

Eric W. Orts

The Wharton School, University of Pennsylvania
Legal Studies & Business Ethics Department
648 Jon M. Huntsman Hall, 3730 Walnut Street
Philadelphia, PA 19104.6340 USA

215.939.2823 (cell/text)

ortse@wharton.upenn.edu

<https://lgst.wharton.upenn.edu/profile/1137/>

Current academic and professional positions

Guardsmark Professor, The Wharton School, University of Pennsylvania, 2003 to present.

Professor of Legal Studies & Business Ethics, 2000 to present; Professor of Management (secondary appointment), 2001 to present.

[Associate Professor with tenure, 1996 to 2000; Nelson Peltz Term Assistant Professor, 1991 to 1996, early tenure in fifth year.]

University Council Steering Committee, University of Pennsylvania, 2022 to present.

Committee on Open Expression, University of Pennsylvania, 2022 to present.

Faculty Senate Select Committee on the Institutional Response to the Climate Emergency, founding member, 2020 to present.

Faculty Senate Executive Committee, University of Pennsylvania, 2018 to present.

Executive Committee, Andrea Mitchell Center for the Study of Democracy, University of Pennsylvania, 2011 to present. Organizing committee, faculty seminar series on “Climate and Democracy,” 2023-24.

Affiliated Faculty, Center for Ethics and the Rule of Law, University of Pennsylvania, 2019 to present.

Affiliated Scholar, Wharton Climate Center, University of Pennsylvania, 2022 to present.

Advisory board member, Global CO₂ Initiative, University of Michigan, 2019 to present.

American Law Institute, elected member, 1997 to present.

Previous academic and professional experience

Columbia Law School – Visiting Professor of Law, summer 2023.

Candidate for United States Senate, Pennsylvania Democratic primary, July to Oct. 2021.

<https://web.archive.org/web/20220127044134/https://www.friendsofericorts.com/https://www.inquirer.com/politics/election/eric-orts-2022-pennsylvania-senate-race-20210722.html>

Founding board member, Alliance for Research in Corporate Sustainability, 2009 to 2023.

Founding faculty director, Initiative for Global Environmental Leadership (IGEL), The Wharton School, University of Pennsylvania, 2007 to 2020.

Faculty co-director, FINRA Institute at Wharton, Certified Regulatory and Compliance Professionals Program, Wharton Executive Education, 2000 to 2017.

INSEAD (European campus) – Visiting Professor of Legal Studies, Business Ethics and Management, Aug.-Sept. 2015, June 2014, fall semester 2013.

New York University School of Law – Visiting Professor of Law, 2005 to 2006.

University of Sydney Law School – Visiting Professor of Law, summer 2005.

Harvard University – Eugene P. Beard Faculty Fellow, Center for Ethics and the Professions; Faculty Fellow, Kennedy School of Government, Center for Business and Government; 2002-03.

University of California, Santa Barbara; Bren School of Environmental Science and Management – Visiting Professor, January 2003.

Tsinghua University, School of Economics and Management – Freeman Foundation Visiting Professor, spring 2000.

University of Leuven, Law Faculty – Visiting Fulbright Professor of Law, spring 1998.

University of Michigan Law School – Visiting Professor of Law, spring 1997.

UCLA School of Law – Visiting Professor of Law, fall 1996.

University of Pennsylvania Law School – teaching courses in spring 2012 and fall 1995.

Paul, Weiss, Rifkind, Wharton & Garrison – associate attorney, litigation department, New York City, 1988-90. Bar memberships: New York and District of Columbia.

Legal Aid Society of Cleveland, summer intern, 1986; Skadden, Arps, Slate, Meagher & Flom, paralegal/proofreader, New York City, 1982-85.

Education

Columbia Law School. J.S.D. 1994; LL.M. 1992. Chemical Bank fellow in corporate social responsibility. Dissertation submission: “Interpretation, Legitimacy, and Corporate Law.”

University of Michigan Law School. J.D. *cum laude* 1988. Articles editor, *University of Michigan Journal of Law Reform*.

New School for Social Research, The Graduate Faculty. M.A. in political science 1985.
Co-chair, political science student association.

Oberlin College. B.A. in government (with honors political theory and minor in philosophy), 1982. Thesis: “Toward a Modern Theory of Tyranny.” Student member, Educational Planning and Policy Committee.

Books

The Moral Responsibility of Firms (co-edited with Craig Smith) (Oxford University Press 2017, paper ed. 2020), 231 pages.

Business Persons: A Legal Theory of the Firm (Oxford University Press 2013, rev. paper ed. 2015), 304 pages.

Environmental Contracts: Comparative Approaches to Regulatory Innovation in the United States and Europe (co-edited with Kurt Deketelaere) (Wolters Kluwer Law and Business 2001), 447 pages.

Series Editor (with Kurt Deketelaere), Comparative Environmental Law & Policy Series (Kluwer Law International, 2000-05) [eight volumes].

Articles

“Toward a Theory of Plural Business Purposes,” *Journal of Corporate Law Studies* (symposium issue on submission).

“Supreme Illegitimacy,” 11 *Regulatory Review: In Depth*, vol. 11, pp. 21-30 (2022), <http://www.theregreview.org/wp-content/uploads/2022/10/Orts-TRRID-v11n3-2022.pdf>.

“The Climate Imperative for Business” (with Brian Berkey), *California Management Review*, Insight/Frontier (Apr. 2021), <https://cmr.berkeley.edu/2021/04/climate-imperative/>.

