

STEVEN G. CALABRESI

Work Address:

Northwestern University
School of Law
357 E. Chicago Avenue
Chicago, IL 60611
(312) 503-7012

EDUCATION:

Yale Law School, J.D. 1983. Note & Topics Editor,
Yale Law Journal.

Yale College, B.A., History, cum laude 1980.

EMPLOYMENT:

2004-10 & 1998-2001	George C. Dix Professor of Constitutional Law, Northwestern University School of Law.
2010-2011	Distinguished Visiting Professor of Political Science, Brown University
1996 - present	Professor of Law, Northwestern University School of Law.
2003-05	Resident Scholar, Harvard Law School.
1993 - 1996	Associate Professor of Law, Northwestern University School of Law.
1990 - 1993	Assistant Professor of Law, Northwestern University School of Law.
1990	Speechwriter to Vice President Dan Quayle, The White House, Washington, D.C.

1988 - 1990 **Research Associate to Judge Robert H. Bork, American Enterprise Institute for Public Policy Research, Washington, D.C.** Assisted in research and preparation of Robert H. Bork's best-selling book, The Tempting of America: The Political Seduction of the Law.

1987-88 **Law Clerk to the Honorable Antonin Scalia, Supreme Court of the United States, Washington, D.C.**

1987 **Special Assistant to T. Kenneth Cribb, Jr., the Assistant to President Reagan for Domestic Affairs, Second Floor, West Wing, The White House, Washington, D.C.** Worked on the full range of domestic policy issues.

1985 - 1987 **Special Assistant to Attorney General Edwin Meese III, United States Department of Justice, Washington, D.C.** Worked on judicial selection and constitutional law issues.

1984 - 1985 **Law Clerk to the Honorable Robert H. Bork, United States Court of Appeals for the District of Columbia Circuit, Washington, D.C.**

1983 - 1984 **Law Clerk to the Honorable Ralph K. Winter, United States Court of Appeals for the Second Circuit, New Haven, Ct.**

Summer 1982 **Summer Associate, Cleary, Gottlieb, Steen & Hamilton, New York, NY.**

Summer 1981 **Summer Associate, Pierson, Semmes, Crolius & Finley, Washington, DC.**

1979 - 1980 **Legislative Correspondent to Senator John H. Chafee (R-RI), United States Senate, Washington, DC.**

Summer 1978 **Summer Intern to Governor Joseph Garrahy (D-RI), Providence, RI.**

Summer 1977 **Research Assistant to Professor Israel Diamond, Brown University Medical School, Providence, RI.**

PUBLICATIONS:

Book Projects

The Unitary Executive: Presidential Power from Washington to Bush (with Christopher S. Yoo) Yale University Press 2008.

Originalism: A Quarter Century of Debate. Regnery Press 2007. Edited book with my lengthy introduction.

Constitutional Law Casebook (with Judge Michael McConnell, Prof. Michael Stokes Paulsen, and Samuel Bray) 2010 Foundation Press.

Law Review Publications

Originalism and Sex Discrimination, forthcoming with the **Texas Law Review** (2011)

The Number of States and the Economics of American Federalism 63 **Florida L. Rev.** 1 to 45 (2011) (with Nicholas Terrell)

Is the Separation of Powers Exportable?, 33 **Harv. J. L. & Pub. Pol'y** 5 to 16 (2010) (with Kyle Bady)

Resolved, the terms of Supreme Court justices should be limited to eighteen years, book chapter in **Debating Reform: Conflicting Perspectives on How to Fix the American Political System** 239-245 (Richard J. Ellis & Michael Nelson eds 2010)

Remove Morrison v. Olsen, on line edition of the **Vanderbilt Law Review** (opening essay and reply) (2009)

The Fatally Flawed Theory of the Unbundled Executive, 93 **Minnesota Law Review** 1696 (2009) (with Nicholas Terrell)

Two Cheers for Professor Balkin's Originalism, 103 **Northwestern University Law Review** 663 (2009) (with Livia Fine)

On Section Five of the Fourteenth Amendment, 11 **University of Pennsylvania Journal of Constitutional Law** 1431 (2009) (with Nicholas Stabile)

Individual Rights Under State Constitutions When the Fourteenth Amendment Was Ratified in 1868: What Rights Are Deeply Rooted in American History and Tradition? 87 **Texas Law Review** 7 (2008) (with Sarah E. Agudo)

Debate, The Great Divorce: The Current Understanding of Separation of Powers and the Original Meaning of the Incompatibility Clause, 157 **University of Pennsylvania Law Review**. PENNUMBRA 134 (2008), <http://www.pennumbra.com/debates/pdfs/GreatDivorce.pdf>.

