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EMPLOYMENT

CENTER FOR CONSTITUTIONAL TRANSITIONS (CONSTITUTIONAL TRANSITIONS) constitutionaltransitions.org 2012-
Founder and Director. *Constitutional Transitions* generates and mobilizes knowledge in support of constitution building by assembling and leading international networks of experts to produce evidence-based policy options for decision-makers and agenda-setting research, in partnership with a global network of multilateral organizations, think tanks, and NGOs. We have worked with over 50 experts from more than 25 countries. CT's current projects are: [Security Sector Reform & Constitutional Transitions in New Democracies](#); [Dealing with Territorial Cleavages in Constitutional Transitions](#); [Security Sector Oversight: Protecting Democratic Consolidation from Authoritarian Backsliding & Partisan Abuse](#) and [Semi-Presidentialism & Constitutional Instability in Ukraine](#).

UNIVERSITY OF CALIFORNIA, BERKELEY - SCHOOL OF LAW
Dean 2014-6
I. Michael Heyman Professor of Law 2014-

NEW YORK UNIVERSITY SCHOOL OF LAW
Cecelia Goetz Professor of Law 2011-
Faculty Director & Founder, Center for Constitutional Transitions 2012-

UNIVERSITY OF TORONTO FACULTY OF LAW
Scholl Chair & Full Professor (promoted from Assistant Professor, then Associate Professor) 1999-2011

SUPREME COURT OF CANADA 1996-97
Law Clerk to the Rt. Hon. Antonio Lamer, Chief Justice of Canada

EDUCATION

HARVARD LAW SCHOOL: LL.M. 1998
UNIVERSITY OF TORONTO FACULTY OF LAW: LL.B. (Hon.) 1996
UNIVERSITY COLLEGE, OXFORD: B.A. in Law (1st Cl. Hon.), Rhodes Scholar 1994
MCGILL UNIVERSITY: B.Sc. (Great Distinction) 1992

SELECTED CONSTITUTIONAL ADVISORY EXPERIENCE

I have been a constitutional advisor for over 20 years in a broad variety of contexts (including during ceasefires and conditions of political violence). My experience includes: facilitating public dialogue sessions with civil society groups and other stakeholders; stakeholder consultations; detailed advisory work with technical experts; training of civil servants and bureaucrats; engaging party leaders and parliamentarians; and the drafting of technical reports and memoranda in the field. Here are some examples of my field engagements:

- Serving on a team providing technical advice on the redesign of Nepal's judicial system to adapt it to a federal structure through consultations with the legal profession and judiciary, in support of the Nepal Bar Association; and leading workshops on official language rights for the indigenous peoples' caucus of Nepal's Constitutional Assembly (hosted by International IDEA), and on the right to self-determination for indigenous peoples under international law (hosted by UNDP) (June 2010).

