

NATHANIEL BERMAN

EDUCATION

- **Harvard Law School, '85**

Honors: Magna cum Laude; Harvard Law Review, Sears Prize for academic excellence; Laylin Prize in International Law

- **Yale College, '80**

Honors: Summa cum Laude, Phi Beta Kappa, Honors in Philosophy

FULL-TIME APPOINTMENTS

- **Brown University, Watson Institute for International Studies: *Rahel Varnhagen Professor of International Affairs, Law, and Modern Culture* – fall 2009 – present**

Course: Seminar Nationalism, Colonialism, Religion, and International Law

- **Brooklyn Law School: *Professor of Law* – 2001-2008**

Courses: International Law; Regional Human Rights Systems; International Trade; European Union Law; Self-Determination Seminar

- **Northeastern University School of Law: *Professor of Law* – 1989-2001**

Courses: International Law; European Union Law; Regional Human Rights Systems; European Human Rights Law; Conflict of Laws; Arab-Israeli Conflict; Law and Literature; Nationalism, Self-Determination and Cultural Identity; Talmud seminar

- **Amherst College: *Mellon Lecturer in Law and the Social Order* – 1988-89**

Courses: Law and Literature; Law and Politics

OTHER APPOINTMENTS

- **University of Saragossa, Spain:** *Scientific Member and Foreign Adviser to the International Legal History Project, 2010-present*
- **O.P. Jindal Global University, Centre on Public Law and Jurisprudence, Delhi, India:** *Member of the International Board of Advisors, 2009-present*
- **Université Paris – I (Sorbonne/Panthéon):** *Professeur-chercheur associé au CERDIN-Paris I (Centre d'études et de recherche en droit international de l'Université Paris- I), 2007-present*
- **School of Oriental and African Studies, London:** *Professorial Research Associate and Member of the Advisory Board of the Centre on International Law and Colonialism – 2006-present*
- **Université de Paris-I (Sorbonne/Panthéon):** *Visiting Professor – January 2005*
Lectures : Nationalisme, colonialisme et renouveau moderniste du droit international,” “Hégémonie et droit international ;” “Droit de guerre comme champ de bataille”
- **University of Siena:** *Professor in Master’s Program in Human Rights – Spring 2003*
Course: Humanitarian Intervention
- **Stanford University, Department of Political Science:** *Visiting Professor – Winter 2003*
Courses: Wars and Laws; International Law
- **Columbia Law School:** *Visiting Scholar – 2001-02*

SELECTED NON-ACADEMIC POSITIONS

- **Massachusetts Commission against Discrimination:** *Staff Attorney, 1987-88*
Housing Discrimination Unit
- **United States Court of Appeal for the First Circuit:** *Judicial Clerk, 1986-87*
Hon. Hugh H. Bownes, Circuit Judge

POST-GRADUATE EDUCATION

- **Commission of the European Communities**, Brussels, 1992

Observation and training in Directorate-General III, Unit F-4 (Copyright and International Aspects of Intellectual Property)

- **Harvard Sheldon Fellowship**, Paris, 1985-86

Research and study in philosophy and literary theory

OTHER PROFESSIONAL AFFILIATIONS

Member of the Executive Council of the American Society of International Law, 2006-2008

Member of the Program Committee, 2007 Annual Meeting of the American Society of International Law

Advisory and Consultative Editor – Leiden Journal of International Law

International Advisory Board – Third World and International Law Journal

PUBLICATIONS

- **Book**

- ***PASSIONS ET AMBIVALENCES: LE COLONIALISME, LE NATIONALISME ET LE DROIT INTERNATIONAL***, Editions Pedonne, Collection CERDIN Doctrine(s), (Paris: 2008)

- **Article in Preparation**

- ***"The Sacred Conspiracy": Nationalism, Religion, and the Internationalist Imagination***

- Articles, book chapters, comments, etc.