- “Collective Goods and the Court: A Theory of Constitutional Commodification” (with Amy Sepinwall), *Washington University Law Review*, vol. 97, pp. 637-92 (2020), https://openscholarship.wustl.edu/law_lawreview/vol97/iss3/5/.
- “Senate Democracy: Our Lockean Paradox,” *American University Law Review*, vol. 68, pp. 1981-2085 (2019), <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=2108&context=aulr>.
- “Corporate Law and Business Theory,” *Washington and Lee Law Review*, vol. 74, pp. 1089-1117 (2017) (symposium issue), <https://scholarlycommons.law.wlu.edu/wlulr/vol74/iss2/18/>.
- “Theorizing the Firm: Organizational Ontology in the Supreme Court,” *DePaul Law Review*, vol. 65, pp. 559-96 (2016), <https://via.library.depaul.edu/law-review/vol65/iss2/11/>.
- “Parallels in Public and Private Environmental Governance” (with Sarah Light), *Michigan Journal of Environmental and Administrative Law*, vol. 5, pp. 1-72 (2015), <https://repository.law.umich.edu/mjeal/vol5/iss1/1/>.
- “Privacy and Organizational Persons” (with Amy Sepinwall), *Minnesota Law Review*, vol. 99, pp. 2275-2323 (2015), https://www.minnesotalawreview.org/wp-content/uploads/2019/07/Orts_Sepinwall_6fmt_PDF.pdf.
- “History and the Anthropology of Firms: A Legal Perspective” (with Gwen Gordon), *Journal of Business Anthropology*, vol. 3, pp. 43-50 (2014), https://repository.upenn.edu/cgi/viewcontent.cgi?article=1048&context=lgst_papers.
- “Climate Contracts,” *Virginia Environmental Law Journal*, vol. 29, pp. 197-236 (2011), <https://www.jstor.org/stable/24789320>.
- “Putting a Stake in Stakeholder Theory” (with Alan Strudler), *Journal of Business Ethics*, vol. 88, pp. 605-15 (2009), <https://www.jstor.org/stable/27749734>.
- “Collaborative Environmental Law: Pro and Con,” *University of Pennsylvania Law Review PENumbra*, vol. 156, pp. 289 (debate with Cary Coglianese) (2007), https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1021&context=penn_law_review_online.
- “Environmental Law with Chinese Characteristics,” *William & Mary Bill of Rights Journal*, vol. 11, pp. 545-67 (2003) (symposium issue), <https://scholarship.law.wm.edu/wmborj/vol11/iss2/3/>.

- “War and the Business Corporation,” *Vanderbilt Journal of Transnational Law*, vol. 35, pp. 549-84 (2002) (symposium issue), <https://scholarship.law.vanderbilt.edu/vjtl/vol35/iss2/5/>.
- “War and the Corporation,” *Strategy and Business Review*, vol. 13, pp. 44-51 (2002), <https://onlinelibrary.wiley.com/doi/10.1111/1467-8616.00222/>
- “The Ethical and Environmental Limits of Stakeholder Theory” (with Alan Strudler), *Business Ethics Quarterly*, vol. 12, pp. 215-33 (2002) (symposium issue), <https://www.jstor.org/stable/3857811?seq=5>.
- “The Rule of Law in China,” *Vanderbilt Journal of Transnational Law*, vol. 34, pp. 43-115 (2001), <https://scholarship.law.vanderbilt.edu/vjtl/vol34/iss1/2/>.
- “Moral Principle in the Law of Insider Trading” (with Alan Strudler), *Texas Law Review*, vol. 78, pp. 375-438 (1999), https://faculty.wharton.upenn.edu/wp-content/uploads/2012/04/Texas-Moral-Principle-in-the-Law-if-Insider-Trading_OPT.pdf.
- “Shirking and Sharking: A Legal Theory of the Firm,” *Yale Law & Policy Review*, vol. 16, pp. 265-329 (1998), https://faculty.wharton.upenn.edu/wp-content/uploads/2012/04/Yale-Law-and-Policy-Review_OPT.pdf.
- “The Future of Enterprise Organization,” *Michigan Law Review*, vol. 96, pp. 1947-74 (1998), <https://repository.law.umich.edu/mlr/vol96/iss6/25/>.
- “Informational Regulation of Environmental Risks” (with Paul Kleindorfer), *Risk Analysis*, vol. 18, pp. 155-70 (1998), <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1539-6924.1998.tb00927.x>.
- “Quality Circles in Law Teaching,” *Journal of Legal Education*, vol. 47, pp. 425-31 (1997), <https://www.jstor.org/stable/42893527>.
- “Environmental Disclosure and Evidentiary Privilege” (with Paula Murray), *University of Illinois Law Review*, vol. 1997, pp. 1-69, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/unillr1997&div=9&id=&page=>.
- “Simple Rules and the Perils of Reductionist Legal Thought,” *Boston University Law Review*, vol. 75, pp. 1441-79 (1995) (book review essay).
- “Reflexive Environmental Law,” *Northwestern University Law Review*, vol. 89, pp. 1227-1340 (1995), https://faculty.wharton.upenn.edu/wp-content/uploads/2012/04/Northwestern-Reflexive_Envtl_Law.pdf.

- “A Model of Reflexive Environmental Regulation,” *Business Ethics Quarterly*, vol. 5, pp. 779-94 (1995), <https://www.law.uh.edu/faculty/thester/courses/emerging%20tech%202011/orts%20on%20reflexive%20environmental%20law.pdf>.
- “The Complexity and Legitimacy of Corporate Law,” *Washington and Lee Law Review*, vol. 50, pp. 1565-1623 (1993), <https://scholarlycommons.law.wlu.edu/wlulr/vol50/iss4/11/>.
- “Positive Law and Systemic Legitimacy: A Comment on Hart and Habermas,” *Ratio Juris*, vol. 6, pp. 245-78 (1993), <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1467-9337.1993.tb00151.x>.
- “Beyond Shareholders: Interpreting Corporate Constituency Statutes,” *George Washington Law Review*, vol. 61, pp. 14-135 (1992), <https://heinonline.org/HOL/LandingPage?handle=hein.journals/gwlr61&div=11&id=&page=>.

