

CURRICULUM VITAE March 7, 2014

STEPHEN B. PRESSER

Raoul Berger Professor of Legal History
Northwestern University School of Law
Professor of Business Law, Kellogg School of Management
Member of Faculty, Department of History
Northwestern University

357 E. Chicago Avenue
Chicago, IL 60611

E-mail: s-presser@law.northwestern.edu

Telephone: 312-503-8371
FAX: 312-503-2035

Date of Birth: August 10, 1946

EDUCATION:

A.B. Harvard University, 1968 (Cum Laude)
J.D. Harvard University, 1971 (Magna Cum Laude)

PROFESSIONAL EMPLOYMENT:

Law Clerk, Honorable Malcolm R. Wilkey, U.S. Court of Appeals,
District of Columbia Circuit, 1971-72
Associate, Law Firm of Wilmer, Cutler & Pickering, Washington, D. C. 1972-74
Rutgers, State University School of Law, Camden, New Jersey
Associate Professor 1974-76
Associate Professor (Tenure) 1976-77
University of Virginia School of Law, Charlottesville, Virginia
Visiting Associate Professor 1976-77
Northwestern University School of Law, Chicago, Illinois
Associate Professor 1977-79
Full Professor (Tenure) 1979-Present
Class of 1940 Research Professor 1992-1993
Raoul Berger Professor of Legal History 1992 - present
Northwestern University, College of Arts and Sciences, Evanston, Illinois
Faculty Member, American Culture Program 1979-1982

Faculty Member, Humanities Program 1982-1987
Freshman Seminar, History Department 1987
Upper-Level Course, English Department, 1989
Upper-Level Courses, History Department, 1990 - present
Northwestern University, Kellogg School of Management
Faculty, Executive Master's Program 1988 - Present
Adjunct Professor, Department of Management and Strategy, 1992 — 1999
Professor of Business Law, Department of Management and Strategy, 1999 - present
Fulbright Senior Scholar, University College London, and
The London School of Economics and Political Science,
December 1983-August 1984
Legal Issues Scholar, Foundation for American Communications,
Los Angeles, CA, 1988-1991
Fulbright Senior Scholar, University College London,
Institute for Advanced Legal Studies, London,
and the Institute for United States Studies, London, 1996
Associate Research Scholar, Institute of United States Studies, University of London,
1999 — present

MAJOR TEACHING FIELDS: Corporations, American Legal History, Business Law

ADMINISTRATIVE RESPONSIBILITIES (SELECTED)

Law School

Chair, Appointments Committee, 1982-1984, 1990-1992, 2000-2001
Member Personnel Committee, Law School, 2012-2013
Chair, Entry-Level Appointments Committee, 2004-2005
Member, Faculty Advisory Committee, 2003-2004
Chair, Faculty Advisory Committee, 1998-2000
Co-Chair, Strategic Planning Committee 1997-1998
Associate Dean for Academic Affairs 1982-85
Member, Admissions Committee 1977- 2005
Co-Chair Strategic Planning Working Group 2006-2008
Chair, Curriculum Planning Committee 2008- 2012

University

Ad-Hoc University Committee for Selection of Provost 1995-96
University Committee for Appeals of Tenure and Promotion Denials 1992-2004
General Faculty Committee 1980-82
Program Review Council 1989-1992
(Chair, Program Review Committees for Dental School, Vice President
for Finance, Fine Arts Departments, and Department of Marketing) 3

ACADEMIC HONORS OR FELLOWSHIPS:

John Adams Fellowship, Institute for United States Studies, London, 1996
Fulbright-Hays Senior Scholarships, London 1983-84, 1996
National Endowment for the Humanities, Summer Stipend, 1974

TEACHING AWARDS:

Selected as Last Lecturer by Graduating Class, 2012 (and several prior years)
Dean's Award for Teaching Excellence, Northwestern University School of Law, 1998, 2000, 2001, 2003, 2007
Robert Childres Memorial Award for Teaching Excellence, Northwestern University School of Law, 1986, 1994, 2008
Executive Masters Program, Kellogg Graduate School of Management, Northwestern University, Best Teacher Award 1988, 1990, 1991, 1992, 1993, 1994, 1996, 1998, 1999

ADMITTED AS A MEMBER OF THE BAR:

Massachusetts (1971)
District of Columbia (1972)

PUBLICATIONS:

Books and Monographs (since 2010)