Text v. Precedent in Constitutional Law (book chapter of about fifteen double spaced typed pages in the book above on originalism) (Regnery 2007);

Substantive Due Process After Gonzales v. Carhart 106 **Michigan Law Review** 1517 (2008)

A Critical Introduction to the Originalism Debate, 31 **Harvard Journal of Law and Public Property** 875 (2008)

How to Reverse Government Imposition of Immorality, 31 **Harvard Journal of Law and Public Policy** 85 (2008)

Render Unto Caesar that Which is Caesar's, and Unto God that Which is God's, 31 **Harvard Journal of Law and Public Policy** 495 (2008)

The Hamdan Case, the Unitary Executive, and the Constitutionality of Jurisdiction Stripping: A Textualist Response to Justice Scalia (forthcoming 2007) **Columbia Law Review** (with Gary Lawson)

Text v. Precedent in Constitutional Law, forthcoming chapter in Regnery book on **Originalism: A Quarter Century of Debate** (forthcoming 2007)

The President: Lightning Rod or King? 115 **Yale Law Journal** 2611 (2006) (with James Lindgren)

"A Shining City on a Hill": American Exceptionalism and the Supreme Court's Practice of Relying on Foreign Law, 86 **Boston University Law Review** 1335-1416 (2006) (symposium issue)

The Legal Significance of Presidential Signing Statements, **Berkeley Electronic Press** (2006) (with Daniel Lev)

Renintroducing Circuit Riding: A Timely Proposal, 90 **University of Minnesota Law Review** 1386- 1416 (2006) (with David C. Presser) (symposium issue)

Text, Precedent, and the Constitution: Some Originalist and Normative Arguments for Overruling Planned Parenthood of Southeastern Pennsylvania v. Casey 22 **Constitutional Commentary** 311-348 (2005) (symposium issue on text and precedent)

Term Limits for the Supreme Court: Life Tenure Reconsidered, 29 **Harvard Journal of Law & Public Policy** 769-877 (2006) (with James Lindgren)

The Tradition of the Written Constitution: Text, Precedent, and Burke, 57 **Alabama Law Review** 635- 687 (2006)

The President, the Supreme Court, and the Founding Fathers: A Reply to Professor Ackerman, 73 **University of Chicago Law Review** 469-485 (Winter Issue 2006)

The Terri Schiavo Case: In Defense of the Special Law Enacted by Congress and President Bush, 100 **Northwestern University Law Review** 151-170 (2006).

Term Limits for the Supreme Court: Life Tenure Reconsidered, (with James Lindgren) in **Reforming the Court: Term Limits for Supreme Court Justices** (Roger C. Cramton & Paul D. Carrington eds. 2006)

The Supreme Court and Foreign Sources of Law: Two Hundred Years of Practice and the Juvenile Death Penalty Decision, 47 **William and Mary Law Review** 743-909 (2005) (with Stephanie Zimdahl)

The Unitary Executive in Historical Perspective, published in **the Administrative and Regulatory News** (2005) (with Christopher Yoo)

The Libertarian-Lite Constitutional Order and the Rehnquist Court, 93 **Georgetown Law Journal** 1023-1060 (2005) (Book Review)

The Originalist and Normative Case Against Judicial Activism: A Reply to Professor Randy Barnett, 103 **Michigan Law Review** 1081-1098 (2005) (for annual book review issue)

The Unitary Executive During the Modern Era: 1945-2004, **Iowa Law Review** (forthcoming 2005) (with Christopher S. Yoo and Anthony Colangelo)

The Congressional Roots of Judicial Activism, 20 **Journal of Law and Politics** 577-593 (2004)

The Unitary Executive During the Third Half-Century: 1889-1945, 80 **Notre Dame Law Review** 1-109 (2004) (with Christopher S. Yoo and Laurence Nee)

Laurence, the Fourteenth Amendment, and the Supreme Court's Reliance on Foreign Constitutional Law: An Originalist Reappraisal, 65 **Ohio State Law Journal** 1097-1131 (2004)

Introduction to the book, **Presidential Leadership: Rating the Best and Worst in the White House** (Simon and Schuster 2004)

Separation of Powers and the Rehnquist Court: The Centrality of Clinton v. City of New York, 99 **Northwestern University Law Review** 77-87 (2004)

The Historical Origins of the Rule of Law in the American Constitutional Order, 28 **Harvard Journal of Law and Public Policy** 273-280 (2004)