Book Chapters

- “Moral Responsibility and Theories of the Firm,” in *Corporate Crime: The Firm as Victim and Offender* (Miranda Galvin and Willaim S. Laufer eds.) (forthcoming).
- “Trees as Legal Persons,” in *The Wisdom of Trees: Thinking Through Arboreality* (David Macauley and Laura Pustarfi eds.) (forthcoming).
- “History and the Anthropology of Firms: A Legal Perspective” (with Gwen Gordon), in *Opinions: Business History and Anthropology* (reprint of symposium) (KSG Books, 2022).
- “Public and Private Procurement in Environmental Governance,” in *Policy Instruments in Environmental Law* (with Sarah Light) (Ken Richards and Josephine van Zeben, eds., Edward Elgar, 2019).
- “The Moral Responsibility of Firms: Past, Present, and Future” in *The Moral Responsibility of Firms* (Eric W. Orts and Craig Smith eds., Oxford University Press, 2017).
- “Ethics, Risk, Environmental Management, and Corporate Responsibility” in *Environmental Protection and the Social Responsibility of Firms: Perspectives from Law, Economics, and Business* (Robert Stavins, Bruce Hay & Richard Vietor eds., Resources for the Future Press, 2005).
- “From Corporate Social Responsibility to Global Citizenship” in *The INSEAD-Wharton Alliance on Globalizing* (Hubert Gatignon & John R. Kimberly eds., Cambridge University Press, 2004).

- “War and the Corporation” in *Financial Times Handbook of Management* (3d ed.) (Stuart Crainer & Des Dearlove eds., Pearson Education Limited, 2004).
- “Conflict of Interest on Corporate Boards,” in *Conflict of Interest and the Professions* (Michael Davis & Andrew Stark eds., Oxford University Press, 2001).
- “Autopoiesis and the Natural Environment,” in *Law’s New Boundaries: The Consequences of Legal Autopoiesis* (Jiri Priban & David Nelken eds., Ashgate, 2001).
- “Introduction: Environmental Contracts and Regulatory Innovation” (with Kurt Deketelaere) in *Environmental Contracts* (2001).
- “Environmental Contracts in the United States” (with Geoffrey C. Hazard) in *Environmental Contracts* (2001).
- “An American Perspective on Belgian and British Environmental Law within Europe” in *Environmental Law in Belgium and the United Kingdom: A Comparative Analysis* (Kurt Deketelaere ed., Kluwer, 1999).
- “A North American Legal Perspective on Stakeholder Management Theory” in *Perspectives on Company Law: 2* (Fiona Macmillan Patfield ed., Kluwer, 1997).
- “The Legitimacy of Multinational Corporations” in *Progressive Corporate Law* (Lawrence E. Mitchell ed., Westview Press, 1995), pp. 247-79.

Book Reviews

- Review of *Business Ethics for a Material World: An Ecological Approach to Object Stewardship*, by Ryan Burg (with Brian Berkey), 29 *Business Ethics Quarterly* 143 (2018).
- Review of *We the Corporations* by Adam Winkler, 39 *Organization Studies* 1653 (2018).
- Review of *The Modern Corporation and American Political Thought* by Scott R. Bowman, *American Journal of Sociology*, vol. 102, pp. 1447-48 (1997).
- “Towards an Ethics of Social Systems,” review of book by Jane Jacobs, *The Responsive Community: Rights and Responsibilities*, vol. 4, pp. 60-64 (1993).

Books in Progress

- Business Purposes: Rethinking the Normative Objectives of the Firm* (under contract, Oxford University Press).

It's Ridiculous! Lessons from a Scrappy U.S. Senate Campaign.

Articles and Book Chapters in Progress

“What Is the What Is the Purpose of ESG? Who Should Decide?” (with Valentina Gentile and Alan Strudler), Rome conference, June 2023 [to be submitted as part of a book proposal with co-authors among the co-editors].

“Imagining Climate Solutions” (book review essay), abstract accepted for conference on *The Wizards of Climate Change: How Can Technology Serve Hope and Justice?* Institute for Religion and Science conference, June 2023 [to be submitted to *Zygon: Journal of Religion and Science*].

Another ESG-related paper in writing stage.

“Business Profits and the Climate Imperative” (with Brian Berkey).

“The Social Ontology of Firms, Organizations, and Institutions” in *The Oxford Handbook on Social Ontology* (Brian Epstein ed.).

Other Publications

“Will the Common Good Guys Come to the Shootout in SEC v. Jarkesy? And Why It Matters,” Columbia Law School Blue Sky Blog on Corporations and the Capital Markets, Sept. 6, 2023, <https://clsbluesky.law.columbia.edu/2023/09/06/will-the-common-good-guys-come-to-the-shootout-in-sec-v-jarkesy-and-why-it-matters/>.

“The Costs of the Trump Inquiry,” *New York Times*, letter to the editor, July 27, 2023, <https://www.nytimes.com/2023/07/27/opinion/letters/supreme-court-ethics.html#link-6c34c122>.

“New California Legislation Would Be a Major Step Forward for Climate Disclosure” (with Michael Gerrard), Columbia Law School Blue Sky Blog on Corporations and the Capital Markets, July 20, 2023, <https://clsbluesky.law.columbia.edu/2023/07/20/new-california-legislation-would-be-a-major-step-forward-for-climate-disclosure/>.