- Engaging parliamentarians, civil society, and the diplomatic community in a public lecture, invitational workshop and private sessions, in Colombo, on power-sharing options (including electoral system design and executive powers) for Sri Lanka which could both enhance political competition among Sinhalese parties and accommodate the demands of Tamil nationalists (July 2012).
- Drafting a report for International IDEA on design options for the Libyan constitutional process (prior to the election of the Constitutional Assembly of Libya), which addressed possible mechanisms to coordinate the work of the Constitutional Assembly and the General National Congress (GNC), and leading a workshop in Tripoli with members of the GNC to review and discuss these options (December 2012 and January 2013).
- Directing the [Constitutional Transitions Clinic](#) (at the New York University School of Law) which provided “back office” research support to International IDEA's Middle East and North Africa office through a team of 20 student researchers (over two years); this partnership produced [six technical reports](#) (in English and Arabic) on constitutional design in the Middle East and North Africa, jointly published by International IDEA, CT, and (for three reports) UNDP; serving as the lead author on these reports; making two missions to Tunisia with the research team to present draft reports and consult President Marzouki, legal experts, parliamentarians with responsibility for the constitutional process, academic experts, civil society, and university students (September 2012 to May 2014).
- Co-chairing an international meeting of experts from Africa, Asia, Latin America, the Middle East and North Africa, North America and Western Europe at the Canadian embassy in the Hague, in partnership with International IDEA, for the [Security Sector Reform & Constitutional Transitions In Emerging Democracies](#) project, to explore the role of security sector reform in constitutional reform processes (May 2014).
- Co-chairing an international meeting of experts from Latin America, the Middle East and North Africa, North America and Western Europe at the Canadian embassy in Tunis, in partnership with International IDEA, for the [Security Sector Oversight: Protecting Democratic Consolidation From Authoritarian Backsliding & Partisan Abuse](#) project, to explore legal and institutional mechanisms for security sector oversight in transitional democracies (August 2014).
- Co-chairing a two-day, international meeting in Brussels to present the preliminary results of the [Dealing with Territorial Cleavages in Constitutional Transitions](#) project, in cooperation with the European Union External Action Service and hosted by the European Union Committee of Regions, attended by nearly 100 representatives of multilateral organizations (including the United Nations), regional organizations, MFAs, ODAs, NGOs, and technical advisors (September 2015).
- Participating in an expert consultation co-convened by the Center for Policy Alternatives (Sri Lanka) and International IDEA to advise the Office of the Prime Minister of Sri Lanka on constitutional reform, including meeting personally with Prime Minister Wickremesinghe to brief him on the results of our consultation (September 2015).
- Serving as a senior international scholar in residence at the Academy of the Arab Association of Constitutional Law in Tunis, leading seminars and working intensively with emerging constitutional experts from across the Arab region, on the relationship between security sector reform and constitutional transitions (December 2016).
- Jointly leading an expert workshop in Kyiv, co-hosted by International IDEA and the Centre of Policy and Legal Reform (Ukraine), to review a draft report which I co-authored (in English and Ukrainian) on constitutional reforms to executive powers in Ukraine, as part of the constitutional review currently being led by the Constitutional Commission of Ukraine (July 2017).
- Preparing a memorandum for International IDEA regarding issues related to federalism as a tool to resolve conflict and reconstitute states in support of discussions relating to the Yemen conflict (Summer 2017).

SELECTED PUBLICATIONS

Constitution Making (co-editor with T. Ginsburg) (Edward Elgar, 2016).

- Oxford Handbook of the Indian Constitution* (Oxford University Press, 2016) (co-editor with P.B. Mehta & M. Khosla).
- Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford: Oxford University Press, 2008) (editor).
- The Migration of Constitutional Ideas* (New York: Cambridge University Press, 2006) (editor).
- Constitutional Transitions in the Middle East*, (2013) 11 *International Journal of Constitutional Law* 553-831 (symposium issue; editor).
- Citizenship and Constitutionalism*, (2010) 8 *International Journal of Constitutional Law* 6-130 (symposium issue; co-editor with C. Saunders).
- "How to Do Constitutional Law and Politics in South Asia" in M. Tushnet & M. Khosla, eds., *Unstable Constitutionalism: Law and Politics in South Asia* (Cambridge University Press, 2015) 18-44.
- "Constitutional Transitions and Territorial Cleavages" (with G. Anderson) (The Center for Constitutional Transitions and International IDEA, 2015).
- "Combating Corruption: Constitutional Frameworks for the Middle East and North Africa", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).
- "Decentralization in Unitary States: Constitutional Frameworks for the Arab States Region", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).
- "Oil and Natural Gas: Constitutional Frameworks for the Arab States Region", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).
- "Semi-Presidential Government in the Post-Authoritarian Context", *The Center for Constitutional Transitions Meeting the Challenges of Emerging Constitutional Democracy Working Paper Series* (with Richard Stacey) (2014).
- "Minority Rights in Culturally Diverse Societies", *The Center for Constitutional Transitions Meeting the Challenges of Emerging Constitutional Democracy Working Paper Series* (with G. Anderson) (2014).
- "Constitutional Courts after the Arab Spring: Appointment mechanisms and relative judicial independence", *The Center for Constitutional Transitions at NYU Law & International IDEA Reports: Constitutional Design in the Middle East and North Africa* (with K. Glenn Bass) (2014) (also translated into Arabic).
- "Political Party Finance Regulation: Lessons for the Middle East and North Africa", *The Center for Constitutional Transitions at NYU Law & International IDEA Reports: Constitutional Design in the Middle East and North Africa* (with K. Glenn Bass) (2014) (also translated into Arabic).
- "Classical and Post-Conflict Federalism: Implications for Asia" in T. Ginsburg and R. Dixon, eds., *Research Handbook on Comparative Constitutional Law in Asia* (Edward Elgar Publishing, 2014) 163-199.
- "Constitutional Review in New Democracies", *The Center for Constitutional Transitions at NYU Law & Democracy Reporting International Briefing Papers* (with K. Glenn Bass) (2013).
- "International Standards for the Independence of the Judiciary", *The Center for Constitutional Transitions at NYU Law & Democracy Reporting International Briefing Papers* (with R. Stacey) (2013).
- "How to Do Comparative Constitutional Law in India: Naz Foundation, Same Sex Rights, and Dialogical Interpretation" in S. Khilnani, V. Raghavan & A. Thiruvengadam, eds., *Comparative Constitutionalism in South Asia* (Oxford University Press, 2012) 45-85.

