

PAUL LINDEN-RETEK

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ACADEMIC APPOINTMENTS

University at Buffalo School of Law

- 2022- Associate Professor of Law
- 2020-22 Lecturer in Law & Society
- 2020-22 Research Fellow, Baldy Center for Law & Social Policy

Yale University

- 2019-20 Lecturer, Department of Political Science
- 2019-20 Fellow, Schell Center for International Human Rights, Yale Law School
- 2014-20 Co-founder and Advisor, Multidisciplinary Academic Program in Human Rights Studies

New York University School of Law

- 2018-19 Post-doctoral Emile Noël Global Fellow, Jean Monnet Center for International and Regional Economic Law & Justice

EDUCATION

Yale University, M.A., M.Phil., Ph.D., Political Science, 2012-2018

With departmental and university distinction

Field certifications: Political Theory, Comparative Politics, Qualitative and Archival Methods

Dissertation: *The time of law: Europe's crisis and the future of post-national constitutionalism*

Committee: Seyla Benhabib (chair), Bruce Ackerman, Hélène Landemore, and Paul W. Kahn

James G. March Prize for outstanding dissertation in any field of political science

Nominated for the American Political Science Association's William Anderson Award (best dissertation in general field of federalism) and Edward S. Corwin Award (best dissertation in public law)

Yale Law School, J.D., 2012

Jerome Sayles Hess Fund Prize for excellence in field of international law

Student Director, Allard K. Lowenstein International Human Rights Clinic

Editor, *Yale Human Rights and Development Law Journal*

Editor, *Yale Journal of International Law*

Harvard University, A.B., Committee on Degrees in Social Studies, 2008

summa cum laude, Phi Beta Kappa

Thomas T. Hoopes Prize for undergraduate honors thesis: 'Public Responsibility, Solidarity, and Citizenship: Václav Havel and Jürgen Habermas on Morality and Democratic Politics'

TEACHING AREAS

Law: Comparative constitutional law, international human rights law, public international law, European Union law, international economic law, constitutional law and theory, critical legal studies, law and literature

Political Theory: Modern and contemporary political theory, critical theory, democratic theory

PUBLICATIONS

'Europe and the federal conceit' *Jurisprudence*, forthcoming

'Neither trumps nor interests: Rights, pluralism, and the recovery of constitutional judgment' (2022) 70(3) *Cleveland State Law Review* 393-458

'The refugees we are: Solidarity, asylum, and critique in the European constitutional imagination' (2021) 22(4) *German Law Journal* 506-33

'History, system, principle, analogy: Four paradigms of legitimacy in European law' (2021) 26(3) *Columbia Journal of European Law* 1-52

- ‘The subjects of spatial statism: Reclaiming politics and law in international entanglement’ (2020) 18(1) *International Journal of Constitutional Law* 36-44
- ‘Cosmopolitan law and time: Toward a theory of constitutionalism and solidarity in transition’ (2015) 4(2) *Global Constitutionalism* 157-94
- ‘The Spirit and Task of Democratic Cosmopolitanism: European Political Identity at the Limits of Transnational Law’ (2012) 8(8) *Croatian Yearbook of European Law and Policy* 175-226
- ‘Supervised Independence and Post-Conflict Sovereignty: The Dynamics of Hybridity in Kosovo’s New Constitutional Court’ (with Steven Hill) (2010) 36 *Yale Journal of International Law Online* 26-43
- BOOK *A Critical Theory of Postnational Constitutionalism: Europe and the Time of Law*, under contract, Oxford University Press
- BOOK CHAPTERS ‘At the borders of the self: Democratic iterations as a theory of post-national sovereignty’, *In Search of the Concrete Universal*, S Eich et al, eds, (New York: Columbia University Press, forthcoming)
- ‘Constitutional patriotism as Europe’s public philosophy? On solidarity and responsiveness in post-national law’, *EU Constitutional Imagination: Between Ideology and Utopia*, J Komárek, ed (Oxford: Oxford University Press 2022)
- ‘Judith Shklar’s Critique of Legalism’ (with Seyla Benhabib), *The Cambridge Companion to the Rule of Law*, J Meierhenrich and M Loughlin, eds (Cambridge, UK: Cambridge University Press 2021)
- In German translation: ‘Judith Shklars Kritik des Legalismus’ (2018) 9(2) *ZPTh - Zeitschrift für Politische Theorie* 179-192
- BOOK REVIEWS ‘The burdens of love and time’ (Spring 2022) 198 *Telos* 162-71 (review of Paul Kahn, *Testimony*, Cascade Books)
- ‘Our fleeting moments: Legal thought in a confessional key’ (December 2020) *Law, Culture, and the Humanities* 1-5 (review of James Boyd White, *Keep Law Alive*, Carolina Academic Press)
- PROFESSIONAL EXPERIENCE Legal Adviser, Central and Eastern European Rule of Law Initiative (CEELI), Prague, Czech Republic, 2012
- Legal Adviser, Human Rights Section, Office of the Government of the Czech Republic, 2011
- Legal Adviser, Legal Unit, International Civilian Office/EU Special Representative, Kosovo, 2010
- Human Rights Adviser, EU Department, Ministry of the Environment of the Czech Republic, 2008-9
- ADVOCACY REPORTS AND LEGAL SUBMISSIONS Third Party Intervention, European Court of Human Rights, Cases *S.S. and Others v. Italy* (App. No. 21660/18) and *C.O. and A.J. v. Italy* (App. No. 40396/18), Allard K. Lowenstein International Human Rights Clinic, Yale Law School, 2019 (supervising co-author with Prof. James Silk, Alisha Bjerregaard, Talya Lockman-Fine, and Catherine Crooke)
- ‘Welcome Home: The Rise of Tent Cities in the United States’, Report of the National Law Center on Homelessness and Poverty and Allard K. Lowenstein International Human Rights Clinic, Yale Law School, March 2014 (co-author with Julie Hunter, Sirine Shebaya, and Samuel Halpert)
- ‘Challenging Laws Restricting Religious Dress in European States’, Litigation advocacy paper prepared for the Open Society Justice Initiative by the Allard K. Lowenstein International Human Rights Clinic, Yale Law School, March 2012 (co-author with Edwina Clarke and Sally Pei)