AN INTRODUCTION TO THE LAW OF BUSINESS ORGANIZATIONS (Thomson/West 2005, 2nd ed. 2008, 3rd ed. 2010)

THE AMERICAN CONSTITUTIONAL ORDER: INTRODUCTION TO THE HISTORY AND NATURE OF AMERICAN CONSTITUTIONAL LAW (With Douglas W. Kmiec, John Eastman, and Raymond Marcin, Anderson Publishing, 1999, 2nd ed. 2004, 3rd ed. 2009, combined supplement 2011), 4th ed. forthcoming 2014

PIERCING THE CORPORATE VEIL (West Group originally published 1991, Revised annually, latest revision September 2013)

LAW AND JURISPRUDENCE IN AMERICAN HISTORY: CASES AND MATERIALS (with Jamil S. Zainaldin), (West Publ. Co., 1980) (4th ed. 2000)(5th ed. 2003)(6th ed. 2006) (7th ed. 2009)(8th ed. 2013)

Articles and Book Chapters (Selected)

Another Return to First Principles, 39 OHIO NORTHERN UNIVERSITY LAW REVIEW 323-328 (2012)

What I Do When I Teach Legal History, 53 AMERICAN JOURNAL OF LEGAL HISTORY 393-396 (2013)

A Candle in the Darkness in UNIVERSITY BOOKMAN (Fall 2012) a book review of Antonin Scalia and Bryan Garner's book, Reading Law: The Interpretation of Legal Texts.

American Exceptionalism or Settler Society? Towards Post-Imperialism in 40 REVIEWS IN AMERICAN HISTORY 419-423 (2012).

Will the Supreme Court Be Faithful to Its Oath to Uphold the Constitution in the Obamacare Case? in 19 GEORGE MASON LAW REVIEW 969 (2012).

Marriage and the Law: Time for a Divorce? in Marriage and Divorce in a Multicultural Context, edited by Joel A. Nichols (Cambridge University Press, 2011)

The entry on Raoul Berger in *Yale Biographical Dictionary of American Law*, edited by Roger K. Newman (Yale University Press, 2009) at Pages 38-39.

The entry on Oliver Ellsworth in *Yale Biographical Dictionary of American Law*, edited by Roger K. Newman (Yale University Press, 2009) at Pages 184-185.

Samuel Chase: In Defense of the Rule of Law and Against the Jeffersonians in 62 VANDERBILT LAW REVIEW 349-370 (2009).

Reviewing Judicial Review: A Government of Justices in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 18-19 (May 2009).

Strippers to the Rescue in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 30-32 (February 2009).

Freedom of Association in Historical Perspective in *Freedom of Association*, edited by Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul (Cambridge University Press, 2008) (Also printed in 25 SOCIAL PHILOSOPHY AND POLICY 157-181 (2008)).

How Posner Thinks in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 27-28 (September 2008).

Judicial Ideology and the Survival of the Rule of Law: A Field guide to the Current Political War over the Judiciary in 39 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 427-468 (2008).

The Tragic Failure of Roe v. Wade: Why Abortion Should be Returned to the States in 10 TEXAS REVIEW OF LAW & POLITICS 85-170 (2005) (Co-authored by: Clarke D. Forsythe 5

Why Abortion Should be Returned to the States By Constitutional Amendment, 10 TEXAS REVIEW OF LAW AND POLITICS 226-256 (2006) (Co-authored by: Clarke D. Forsythe
The Bogalusa Explosion, "Single Business Enterprise," "Alter Ego," and Other Errors: Academics, Economics, Democracy, and Shareholder Limited Liability: Back Towards a Unitary "Abuse" Theory of Piercing the Corporate Veil in 100 NORTHWESTERN UNIVERSITY LAW REVIEW 405-435 (2006)

Book Chapter, *Law, Christianity, and Adoption in The Morality of Adoption: Social-Psychological, Theological, and Legal Perspectives*, edited by Timothy P. Jackson, at 219-245 (Eerdmans, 2005).

Book Chapter, *The Law and the Israeli-Palestinian Conflict in Peace in the Promised Land: A Realist Scenario* (Srdja Trifkovic, editor) 243-271 (Rockford Institute, May 2005) .

