

NATHANIEL BERMAN
Professor of Law

TENURED APPOINTMENTS

Brooklyn Law School, Professor of Law – 2002-present

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

OTHER APPOINTMENTS

Université Paris – I, Professeur-chercheur associé au CERDIN-Paris I (Centre d'études et de recherche en droit international de l'Université Paris I) (Directeurs: J.M Sorel et E. Jouannet) – December 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 – May 2006-present

Université de Paris-I (Sorbonne/Panthéon) – 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, Visiting Professor – Winter 2003

Courses: Wars and Laws; International Law

Visiting Scholar, Columbia Law School – 2001-02

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

Courses: Law and Literature; Law and Politics

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*

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*

SELECTED PREVIOUS EXPERIENCE

**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

PROFESSIONAL AFFILIATIONS

Member of the Executive Council of the American Society of International Law

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

Harvard European Law Research Center

PUBLICATIONS

- **Book Manuscript in preparation**

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

- **Articles in Preparation**

- *"The Sacred Conspiracy": Nationalism, Religion, and the Internationalist Imagination*
- *Aestheticism, Rationalism, and Esotericism: Medieval Scholarship and Contemporary Polemics (review essay)*, forthcoming in *Jewish Quarterly Review* (2008)

- **Articles, book chapters, etc.**

- *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, (forthcoming December 2007)
- *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)

- *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 Rif*, 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 Koskenniemi (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)

- **"Has International Law Civilized Conflicts since 1907?,"** 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,”*** convenor 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

468 Riverside Drive, Apt. 91
 New York, NY 10027
 917-493-2996
nathaniel.berman@brooklaw.edu