“Calling Republicans’ Bluff on the Debt Ceiling – and Creating Contingency Plans,” Columbia Law School, Columbia Law School Blue Sky Blog on Corporations and the Capital Markets, May 16, 2023, <https://clsbluesky.law.columbia.edu/2023/05/16/calling-republicans-bluff-on-the-debt-ceiling-and-creating-contingency-plans/>.

“Make Election Day a Holiday,” *New York Times*, letter to the editor, Feb. 21, 2023, <https://www.nytimes.com/2023/02/21/opinion/letters/biden-putin-ukraine-war.html#link-3f17495f>.

- “Two Cheers for Climate Progress on Penn’s Endowment,” *Daily Pennsylvanian*, Jan. 16, 2023, <https://www.thedp.com/article/2023/01/penn-climate-progress-direct-divestment-not-enough-next-steps>.
- “Congress Should Exclude Elected Insurrectionists,” *Regulatory Review* (Nov. 22, 2022), <https://www.theregreview.org/2022/11/22/orts-congress-should-exclude-elected-insurrectionists/>.
- “Helping Florida Recover from Hurricane Ian,” *New York Times*, letter to the editor, Sept. 30, 2022, <https://www.nytimes.com/2022/09/30/opinion/letters/florida-hurricane-ron-desantis.html>.
- “The ALI’s Restatement of the Corporate Objective Is Flawed,” Columbia Law School Blue Sky Blog on Corporations and the Capital Markets, June 6, 2022, <https://clsbluesky.law.columbia.edu/2022/06/06/the-alis-restatement-of-the-corporate-objective-is-seriously-flawed/>.
- “Will Merrick Garland Prosecute Trump? Should He?” *New York Times*, letter to the editor, June 23, 2022, <https://www.nytimes.com/2022/06/23/opinion/letters/merrick-garland-trump-jan-6.html>.
- “Cut the Root of Russia’s Power by Making a Clean Energy Transition,” *The Hill*, Apr. 27, 2022, <https://thehill.com/opinion/energy-environment/3469436-cut-the-root-of-russias-power-by-making-a-clean-energy-transition/>.
- “Beyond Sanctions: President Biden Should Declare a National Energy Emergency,” *The Hill*, Mar. 14, 2022, <https://thehill.com/opinion/white-house/598064-beyond-sanctions-president-biden-should-declare-a-national-energy/>.
- “End All Russian Oil and Gas Imports, Including into Europe” (with Claire Finkelstein and Richard Painter), *Newsweek*, Mar. 8, 2022, <https://www.newsweek.com/end-all-russian-oil-gas-imports-including-europe-opinion-1686064>.
- “A World Moving Toward Autocracy,” *New York Times*, letter to the editor, Feb. 26, 2022, <https://www.nytimes.com/2022/02/26/opinion/letters/autocracy-democracy.html>.
- “A Green Paper on the Climate Emergency and Jobs,” Orts for Pennsylvania U.S. Senate campaign, Aug. 10, 2021, <https://medium.com/@ericorts/green-paper-on-the-climate-emergency-and-jobs-9bedac309bac>.
- “Autocracy Is Bad for Business” (with David M. Driesen), *The Hill*, June 4, 2021, <https://thehill.com/opinion/international/556869-autocracy-is-bad-for-business>.

- “Why Does Penn Lag on Divestment?” (with Vyshnavi Koshigishroff, *Daily Pennsylvanian*, Apr. 14, 2021, <https://www.thedp.com/article/2021/04/upenn-climate-change-trustees-divestment-net-zero>).
- “Trump’s Out of Office. Allegations About His Admissions Fraud Still Stand” (with Stephen Sheller), *Daily Pennsylvanian*, Mar. 5, 2021, <https://www.thedp.com/article/2021/03/trump-wharton-degree-upenn-fraud-eric-orts-stephen-sheller>.
- “How Private Companies Could Step Up To Help Save our Election” (with David M. Driesen and George Aposporos), *The Hill*, Aug. 25, 2020, <https://thehill.com/opinion/finance/513512-how-private-companies-could-step-up-to-help-save-our-election>.
- “The Lafayette Park Assault: A Turning Point for Democracy in America,” blog for the Center for Ethics and the Rules of Law, June 23, 2020, <https://www.law.upenn.edu/live/news/10188-the-lafayette-square-assault-a-turning-point-for>.
- “Lost Lives Due to Inaction on the Coronavirus, *New York Times*, letter to the editor, May 21, 2020, <https://www.nytimes.com/2020/05/21/opinion/letters/coronavirus-lockdown-inaction.html>.
- “Earth Day 2020: COVID-19 Reminds Us Why Science Matters,” Knowledge@Wharton podcast and report, Apr. 23, 2020, <https://knowledge.wharton.upenn.edu/article/earth-day-2020-covid-19-reminds-us-science-matters/>.
- “How to Fill a Federal Leadership Vacuum: An Interstate Covid-19 Compact (with Amy Sepinwall), *Washington Post*, April 8, 2020, <https://www.washingtonpost.com/opinions/2020/03/20/coronavirus-is-upending-society-here-are-ideas-mitigate-its-impact/?arc404=true#Orts-Sepinwall>.
- “A Modern Tale of Wealth Inequality,” *Wharton Magazine*, Mar. 3, 2020, <https://magazine.wharton.upenn.edu/digital/a-modern-tale-of-wealth-inequality/>.
- “Trump’s Interference with the Military Hits a New Level of Dangerousness,” *New York Times*, letter to the editor, Nov. 25, 2019, <https://www.nytimes.com/2019/11/25/opinion/letters/trump-navy-seals.html>.
- “The Impeachment Drama: More Twists and Turns,” *New York Times*, letter to the editor, Oct. 3, 2019, <https://www.nytimes.com/2019/10/03/opinion/letters/trump-impeachment-democrats.html>.
- “Business Must Get Political – For Climate Sustainability,” Wharton Risk and Decision

