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EDUCATION

Yale Law School, J.D., 1995

Yale Journal of International Law, Moot Court Board of Directors, Black Law Students Association, Jerome N. Frank Legal Services Organization

Tufts University, B.A., political science, magna cum laude, 1989

ACADEMIC APPOINTMENTS

University of Illinois College of Law, Professor of Law, 2009

Courses: International Criminal Law, Globalization, Professional Responsibility, International Human Rights Law Clinic

Previously Visiting Assistant, Assistant and Associate Professor of Law (2001-2008)

University of Chicago Law School, Visiting Associate Professor of Law, 2007-2008

Chuo University School of Law, Tokyo, Visiting Professor of Law, February 2007

PUBLICATIONS

Toward a Multilateral Sovereign Investment Agency, *Georgetown Journal of International Law* __ (forthcoming 2009). (Co-author, with Christiana Ochoa).

In April 2008 World Bank president Robert Zoellick announced that the World Bank would develop a new fund for investing in developing countries. Zoellick called for sovereign wealth funds to invest one percent of their capital in Africa, and to do so through a new program at the World Bank. In this Article, we propose that World Bank transform its new initiative into what we call the "Multilateral Sovereign Investment Agency." The MSIA would be an investment vehicle through which sovereign funds would channel at least a portion of their assets under management, which would use these funds to make equity investments in enterprises in Africa. Our objective in proposing the MSIA is to learn from history. African states have received influxes of wealth many times before, but this wealth has not produced meaningful economic development or improved the lives of ordinary people.

Sovereign Wealth Funds and Social Arrears: Should Debts to Citizens be Treated Differently Than Debts to Other Creditors? 49 *Virginia Journal of International Law* 431 (2009).

Much of the debate about regulating sovereign wealth funds has centered on their international impact, with little attention to their domestic effects in the investor countries themselves. Drawing on recent empirical scholarship on government wealth, I show that in many developing countries, concentrated wealth in the hands of the government is associated with greater repression, weaker institutions, and a lower

quality of life for ordinary citizens. I develop a theory of social arrears, under which a government's unmet obligations to its citizens would be treated like unpaid debts to other creditors. My theory would go a long way toward creating a coherent regulatory approach to sovereign wealth funds that recognizes their international and domestic obligations.

Curse or Cure? China, Africa, and the Effects of Unconditioned Wealth, 27 Berkeley Journal of International Law 83 (2009).

This article argues that the behavior of many countries is affected by the manner in which they receive financial support. Using China's recent activities in Africa as a sort of natural experiment, I show that unconditioned wealth can produce negative social outcomes without leading to sustained economic growth.

Financial Globalization and Human Rights, 46 Columbia Journal of Transnational Law 509 (2008).

This article develops a model of the enforcement of human rights that accounts for financial globalization. I argue that as the reputations of states have become less important, the reputations of corporations have become more important. I identify two relatively new features of financial globalization that have created incentives for firms to act as the watchdogs of other firms.

Do Norms Still Matter? The Corrosive Effects of Globalization on the Vitality of Norms, 41 Vanderbilt Journal of Transnational Law 327 (2008).

This article considers the ways that the processes of globalization erode the power of social norms. Because individuals in a globalizing community typically suffer from significant disruptions in relationships, the community's ability to regulate itself is eroded. I argue that globalization can distort the processes of creating and enforcing social norms by allowing individuals to, in effect, immunize themselves from the reputational sanctions typically employed to enforce norms.

The New Deterrence: Crime and Policy in the Age of Globalization, 91 Iowa Law Review 505 (2006).

This article develops a theory of criminal deterrence that accounts for the processes of globalization. I argue that informal sanctions, as opposed to formal legal sanctions, are increasingly important and must be part of any effective deterrence policy. Next I argue that substitution—when activity migrates from one location to another because of changes in enforcement policy in the first place—is a complicated process that can be manipulated to enhance deterrence. Finally, I argue that when unwanted behavior involves people from different countries, we must consider the role of status in deterrence.

Judges and the Politics of Death: Deciding Between the Bill of Rights and the Next Election in Capital Cases, 75 Boston University Law Review 3 (1995). (Co-author, with Stephen B. Bright).

