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Education

Yale Law School

J.D. 1997

Book Reviews Editor, Yale Law Journal

Olin Fellow in Law & Economics

Oxford University

D. Phil. in Islamic Political Thought, Faculty of Oriental Studies 1994

Rhodes Scholar, Massachusetts and Christ Church 1992

Dissertation: Reading the *Nicomachean Ethics* with Averroes

Harvard University

A.B. *summa cum laude* in Near Eastern Languages and Civilizations 1992

Sophia Freund Prize for highest GPA in graduating class

Phi Beta Kappa, elected as a Junior

Harry S. Truman Scholar, Massachusetts 1990

Jacob Wendell Prize for most promising freshman scholar

Roger Bigelow Merriman Prize for Best Scholar in Eliot House

Newbold Rheinlander Landon Prize for law-bound student of classics

The Maimonides School, Brookline, Massachusetts 1988

Presidential Scholar, Massachusetts 1988

Work and Teaching Experience

Harvard Law School

Bemis Professor of International Law, 2007-

New York University School of Law

Cecelia Goetz Professor of Law, 2006-2007; Faculty Co-Director, Center on Law and Security, 2004-2007

Carnegie Scholar

Topic: Constitutional Change in the Islamic World, 2005-2006

Council on Foreign Relations Adjunct Senior Fellow, 2006-

New York Times
Contributing Writer 2005-

New America Foundation
Adjunct Fellow, 2002-2005

Yale Law School
Visiting Associate Professor, Fall 2004

Harvard Law School
Visiting Associate Professor, Spring 2005

New York University School of Law
Associate Professor, 2004-2005, Assistant Professor, 2001-4, Director of the NYU-
Oxford Institute

Senior Constitutional Advisor to Iraqi Constitutional Process
Coalition Provisional Authority, 2003

Harvard University Society of Fellows
Junior Fellow, 1998-2001

Associate Justice David H. Souter, U.S. Supreme Court
Law clerk, 1998-1999

Chief Judge Harry T. Edwards, U.S. Court of Appeals for the D.C. Circuit
Law clerk, 1997-1998

Yale University
Visiting Lecturer, 1996

Department of Justice, Office of Policy Development, 1995
Summer associate
Research on Posse Comitatus Act for Oklahoma City bombing investigation

Oxford University Tutor, 1994

Office of the Comptroller of the Currency, 1994
Summer associate
Research for Comptroller Eugene Ludwig and Chief Counsel

Department of State, Consulate General Jerusalem, 1992
Intern Political/Economic Officer
Spot and analytical reporting on Palestinian affairs and the peace process

Publications

Scorpions: The Battles and Triumphs of FDR's Great Justices (Twelve Books 2010—forthcoming)

The Fall and Rise of the Islamic State (Princeton University Press 2008)

Divided by God: America's Church-State Problem (Farrar, Straus & Giroux 2005)

What We Owe Iraq: War and the Ethics of Nation Building (Princeton University Press 2004)

After Jihad: America and the Struggle for Islamic Democracy (Farrar, Straus & Giroux 2003)

The Framers' Church-State Problem—and Ours, in Jack M. Balkin and Reva B. Siegel, eds., *The Constitution in 2020* (Oxford University Press 2009)

Enemy-Criminals: The Law and the War on Terror, in Karen J. Greenberg and Joshua L. Dratel, eds., *The Enemy Combatant Papers: American Justice, the Courts, and the War on Terror* (Cambridge University Press 2008)

Shari'a and Islamic Democracy in the Age of al-Jazeera, in Abbas Amanat and Frank Griffel, eds., *Shari'a: Islamic Law in the Contemporary Context* (Stanford University Press 2007)

War and Reason in Maimonides and Averroes, in Richard Sorabji and David Rodin, eds., *The Ethics of War: Shared Problems in Different Traditions* (Ashgate Publishing Limited 2006)