- Processes Center, Idea #27 of 30 climate solutions from Penn faculty, April 2019, <https://riskcenter.wharton.upenn.edu/climate-risk-solutions-2/business-must-get-political-for-climate-sustainability/>.
- “New Rules Putting Endangered Species at Risk,” *New York Times*, Aug. 13, 2019, letter to the editor, <https://www.nytimes.com/2019/08/13/opinion/letters/frank-bruni-endangered-species-democrats-squad.html#link-171f9f9b>.
- “Why Putin Is Smiling,” blog for the Center for Ethics and the Rule of Law, July 30, 2019, <https://www.law.upenn.edu/live/news/9275-why-putin-is-smiling/news/cerl-news>.
- “No More Food Fights: The Case for Issue-Specific Presidential Debates,” *The Hill*, July 22, 2019, <https://thehill.com/opinion/campaign/454175-no-more-food-fights-the-case-for-issue-specific-presidential-primary-debates>.
- “Moving Backward on Auto Emissions Standards,” *New York Times*, letter to the editor, June 12, 2019, <https://www.nytimes.com/2019/06/12/opinion/letters/trump-auto-emissions-standards.html>.
- “The Path to Give California 12 Senators, and Vermont Just One,” *The Atlantic*, Jan. 2, 2019, <https://www.theatlantic.com/ideas/archive/2019/01/heres-how-fix-senate/579172/>.
 “Letters: Is the Senate Responsive Enough?”, *The Atlantic*, Jan. 14, 2019, <https://www.theatlantic.com/letters/archive/2019/01/readers-respond-how-make-senate-more-representative/579913/>.
- “Should the House Move to Impeach Trump?” *New York Times*, letter to the editor, Nov. 15, 2018, <https://www.nytimes.com/2018/11/15/opinion/letters/trump-impeachment-house.html>.
- “The Hacking Indictments,” *New York Times*, letter to the editor, July 13, 2018, <https://www.nytimes.com/2018/07/13/opinion/hacking-indictments.html>.
- “How Anti-Trumpism Can Succeed,” *New York Times*, letter to the editor, Apr. 12, 2018, <https://www.nytimes.com/2018/04/12/opinion/anti-trumpism.html>.
- “The Future of Global Environmental Governance,” newsletter for International Centre of Comparative Environmental Law, August 2017, <https://cidce.org/archives-du-bulletin/> (translated into four languages).
- “President Trump’s Disdain for the Rule of Law,” *New York Times*, letter to the editor, June 16, 2017, <https://www.nytimes.com/2017/06/16/opinion/president-trumps-disdain-for-the-rule-of-law.html>, with link to online letter from more than three dozen Wharton faculty members.

“After Fossil Fuels: The Next Economy—Summary Report,” Oberlin College, Ohio, Oct. 10, 2016.

“Suspend Security Briefings,” New York Times, letter to the editor, Aug. 5, 2016, <https://www.nytimes.com/2016/08/05/opinion/suspend-security-briefings.html>.

“Trump for Tyrant” (with Jeffrey Green and Peter Struck), Lapham’s Quarterly, roundtable blog, <https://www.laphamsquarterly.org/roundtable/trump-tyrant> (Nov. 16, 2015).

“Defending Disclosure,” reviewing *More than You Wanted to Know: The Failure of Mandatory Disclosure* (by Ben-Shahar and Schneider) RegBlog, <http://www.regblog.org/> (2015).

Invited blog posts at *The Conglomerate*, <http://www.theconglomerate.org/>: “New Directions in Corporate Disclosure: Politics, Environment, and Religion” (Aug. 7, 2014), “The Legal and Social Ontology of the Firm,” (Aug. 5, 2014), “Undertheorizing the Corporation Continued: Hobby Lobby and Employees' Rights” (July 16, 2014).

Special reports by IGEL and Knowledge@Wharton:

“Landscape Solutions on the Frontlines of Climate Change” (2020) (co-sponsored with Landscape Architecture Foundation and Jacobs).

“The End of Wasted Water: A Revolution in Reuse Is Underway” (2019) (co-sponsored by Suez).

“A Revolution in the Making: The Quest for Net Positive Supply Chains” (2018) (co-sponsored by CHEP).

“Confronting the Reality of Climate Change” (2018) (co-sponsored by Innovyze & Willis Towers Watson).

“Smart City Pioneers: Forging Solutions to Early Challenges” (2018) (co-sponsored by Suez).

“Partners in Resilience: Constructing the Future of Sustainable Infrastructure” (2017) (co-sponsored by Veolia).

“The Circular Economy: From Concept to Business Reality” (2017) (co-sponsorship by Dow)

“Driving Forward: The Future of Urban Mobility” (2017) (co-sponsored by Enterprise Holdings).

“Managing Industrial Water in the Age of Climate Change” (2016) (co-sponsored by

Rubicon Global).

“The Sharing Economy: Restacking Industry in the 21st Century (2015) (co-sponsored by Rubicon Global).

“Feeding the World” (2015) (co-sponsored by FMC).

“Integrating Environmental and Human Health” (2014) (co-sponsored by Johnson & Johnson).

“Disrupting the World’s Oldest Industry” (2014) (co-sponsored by Rubicon Global).

“Disasters, Rebuilding and Leadership - Tough Lessons from Japan and the U.S.” (2013).

“Greening the Sports Industry” (2013) (co-sponsored by NRDC and Wharton Sports Business Initiative).

“The Rapid Rise of Green Building” (2013) (co-sponsored by SAP).

“The Nexus of Food, Energy and Water” (2013).