“Reading the Constitution Right: Clarence Thomas’s fidelity to our founding documents is making its mark on the Supreme Court,” *City Journal*, Vol. 17, no. 2 pp. 90-97 (Spring, 2007)

“Was Ann Coulter Right? Some Realism about “Minimalism,” *5 Ave Maria Law Review* 23 (2007).

Who Pays the Tort Tax? in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 51-52 (October 2006)

The U.S. Congress is Duty-Bound to Pass the Flag Amendment in 160 AMERICAN LEGION MAGAZINE 38-40 (June 2006)

Judging for the People: Democracy, The Supreme Court and the Constitution in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 16-19 (June 2006)

Whither the Post-O'Connor Court? in AMERICAN SPECTATOR (May 2006)).

Does the Federal Government Protect Property? in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE 14-16 (March 2006)

The Ten Commandments Mish-Mosh in AMERICAN SPECTATOR (October 2005).

The Courts: Crying'Halt!' in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 46-47 (September 2005).

An ongoing debate over the Roberts nomination on the Point of Law web site, at <http://www.pointoflaw.com/feature/>.

How Did We Get Here? What Litigation Was, What It Is Now, What It Might Be part of a symposium on *Lawsuits and Liberty* sponsored by Common Good, at <http://cgood.org/assets/attachments/142.pdf>.

Who Could Win Every Senator's Vote? in LEGAL AFFAIRS: THE MAGAZINE AT THE INTERSECTION OF LAW AND LIFE (June 20, 2005) (Co-authored by: Wendy E. Long) a web debate at http://legalaffairs.org/webexclusive/debateclub_cj20605.msp.

Uncommon Law in CLAREMONT REVIEW OF BOOKS, 43-44 (Spring, 2005) book review.
My Favorite Justice in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 26-28 (April 2005) book review.

Outsiders, Swing Justices, and Original Understanding: Can the Religion Clauses Be Saved?: A Comment on Greenawalt in 99 NORTHWESTERN UNIVERSITY LAW REVIEW 177-185 (2004).

Should Clarence Thomas be Chief Justice? in LEGAL AFFAIRS, DEBATE CLUB (Co-authored by: Samuel Marcossou) at http://www.legalaffairs.org/webexclusive/debateclub_Thomas0105.msp.

Touting Thomas: The Truth About America's Most Maligned Justice in LEGAL AFFAIRS (January-February 2005).

A Conservative Comment on Professor Crump in 56 FLORIDA LAW REVIEW 789-817 (2004).

The Scalias Court in LEGAL AFFAIRS: THE MAGAZINE AT THE INTERSECTION OF LAW AND LIFE (September-October, 2004) at: http://www.legalaffairs.org/issues/September-October-2004/feature_presser_sep0ct04.html.

The Development and Application of Common Law in 8 TEXAS REVIEW OF LAW & POLITICS 291-298 (2004).

A Living Library of the Law Revived in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 24-26 (August 2004) a review essay on the recent issuance of a three- volume abridgement of the writings of Sir Edward Coke. 7

Foreword: Human Rights, The Rule of Law, and National Sovereignty in 2 NORTHWESTERN UNIVERSITY JOURNAL OF INTERNATIONAL HUMAN RIGHTS 1 (2004) (Co-authored by: Gary L. McDowell).

Written testimony submitted to the Senate Judiciary Committee on Judicial Appointments: *Judicial Nominations, Filibusters, and the Constitution: When a Majority is Denied Its Right to Consent: Hearing Before the Subcommittee on the Constitution, Civil Rights and Property Rights of the Committee on the Judiciary, United States Senate, One Hundred Eighth Congress, First Session, May 6, 2003*, at 341-348 also at <http://a257.g.akamaitech.net/7/2422/20feb20041100/www.access.gpo.gov/congress/senate/pdf/108hr90460.pdf>.

Is the Judicial Confirmation Process Broken? What Would Hamilton, Tocqueville, and Montesquieu Do? on JURIST at: <http://jurist.law.pitt.edu/forum/symposium-jc/presser.php>.

The Unbearable Illegitimacy of American Law in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 29-30 (March 2004).

Marriage and the Law: Time for a Divorce? in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 20-22 (March 2004).

Have We Overreacted to the Fear of Racial Profiling? in 29 LITIGATION 29-34 (Summer 2003).
Stephen B. Presser's testimony before the Senate Judiciary Committee in Narrowing the Nation's Power: The Supreme Court Sides With the States, Hearing Before the Committee on the Judiciary, October 1, 2002, (Serial No. J-107-106) (U.S. Government Printing Office, 2003).

