

PAUL LINDEN-RETEK

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ACADEMIC

APPOINTMENTS

University at Buffalo School of Law

- 2022- Associate Professor of Law
- 2023- Co-director, Buffalo Human Rights Center
- 2024- Director, Human Rights Practicum
- 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*

TEACHING AREAS

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

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

PUBLICATIONS

'The Postnational Aspirations of European Law' 73 *Buffalo Law Review* 101-50 (forthcoming 2025)

'Europe and the federal conceit' (2022) 13(3) *Jurisprudence* 458-74 (review essay)

'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

BOOKS

- Postnational Constitutionalism: Europe and the Time of Law* (Oxford University Press 2023)
- Reviewed in: *European Constitutional Law Review*, *European Journal of Legal Studies*, *Jurisprudence*, *Review of Democracy*
- Critical Theory and European Union Law: The Question of Postnational Emancipation* (co-edited with Päivi Neuvonen, Hart Publishing, forthcoming 2025)
- Critical Encounters with Habermas’s Political and Legal Theory* (co-edited with John Abromeit and Matthew Dimick, Brill Publishers, forthcoming 2025)

BOOK CHAPTERS

- ‘A Postnational Bearing: Reflections on European Constitutionalism and Legal Form’, *Critical Theory and European Union Law: The Question of Postnational Emancipation* (P Neuvonen and P Linden-Retek, eds, Hart Publishing, forthcoming 2025)
- ‘Introduction: The Pasts and Futures of *Between Facts and Norms*—A Critical Exchange’ (with John Abromeit and Matthew Dimick), *Critical Encounters with Habermas’s Political and Legal Theory* (J Abromeit, M Dimick, and P Linden-Retek, eds, Brill Publishers, forthcoming 2025)
- ‘“Safe Third Country”: Democratic Responsibility and the Ends of International Human Rights’, *Lawless Zones, Rightless Subjects: Migration, Asylum, and Shifting Borders* (Seyla Benhabib & Ayelet Shachar, eds, Cambridge University Press 2024)
- ‘At the borders of the self: Democratic iterations as a theory of post-national sovereignty’, *Another Universalism: Seyla Benhabib and the Future of Critical Theory* (S Eich et al, eds, Columbia University Press 2023)
- ‘Constitutional patriotism as Europe’s public philosophy? On the responsiveness of post-national law’, *European Constitutional Imaginaries: Between Ideology and Utopia* (J Komárek, ed, Oxford Univ. Press 2023)
- ‘Judith Shklar’s Critique of Legalism’ (with Seyla Benhabib), *The Cambridge Companion to the Rule of Law* (J Meierhenrich and M Loughlin, eds, Cambridge University Press 2021)
- In German translation: ‘Judith Shklars Kritik des Legalismus’ (2018) 9(2) *ZPTh - Zeitschrift für Politische Theorie* 179-92

BOOK REVIEWS AND SHORT ESSAYS

- ‘Postnational Society and its Law’, *Encyclopedia of the Sociology of Law* (Hakan Hyden, Ulrike Schultz and Peter Scharff Smith, eds, Edward Elgar, forthcoming 2025)
- ‘Differentiation or dialectic: Pluralism and contestation in European economic constitutionalism’, *European Law Open* (forthcoming 2025) (with Marija Bartl) (symposium essay)
- ‘Law in the fullness of time’, *Journal of Law & Society* (2025) (review of Massimo Fichera, *The EU and Constitutional Time: The Significance of Time in Constitutional Change*, Edward Elgar)
- ‘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*
(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-editor with Prof. James Silk, Alisha Bjerregaard, Talya
Lockman-Fine, and Catherine Crooke)

‘Challenging Laws Restricting Religious Dress in European States’, Litigation advocacy paper prepared for the
Open Society Justice Initiative, 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, 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,
Allard K. Lowenstein International Human Rights Clinic, Yale Law School, August 2010 (co-author with
Megan Corrarino, Stephanie Keene, and Sirine Shebaya)

INVITED TALKS

‘Postnational Aspirations’, Law Department, European University Institute, 10 June 2025

‘European and Postnational Aspirations: Legal Form, Structural Justice, and Constitutional Hope’, Faculty of Law,
Lund University, Sweden, 5 June 2025

‘Post-nationalism as anti-reification: A critical theory of European Union law’, Durham European Law Institute
(DELI), Durham Law School, 11 January 2023