The Unitary Executive During the Second Half Century, 26 **Harvard Journal of Law and Public Policy** 667-891 (2003) (with Chris Yoo)

“A Political Question”, chapter in **Bruce Ackerman, ed., Bush v. Gore: The Question of Legitimacy** (2002)

Rating the Presidents of the United States, 1789-2000: A Survey of Scholars in Political Science, History, and Law, 18 **Constitutional Commentary** 583-605 (2001) (with James Lindgren)

The Virtues of Presidential Government: Why Professor Ackerman is Wrong to Prefer the German to the U.S. Constitution, 18 **Constitutional Commentary** 51-104 (2001)

Federalism and the Rehnquist Court: A Normative Defense, **Annals, American Association of Political and Social Science** 24-36 (March 2001)

Foreword: Advice to the Next Conservative President of the United States, 24 **Harvard Journal of Law and Public Policy** 369-380 (2001)

The Revitalization of Democracy in the New Millenium, 24 **Harvard Journal of Law and Public Policy** 151-54 (2000)

We Are All Federalists, We Are All Republicans: Holism, Synthesis, and the Fourteenth Amendment, 87 **Georgetown Law Journal** 2273-2305 (1999) (Book Review)

Caesarism, Departmentalism, and Professor Paulsen, 83 **Minnesota Law Review** 1421-1434 (1999)

The President, the Supreme Court, and the Constitution: A Brief Positive Account of the Role of Government Lawyers in the Development of Constitutional Law, 61 **Law & Contemporary Problems** 61-82 (1998)

Textualism and the Countermajoritarian Difficulty, 66 **George Washington University Law Review** 1373-1394 (1998)

Foreword: The Structural Constitution and the Countermajoritarian Difficulty, 22 **Harvard Journal of Law & Public Policy** 3-9 (1998)

"The Era of Big Government is Over", 50 **Stanford Law Review** 1015-1053 (1998) (Book Review)

"An Agenda for Constitutional Reform" in Eskridge and Levinson, Constitutional Stupidities, Constitutional Tragedies 22-27 (1998).

The Unitary Executive During the First Half-Century, 47 Case Western Reserve Law Review 1451- 1561 (1997) (with Christopher S. Yoo)

Relimiting Federal Judicial Power: Should Congress Play a Role?, 13 Journal of Law and Politics 627, 629-638 (1997)

The Tradition of the Written Constitution: A Comment on Professor Lessig's Theory of Translation, 65 Fordham Law Review 1435-1456 (1997)

The Crisis in Constitutional Theory, 83 Virginia Law Review 247-267 (1997) (Book Review)

Introductory Remarks, Symposium on Originalism, Democracy, and the Constitution, 19 Harvard Journal of Law and Public Policy 239-242 (1996)

"A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, 94 Michigan Law Review 752-831 (1995)

The Political Question of Presidential Succession, 48 Stanford Law Review 155-175 (1995)

Some Structural Consequences of the Increased Use of Ethics Probes as Political Weapons, 11 Journal of Law and Politics 521-536 (1995)

Some Normative Arguments for the Unitary Executive, 48 Arkansas Law Review 23-104 (1995)

The President's Power to Execute the Laws, 104 Yale Law Journal 541-665 (1994) (with Saikrishna B. Prakash)

Political Parties as Mediating Institutions, 61 University of Chicago Law Review 1479-1533 (1994)

One Person, One Office: Separation of Powers or Separation of Personnel?, 79 Cornell Law Review 1045-1157 (1994) (with Joan L. Larsen)

The Vesting Clauses as Power Grants, 88 Northwestern University Law Review 1377-1405 (1994)

Thayer's Clear Mistake, 88 Northwestern University Law Review 269-277 (1993)

Foreword: Two Visions of the Nature of Man, 16 Harvard Journal of Law and Public Policy 1-5 (1993) (with Gary Lawson)

Equity & Hierarchy: Reflections on the Harris Execution, 102 **Yale Law Journal** 255-279 (1992) (with Gary Lawson)

Foreword: The Constitution of Responsibility, 77 **Cornell Law Review** 955-958 (1992) (with Gary Lawson)

Foreword: Prospects for the Rule of Law, 21 **Cumberland Law Review** 427-430 (1990-91) (with Gary Lawson)

The Structural Constitution: Unitary Executive, Plural Judiciary, 105 **Harvard Law Review** 1153-1216 (1992) (with Kevin H. Rhodes)

Note, A Madisonian Interpretation of the Equal Protection Doctrine, 91 **Yale Law Journal** 1403-1429 (1982)