- *The Ambivalence of “Walls” in the Internationalist Imagination: Legal Scandal or the Foundation of Legal Order?*, forthcoming in Jean-Marc Sorel (ed.), *Les Murs et le droit international*, (Paris, Editions Pedone 2010)
- *Aestheticism, Rationalism, and Esotericism: Medieval Scholarship and Contemporary Polemics*, 99 *Jewish Quarterly Review* 563 (2009)
- *Power and Irony, or, International Law after the Après-Guerre*, in Emmanuelle Jouannet, Hélène Ruiz Fabri, & Jean-Marc Sorel (eds.), *Le droit international vu par une génération de juristes*, (Paris, Editions Pedone 2008)
- *Council Comment: International Law and the Next U.S. Presidency*, <http://www.asil.org/il08/berman.html> (2008)
- *Council Comment: the ICJ’s Decision in Bosnia and Herzegovina v. Serbia and Montenegro*, Spring 2007 Newsletter of the American Society of International Law 8
- *Les Ambivalences Impériales*, in Hélène Ruiz & Emmanuelle Jouannet (ed.), *Droit international et impérialisme en Europe et aux Etats-Unis* 131 (Paris: UMR de Droit Comparé, 2007)
- *Intervention in a ‘Divided World’ : Axes of Legitimacy*, 17 *European Journal of International Law* 743 (2006); reprinted in Philip Alston & Euan MacDonald (eds), *Human Rights, Intervention and the Use of Force* 215 (Oxford University Press 2008).
- *Roundtable on War, Force, Revolution (with others)*, 100 *Proceedings of the American Society of International Law* (2006)
- *War, Trade, and the Construction of the International*, 31 *Brooklyn Journal of International Law* 685 (2006)
- *Legitimacy through Defiance: From Goa to Iraq*, 23 *Wisconsin International Law Journal* 93 (2005)
- *Privileging Combat? Contemporary Conflict and the Legal Construction of War*, 43 *Columbia Journal of Transnational Law* 1 (2004)
- *“The Appeals of the Orient” : Colonized Desire and the War of the Riff*, in Karen Knop (ed.), *Gender and Human Rights* 195 (Oxford University Press; 2004)
- *Roundtable: Subversive Legal Moments? (with Karen Engle, Elizabeth Schneider, Janet Halley, Vicki Schultz, and Adrienne Davis)*, 12 *Texas Journal of Women and the Law* 197 (2003)

- ***The Quest for Rationality: The Recent Writings of Tom Franck***, 35 New York University Journal of International Law and Politics 339 (2003)
- ***Shadows: Du Bois and the Colonial Prospect, 1925***, 45 Villanova Law Review 959 (2001)
- ***Against the Wrong and the Dead: A Genealogy of Left/MPM***, 22 Cardozo Law Review 1005 (2001)
- ***The Nationality Decrees Case, or, of Intimacy and Consent***, 13 Leiden Journal of International Law 265 (2000)
- ***Imperial Rivalry and the Genealogy of Human Rights: The Nationality Decrees Case***, 94 Proceedings of the American Society of International Law (2000)
- ***In the Wake of Empire (First Annual Grotius Lecture at the American Society of International Law)***, 14 American University International Law Review 1515 (1999)
- ***Roundtable: Law and Literature (with Mitchell Lasser, David Kennedy, Duncan Kennedy, Norman Silber, and Lawrence Kessler)***, in Susan Tiefenbrun (ed.), *Law and the Arts* 115 (Greenwood Press; 1999)
- ***Bosnien, Spanien, und das Volkerrecht: Zwischen 'Allianz' und 'Lokalisierung'***, in Hauke Brunkhorst, *Einmischung Erwünscht?* 117 (Fischer Verlag 1998)
- ***The International Law of Nationalism: Group Identity and Legal History in*** David Wippman (ed.), *International Law and Ethnic Conflict* (Cornell University Press, 1997); *reprinted in* Robert J. Beck and Thomas Ambrosio (eds.), *International Law and the Rise of Nations : The State System and the Challenge of Ethnic Groups* (Chatham House 2001)
- ***Aftershocks: Exoticization, Normalization, and the Hermeneutic Compulsion***, 1997 University of Utah Law Review 281
- ***Nationalism "Good" and "Bad": Vicissitudes of an Obsession***, 90 Proceedings of the American Society of International Law 214 (1996)
- ***Beyond Colonialism and Nationalism? Ethiopia, Czechoslovakia, and "Peaceful Change"***, 65 Nordic Journal of International Law 421 (1996)
- ***Legalizing Jerusalem, or, Of Law, Fantasy, and Faith***, 45 Catholic University Law Review 823 (1996)
- ***Economic Consequences, Nationalist Passions: Keynes, Crisis, Culture, and Policy***, 10 American University Journal of International Law and Policy 619 (1995)