“Next Stop, Innovation: What’s Ahead for Urban Mobility?” (2013) (co-sponsored by Enterprise Holdings).

“The Pathways to Sustainability in Emerging Economies” (2012).

“Greening the Supply Chain: Best Practices and Future Trends” (2012).

“Can Venture Capital Really Influence Environmental Sustainability?” (2011).

“Valuing Water: How Can Businesses Manage the Coming Scarcity?” (2011).

“Green Evolution: Managing the Risks, Reaping the Benefits” (2010).

“Integrated Thinking about Life Cycle Analysis: Report of IGEL Conference-Workshop Proceedings” (2009).

“The Challenge of a New Environmental Contract,” prepared for U.N. Secretary-General’s Global Colloquium for University Presidents (New York University, 2007).

Global Environmental Health in the 21st Century (Institute of Medicine of the National Academies, 2007) (workshop summary, contributor especially to ch. 5).

“Corporate Foreign Policy in Times of War,” *strategy + business*, (third quarter, 2002), p. 11-12.

“When a Democracy Wages War,” *New York Times*, letter to the editor, Oct. 13, 2002, <https://www.nytimes.com/2002/10/13/opinion/when-a-democracy-weighs-war.html>.

“Bush Rallies America: Ovarions and Doubts,” *New York Times*, letter to the editor, Sept. 22, 2001, <https://www.nytimes.com/2001/09/22/opinion/bush-rallies-america-ovations-and-doubts.html>.

“Law Is Never Enough to Guarantee Fair Practice,” *Financial Times* (summer school series), Aug. 23, 2002, at 9.

“Grey Pinstripes with Green Ties,” *Environment and Business Newsletter* (Nov. 1998).

“Comment on proposed Russian Law on Businesses and Business Activities,” reprinted in *American Bar Association, Central and East European Law Initiative, Analysis of the Draft Law of the Russian Federation on Businesses and Business Activity*, appendix B, pp. 1-10 (Mar. 29, 1993).

See also Facebook, Linked In, and Twitter [X?] (@EricOrts): blogging and posts on various topics.

Other commentary and letters to the editor in addition to the *New York Times*, *Washington Post*, *Financial Times*, *The Wall Street Journal*, *Philadelphia Inquirer*, *Daily Pennsylvanian*, *Associated Press*, *Reuters*, *Bloomberg News*, *Handelsblatt*, *Yomiuri Shimbun*, *CBS*, *CNN*, *KYW*, *WHYY* and elsewhere.

Video and Podcast Commentary

“The Debt Ceiling Crisis: Is There a Plan B?” (interview with Matthew Berkman), Andrea Mitchell Center for the Study of Democracy, May 26, 2023, <https://mitchellcenter.libsyn.com/episode-415-the-debt-ceiling-crisis-is-there-a-plan-b-eric-orts>.

“Politics in the Time of Climate Change” (interview with Matthew Berkman), Andrea Mitchell Center for the Study of Democracy, Oct. 25, 2021, <https://mitchellcenter.libsyn.com/episode-34-politics-in-the-time-of-climate-change-eric-orts>.

“The Unequal and Racist Structure of the United States Senate – and How to Fix It” (with Herman Beavers), Oberlin Alumni Association (Apr. 25, 2021), <https://youtu.be/1lnErxv4V-4>.

“The Moral Responsibility of Business: A Philosophy of Finance Discussion” (with Kendy Hess) (Apr. 20, 2021), https://www.youtube.com/watch?v=Ma0Ehw7al_w.

The Stakeholder Podcast, interview with Ed Freeman (Apr. 5, 2021),

<https://stakeholdermedia.libsyn.com/eric-orts>.

“The Broken United States Senate – and How to Fix It,” Havertown Area Community Action Network (Mar. 25, 2021), <https://www.youtube.com/watch?v=bGte15d37Hs>.

“On the Filibuster and How to Fix a Broken Senate,” Michael Smerconish Show (Dec. 2020), <https://www.siriusxm.com/clips/clip/a9914a41-78d6-4402-8150-b8f14a44945b/fd633298-87cc-4057-98bc-4aeb4b38a953>.

“Bulwark of the Opulent Minority: Can the Senate Ever Be Democratic?” (interview with Matthew Berkman), Andrea Mitchell Center for the Study of Democracy (Sept. 4, 2020), <https://mitchellcenter.libsyn.com/episode-23-bulwark-of-the-opulent-minority-can-the-senate-ever-be-democratic>.

“Fifty-State Anarchy: The Failed Federal Response to Covid-19” (interview with Matthew Berkman), Andrea Mitchell Center for the Study of Democracy (May 8, 2020), <https://mitchellcenter.libsyn.com/episode-118-fifty-state-anarchy-the-failed-federal-response-to-covid-19-eric-orts>.

“Earth Day 2020: COVID-19 Reminds Us Why Science Matters,” Knowledge@Wharton (Apr. 2020), <https://knowledge.wharton.upenn.edu/article/earth-day-2020-covid-19-reminds-us-science-matters/>.

Businesses That ‘Get It’ on Climate Change Must Also Get Political,” 1.5 Minute Climate Lectures at Penn, Sept. 11, 2019, <https://vimeo.com/359380200>.

Why Businesses Must Care about the Natural Environment,” podcast interview with Stew Friedman (Aug. 28, 2019), https://podcasts.google.com/feed/aHR0cHM6Ly9mZWVkey5hY2FzdC5jb20vcHVibGljL3Nob3dzLzViZWVhZDI3NDMwYzE4MTkwMmQwZWlyYg/episode/NWQ2M2Q2ODFmY1ZGFkOTRhNWJlZDAx?sa=X&ved=2ahUKEwi-jv_E4IXsAhVYV1kKHS22B1AQkfYCegQIARAF.