Other Publications

- 2008-2011 Blogged for The Arena on **Politico.com**
- 2008 Jury's Must Consist of Twelve Not Six Jurors, **The Wall Street Journal** (with Michael Saks)
- 2008 Obama's Philosophy of Judging, **The Wall Street Journal**
- 2008 Obama is Too Young to be President, **The Chicago Tribune**
- 2008 Senator McCain for President, **The Wall Street Journal**, (with John McGinnis)
- 2007 The Case for Originalism, **The Wall Street Journal**.
- 2005 Don't Split the Baby!, **The Wall Street Journal**, October 22, 2005, at A-7.
- 2005 A Document Request for Senator Schumer, **The Daily Standard**, July 28, 2005.
- 2005 Minority Rule?, **The Weekly Standard**, May 9, 2005.
- 2005 Supreme Gerontocracy, **The Wall Street Journal**, April 8, 2005.
- 2003 Pirates We Be, **The Wall Street Journal**, May 2003.
- 2003 Stop Talking? Yes, **Legal Times**, May 12, 2003.

- 2003 The Timing Game that Justices Play, **Los Angeles Times**, January 13, 2003 (with Ilya Somin).
- 2002 Free Speech Missing at the Supreme Court, October 8, 2002 (with Akhil Amar).
- 2002 The Supreme Court's Unfree Speech, **The New York Times**, October 5, 2002 (with Akhil Amar).
- 2002 Term Limits for the High Court, **The Washington Post**, August 9, 2002 (with Akhil Amar).
- 2000 Ranking the Presidents, **The Wall Street Journal**, November 16, 2000 (with James Lindgren).
- 1998 Impeach Clinton Later Rather Than Sooner, **The Wall Street Journal**, November 19, 1998.
- 1997 A Constitutional Revolution, **The Wall Street Journal**, July 10, 1997.
- 1996 Out of Order: Clinton's Court and Its Assault on Justice, **79 Policy Review** 14 (1996).
- 1996 Remarks Upon Presenting a Portrait of Judge Robert H. Bork to the United States Court of Appeals for the District of Columbia Circuit, __ F.3d __ (D.C. Cir.1996) (en banc).
- 1992 Who Speaks for the Constitution? The Debate Over Interpretive Authority, published by **The Federalist Society** (helped to design and compile a collection of speeches and articles on the Departmentalism Debate)
- January 1990 Designer Sentences and the Justice System, **The American Enterprise** (Magazine Article)
- 1986 The Great Debate: Interpreting Our Written Constitution, published by **The Federalist**

Society (designed and helped edit collection of speeches on constitutional interpretation).

1984 Chromatographic Separation of the C(1), C(1a), and C(2) Components of Gentamicin and the Assessment of their Individual Binding to Serum Proteins, 73 **J. Pharm. Sci.** 1836 (1984) with William C. Griffiths, James F. Belliveau, Charlene L. Bensted, and Israel Diamond).

ACTIVITIES:

1981 - present **Chairman of the Board of Directors and one of three co-founders of The Federalist Society.** Designed more than thirty-five symposia on legal academic topics. Served as a founding member of the Societies Board of Directors.

2004-05 **Chairman, Section on Constitutional Law, American Association of Law Schools.** Set up a panel on “Originalism and the Problem of Precedent” for the AALS’s annual meeting in San Francisco.

1994 **Contributing Editor** to The Court TV Cradle-to-Grave Legal Survival Guide, published by the editors of Court TV and the American Lawyer.

1982 - 1983 **Note & Topics Editor**, Yale Law Journal, New Haven, CT. Administered the Journal's student notewriting program as one of the three most senior officers.

1982 **Panelist** for The Tyranny of the Status Quo, a television show hosted by **Milton Friedman**.

1978 **President, Yale Political Union**, New Haven, CT.

