invited symposium contribution)

Co-Belligerency, 42 YALE JOURNAL OF INTERNATIONAL LAW 67 (2017)

The Obama War Powers Legacy and the Internal Forces that Entrench Executive Power, 110 AMERICAN JOURNAL OF INTERNATIONAL LAW 680 (2016) (invited agora contribution)

International Law Constraints as Executive Power, 57 HARVARD INTERNATIONAL LAW JOURNAL 49 (2016)

Interpretation Catalysts and Executive Branch Legal Decisionmaking, 38 YALE JOURNAL OF INTERNATIONAL LAW 359 (2013)

Untangling Belligerency from Neutrality in the Conflict with Al-Qaeda, 47 TEXAS INTERNATIONAL LAW JOURNAL 75 (2011)

Selected Short Works

The Just Security Podcast: [Murder on the High Seas Parts I- IV](#) (September 9 – December 2, 2025)

[Expert Backgrounder on War Powers Resolution 60-Day Clock for Boat Strikes Expiring Monday](#), Just Security (Oct. 31, 2025) (with Jessica Thibodeau)

[In Congress, a Welcome, and Well-Executed, Next Step to Stop Trump’s Transfers to Torture](#), Just Security (August 8, 2025) (with Scott Roehm)

[What are “Wartime Authorities” and When Can the President Use Them? An Expert Q&A](#), Just Security (June 2, 2025) (with Tess Bridgeman and Scott Roehm)

[Judicial Deference and Presidential Power Under the Alien Enemies Act](#), Just Security (May 20, 2025)

Selected Short Works (Continued)

[*The Trump Administration's Recent Removals to El Salvador Violate the Prohibition on Transfer to Torture*](#), Just Security (March 20, 2025) (with Scott Roehm)

[*Mapping State Reactions to the ICC Arrest Warrants for Netanyahu and Gallant*](#), Just Security (March 6, 2025)

[*What Just Happened: At Guantanamo's Migrant Operation Center*](#), Just Security (February 6, 2025) (with Jonathan Hafetz)

[*Confronting the War on International Law in the United States*](#), Just Security (October 25, 2024)

[*Legally Sliding into War*](#), Just Security (March 15, 2021)

[*Good Governance Paper No. 17: How to Use the Bureaucracy to Govern Well*](#), Just Security (October 31, 2020)

[*Coronavirus, Congress, and the Deep State*](#), in *Novel Threats: a Series from the Reiss Center on Law and Security at NYU School of Law* (July 29, 2020)

[*If there was no 'imminent' attack from Iran, killing Soleimani was illegal*](#), Washington Post (January 15, 2020)

[*How to Stop a War*](#), The Atlantic (January 9, 2020)

[*Bureaucrats aren't joining the 'resistance.' They're just doing their jobs*](#), Washington Post (November 15, 2019)

[*Bureaucratic Resistance and the Deep State Myth*](#), Just Security (October 18, 2019)

[*If International Law Is Not International, What Comes Next?*](#), review of Anthea Roberts, *Is International Law International?*, Oxford University Press (2017), 99 Boston University Law Review Online 14 (2019)

[*Iran's Shifting Views on Self-Defense and 'Intraterritorial' Force*](#), Just Security (July 3, 2019) (with Adil Ahmad Haque)

[*Bill Barr's Extreme Views on War Powers Mean Congress's Window to Stop War with Iran is Now*](#), Just Security (May 20, 2019) (with Tess Bridgeman and Stephen Pomper)

[*Testimony On the Nomination of Brett Kavanaugh for Associate Justice of the U.S. Supreme Court*](#), United States Senate Committee on the Judiciary (September 7, 2018)

[*Mapping States' Reactions to the Syria Strikes of April 2018*](#), Just Security (April 22, 2018) (with Alonso Gurmendi Dunkelberg, Priya Pillai, and Elvina Pothelet)

[*An Ode to the Career Bureaucracy*](#), Take Care (January 10, 2018) (solicited essay in online symposium reviewing JON MICHAELS, *CONSTITUTIONAL COUP*)

[*The "Deep State" Myth and the Real Executive Branch Bureaucracy*](#), Lawfare (June 14, 2017)

[*International Law Is Failing Us in Syria*](#), Just Security (April 12, 2017)

[*Will the Bureaucracy Save Us from the President?*](#), Lawfare (December 14, 2016)

Selected Short Works (Continued)

[*The Terminology of War and the Consequences for Executive Power*](#), Just Security (October 17, 2016)

[*The ISIS Lawsuit and the Perverse Effects of National Security Litigation*](#), Lawfare (May 2016)

[*ISIS Captures: What's the End-Game?*](#), Lawfare (June 2015)

[*Whatever Happened to Umm Sayyaf?*](#), Lawfare (June 2015) (with Nathalie Weizmann)

ACADEMIC AWARDS AND PRIZES

Co-recipient of the Mike Lewis Prize for National Security Law Scholarship, for *Co-Belligerency*, 42 YALE J. INT'L L. 67 (2017) (awarded January 2018)

Co-recipient of the Dean's Award for Scholarship (BU Law 2019)

CONGRESSIONAL TESTIMONY

Testimony before the Senate Judiciary Committee Hearing on the Nomination of Brett Kavanaugh to the Supreme Court of the United States (September 7, 2018)

Testimony before the House Committee on Rules hearing on Article I: Reforming the War Powers Resolution for the 21st Century (March 23, 2021)

ADVISORY POSITIONS, SERVICE, AND BAR MEMBERSHIPS

Independent Expert (Substitute Member), European Commission for Democracy Through Law (Venice Commission) (2024 – present)

Adviser, American Law Institute's Restatement of the Law, The Foreign Relations Law of the United States (2023-present)

Member, American Law Institute (2023-present)

Advisory Committee on International Law to the U.S. State Department Office of the Legal Adviser (2023-present)

Organization for Security and Cooperation in Europe's Moscow Mechanism roster of experts (2023-present)

Editorial Board, Just Security (2023-present)

Executive Council of the American Society of International Law (April 2020-2021)

Co-Chair of the American Society of International Law 2019 Annual Meeting

Editorial Board, Journal of National Security Law & Policy (2018-2021)

Program Committee for the American Society of International Law 2017 Annual Meeting

Lieber Society on Law and Armed Conflict

- Treasurer (2016-2019), Member of Executive Committee (2015-2019)

Admitted to the Bars of the District of Columbia (inactive) (2008) and New York (2006)