The Smug Satisfaction of the Media Mentioned in 19 CONSTITUTIONAL COMMENTARY 517-521 (2002).

What Would Jefferson Do? A Brief History of Dissent in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 23-25 (August 2003).

Between Free Speech and the Flag in 155 AMERICAN LEGION MAGAZINE 12-14, 16 (July 2003).

The Role of the Senate in Judicial Confirmations in FEDERALIST SOCIETY HOT TOPICS, at <http://www.fed-soc.org/Publications/hottopics/may03.pdf> (May 12, 2003).

What a Real Conservative Believes about "Judicial Ideology" in 6 GREEN BAG 2D 285-287 (2003).

Inherent Powers in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Barron v. Baltimore in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Erie Railroad Co. v. Thompkins in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Gibbons v. Ogden in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Hayburn's Case, Higher Law in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Impeachment in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Impeachment Trial of Samuel Chase in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Judiciary in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Judiciary Act of 1789 in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Judiciary Act of 1801 in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Natural Rights in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Separation of Powers in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Swift v. Tyson in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Ware v. Hylton in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

Judicial Review in *The Dictionary of American History*, 3rd edition, edited by Stanley I. Kutler (Charles Scribner's Sons, 2003).

The Rights of Aliens: 'We The People' versus Human Rights in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 22-24 (May 2003).

Some Thoughts on Our Present Discontents and Duties: The Cardinal, Oliver Wendell Holmes, Jr., the Unborn, the Senate, and Us in 1 AVE MARIA LAW REVIEW 113-126 (2003).

The Federal Courts, a Menorah, and the Ten Commandments: Whose Religious Iconography Is Constitutional? in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 19-21 (March 2003).

Vocational Schools, Professor Ludemann, and the University: Lessons from the American Law School Experience and Mark Twain in 32 RELIGION 129-133 (2002).

Metaphors Have Consequences in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 27-30 (January 2003) book review essay.

The Battle Over "Turning Back the Clock" in Constitutional Interpretation in 4 HISTORICALLY SPEAKING 28-31 (November 2002).

Heresy in the Temple: Holmes Desanctified (book review of Albert Alschuler's *Law Without Values: The Life, Work and Legacy of Justice Holmes*) is available at <http://www2.h-net.msu.edu/reviews/showrev.cgi?path=269661031051448>.

A Bad Man's View of the Law in December 2002 issue of CHRONICLES, A MAGAZINE OF AMERICAN CULTURE 27-28 (book review of Albert Alschuler's *Law Without Values: The Life, Work and Legacy of Justice Holmes*).

Outside the Box, But Never Outside of the Constitution: A Defense of 'Ordered Liberty' in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 16-18 (October 2002).

The Case for Judicial Appointments in 33 UNIVERSITY OF TOLEDO LAW REVIEW 353-392 (2002).

Sedition Act Trials in *The Oxford Companion to American Law*, edited by Kermit L. Hall (Oxford University Press, 2002).

Non-Profit Corporations in *The Oxford Companion to American Law*, edited by Kermit L. Hall (Oxford University Press, 2002).

For-Profit Corporations in *The Oxford Companion to American Law*, edited by Kermit L. Hall (Oxford University Press, 2002).

Impeachment Trial of Samuel Chase in *The Oxford Companion to American Law*, edited by Kermit L. Hall (Oxford University Press, 2002).

Jefferson's Cousin in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 27-28 (June 2002) a book review of R. Kent Newmyer's *John Marshall and the Heroic Age of the Supreme Court*.

Some Alarming Aspects of the Legacies of Judicial Review and of John Marshall in 43 WILLIAM AND MARY LAW REVIEW 1495-1511 (2002).

"Introduction," to Roscoe Pound, *The Ideal Element in Law* (2002)

" Vocational Schools, Professor Leudeman, and the University: Lessons from the American Law School Experience and Mark Twain," a chapter in the book, FAITH, TRUTH, AND FREEDOM: THE EXPULSION OF PROFESSOR GERD LÜDEMANN FROM THE THEOLOGY FACULTY AT GÖTTINGEN UNIVERSITY SYMPOSIUM AND DOCUMENTS EDITED BY JACOB NEUSNER BINGHAMTON, 2002: GLOBAL PUBLICATIONS

The Old Republic: The Habitation of Justice in CHRONICLES: A MAGAZINE OF AMERICAN CULTURE, 42-43 (May 2002).