SELECT SPEECHES, PRESENTATIONS, HONORS:

- May 2011 Panelist at a **Northwestern University School of Law Law Review** conference on “The Legacy of Justice John Paul Stevens.” I gave the principal introduction of Justice Stevens.
- April 2011 Principal Lecturer at the biannual meeting of the European Sovereignty Network in Vienna, Austria. Delegates present from most countries in Eastern and Central Europe
- April 2011 Keynote Speaker at the Annual Banquet of the Boston University School of Law Federalist Chapter and recipient of their William Rehnquist prize
- December 2010 Participant in exchange of ideas between Justice Samuel Alito and the French Constitutional Court and the Minister of Justice, Paris, France
- November 2010 Panelist and Moderator at Annual Lawyer’s Convention of the Federalist Society discussing the advantages and disadvantages of direct democracy. Others on the panel were: Richard Epstein, William Eskridge, Thomas Merrill, and Robert Cooter.
- February 2010 Faculty Workshop on “The Number of States and the Economics of Federalism” at Roger Williams Law School
- September 2009 Led a Public Conversation at **Northwestern Law School** with Justice Ruth Bader Ginsburg for an audience of 750 people
- February 2009 Panelist on Whether the American System of Separation of Powers Ought to be Exported to Other Countries, Federalist Society Conference at the Yale Law School
- February 2009 Concluding Remarks, Conference on my book with Christopher S. Yoo, **The Unitary Executive: Presidential Power from Washington to Bush** at the University of Pennsylvania Law School
- November 2008 Panelist on the Scope of Congress’s Power Under Section 5 of the Fourteenth Amendment, at the University of Pennsylvania Law School, Annual Faculty Conference of the American Constitution Society
- October 2008 Panelist on Presidential Power, at the University of Minnesota Law School, Annual Law Review Conference
- April 2008 Commentator at Northwestern faculty conference on Originalism.

- January 2008 Judged and asked lots of questions at Moot Court of the Seattle Schools case as part of the university wide tribute for Martin Luther King day.
- Nov. 2007 Panelist at Twenty-Fifth Anniversary Federalist Society National Lawyers Convention, which addressed the subject of American Exceptionalism. I planned and designed the symposium.
- September 2007 Addressed numerous academic questions growing out of my research to Justice Antonin Scalia at two day mini course which he taught on “The Separation of Powers” for the Federalist Society.
- June 2007 Welcoming Remarks and participated as a Panelist at a Federalist Society symposium fechtshrift for Judge Robert H. Bork, which I helped organize. I designed the conference program.
- April 2007 Debated Professor Andrew Koppelman on “Text v. Precedent in Constitutional Law” at **Northwestern** Federalist Society event.
- April 2007 Scheduled to debate Professor Andrew Koppelman on “Text v. Precedent in Constitutional Law” at **Northwestern** Federalist Society event.
- February 2007 Debated former Dean Robert Bennet on “American Exceptionalism an the Supreme Court’s citation of Foreign Law at **Northwestern** Comparative Law Society event.
- February 2007 Debated University of Chicago Law professor David Strauss on “Text v. Precedent in Constitutional Law” at **the University of Chicago Law School** for a Federalist Society event.
- January 2007 Moderated an academic panel discussion at **Northwestern** on Supreme Court Law Clerks. Presented and prepared a short paper on this topic, which I will eventually publish.
- November 2006 Delivered a Tribute to Justice Antonin Scalia at the annual Lawyer’s Division Conference of the Federalist society on the occasion of the twentieth anniversary of Scalia’s appointment to the Supreme Court.
- October 2006 Presented a paper on “The War on Terror” to the **New England School of law** Federalist Society Chapter.

- October 2006 Gave a talk on “The War on Terror and the Constitutionality of Jurisdiction Stripping Bills” to the 50th Reunion panel of the Yale Law School Class of 1956.
- October 2006 Panelist at **Yale Law School** alumni weekend showcase panel on “Is the Separation of Powers Breaking Down?” Other panelists were Bruce Ackerman, Norman Ornstein, and Pam Karlan.
- October 2006 Presented a paper on “Text v. Precedent in Constitutional Law” to the **Yale Law School** Federalist society Chapter.
- September 2006 Panelist at **Harvard Law School** Federalist Society panel on “A Five Year Retrospective on September 11, 2001.” Other panelists were Harvard professors Lawrence Tribe and Charles Fried.
- August 2006 **Northwestern** faculty workshop on “American Exceptionalism and the Supreme Court’s Practice of Relying on Foreign Law.”
- August 2006 Presented a paper on “The Hamdan Case, the Unitary Executive, and the Constitutionality of Jurisdiction Stripping Bills: A Textualist Response to Justice Scalia” at **Northwestern’s** Faculty Scholarship Day.
- June 2006 Presented “The President: Lightning Rod or King?” at a faculty workshop at **Northwestern**.
- April 2006 **Panelist** discussing American Exceptionalism and the Supreme Court’s Reliance on Foreign Law at a major symposium at **Boston University School of Law** hosted by the **B.U. Law Review**.
- March 2006 **Panelist** at a conference on Executive Power at **Yale Law School** sponsored by the **Yale Law Journal**. Presented paper on “The President: lightning rod or King?”
- February 2006 **Panelist** at **Columbia Law School** annual student symposium of the Federalist Society. Spoke on American Exceptionalism and the Supreme Court’s Reliance on Foreign Sources of Law along with Judge Frank Easterbrook, Judge William Pryor, Professor Vicki Jackson, and Professor Gerald Neuman.
- November 2005 **Debated** B.U. Professor Ward Farnsworth at **Harvard Law School** event of the Harvard Federalist Chapter on term limits for Supreme Court Justices. Debated moderated by Professor Einer Elhauge of Harvard