Ethics of War: Judaism, in Richard Sorabji and David Rodin, ed., *The Ethics of War: Shared Problems in Different Traditions* (Ashgate Publishing Limited 2006)

Ugly Americans, in Karen Greenberg, ed., *The Torture Debate in America* (Cambridge University Press 2006)

The Triumphant Decline of the WASP, *The New York Times*, June 25, 2010

Imagining a Liberal Court, *The New York Times Magazine*, June 21, 2010

For President Obama, Many Gaps to Fill on the Bench, *The New York Times*, May 8, 2010

The Next Supreme Court Nominee, *Esquire*, February 2010

Response to Hamoudi (reply to Haider Ala Hamoudi's review of *The Fall and Rise of the Islamic State*), *2 Middle East Law and Governance* 104 (2010)

Religion and the Earthly City, *76 Social Research* 989 (Winter 2009)

When Arrogance Takes the Bench, *The New York Times*, June 10, 2009

A Prison of Words, The New York Times, March 18, 2009

In Defense of Secrecy, The New York Times Magazine, February 10, 2009

Fighting the Last War? The New York Times Magazine, November 30, 2008

When Judges Make Foreign Policy, The New York Times Magazine, September 28, 2008

Buildup to the Next War, The New York Times Magazine, August 10, 2008

The New Pariahs? The New York Times Magazine, June 22, 2008

Indecisive Moments, The New York Times Magazine, April 6, 2008

Why Shariah? The New York Times Magazine, March 17, 2008

Veiled Democracy? The New York Times, February 8, 2008

Vanishing Act, The New York Times Magazine, January 13, 2008

What Is It About Mormonism? The New York Times Magazine, January 6, 2008

Take It on Faith, Review of John DiIulio's *Godly Republic: A Centrist Blueprint for America's Faith-Based Future*, The New York Times Book Review, December 16, 2007

Democratosis, The New York Times Magazine, October 7, 2007

Universal Faith, The New York Times Magazine, August 26, 2007

Orthodox Paradox, The New York Times Magazine, July 22, 2007

Piece Process, The New York Times Magazine, June 24, 2007

The Undeparted, The New York Times Magazine, April 8, 2007

Japan's Uncomfortable History, Jeannie Suk and Noah Feldman, Wall Street Journal, March 12, 2007

Declarative Sentences: Congress Has the Power to Make and End War—
Not Manage It, Noah Feldman and Samuel Issacharoff, Slate, March 5, 2007

Choosing a Sect, The New York Times Magazine, March 4, 2007

Cosmopolitan Law, 116 Yale L.J. 1022 (March 2007)

In God We Trust, The American Scholar (Winter 2007)

Whose War Powers? The New York Times Magazine, February 4, 2007

Not the Case, The New York Times Magazine, January 7, 2007

The International Migration of Constitutional Norms in the New World Order, Noah Feldman, Roman Martinez and Vicki C. Jackson, 75 Fordham L. Rev. 883 (November 2006)

Establishing Constitutions and Religions, 4 Faith & Intl. Aff. 3 (Winter 2006)

Islam, Terror and the Second Nuclear Age, The New York Times Magazine, October 29, 2006

The Mere Midterms, The New York Times Magazine, October 22, 2006

Why Not Talk? The New York Times Magazine, October 1, 2006

Ballots and Bullets, The New York Times Magazine, July 30, 2006

Out of One, Many, The New York Times Book Review, July 30, 2006

The Only Exit Strategy Left, The New York Times Magazine, June 25, 2006

The God Factor (reviewing Madeline Albright, *The Mighty and the Almighty: Reflections on America, God, and World Affairs*), Washington Post Book World, May 14, 2006

Disunities, New York Times Magazine, April 9, 2006

Power Struggle, Tribal Conflict or Religious War? Time Magazine, March 6, 2006

Not in the Heavens, New Republic, February 20, 2006

Becoming bin Laden (reviewing *Messages to the World: The Statements of Osama bin Laden*, edited and introduced by Bruce Lawrence, translated by James Howarth), New York Times Book Review, February 12, 2006