LECTURES & PRESENTATIONS

Toward a Multilateral Sovereign Investment Agency, Georgetown University Law Center, March 30, 2009. Invited presentation, with co-author Christiana Ochoa.

The Social Returns on Investment: The Impact of China's Investments in Africa, Indiana University-Bloomington, March 6, 2009. Invited presentation at China in Africa Symposium,

sponsored by the African Studies Program, the East Asian Studies Center, and the Center for International Business Education and Research.

Toward a Multilateral Sovereign Investment Agency, University of Minnesota Law School, March 5, 2009. Faculty workshop.

Market Discipline and the Promise of Private-Sector Development, University of California-Berkeley School of Law, March 14, 2008. Stephan A. Reisenfeld Symposium, invited presentation.

Curse or Cure? The Effects of Unconditioned Wealth, Indiana University-Bloomington Law School, February 29, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, Chicago-Kent Law School, February 6, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, Georgetown University Law Center, January 25, 2008. Faculty workshop.

Curse or Cure? The Effects of Unconditioned Wealth, University of Chicago Law School, November 15, 2007. Faculty workshop.

China in Africa: Breaking and Remaking the Human Rights Paradigm, April 1, 2007. Faculty workshop at Notre Dame Law School.

China in Africa: Breaking and Remaking the Human Rights Paradigm, March 8, 2007. Presentation at UIUC conference on legal developments in China.

Communities, Paralegals, and Legal Aid in Africa, February 16, 2007. Presentation at The Rule of Law and Delivering Justice in Africa, Loyola University Chicago School of Law.

Did Globalization Kill the Criminal Law? The Corrosive Effects of Globalization on Compliance with the Criminal Law and the Vitality of Norms, January 7, 2007. American Association of Law Schools Annual Meeting. My paper was selected for inclusion on a panel entitled "New Voices in International Human Rights Workshop."

Did Globalization Kill the Criminal Law? The Corrosive Effects of Globalization on Compliance with the Criminal Law and the Vitality of Norms, August 2, 2006. Presentation at Big 10 Untenured Conference, Indiana University (Bloomington) School of Law.

Is Selective Globalization Possible?, June 6, 2006. Presentation at Juris Genesis: New Voices on the Law, Washington University in St. Louis School of Law.

Selective Globalization: Communities, Vulnerability and Invasive Behaviors, May 11, 2006. Invited presentation at the University of Illinois College of Law Faculty Retreat.

Selective Globalization: Communities, Vulnerability and Invasive Behaviors, April 12, 2006. Invited presentation at the Washington University (St. Louis) School of Law.

Globalization and the Movement and Regulation of Criminal Activity, April 4, 2006. Invited presentation as part of the University of Illinois Center for Global Studies Prisms Lecture series.

Human Trafficking, the United States, and the Limits of Law, February 24, 2006. Invited presentation at the University of Illinois Joint Area Centers Conference on Criminal Trafficking and Slavery.

Deterrence, Status and the Substitution Process, February 11, 2005. Invited presentation at the Indiana University School of Law-Indianapolis.

Human Rights Education, February 5, 2005. Invited presentation at New York University School of Law.

Criminal Sentencing and the Impact of Blakely, August 26, 2004. Invited presentation at the Future of American Sentencing: A National Roundtable on *Blakely* at Stanford Law School.

Globalization and Regulation, October 28, 2003. I presented a work in progress before the faculty at the University of Georgia School of Law.

The Death Penalty and the Findings of the Governor's Commission on Capital Punishment, February 7, 2003. I spoke about various aspects of death penalty litigation and the reforms proposed by Gov. George Ryan.

The Trafficking Victim's Protection Act of 2000: Three Years Later, February 29, 2003. I spoke about the demand side of trafficking in persons.

The Protection Project Training for Service Providers Working With Victims of a Severe Form of Trafficking, July 25, 2003. I was invited to speak about recent changes to U.S. law regarding the prosecution of sex tourists.

SCHOLARLY ENGAGEMENT

Why Lawyers Matter: Prosecutors and Ethics, March 12, 2009, University of Illinois College of Law. Organizer, with Steven Beckett and Cynthia Geerdes, of a conference examining the regulation of prosecutorial ethics.