- November 2005 **Moderated** a debate between Cass Sunstein and Charles J. Cooper on the future direction of the Supreme Court at the annual Lawyer’s Division conference of the Federalist Society
- November 2005 **Moderated and spoke** on a panel on text and precedent at the annual Lawyer’s Division Convention of the Federalist Society (panelists included Akhil Amar, Thomas Merrill, David Strauss, and Randy Barnett)
- October 2005 **Presented** a paper co-authored with David Presser ‘07 on the case for reinstating circuit riding by Supreme Court justices at a symposium held by the law review at the **University of Minnesota Law Review**
- October 2005 **Debated** Columbia University Professor Thomas Merrill on the subject of text versus precedent in constitutional law at a Federalist Society chapter event at **Columbia Law School**
- September 2005 **Commentator** at a forum at **Yale Law School** discussing Bruce Ackerman’s newly published book **The Failure of the Founding Fathers**
- September 2005 **Presented** at a faculty workshop at **George Mason University School of Law** a paper co-authored with James Lindgren on term limits for Supreme Court justices
- September 2005 **Panelist** advocating term limits for Supreme Court justices at the annual meeting of the **American Political Science Association** in Washington, D.C. Co-authored paper with James Lindgren
- April 2005 **Presented** my paper with James Lindgren advocating term limits for Supreme Court justices at **Duke University School of Law** conference on “The Supreme Court Renewal Act.”
- Feb.2005 **Moderator**, debate between Professors Alan Dershowitz and David Rivkin on “Preemptive Wars”. Annual Federalist Society student symposium at **Harvard Law School**.
- Jan. 2005 **Moderator and Presenter**, Panel on “Originalism and the Problem of Precedent” with Akhil Amar, Randy Barentt, Tom Merrill, Mike Paulsen, and David Strauss. AALS Annual Meeting.
- Jan. 2005 **Moderator**, Debate Between Professors Randy Barnett and Thomas Merrill on *Raisch v. Ashcroft* for annual Federalist Society Law Professors Conference.

- Dec. 2005 **Presenter** at **Harvard Law School** Public Law Colloquium run by Professors Richard Fallon and Heather Gerken. Presented my Book “A History of the Unitary Executive: Executive Branch Practice from 1789 to 2004.
- Nov. 2005 **Mooted** Professor Randy Barnett at **Harvard Law School** in anticipation of his Supreme Court oral argument in *Raisch v. Ashcroft*.
- Sept. 2005 **Faculty Workshop, Boston College School of Law** on my Book “A History of the Unitary Executive: Executive Branch Practice from 1789 to 2004.
- July 2004 **Panelist**, Supreme Court Review Panel of the Virginia Bar Association, held at the Homestead with Professors A. E. “Dick” Howard, Akhil Amar, John Jeffries, and Nadine Strossen.
- May 2004 **Keynote Speaker**, Annual Banquet of the Harvard Federalist Society chapter and of the Harvard Journal of Law and Public Policy.
- March 2004 **Panelist**, Thomas M. Cooley School of Law Conference on the use of foreign constitutional law by the U.S. Supreme Court.
- Jan. 2004 **Panelist**, Federalist Society Faculty Conference for panel on “Transitions to Originalism”. Also **Moderator** for lunch time panel on Gay Marriage with Bill Eskridge, Maggie Gallagher, Martha Fineman, and Robin Wilson.
- Dec. 2003 **Spoke** to the Yale Law School Federalist Chapter on my work with David Cook on sovereign immunity described above.
- Nov. 2003 **Panelist** Boston Lawyer’s Chapter program on the judicial confirmation mess.
- Aug. 2003 **Panelist** for panel on “Originalism”, First Annual Conference of the American Constitution Society with Reva Siegal and Robert Post.
- May 2003 **Testified** before the Subcommittee on the Constitution of the Senate Judiciary Committee, special hearing called to address the problem of filibusters of judges.
- April 2003 **Presented** a paper on the historical origins of the rule of law to the Philadelphia Society.