“Should ‘Shareholder Value’ Rule Business Thinking?” Knowledge@Wharton (Oct. 30, 2013), <https://www.youtube.com/watch?v=Ak-eZwDsYgw>.

“Climate Change Matters,” student video (Dec. 13, 2009), <https://www.youtube.com/watch?v=yADs5G3bmvk>.

Grants

SNF Paideia Program, internal grant to create new course on “Business, Law, and Democracy,” 2020.

Corporate advisory board membership and annual funding, Initiative for Global Environmental Leadership, 2007 to 2020.

Bank of America, grant for global speaker series on business and environment issues, 2011-13.

SAP and Merck, grants for executive education program on Business Sustainability Leadership, 2011 and 2012-13 (respectively).

Xerox Foundation, grants for business-and-environment reports, *Knowledge@Wharton*, 2009-11.

Provost's Global Initiative Fund, grant award (with Robert Giegengack and Jason Johnston as co-principal investigators) for "Establishment of an International Environmental Management Institute and Constituent Programs," 2006-07.

Harvard University, Center for Ethics and the Professions, faculty fellowship grant, 2002-03.

Alfred West Learning Lab, Wharton School, funding for development of "Tragedy of the Tuna," teaching simulation, 2002-03.

Sloan Foundation, mini-grant for workshop on "Executive Compensation and Corporate Governance," 2001.

Ford Motor Company Fund, multi-year grant to support Wharton Environmental Management Program, 1999-2004.

German Marshall Fund, grant for Wharton impact conference on "Environmental Contracts and Regulatory Innovation: Comparative Approaches in Europe and the United States," 1999.

Fulbright Scholar Program, European Union Affairs Research Program, grant for "Institution Building in the European Union in Corporate and Environmental Law," 1998.

University of Pennsylvania Research Foundation, research grants, 1996-97, 1994-95, 1991-93.

Jones Center for Management Policy, Strategy and Organization, travel grant to the Earth Summit in Rio de Janeiro (and unofficial observer with U.S. State Department), 1992.

Other Wharton grants: Dean's impact conferences ("Green Microfinancing," 2006; "Digital Opportunities and the Natural Environment," 2001; and "Environmental Contracts and Regulatory Innovation," 1998); Jones Center ("Business Firm, Agency and Community," 2001); Risk Management and Decision Processes Center ("How To Do Informational Regulation," 2001, and "Environmental Contracts," 1998); Zicklin Center for Business Ethics Research, ("Law and Ethics of Insider Trading," 1999, and "Theories of the Firm," 1997); Legal Studies and Business Ethics Department (research grants for all summers spent at Wharton).

Teaching

Wharton MBA courses:

Business, Social Responsibility, and the Environment (pioneered new MBA flex-core option; approved as permanent course in 2023).

Business, Law, and Democracy (new course, cross-listed)

Responsibility in Business (MBA flex-core course option)

Ethics and Responsibility (previous core course)

Theories of the Business Enterprise (new course)

The Law of Corporate Management and Finance in Global Perspective (revised course)

Environmental Management: Law and Policy (newly created course)

Antarctica Leadership Venture (faculty leader)

Field Application Projects (different topics)

Independent studies: carbon trading markets, sustainable investing, and other topics.

Wharton undergraduate courses:

Business, Law, and Democracy (new course for the SNF Paideia Program at Penn)

Theories of the Business Enterprise

The Law of Corporate Management and Finance (cross-listed)

Environmental Management: Law and Policy (cross-listed)

Environmental Management: Law and Policy (honors seminar)

Introduction to Law and Legal Process (usually honors sections)

Law and Ethics of Insider Trading (co-taught with Alan Strudler)

Wharton Ph.D. seminars:

Foundations of Business Law

Theories of the Business Enterprise

Wharton Executive Education:

FINRA Institute at Wharton, Certified Regulatory and Compliance Professionals Program, faculty co-director, multiple sessions during mandatory two-weeks of residence on campus, 2000-17.

Securities Industry Institute, session on business ethics in finance, 2016.

Academic Director, Business Sustainability Leadership, 2011-15.

Executive Masters for Technology Management, session on sustainability and corporate responsibility, 2010.

Wharton Seminar for Business Journalists, session on business and the environment, 2008.

Merrill-Lynch Financial Boot Camp, session on business and the environment, 2008.

Penn-SASAC Sarbanes-Oxley Training Program, session on “Corporate Governance, Internal Controls, and the Sarbanes-Oxley Act” for Chinese corporate executives, 2006.

Society of Corporate Secretaries and Governance Professionals, national conference, pre-conference workshop on law and ethics, 2006.

Academic Director, Wharton-LINKS Program (for Danish executives), 2004-05.

Academic Director, National Grid Transco: Wharton-INSEAD Program for Developing Business Leaders, 2003-05.

Philips Octagon Executive Program, session on “International Business Ethics,” 2005.

Wharton-Investment Management Consultants Association, Wharton-Morgan Stanley Senior Consultants’ Program, and Wharton-Merrill Lynch Program, sessions on “The Legal Environment of Financial Advising,” 2002-05.

Shell/Wharton Group Business Leadership Program, panel discussion on “Critical Issues in the Energy Industry,” 2002.

The International Forum, Wharton Global Leadership Series: faculty in Philadelphia, Bruges, and Kyoto, 2001-02; faculty coordinator for social environment project for Philadelphia, 1998; faculty fellow in Bruges, 1998.

The Directors' Institute: faculty in San Diego 2002, London 1998, Philadelphia 1997.