Financial Globalization and Human Rights: Defining the Research Agenda, February 16, 2008, University of Chicago Law School. Organizer, with Professors Christiana Ochoa and Tom Ginsburg, of a full-day colloquium that brought together scholars, lawyers, policy-makers, and advocates. The Colloquium explored three principal questions. First, whether private capital, in the form of sovereign wealth funds, hedge funds, and financial markets, has rendered public capital from sources like the World Bank irrelevant to international development. Second, when states and firms make deals for large-scale development projects, what are the implications for state sovereignty and local communities. Third, whether states that rely heavily on revenue from the sale of natural resources less democratic and more likely to engage in human rights abuses than other states.

The New Human Rights Arena: Transnational Criminal Law, August 24-25, 2007, University of Illinois College of Law. Organizer, with Margareth Etienne, of a conference to examine scholarship at the intersection of human rights, international law and criminal law.

Why Lawyers Matter: Building and Rebuilding Justice Systems after Katrina, April 6, 2007. Organizer, with Cynthia Geerdes and Steven Beckett, of a conference commemorating the

Supreme Court decision *Powell v. Alabama* and evaluating the rebuilding of the legal system in New Orleans and the Gulf Coast in the wake of Hurricane Katrina.

Illinois Program for Research in the Humanities Reading Group - The Criminal Justice System, 2004-2005. Co-organizer of a reading group to study the criminal justice system. The group was awarded a \$1000 grant to fund its activities.

PUBLIC & UNIVERSITY SERVICE

Documenting Global Change. In collaboration with Professor Nancy Benson of the College of Communications, I was awarded a grant of approximately \$29,000 from the Center for Global Studies to document the impact of globalization on local communities in the developing world.

Africa Digital Law Library. I was awarded a grant in the amount of \$7,700 to develop a proposal and beta version of a searchable database of statutes from every country in Africa. The digital law library will be free to all users, hosted by the University of Illinois College of Law, and updated annually.

Scholars at Risk: The Risks and Rewards of Civic Engagement. I was awarded a grant of \$14,000 to host a series of lectures by foreign scholars forced from their home countries due to violence or threats of violence based on their scholarly activity.

Awarded Professional Schools Course Development Grant in the amount of \$10,900 from the Center for African Studies to develop a course on the impact of globalization on Africa and the developing world.

College of Law Committee Service. International Committee, Diversity Committee, Curriculum Committee, Ad Hoc Clinics Committee.

OTHER PROFESSIONAL EXPERIENCE

Southern Center for Human Rights, Atlanta, GA, 1996-2001

Attorney. Represented poor people facing the death penalty in Alabama and Georgia at trial, on direct appeal, and in habeas corpus proceedings. Wrote motions and briefs to state courts in Alabama and Georgia, federal courts, and the U.S. Supreme Court. Negotiated with prosecutors and interviewed victims' families. Advised attorneys handling capital cases and taught continuing education seminars on the defense of death penalty cases. Investigated human rights abuses in the administration of criminal justice and at prisons and jails. Coordinated recruitment, training, and supervision for Human Rights Internship Program. Wrote reports for donors regarding activities funded by grants.

United States District Court, Montgomery, AL, 1995-1996

Law Clerk to Judge Myron H. Thompson. Researched, drafted, and edited opinions and orders, attended trials and hearings, provided legal advice to judge.

Louisiana Crisis Assistance Center, New Orleans, LA, Summer 1994

Intern investigator. Interviewed mitigation witnesses and compiled life history for capital murder case; drafted chapters for death penalty defense manual.

Lawyers' Committee for Civil Rights under Law, Washington, DC, Summer 1993

Law Clerk. Drafted legal memoranda and motions and evaluated possible future cases for voting rights section.

District Attorney's Office, Penn Yan, NY, 1991-1992

Investigator/paralegal. Prepared cases to be prosecuted, drafted indictments and accusations, assisted at trials, interviewed witnesses, negotiated plea bargains.

Peace Corps, Democratic Republic of Congo, 1990-1991

Volunteer. Worked with fish farmers and their families to integrate fish farming, agroforestry, and animal husbandry into one farming system. Conducted seminars for farmers on improved seed varieties, organic gardening and improved cropping techniques. Organized first-ever seminar for wives of fish farmers.

Admitted to the New York and Georgia (inactive) bars.

Languages: English, French, Kikongo