‘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

- ‘Refugee law and freedom’
Association of American Law Schools (AALS) Annual Meeting, New Voices in Human Rights and International Law, Washington, DC, 3 January 2024
- ‘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	<p>‘Whose suffering matters?’ <i>Boston Review</i>, 22 September 2021</p> <p>‘How refugees can save Europe’ <i>Boston Review</i>, 27 January 2016</p> <p>‘Why Crimea is not Kosovo, and why it matters’ <i>openDemocracy</i>, 18 March 2014 (with Evan Brewer)</p> <p>‘Dar humánní politiky: Vzpomínání na Václava Havla’ <i>Hospodarske Noviny</i>, 18 December 2012 [Czech daily]</p> <p>‘Soumrak elit, aneb skryté neduhy meritokracie’ <i>Hospodarske Noviny</i>, 24 July 2012 [Czech daily]</p> <p>‘Ano, prosím!’, <i>A2</i>, July 2012 [Czech political/literary magazine]</p> <p>‘Silnější Evropa nebo demokratická suverenita? Ano, prosím!’ <i>Hospodarske Noviny</i>, 31 March 2012 [Czech daily]</p> <p>‘Stronger Europe or Democratic Sovereignty? Yes, please!’ <i>openDemocracy</i>, 12 February 2012</p> <p>‘Ctnosti Occupy Wall Street’ <i>Hospodarske Noviny</i>, 11 January 2012 [Czech daily]</p> <p>‘Remembering Václav Havel’ <i>Yale Daily News</i>, 10 January 2012</p>
FELLOWSHIPS AND AWARDS	<p>James G. March Prize for outstanding dissertation in any field of political science, Yale University, 2018</p> <p>Robina Foundation Visiting Human Rights Fellowship, Yale Law School, 2015-18</p> <p>University Dissertation Fellowship, Yale University Graduate School of Arts and Sciences, 2016</p> <p>Albert J. Meiler and George A. (B.A. 1916) Meiler Memorial Fellowship, Yale University, 2015-16</p> <p>Charles Deere Wiman (Ph.B. 1914) Memorial Fellowship, Yale University, 2014-15</p> <p>Graduate Fellowship, Schell Center for International Human Rights, Yale Law School, 2012-14</p> <p>Jerome Sayles Hess Fund Prize for excellence in field of international law, Yale Law School, 2012</p> <p>Paul & Daisy Soros Fellowship for New Americans, Class of 2011</p>
ACADEMIC SERVICE	<p>Reviewer: <i>International Journal of Constitutional Law</i>, <i>Political Research Quarterly</i>, <i>International Journal of Social Imaginaries</i></p> <p>Chair, Section on European Law, Association of American Law Schools, 2024-2025</p> <p>Chair-elect, Section on European Law, Association of American Law Schools, 2023-2024</p> <p>Expert Committee, Constitutionalism and Human Rights Centre, Faculty of Law, Charles University, 2022-</p> <p>Secretary, Section on European Law, Association of American Law Schools, 2022-23</p> <p>Faculty Advisory Committee, Multidisciplinary Academic Program in Human Rights, Yale College, 2014-2020</p> <p>Graduate Student Coordinator, Yale Political Theory Workshop, 2013-14, 2014-15</p> <p>Convener, ‘(Re-)reading Robert Cover’ Reading Group, Yale Law School, 2016 (with Benedict Vischer)</p> <p>Convener, ‘Politics of Time and Value’ Reading Group, Yale University, 2013-14 (with C. Dege and L. Gilson)</p> <p>Director, Board of Directors, European Horizons and European Student Conference at Yale, 2015-19</p> <p>Editor-in-Chief, <i>Review of European & Transatlantic Affairs</i>, 2015-16 (with Philipp Kotlaba)</p> <p>Resident Graduate Affiliate, Saybrook College, Yale University, 2012-16</p> <p>Chair, ‘Before the Law: Imagination, History, and Reason in Democracy’s Legal Culture’, Forum 2000 Conference, Prague, 12 October 2014</p> <p>Chair, ‘Masaryk’s Debates’, Forum 2000 Conference, DOX Centre for Contemporary Art, Prague, 15 October 2014</p> <p>Chair, <i>Havel 75: Public Reflections on Dissidence, Human Rights, and Democracy</i>, Bohemian National Hall, New York, October 2011</p>