

# JEFFREY A. LENOWITZ

BRANDEIS UNIVERSITY • DEPARTMENT OF POLITICS • OLIN-SANG 206  
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## EMPLOYMENT

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**Brandeis University, Department of Politics** Waltham, MA  
Meyer and W. Walter Jaffe Assistant Professor January 2014 - Present

**Nuffield College, University of Oxford** Oxford, UK  
Postdoctoral Prize Research Fellow September 2012 – December 2013

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## EDUCATION

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**Columbia University, Department of Politics** New York, NY  
Ph.D (with distinction), Major: Political Theory, Minor: International Relations. February 2013  
Dissertation: *Why Ratification? Questioning the Unexamined Constitution-Making Procedure*  
Advisors: Jon Elster and Melissa Schwartzberg

**University of Virginia** Charlottesville, VA  
B.A., Political & Social Thought Honors Program, Philosophy (minor) May 2005

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## PUBLICATIONS

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“The People Cannot Choose a Constitution: Constituent Power’s Inability to Justify Ratification Referendum.” *Journal of Politics* 8, no 2: 2021.

“On the Empirical Measurement of Legitimacy.” *Political Legitimacy. NOMOS LVIII*. Edited by Jack Knight and Melissa Schwartzberg. New York: New York University Press, 2020.

“Insomnia and Other Constitutional Pathologies” (Review Essay of *The Sleeping Sovereign*). With Melissa Schwartzberg. *Modern Intellectual History* 16, no. 1: 2019, 295 – 308.

“A Trust that cannot be Delegated’: The Invention of Ratification Referenda.” *American Political Science Review* 109, no. 4: 2015, 803-816.

“Review of *A Theory of Militant Democracy: The Politics of Combatting Political Extremism*, by Alexander Kirschner.” *Journal of Politics* 77, no. 4: 2015, e1-e2.

“Why Ratification? Constituent Power & the Unexamined Process.” *Le Pouvoir Constituant et l’Europe*, edited by Olivier Cayla and Pasquale Pasquino. Paris: Dalloz Press, 2011.

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**BOOK**


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*Constitutional Ratification without Reason*

[Forthcoming 2021/2022] Oxford University Press, *Oxford Constitutional Theory* series

This book focuses on ratification, the procedure in which a draft constitution is submitted to the people or their representatives in an up or down vote. While ratification is common and recommended, constitutions can be made without it and when it is used it has significant effects and costs. This raises the central question of the book: should ratification be recommended? Surprisingly, this question is rarely asked and ratification in general is overlooked in the literature. In fact, this is the first sustained study of ratification. This book defines ratification, explains the procedure's effects, conceptual origins, and history, and then concentrates on finding reasons for its use. Specifically, it builds up and analyzes the three most likely normative justifications, which claim ratification enables the constituent power, fosters representation, or helps create a legitimate constitution.

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**RESEARCH INTERESTS**


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Democratic theory; constitutional theory and design; legitimacy; history of political thought; punishment; jurisprudence; representation; obligation; global justice

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**AWARDS & OTHER FELLOWSHIPS**


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Norman Award for Faculty Research, Brandeis University	2014 – 2016, 2019
Research Circle on Democracy Grant	Spring 2018
Theodore and Norman Junior Faculty Research Leave	Fall 2017
Meyer and W. Walter Jaffe Assistant Professor of Politics	Spring 2017 - Present
Warden's Visiting Scholar, Nuffield College, University of Oxford	Summer 2014
MA Degree, University of Oxford	September 2014
Mellon Interdisciplinary Graduate Fellow, ISERP, Columbia University	Fall 2010 – Spring 2012
Edith C. Black Fellow, Columbia University	Fall 2010 – Spring 2012
Katerina Alevizaki Dracopoulos Summer Fellowship, Columbia University	Summer 2011
Teaching Fellow, Columbia University	Spring 2008 – Fall 2011
Faculty Fellow, Columbia University	Fall 2007 – Spring 2009

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**WORKING PAPERS**


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"Constituent Power Theory & Populism: Shared Foundations, Shared Faults." With Caleb Yong. *Preparing for submission.*

"Ratification Rejection and Information Assymetry."

"Condorcet and the 1780 Massachusetts' Constitutional Convention."

"What if We Were Consistent? Punishing the Police."