- "Civil War, Ceasefire, Constitution: Some Preliminary Notes", (2012) 33 *Cardozo Law Review* 1907-21.
- "Method in Comparative Constitutional Law: A Comment on Law & Versteeg", (2012) *New York University Law Review* 1-10.
- "Group Rights in Comparative Constitutional Law: Culture, Economics, or Political Power?" in M. Rosenfeld & A. Sajo, eds., *Oxford Handbook of Comparative Constitutional Law* (Oxford University Press, 2012) 1100-1123.
- "Independent or Dependent? Constitutional Courts in Divided Societies", in C. Harvey & A. Schwartz, eds., *Rights in Divided Societies* (Hart Publishing, 2012) 89-123 (with R. Stacey).
- "Federalism, Devolution & Secession: From Classical to Post-Conflict Federalism", in T. Ginsburg and R. Dixon, eds., *Research Handbook on Comparative Constitutional Law* (Edward Elgar Publishing, 2011) 356-384 (with N. Hume).
- "Mechanisms for Resolving Divisive Issues in Constitutional Negotiations", (2010) *Interpeace Working Paper Series* (with N. Haysom).
- "After the Rights Revolution: Bills of Rights in the Post-Conflict State" (2010) 6 *Annual Review of Law and Social Science* 301-322.
- "Constitutional Politics and Crisis in Sri Lanka", in J. Bertrand & A. Laliberté, eds., *Multination States in Asia: Accommodation or Resistance* (Cambridge: Cambridge University Press, 2010) 103-135.
- "'He had a mandate': The South African Constitutional Court and the African National Congress in a Dominant Party Democracy" (2009) 2 *Constitutional Court Review* 1-86.
- "Managing linguistic nationalism through constitutional design: Lessons from South Asia" (2009) 7 *International Journal of Constitutional Law* 577-618.
- "Drafting Nepal's Language Policy" (2009) 8:2 *Federations* 26-28.
- "Ackerman's higher lawmaking in comparative constitutional perspective: Constitutional moments as constitutional failures?" (2008) 6 *International Journal of Constitutional Law* 193-230.
- "Does the world need more Canada? The Politics of the Canadian Model in Constitutional Politics and Political Theory" (2007) 5 *International Journal of Constitutional Law* 606-638.
- "The Legal Architecture of Intergovernmental Transfers: A Comparative Examination", in R. Boadway & A. Shah, eds., *Intergovernmental Fiscal Transfers: Principles and Practice* (Washington, DC: World Bank, 2006) (with B. Perrin) 259-292.
- "Migration as a New Metaphor in Comparative Constitutional Law", in S. Choudhry, ed., *The Migration of Constitutional Ideas* (New York: Cambridge University Press, 2006) 1-36.
- "Old Imperial Dilemmas and the New Nation-Building: Constitutive Constitutional Politics in Multinational Polities" (2005) 37 *Connecticut Law Review* 933-945.
- "The *Lochner* Era and Comparative Constitutionalism" (2004) 2 *International Journal of Constitutional Law* 1-55.
- "National Minorities and Ethnic Immigrants: Liberalism's Political Sociology" (2002) 10 *Journal of Political Philosophy* 54-78.
- "Citizenship and Federations: Some Preliminary Reflections", in K. Nicolaidis and R. Howse, eds., *The Federal Vision: Legitimacy and Levels of Governance in the US and the EU* (Oxford: Oxford University Press, 2001) 377-402.
- "Globalization in Search of Justification: Toward a Theory of Comparative Constitutional Interpretation" (1999) 74 *Indiana Law Journal* 819-892.