Deliberation Nation, New York Times Magazine, February 5, 2006

Who Can Check the President? New York Times Magazine, January 8, 2006

War-Mood Metrics, New York Times Magazine, December 11, 2005

The Totally Religious, Absolutely Democratic Constitution, New York Times Magazine, December 11, 2005

The Meaning of No, New York Times Magazine, October 9, 2005

Agreeing to Disagree in Iraq, New York Times, August 30, 2005

Foundering? New York Times Magazine, July 31, 2005

The God Divide, New York Post, July 10, 2005

A Church-State Solution, New York Times Magazine, July 3, 2005

Grappling with Iraq, Washington Post Book World, June 12, 2005

Ugly Americans, New Republic, May 30, 2005

A Backroom Constitution? Wall Street Journal, April 8, 2005

Political Islam: Global Warning, New York Times Magazine, February 6, 2005

Division, Design, and the Divine: Church and State in Today's America, 30 Okla. City U.L. Rev. 845 (Fall 2005)

Imposed Constitutionalism, 37 Conn. L. Rev. 857 (2005)

The Democratic Fatwa: Islam and Democracy in the Realm of Constitutional Politics, 58 Okla. L. Rev. 1 (2005)

Democracy, Islam, and the Tradition of Ibn Rushd, in *Le Dialogue des Cultures: est-il possible?* (Ministere de la culture – Rabat – Roaume du Maroc, 2005)

Aristotelian Equity and Accretionary in Maimonides, in Hanina Ben-Menahem and Berachyahu Lifshitz, eds. *On Law and Equity in Maimonidean Jurisprudence* (2004)

The Theorists' Constitution—and Ours, 117 Harv. L. Rev. 1163 (2004)

The Sunni Angle, Wall Street Journal, November 16, 2004

Iraq Can Wait for Democracy, New York Times, September 24, 2004

The Voidness of Repugnant Statutes: Another Look at the Meaning of *Marbury*, 148 Proceedings of the American Philosophical Society No. 1, p. 27 (March 2004)

A Third Way for Iraq, New York Times, February 20, 2004

A New Democracy, Enshrined in Faith, New York Times, November 13, 2003

Democracy, Closer Every Day, New York Times, September 24, 2003

Operation Iraqi Democracy, Wall Street Journal, July 15, 2003

Muslim Democrats? Why Not! Wall Street Journal, April 8, 2003

Review of Nathan J. Brown, *Constitutions in a Nonconstitutional world*, *ICON*, 1 *International Journal of Constitutional Law* 390 (2003)

The Best Hope, *Boston Book Review*, April/May 2003, at 14, republished in *Islam and the Challenge of Democracy*, eds. Cohen & Chasman (Princeton University Press 2004)

Political Equality in the Islamic State, 30 *Philosophical Topics* 253 (2002)

Non-sectarianism Reconsidered, 28 *Journal of Law & Politics* 65 (2002)

Choices of Law, Choices of War, 25 *Harvard Journal of Law & Public Policy* 457 (2002)

From Liberty to Equality: The Transformation of the Establishment Clause, 90 *California Law Review* 673 (2002)

The Intellectual Origins of the Establishment Clause, 77 *N.Y.U. Law Review* 346 (2002)

Help Palestinians Nurture Democracy, *L.A. Times*, May 28, 2002

The Link Between Our Minds and Emotions (reviewing Martha Nussbaum, *Upheavals of Thought: The Intelligence of Emotions*), *Chicago Tribune Book Review Section*, November 18, 2001

An Exploration of Sexual Trickery in Fact and Fiction (reviewing Wendy Doniger, *The Bedtrick*), *Chicago Tribune Book Review Section*, April 24, 2001, at 4