- June 2002 **Panelist**, Fourth Circuit Judicial Conference Supreme Court Roundup, The Greenbriar, West Virginia.
- April 2001 **Participant in a Yale Law School Symposium on Bush v. Gore.**
- Jan. 2001 **Participant in a Northwestern Law School Symposium on Bush v. Gore.**
- Dec. 2000 **Panelist, Welcoming Conference for the Florida State Legislature.**
- Dec. 2000 **Debated Bruce Ackerman** at Yale Law School on presidential versus parliamentary forms of government. Federalist Society event.
- March 2000 **Moderator for Roundtable Discussion**, with Professors Charles Fried, Richard Epstein, Lino Graglia, William Eskridge, Richard Parker, and Akhil Amar on Revitalizing Democracy, **Federalist Society Conference at Harvard Law School.**
- Nov. 1999 **Presented Work in Progress, University of Virginia School of Law Conference on Comparative Constitutional Law.**
- Sept. 1999 **Panelist -- College of William and Mary, Marshall-Wythe School of Law, Supreme Court Preview Conference, 1999 Term.**
- April 1999 **Moderator, Federalist Society Conference at the University of Chicago School of Law.**
- Oct. 1998 **Panelist – University of Minnesota School of Law, Conference on the Twenty-Fifth Anniversary of United States v. Nixon, 418 U.S. 683 (1974).**
- Oct. 1998 **Panelist – The Congressional Roots of Judicial Activism, API Conference hosted by Professors Christopher Wolfe and Robert George.**
- Nov. 1997 **Faculty Workshop, The Structural Constitution and Judicial Review, Harvard Law School.**
- Oct. 1997 **Presented a Major Paper on "The Structural Constitution and Judicial Review", Second Annual Conference on the Economics of Federalism held by the**

**Italian Yale Law School Alumni
Association in Sienna, Italy.**

- April 1997 **Presented a Major Paper on "The Unitary Executive During the First Half Century" (with Christopher S. Yoo), Case Western Reserve University Law School Conference on the Presidency.**
- Jan. 1997 **Named by The American Lawyer as one of the 45 most important public sector lawyers under the age of 45.**
- Nov. 1996 **Panelist, Relimiting Federal Judicial Power: Should Congress Play a Role?, 1996 Federalist Society Lawyers Division Symposium.**
- September 1996 **Commentator and Participant, Conference on Originalism and Fidelity in Translation, Fordham University School of Law.**
- June 29, 1996 **Panelist, Roundup of the U.S. Supreme Court's 1995-96 Term -- Sponsored by the Judicial Conference of the United States Court of Appeals for the Fourth Circuit and televised live on C-Span.**
- April 25, 1996 **Panelist, Federalism and the Courts, Heritage Foundation Resource Bank Meeting, held on April 25th in Chicago, IL.**
- April 19, 1996 **Presented** a portrait of Judge Robert H. Bork to an en banc session of the U.S. Court of Appeals for the D.C. Circuit with Justices Clarence Thomas and Ruth Bader Ginsburg joining the Court especially for that session. I gave the portrait to the Court on behalf of Judge Bork's former law clerks and a number of his friends.
- Feb. 1996 **Faculty Workshop, Federalism and Judicial Review, Constitutional Law Colloquium,**

New York University School of Law, New York, New York.

- Dec. 1995 **Participant**, Conference on Economic Liberties and the Slaughterhouse Cases, **Institute for Justice**, Monterey, California.
- Nov. 1995 **Faculty Workshop**, "A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, **Benjamin N. Cardozo School of Law**, **Yeshiva University**, New York, New York.
- Nov. 1995 **Faculty Workshop**, "A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, **University of Virginia School of Law**, Charlottesville, VA Vi
- Sept. 1995 **Panelist**, Federalism and Judicial Review, Conference on Federalism, **The Heritage Foundation**, Washington, D.C.
- July 1995 **Panelist**, Originalism and Legal Scholarship, **American Association of Law Schools ("AALS") New Law Professors Conference**, Washington, D.C.
- April 1995 **Welcoming Remarks**, Originalism, Democracy, and the Constitution, **Fourteenth Annual National Student Symposium of the Federalist Society**, Northwestern University School of Law, Chicago, IL.
- Feb. 1995 **Panelist**, Symposium on Partisan Influences on Ethics Investigations, sponsored by the Journal of Law and Politics, **University of Virginia School of Law**, Charlottesville, VA.
- Aug. 1994 **Participant**, **International Congress of Comparative Lawyers**, Athens, Greece.
- April 1994 **Presented a principal paper on the Presidency at the University of Arkansas**,