'The Involvement and Responsibilities of International Financial Institutions in Asian Farmland Investment', Report prepared for the Asian NGO Coalition for Agrarian Reform and Rural Development, Allard K. Lowenstein International Human Rights Clinic, Yale Law School, April 2011 (co-author with Megan Corrarino, Lauren Oleykowski, and Chelsea Purvis)

'International, Regional, and National Standards and Practices on Recognition and Treatment of Stateless Persons', Memorandum prepared for the European Roma Rights Centre by the Allard K. Lowenstein International Human Rights Clinic, Yale Law School, October 2010 (co-author with Sadie Blanchard and Justin Lo)

'Specific Instance of Conduct in La Oroya, Peru by Doe Run', Draft OECD complaint prepared for Oxfam Peru by the Allard K. Lowenstein International Human Rights Clinic, Yale Law School, August 2010 (co-author with Megan Corrarino, Stephanie Keene, and Sirine Shebaya)

INVITED TALKS

'A world held in common: Reply to Sarah Song' *Borders, Refuge, and Rights*, Robert L. Bernstein International Human Rights Symposium, Yale Law School, 4-5 April 2019

'Structure and Paradoxes of European Asylum Law', guest lecture, *Refugee, Migration, and Citizenship Law: A Comparative Perspective* (Prof. Seyla Benhabib), Columbia Law School, 26 March 2019

'Habermas's "The European nation-state" and post-national belonging', guest lecture, *Borders, Culture and Citizenship* (Prof. Seyla Benhabib), Yale College course, 14 November 2018

'The European system of human rights protection', guest lecture, *Theories, Practices, and Politics of Human Rights* (Profs. Thania Sanchez and Nick Robinson), Yale College, 9 March 2017

'"Well-founded fear": Growth and crisis in international and European refugee law, 1951-2016', guest lecture, *Borders, Culture and Citizenship* (Prof. Seyla Benhabib), Yale College, 24 October 2016

'Imagining the post-national constitution', Common Law Society Summer Program, Czech Republic, 12 July 2016

'Human rights protection in Europe: logics, achievements, and limitations', guest lecture, *Human Rights Theory and Practice* (Profs. Alice Miller and David Simon), Yale College, 2 February 2016

'The Greek crisis and the failure of European solidarity: Limits and possibilities of human rights law', Human Rights Workshop, Yale Law School, 5 November 2015

PRESENTATIONS

'"Safe third country": A theory of a dangerous concept and the democratic ends of international human rights' Goethe University, Frankfurt, 'Borders, Territory and Rights: Changing Legal Cartographies of Migration and Mobility', 30 June 2022

'Post-nationalism as anti-reification: A critical theory of European Union jurisprudence' Law & Society Association (LSA), Annual Meeting, Lisbon, Portugal, 14 July 2022
Charles University, Prague, 'European Constitutionalism and the Virus of Distrust', 27 April 2022
AALS Annual Meeting, EU Law Works-in-Progress Panel, 7 January 2022

'Neither trumps nor interests: Rights, pluralism, and the recovery of constitutional judgment' University at Buffalo School of Law, Faculty Workshop, 4 December 2020
American Political Science Association (APSA), Annual Meeting, 12 September 2020

'"Return to Europe": The constitutional futures of existential revolution, 1989-2019' Philosophy and Social Science (Critical Theory Colloquium), Prague, 30 May 2019
American Political Science Association (APSA), Annual Meeting, Washington, DC, 29 August 2019

‘History, system, principle, analogy: Four paradigms of legitimacy in European law’
 Association of American Law Schools (AALS) Annual Meeting, EU Law Works-in-Progress Panel, New Orleans, 5 January 2019
 iCourts, University of Copenhagen, *EU Constitutional Imagination*, 1-2 November 2018