Law school courses and seminars:

ESG, Social Impact Investing, and Corporate Responsibility (Columbia Law)

U.S. Corporate and Commercial Law (NYU Law)

Comparative Corporate Governance (NYU Law, Sydney Law)

Social Theory and the Business Enterprise seminar (NYU Law)

Corporations/Business Associations (UCLA Law, Michigan Law, and Penn Law)

Environmental Law (Penn Law)

Corporate Governance seminar (UCLA Law and Michigan Law)

Other courses, curriculum development, and teaching:

The Law of Corporate Management and Finance (INSEAD)

Comparative Concepts of Business Law in the United States and China (Tsinghua)

Comparative Advisor, MBA finalists in Patagonia case competition on "Neutrality Reality," 2017-18.

Joint MBA/Masters of Environmental Science program

Teaching awards:

Wharton MBA Teaching Award, 2021

MBA Excellence in Teaching for an Elective Course, 2011

Service

To the University of Pennsylvania:

University Council Steering Committee, 2022 to present.

Committee on Open Expression, 2022 to present.

Faculty Senate Executive Committee, 2018 to present.

Faculty Senate Select Committee on the Institutional Response to the Climate Emergency, 2020 to present.

Penn Social Responsibility Advisory Committee, 2020-21, 2015-16.

Penn Environmental Sustainability Advisory Committee, 2007 to 2019.

Provost's ad hoc committee for President's trip to China, 2009-10.

Penn Faculty Working Group on Climate Change, 2008-10.

University Facilities Committee, 2009-10.

Master of Environmental Studies Executive Committee, 2004-06, 2000-02, 1997-99.

Penn-Leuven Faculty Exchange Committee, 2002-06.

University Committee on Community Relations (chair), 2001-02.

Conflicts of Interest Standing Committee, 1999-2002.

Adviser and community liaison to President's Office for Penn-assisted elementary school in West Philadelphia, 1998-2002.

University Committee on International Programs, 1993-94.

Penn Faculty and Staff for Neighborhood Issues, university models group, 1992-93.

Penn Reading Project, faculty discussion leader, 1992-2001.

To the Wharton School:

Faculty Search Committees, Legal Studies & Business Ethics Department:

Lateral search committee chair, 2022-23.

Search committee member, 2017-18.

Search committee chair, 2012-13, 1998-99.

Curriculum Committee, 2015-16.

Wharton Sustainability Program, 2009-13.

Global Alumni Forum events (panelist, chair, or panel organizer) in Beijing, Jakarta, Mexico City, San Jose (Costa Rica), San Francisco, and Tokyo, 2007-16.

Executive Committee, Legal Studies and Business Ethics Department, 2009-12.

Wharton Leadership Ventures Oversight Committee, 2009-11.

Wharton School Publishing, advisory board, 2009-11.

Director, Environmental Management Program, 1998-2007 [morphed into IGEL].

Committee on Academic Freedom and Responsibility, 2001-02, 2004-05, 2009-10.

MBA Executive Committee, 2000-01, 2003-04, 2006-07.

Quinquennial Review Committees:

Legal Studies and Business Ethics Department, 2005-06.

Operations and Information Management Department, 2004-05.

Public Policy and Management Department, 1998-99.

MBA Ethics Committee, 1992-93, 2004-05.

Undergraduate Curriculum Committee, 2001-02.

Legal Studies Department undergraduate faculty advisor, 1991-93, 1995-96, 1999-2002.

Research Programs Policy Committee, 1994-96, 1997-99.

Doctoral Executive Committee, 1993-95.

Undergraduate Executive Committee, 1991-92.

To the academic community at large:

Business Ethics Quarterly, editorial board, 2011-21.

Fulbright Senior Scholar Review Committee (applications to China, Hong Kong, and Taiwan), Council for International Exchange of Scholars, 2003-05.

Student research supervision:

Ph.D. committees: Mustafa, Recognizing, Reorienting, and Repairing Racial Injustice in Business Ethics and Firms (2022-23); Duff, The New Financial Stability Regulation (2015); Hohns, Justice, Infrastructure, and Socially Responsible Investing (2012); Yin, Underground Storage Tanks: Economics and Policy (2006); Hess, CEO Power, Prestige, and Pay (1999); Farrell, Energy Policy and Sustainability (1996).

LL.M. study: Komoriya and Taguchi, Japanese-U.S. comparative corporate law (1996).

Wharton senior research projects (e.g., Zenkich, executive compensation, 2019; Balsamo, environmental audits, 1996).

Journal/book/grant peer review: Business Ethics Quarterly; Journal of Policy Analysis and Management; Law and Society Review; Organizations & Environment; National Science Foundation; Yale Law Journal, others.

Service to the community at large:

First Unitarian Church of Philadelphia: POWER Interfaith Coalition representative (2023); Worship Associate, 2019-21; UU Justice PA representative, 2019-21; Climate Justice and UU the Vote working groups, 2020; Membership Committee, 2016-19; Search Committee for Minister of Faith Formation, 2019; Search Committee for a Settled Minister, 2015-16; Ministry Leadership Team, 2011-12; Board of Trustees, 2012-13, 1995-98; President, Board of Trustees, 1997-98; member, 1991 to present.

POWER Interfaith Coalition, member, 2022 to present.

Unitarian Universalist Service Committee, sustaining member, 2022 to present.

Board member, Sustainable Business Network of Greater Philadelphia, 2020-21.

French International School of Philadelphia, President and Chair of the Board of Directors, 2004-09; board member, 2003-09.

Academic and professional memberships (not all currently active):

Academy of Legal Studies in Business

Academy of Management

Alliance for Research in Corporate Sustainability (founding board member)

American Association of University Professors

American Law Institute

American Political Science Association

American Society for Political and Legal Philosophy

Environmental Law Institute

Society for Business Ethics

Other interests and hobbies: reading, politics, painting, yoga, and sculling on the Schuylkill.