- Fayetteville, Leflar Law Center's Conference on the Presidency.** I also served as **one of three Judges for the Law School's annual Moot Court final competition**, along with former White House Counsel Bernard Nussbaum and Yale Law School Professor Akhil Amar.
- April 1994 **Presented a portrait of Judge Robert H. Bork to the Yale Law School** on behalf of a group of Yale Law School alumni who donated funds to have the portrait painted.
- March 1994 **Judged** two first year moot court competitions at the **University of Chicago School of Law** with Professors Richard Epstein and Michael McConnell.
- Oct. 1993 **Faculty Workshop, One Person, One Office: Separation of Powers or Separation of Personnel?, Boston University School of Law.**
- Oct. 1993 **Organized** (on behalf of the **Center for Democracy**) a two day private visit to Washington, DC of President Boris Yeltsin's **Justice Minister and of the Chief Justice of Russia's highest commercial court.** The visit concluded with a lunch reception at the Supreme Court hosted by **Justices Antonin Scalia and Ruth Bader Ginsburg.**
- April 1993 **Panelist, SYMPOSIUM One Hundred Years of Judicial Review: The Thayers Centennial Symposium, Northwestern University School of Law, Chicago, Il.**
- Nov. 1992 **Panelist, Discussion of the Robert Alton Harris Execution, Equity and Hierarchy: Reflections on the Harris Execution, Yale Law School, New Haven, Connecticut.**
- Aug. 1991 **Commentator** on a paper delivered by Professor William E. Nelson on The Fourteenth Amendment, **American**

**Historical Association, Pacific Coast
Branch, Kona Coast, Hawaii.**

Aug. 1991 **Panelist, Federalism and Constitutional Reform, Conference on Federalism, Constitutional Law, and the Environment, sponsored by the Center for Democracy, President Boris Yeltsin and the Government of the Russian Federation, and The Federalist Society, Moscow, Union of Soviet Socialist Republics (U.S.S.R.).**

Oct. 1990 **Participant, Conference on Constitutional Change in Hungary, Czechoslovakia, and Poland, sponsored by the Center for Democracy, Budapest, Hungary.**

LAW SCHOOL COMMITTEE SERVICE:

2008-09 **Member, Committee on the Intensive Semester**

2007-08 **Chair, Tenure Committee for Jide Nzelibe**

2008 **Member, Faculty Conference Committee**

2003-07 **Member, Public Law Subcommittee of the Faculty Appointments Committee**

2001-10 **Chair, Supreme Court Clerkships Committee**

2010-11 **Member, Supreme Court Clerkship Committee**

2006-07 **Chair, Promotion Committee for Professor Jide Nzelibe**

2006-07 **Member, Curriculum Committee**

2005 **Chair, Tenure and Promotion Subcommittee for Professor Robert Sitkoff**

2004-05	Faculty Advisory Committee to the Dean (appointed by the Dean)
2002-2003	Chair, Lateral Faculty Appointments Committee
2001-2002	Co-Chair, lateral Faculty Appointments Committee
1999-2000	Faculty Appointments Committee Chair
1998-99	Faculty Appointments Committee Member
and 1993-97	
2001-2003	Faculty Advisory Committee to the Dean (appointed by the Dean)
1998-2000	Faculty Advisory Committee to the Dean (appointed by the Dean)
1997-98	Chair, Faculty Development Committee
1994-95	Faculty Advisory Committee to the Dean (elected by the faculty)
1991-95	Foreign Graduate Studies Committee
1991-94	Judicial Clerkship Committee
1994	Directed Senior Research Program for five months
1990-92	Faculty Advisor to the Jessup International Moot Court Team
1990-91	Admissions Committee

LAW SCHOOL COURSE SUBJECTS TAUGHT TO DATE:

1992-2010	Constitutional Law I taught every year
1990-2005	Federal Jurisdiction taught intermittently
1991-2011	Comparative Law taught intermittently

2009 **Administrative Law**

2011 **State Constitutional Law**

2002-2006 **Northwestern Constitutional Law Colloquium** (co-taught with
Andrew Koppelman)

1994 **Constitutional Law II** (co-taught with
Michael J. Perry)

1995 **Privatization Seminar** (co-taught with
James Carroll)

1994 **Comparative Constitutional Law Seminar**

1992 **Antitrust**

1990-98 **Supervised Roughly 30 Senior Research Projects by third year
students** at Northwestern Law School.