- *Between "Alliance" and "Localization": Nationalism and the New Oscillationism*, 26 New York University Journal of International Law and Politics 449 (1994)
- *"But the Alternative is Despair": European Nationalism and the Modernist Renewal of International Law*, 106 Harvard Law Review 1792 (1993)
- *Modernism, Nationalism, and the Rhetoric of Reconstruction*, 4 Yale Journal of Law and the Humanities 351 (1992), *revised in* Loriaux & Lynch (eds.), *Law and Moral Action* (University of Minnesota, 1999); *reprinted in* 13 Current Legal Theory 3 (1995); *abridged in* Danielsen & Engle (eds.), *After Identity: Essays in Law and Culture* (Routledge, 1994)
- *A Perilous Ambivalence: Nationalist Desire, Legal Autonomy, and the Limits of the Interwar Framework*, 33 Harvard International Law Journal 353 (1992)
- *Nationalism Legal and Linguistic: The Teachings of European Jurisprudence*, 24 New York University Journal of International Law and Politics 1515 (1992)
- *Book Review: Autonomy, Sovereignty and Self-Determination: The Accommodation of Conflicting Rights, by Hurst Hannum*, 85 American Journal of International Law 730 (1991)
- *The Paradoxes of Legitimacy: Case Studies in International Legal Modernism*, 32 Harvard International Law Journal 583 (1991)
- *Sovereignty in Abeyance: Self-Determination and International Law*, 7 Wisconsin Journal of International Law 51 (1988), *reprinted in* Martti Koskeniemi (ed.), *International Law* 389 (Dartmouth, 1992), *reprinted in* Robert McCorquodale (ed.), *Self-Determination in International Law* (Dartmouth 2000)
- *Case Comment: MPIRG v. Selective Service System*, 98 Harvard Law Review 87 (1984)

SELECTED RECENT LECTURES AND PRESENTATIONS (FALL '04-PRESENT)

- *"Critical Approaches and the Third World,"* roundtable participant at conference on "Evaluating Critical Approaches to International Law." University of Paris-I, December 2009
- *"The Goldstone Report,"* panel moderator, Brown University, November 2009

- ***"Critical Traditions in American Legal Thought,"*** series of lectures at Brown International Advanced Research Institutes, Brown University, June 2009
- ***"Conceptual Maps,"*** panel chair, at conference on "Beyond Good Governance: Rethinking Civil Society, Human Rights, and Democracy Promotion," Brown University, May 2009
- ***"The Alchemy of Empire: Nationalism, Religion, and the Genealogy of Modern Internationalism,"*** lecture at Université du Québec à Montréal, March 2009
- ***"Scandale juridique ou fondement du droit? L'Ambivalence des murs dans l'imaginaire internationaliste,"*** Colloquium on "Les Murs et le droit international," Université de Paris, January 2009
- ***"The Laws and Rights of Persons,"*** paper commentator, Center for the Study of Law and Culture Colloquium, Columbia Law School, April 2008
- ***"The Legality of the Invasion of Iraq,"*** talk at Brooklyn Law School, March 2008
- ***"Comparative Reflections,"*** panel commentator, at conference on the "The Bible and Contemporary Intellectual Discourse," Cardozo Law School, New York City, March 2008
- ***"The Alchemy of Empire, or, of Power and Primitivism,"*** Inaugural Lecture of the Centre for the Study of Colonialism, Empire, and International Law, School of Oriental and African Studies (SOAS), University of London
- ***"That of which one cannot speak ...": Towards a Genealogy of Dialogue,*** talk at Leadership Retreat, European Society of International Law / American Society of International Law, Washington, DC, January 2008
- ***"The Politics of 'War,' or, of Conscientious Objectors and Unlawful Combatants,"*** faculty workshop, Northeastern University School of Law, Boston, Massachusetts, December 2007
- ***"Has International Law Civilized Conflicts since 1907?,"*** at panel at conference on "A Wiser Century? – Judicial Dispute Settlement, Disarmament and the Laws of War 100 Years after the Second Hague Peace Conference," at the Walther Schücking Institute of International Law, University of Kiel, Germany, November 2007
- ***"Legitimacy through Defiance: from Goa to Iraq,"*** at faculty workshop at the Buffett Center for International and Comparative Studies, Northwestern University, November 2007
- ***"Primitivism and Power: A Genealogy of Internationalism,"*** lecture at the Watson Institute, Brown University, October 2007
- ***"Ambivalence as Power,"*** at panel on "The Sacred Trust: Legacies of the League of Nations Mandates System," conference of the American Section of the International Law Association, New York, October 2007
- ***"The Sacred Conspiracy": Nationalism, Religion, and the Internationalist Imagination,*** at conference on "International Law and Wars of Religion," University of Lund, Sweden, September 2007