Principles and Politics (reviewing Stanley Fish, *The Trouble with Principle*), *Chicago Tribune Book Review Section*, April 9, 2000

A Child's Eye View of Jewish WWII Heroes (reviewing Rich Cohen, *The Avengers*), *Chicago Tribune Book Review Section*, September 17, 2000, at 1

The Translators of Averroes' Commentary on the *Nicomachean Ethics*, 8 *Turjuman* 69 (1999)

Unresolved Tensions (reviewing Ronald Dworkin, *Freedom's Law*), 106 *Yale L.J.* 229 (1996)

Academic Lectures/Addresses

Bemis Professorship of International Law appointment lecture, September 2008
Harvard Law School, Cambridge, MA
"The Constitution and the International Order"

Mormonism and American Politics Conference, November 2007
Princeton University, Princeton, NJ
Keynote address, "Persecution and the Art of Secrecy: An Interpretation of the Mormon Encounter with American Politics"

State of the Union address, November 2006
Hofstra Honors College, Hempstead, NY

Quinlan Lecture, March 2006
Oklahoma City University School of Law, Oklahoma City, OK

Walter E. Edge Lectures, April 2004
Princeton University, Princeton, NJ
“The Ethics of Nation Building”

American Society for Political and Legal Philosophy, January 2004
New Orleans, LA

Yale Law School Middle East Legal Studies Seminar, January 2004
Rome, Italy

American Philosophical Society, April 2003
Philadelphia, PA (paper delivered in absentia)
“The Voidness of Repugnant Statutes: Another Look at the Meaning of *Marbury*”

Vanderbilt Law School Constitutional Theory Conference, April 2003
Nashville, TN
“The Constitution of Feelings”

Shari‘a in the Contemporary Context Symposium, February 2003
Yale University, New Haven, CT
“Shari‘a and Islamic Democracy in the Age of al-Jazeera”

Yale Law School Middle East Legal Studies Seminar, January 2003
Granada, Spain

Association of American Law Schools Annual Conference, January 2003
Section on Jewish Law; Prophecy and Law, Washington, DC
“Is the Ideal Legislator a Prophet”

Law & Philosophy Workshop, November 2002
University of Chicago Law School, Chicago, IL
“Aristotelian Jihad”

Classical Studies “Just War: From Antiquity to the Present” Symposium, October 2002
New York University, New York, NY
“Just War in Averroes and Maimonides”

Beyond Separatism: Church and State Symposium, February 2002
“Non-sectarianism Reconsidered”
The Journal of Law & Politics

University of Virginia School of Law, Charlottesville, VA

Islam and America in a Global World Conference, January 2002

New York University School of Law, New York, NY
“Islam in a Modern World” panel discussion Moderator/Conference Co-convenor

Association of American Law Schools Annual Conference, January 2002 Section on Law & Religion, New Orleans, LA

Lewis Rudin Distinguished Researcher in Law Lecture, December 2001 New York University School of Law, New York, NY

Equity and Jewish Law Conference, May 2001 Harvard Law School, Cambridge, MA
“Aristotelian and Maimonidean Equity”

Yale Law School Middle East Legal Studies Seminar, May 2001
Malta
“Democratic Legitimacy and Islamic Constitutionalism: The Question of Differential Allocation of Rights”

Conference on Faith-Based Initiatives, March 2001
University of Chicago Law School, Chicago, IL
Response to Dr. Diane Winston on History of Salvation Army

Islam & Constitutionalism Conference, April 2000 Harvard Law School, Cambridge, MA
“The Islamic Constitution and Medieval Political Thought”

Yale Law School Middle East Legal Studies Seminar, May 2000
Istanbul
“Religious Pluralism in the Middle East: A Unifying Constitutional Theory”

University of Nottingham Faculty of Law Colloquium, July 1997
Nottingham, UK
“Judicial and Legislative Language in Administrative Review: US, UK, EU”