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 INVITED TALKS AND PRESENTATIONS
 

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<i>Ratification without Reason?</i> Duke & UNC Political Theory Workshop	Durham, NC November 14, 2019
<i>Can Ratification Legitimize a Constitution?</i> The Political Theory Workshop at the University of Chicago	Chicago, IL November 19, 2018
<i>Too Uninformed to Speak: Ratification Referendum &amp; Constituent Power</i> Safra Theory Workshop	Cambridge, MA January 19, 2018
<i>Too Uninformed to Speak: Ratification Referendum &amp; Constituent Power</i> Ashoka University Political Science Seminar Series	New Delhi, India September 27, 2017
<i>Political Legitimacy &amp; the Law</i> Meeting of the American Society for Political & Legal Philosophy	Kansas City, Missouri March 3, 2017
<i>Do the People Speak? Ratification Referenda and Constituent Power.</i> Political Theory Workshop at CIDE	Mexico City, Mexico October 17, 2016
<i>Do the People Speak? Ratification Referenda and Constituent Power.</i> University of Maryland Discussion Group on Constitutionalism	Baltimore, Maryland March 4, 2016
<i>Condorcet and the 1780 Massachusetts' Constitutional Convention</i> Nuffield College Conference in Honor of Iain McLean	Oxford, UK January 16, 2016
<i>Can We Operationalize Constituent Power?</i> Universität Hamburg Political Theory Colloquium	Hamburg, Germany June 22, 2015
<i>Creating Legitimate Constitutions: The Possible Role of Procedures</i> Facts & Norms in European Political Theory	Copenhagen, Denmark August 22, 2013
<i>Creating Legitimate Constitutions: The Possible Role of Procedures</i> Nuffield Political Theory Workshop	Oxford, UK January 28, 2013
<i>Justification from Representation</i> Columbia University Political Theory Workshop	New York, NY October 6, 2010
<i>Justifying Constitutional Ratification through Representation</i> Mellon Graduate Fellows Seminar, Columbia University	New York, NY December 3, 2010
<i>Trapped Within the Nation-State: Problems in the International Use of</i> <i>Jürgen Habermas' Conception of Human Rights</i> Recent Continental Theory Seminar, Columbia University	New York, NY April 8, 2010
<i>Why Let the People Speak Twice? Ratification and the Constituent Power</i>	Paris, France

Le Pouvoir Constituant et l'Europe, Collège de France

December 12, 2008

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**CONFERENCE PRESENTATIONS**


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- Constituent Power Theory and Populism: Shared Foundations, Shared Faults.* Online  
The International Society of Public Law, Mundo 2021 Conference July 9, 2021
- Constituent Power Constitution-Making: Shared Foundations, Shared Faults.* Austin, TX  
2020 Global Conference on Constitution-making & Constitutional Change January 17, 2020
- Legitimizing Constitutions through Design* Boston, MA  
American Political Science Association Annual Meeting August 30, 2018
- Do the People Speak? Justifying Ratification Referendum* Philadelphia, PA  
American Political Science Association Annual Meeting September 2, 2016
- Procedural Legitimacy and Constitution-making* Madison, Wisconsin  
Association for Political Theory 2014 Conference October 16-17, 2014
- Creating Legitimate Constitutions: The Possible Role of Procedures* Braga, Portugal  
Meetings on Ethics and Political Philosophy IV May 21, 2013
- The Domain of Constituent Power: The Berkshire Constitutionalists* Notre Dame, IN  
*Explain Ratification* October 14, 2011  
Association for Political Theory 2011 Conference
- The Domain of Constituent Power: The Berkshire Constitutionalists* Seattle, WA  
*Explain Ratification* September 3, 2011  
American Political Science Association Annual Meeting
- Rejected by the People: U.S. State Constitutional Conventions in the 1960s & 1970s* Vancouver, BC  
Western Political Science Association Annual Meeting March 2009
- Rejected by the People: U.S. State Constitutional Conventions in the 1960s & 1970s* New York, NY  
Political Science Graduate Student Conference, Columbia University April 2008
- Obedience at the Time of Necessity: Dietrich Bonhoeffer's Theory of Resistance* San Diego, CA  
Western Political Science Association March 2008

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**TEACHING EXPERIENCE**


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**Brandeis University**

- Introduction to Political Theory (undergraduate) Spring 2014, 2015, 2017, Fall 2019, 2020
- Democratic Theory (undergraduate/graduate) Spring 2016, 2017, 2020, Fall 2018, 2021
- Civil Liberties in America (undergraduate) Fall 2015, 2016, 2018, Spring 2021

Legal Theory Seminar (undergraduate/graduate)	Spring 2015, 2020, Fall 2016, 2021
Global Justice Seminar (undergraduate/graduate)	Fall 2014, 2019, Spring 2016, 2021
Constitutional Theory & Design Seminar (undergraduate/graduate)	Spring 2014, Fall 2015, 2021
The Supreme Court Colloquium (undergraduate)	Fall 2014 – Spring 2015