‘A faltering transnational order: Populism, European integration, and the long shadow of Schmitt’s *Grossraum*’
 American Political Science Association (APSA), Annual Meeting, Boston, 2 September 2018

‘Saving judgments: Discourses of authority in European asylum law’
 Columbia Law School, *The Disintegration of Europe and the Refugee Crisis*, 16 April 2018

‘Cosmopolitan legal narrative: Commitment to a law not merely one’s own’
 Association for the Study of Law, Culture, and the Humanities, Stanford Law School, 1 April 2017
 New England Political Science Association (NEPSA), Annual Meeting, Newport, 23 April 2016

‘Solidarity as a post-national legal concept, or what is it to be a cosmopolitan constitutional patriot?’
 Annual Critical Theory Roundtable, Yale University, 1-3 October 2015

‘Solidarity in Liquid Times: European Constitutionalism, Cosmopolitan Receptivity and the Meaning of Law’
 Charles University, *Democracy in Times of Crisis*, Prague, 14-15 November 2013
 Yale University, *Empathy: An Interdisciplinary Conference*, 26-27 April 2013

‘Juridified Identities and the Limits of a Transnational Legal Order: Groundwork for a New Europe of Democratic Cosmopolitanism’
 International University Centre, Dubrovnik, Advanced Issues of European Union Law – 10th session, *EU Enlargement: Identities, Values and Market*, 22-28 April 2012

PUBLIC
 COMMENTARY AND
 OTHER
 PUBLICATIONS

‘Whose suffering matters?’ *Boston Review*, 22 September 2021

‘How refugees can save Europe’ *Boston Review*, 27 January 2016

‘Why Crimea is not Kosovo, and why it matters’ *openDemocracy*, 18 March 2014 (with Evan Brewer)

‘Dar humánní politiky: Vzpomínání na Václava Havla’ *Hospodarske Noviny*, 18 December 2012 [Czech daily]

‘Soumrak elit, aneb skryté neduhy meritokracie’ *Hospodarske Noviny*, 24 July 2012 [Czech daily]

‘Ano, prosím!’, *A2*, July 2012 [Czech political/literary magazine]

‘Silnější Evropa nebo demokratická suverenita? Ano, prosím!’ *Hospodarske Noviny*, 31 March 2012 [Czech daily]

‘Stronger Europe or Democratic Sovereignty? Yes, please!’ *openDemocracy*, 12 February 2012

‘Čtosti Occupy Wall Street’ *Hospodarske Noviny*, 11 January 2012 [Czech daily]

‘Remembering Václav Havel’ *Yale Daily News*, 10 January 2012

FELLOWSHIPS AND
 AWARDS

James G. March Prize for outstanding dissertation in any field of political science, Yale University, 2018

Robina Foundation Visiting Human Rights Fellowship, Yale Law School, 2015-18

University Dissertation Fellowship, Yale University Graduate School of Arts and Sciences, 2016

Albert J. Meiler and George A. (B.A. 1916) Meiler Memorial Fellowship, Yale University, 2015-16

Charles Deere Wiman (Ph.B. 1914) Memorial Fellowship, Yale University, 2014-15

Graduate Fellowship, Schell Center for International Human Rights, Yale Law School, 2012-14

Jerome Sayles Hess Fund Prize for excellence in field of international law, Yale Law School, 2012

Paul & Daisy Soros Fellowship for New Americans, Class of 2011

ACADEMIC SERVICE Reviewer: *International Journal of Constitutional Law*, *Political Research Quarterly*
Secretary, Section on European Law, Association of American Law Schools, 2022-
Faculty Advisory Committee, Multidisciplinary Academic Program in Human Rights, Yale College, 2014-2020
Graduate Student Coordinator, Yale Political Theory Workshop, 2013-14, 2014-15
Convener, '(Re-)reading Robert Cover' Reading Group, Yale Law School, 2016 (with Benedict Vischer)
Convener, 'Politics of Time and Value' Reading Group, Yale University, 2013-14 (with C. Dege and L. Gilson)
Director, Board of Directors, European Horizons and European Student Conference at Yale, 2015-19
Editor-in-Chief, *Review of European & Transatlantic Affairs*, 2015-16 (with Philipp Kotlaba)
Resident Graduate Affiliate, Saybrook College, Yale University, 2012-16
Chair, 'Before the Law: Imagination, History, and Reason in Democracy's Legal Culture', Forum 2000
Conference, Prague, 12 October 2014
Chair, 'Masaryk's Debates', Forum 2000 Conference, DOX Centre for Contemporary Art, Prague, 15 October 2014
Chair, *Havel 75: Public Reflections on Dissidence, Human Rights, and Democracy*, Bohemian National Hall, New
York, NY, October 2011

PROFESSIONAL
MEMBERSHIPS International Society of Public Law (ICON)
American Political Science Association (APSA)
Law & Society Association (LSA)
Association for the Study of Law, Culture, and the Humanities (ASLCH)