- ***“Imperial Ambivalences: Scenes from a Critical History of Internationalism,”*** lecture at Human Rights Workshop, Yale Law School, May 2007
- ***“Law in Denial or Law in Control? Reflections on War in the Twilight of an Era,”*** lecture in the University of Wisconsin Global Legal Studies Lecture Series on Law, War and Human Security, April 2007
- ***“Disciplining Resistance, or, the Law of Revolution,”*** at conference on Third World Approaches to International Law, Albany Law School, April 2007
- ***“Counter-insurgency and the War on Terror: A Deadly Convergence?”*** organizer and moderator of panel, at the Annual Meeting of the American Society of International Law, Washington, DC, March 2007
- ***“Legitimacy through Defiance,”*** at panel on “Speaking the International: Rhetoric and Reality in World Politics,” International Studies Association Convention, Chicago, February 2007
- ***“The Failure of Liberal International Law,”*** commentator on panel, at ASIL Symposium on “Liberalism, Cosmopolitanism and the Foundations of International Law,” American Society of International Law, Washington, DC, November 2006
- ***“Two, Three, Many Vietnams Iraqs? Another Age of Anxious Empire,”*** at conference on “International Law after the Age of Three Worlds: Comparative and Historical Perspectives,” American University Washington College of Law School, September 2006
- ***“A Dangerous Proximity: Exile, the Demonic, and the Sacred,”*** at Textual Reasoning Conference on “Cosmopolitanism, Post-Ethnicity, and the New Jewish Diaspora,” University of Indiana, August 2006
- ***“The Law of War as a Field of Battle,”*** AJC ACCESS Program, April 2006
- ***“1906: The Birth of the American Society of International Law and ‘Guerrilla Warfare,’”*** at Roundtable on “War, Force, Revolution,” Annual Meeting of the American Society of International Law, March 2006
- ***“Intervention in a ‘Divided World’: Axes of Legitimacy,”*** Faculty Workshop, Boston University Law School, February 2006
- ***“The Law of War as a Field of Battle,”*** at Globalization, Law, & Justice Workshop Series, University of Toronto Faculty of Law, November 2005
- ***“Les Ambivalence Impériales,”*** at workshop on “Impérialisme et droit international en Europe et en Amérique,” Université de Paris-I, December 2005
- ***“The Law of War as a Field of Battle”*** – series of four lectures at the University of Tilburg, the Netherlands, October 2005
- ***“Symposium on War and Trade”*** – I co-organized this symposium and gave the opening substantive lecture, entitled ***“War, Trade, and the Construction of the International.”*** Brooklyn Law School, September 2005

- ***“Guantanamo Bay and Conflict of Laws,”*** at workshop on “New Directions in Private International Law Workshop,” Faculty of Law, University of Toronto, April 2005
- ***“Rationality in Abeyance, or, Plus c’est la même chose, plus ça change,”*** at conference on “The Relationship between the Modes of Legal Rationality and the Contexts of Production of Legal Discourse,” Harvard Law School, April 2005
- ***“Invading War’s Boundaries: Partisans, Nationalists, Terrorists, and other ‘Wild Beasts’,”*** lecture in ongoing series on “Interrogating Boundaries,” sponsored by the Office of Global Learning and the English Department, Fairleigh Dickinson University, April 2005
- ***“Privileging Combat? Contemporary Conflict and the Legal Construction of War,”*** at Law Librarians of New England Spring Meeting, April 2005
- ***“Privileging Combat? Contemporary Conflict and the Legal Construction of War,”*** at Rutgers Law School (Newark), faculty colloquium
- ***“Human Rights, Non-Citizens, and Sovereign Anxiety,”*** at conference on “The Economic & Social Rights of Non-Citizens,” New York University School of Law, March 2005
- ***“Continental European Law: A Tradition Renewed,”*** convener of roundtable, at conference on “Comparative Visions of Global Public Order Symposium,” Harvard Law School, March 2005
- ***“Privileging Combat? Contemporary Conflict and the Legal Construction of War,”*** presentation to Comparative Law & Politics Discussion Group, New York Law School, March 2005
- ***“Hégémonie et droit international,”*** lecture at Université de Paris-I (Panthéon/Sorbonne), January 2005
- ***“Droit de Guerre comme Champ de Bataille,”*** lecture at Université de Paris-I (Panthéon/Sorbonne), January 2005
- ***“Nationalisme, colonialisme, et renouveau moderniste du droit international,”*** lecture at Université de Paris-I (Panthéon/Sorbonne), January 2005
- ***“Autonomy from What? Anxiety, Transgression, and the Specificity of Law”*** at conference on International Legal Positivism, British Institute of International and Comparative Law, December 2004
- ***“Privileging Combat? Contemporary Conflict and the Legal Construction of War,”*** lecture at European Law Research Center, Harvard Law School, November 2004

- *“Abjection: Resistance from Within in the Age of Empire”* at conference on “Law of Dignity / Politics of Shame,” Harvard Law School, November 2004
- *“Partisans, Nationalists, Barbarians, Outlaws: The Violent Ambivalences of International Legal History,”* at conference on “Time, History, and International Law,” cosponsored by SOAS, Queen Mary Faculty of Law, and the British Institute of International and Comparative Law, October 2004

LANGUAGES

French and Hebrew

CONTACT INFORMATION

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