### Columbia University

Judicial Politics, T.A. for Professor Jeffrey Lax	Fall 2011
Modern Political Thought, T.A. for Professor Melissa Schwartzberg	Spring 2010
Global Justice & Democracy, T.A. for Professor Jean Cohen	Fall 2009
Problems in Democratic Theory, T.A. for Professor Melissa Schwartzberg	Spring 2009
History of Human Rights, T.A. for Professor Itai Sneh	Summer 2009
Introduction to Human Rights, T.A. for Professor Andrew Nathan	Spring 2008, Fall 2008
Constitutional Law (Summer Program), Instructor	Summer 2009, 2010, 2011, 2012

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### OTHER PROFESSIONAL EXPERIENCE & SERVICE

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#### Reviewer for:

Journal of Politics; Polity; Political Research Quarterly; Political Science Quarterly; Constitutional Studies; American Politics Research; Perspectives on Politics; and Res Publica

<b>APA Eastern Division Conference</b> (Cancelled due to weather)	Savannah, GA
Chair, <i>Author Meets Critics: "Debating Religious Liberty and Discrimination"</i>	January 6, 2018

<b>APSA Annual Conference</b>	Various Locations
Chair, <i>Law's Transfixing Categories</i>	September 1, 2018
Discussant, <i>Comparative Constitutionalism</i>	September 2016
Discussant, <i>Constitutions, Elections, and the Legitimacy of Non-Democratic Regimes</i>	August 31, 2014

<b>Brandeis University</b>	Waltham, MA
<i>Advising &amp; Other Politics Department Activities</i>	
Undergraduate Honors Program Director	Fall 2016, Fall 2018 to Present
Politics Department Curriculum Committee	2019 - Present
Graduate Secondary Supervisor (Jeremy Cynamon, Holly Robbins, Kamryn Gooden)	Present
Politics Major Advisor	Fall 2014 - Present
Dissertation Committee Member (Jinmin Lee, Yasser Kureshi, Paul Spalletta)	April 2014, 2018, 2020
Honors Thesis Advisor	Fall 2016-2019, 2021
Kay Postdoctoral Fellow Search Committee Member	Spring 2015

#### *Other*

Faculty Ambassador	Present
Member, Brandeis Land Statement Committee	Spring 2021 - Present
Presenter, "Democracy, On Fire or On Thin Ice?", Class of 1956 Reunion Event	April 22, 2021
Panel Member, "The Supreme Court Today," Brandeis Democrats' Event	April 21, 2021
Member, DJW & DEIS-US General Education Requirement Committee	Fall 2018 - Present
Graduate Advising for Jared Berkowitz (History Department)	Fall 2018 - Present

Board Member, History of Ideas Program	Fall 2014 - Present
First Year Student Advisor	Fall 2014 –2017, Fall 2019 – Spring 2020
Speaker, Brandeis Alumni Relations Downtown Lunch Series	March 24, 2017
Panel Member, “Rule of Law, Politics, Equality, and the Law”	March 9, 2017
Panel Member, “What to Expect from the Trump Presidency”	January 25, 2017
Panel Member, “America in the Election Mirror”	October 27, 2017
Speaker, Brandeis University on Wheels, BNC Las Vegas Chapter	January 8, 2017
Discussant, “Law and Forgiveness,” Luncheon Seminar for Martha Minow	February 25, 2016
Panel Organizer, <i>Threats, Free Speech, &amp; Law in the Internet Age: Elonis V. US</i> ,	December 2, 2014

<b>Nuffield College, University of Oxford</b>	Oxford, UK
Deputy Dean of Degrees	Michaelmas 2013
Member, Personnel & Domestic Committee	Michaelmas 2013

<b>Columbia University Political Theory Workshop</b>	New York, NY
Graduate Student Coordinator	Spring 2011-Spring 2012

<b>Zuckerman Conference at the Mellon Biennial, ISERP</b>	New York, NY
Discussant, <i>Panel 5: What Constitutes Work? Social and Individual Welfare</i>	April 8, 2010

<b>“Varieties of Majority Rule,” Maison Français, Columbia University</b>	New York, NY
Graduate Student Conference Coordinator	November 7 - 8, 2008

<b>Melissa Schwartzberg, Columbia University</b>	New York, NY
Research Assistant	June 2007 - September 2007

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#### PROFESSIONAL AFFILIATION

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American Political Science Association; American Society for Political and Legal Philosophy; Association for Political Theory; International Conference for the Study of Political Thought; International Society of Public Law