How should the Law of Products Liability be Harmonized? What Americans Can Learn from Europeans in 2 Global Liability Issues (Manhattan Institute Center for Legal Policy (February 2002) (40 page paper published and distributed by the Manhattan Institute).

" Back to the Basics of the Constitution: It's not too late to return to the founding fathers original intentions for government," *The American Legion Magazine* (six-page feature article in the December, 2001, issue of this magazine, the magazine of the American Legion.)

Liberty Under Law Under Siege: America and the West, *Orbis Magazine* (The Magazine of the Foreign Policy Research Institute, Philadelphia Pennsylvania), July 2001, Vol. 45, No. 3, pp. 357-369

" DOES TORT REFORM THREATEN JUDICIAL INDEPENDENCE?" Separation of Powers and Civil Justice Reform: A Crisis of Legitimacy for Law and Legal Institutions, 31 Seton Hall Law Review 649-665 (2001) (Publication of a Federalist Society Symposium on Civil Justice Reform)

"Should Ideology of Judicial Nominees Matter?" Is the Senate's Current Reconsideration of the Confirmation Process Justified? 6 Texas Review of Law and Politics 245-274 (Fall, 2001)

"What Makes for Real Prosperity? The Small Businessman and Regulatory Discontent," Chronicles: A Magazine of American Culture, January 2002, pages 14-16.

A Round Table Discussion: Restoring the Electoral College, Don't Fix It in Chronicles: A Magazine of American Culture 18-19 (February 2001).

Can American Legal Education Be Fixed? in Chronicles: A Magazine of American Culture 50-53 (January 2001).

Law, Morality, and Religion in Chronicles: A Magazine of American Culture 22 (January 2001).

Constitutional Amendments: Dangerous Threat or Democracy in Action? in 5 Texas Review of Law & Politics 209-225 (2000).

Marbury, McCulloch, Gore and Bush: A Comment on Sylvia Snowiss in 33 John Marshall Law Review 1157-1170 (2000).

Commercial Speech and the First Amendment: Cigarette Companies and the Playboy Channel Have Rights Too--Or Do They? in Chronicles: A Magazine of American Culture 19-21 (October, 2000).

White Paper, The Case for Judicial Appointments (with John L. Dodd, Christopher Murray, Mark Pulliam, Alfred W. Putnam, and Paula Stannard), published, June 2000, by the Federalist Society, and available on their website, <http://www.fed-soc.org/judicialappointments.htm>

Would George Washington have wanted Bill Clinton impeached?, 67 George Washington Law Review 666 (1999).

Reasons We Shouldn't Be Here: Things we Cannot Say, an article first published over the internet in connection with a Symposium sponsored by the University of Chicago Humanities Program now a chapter in Lawrence Rothfield, ed., UNSETTLING SENATION: ARTS POLICY LESSONS FROM THE BROOKLYN MUSEUM CONTROVERSY pp. 52-71 (Rutgers University Press, 2001)

The Verdict on Samuel Chase, in Scott D. Gerber, ed., SERIATIM: ESSAYS IN THE POLITICS, HISTORY, AND JURISPRUDENCE OF THE UNITED STATES SUPREME COURT, 1789-1801 (New York University Press, 1998).

Other (op-ed pieces, etc.)

Does the Constitution Speak to Income Inequality? (Podcast), with Jeff Rosen and Willie Forbath, National Constitution Center, <http://nccpodcasts.podbean.com/2014/02/05/podcast-the-constitution-and-income-inequality/>

Civil Rights Remain Very Much Intact (New York Times "Room for Debate" Blog), June 26, 2013, <http://www.nytimes.com/roomfordebate/2013/06/26/is-the-civil-rights-era-over/in-the-latest-court-rulings-civil-rights-remain-intact>

The Marriage Fight Belongs in the States (New York Times "Room for Debate" Blog), March 26, 2013, <http://www.nytimes.com/roomfordebate/2013/03/26/civil-rights-decisions-in-courts-or-legislatures/the-marriage-fight-belongs-in-the-states>

Obama should know better on Supreme Court's role (op-ed for CNN.com), at http://articles.cnn.com/2012-04-03/opinion/opinion_presser-obama-supreme-court_1_judicial-activism-constitution-individual-mandate?_s=PM:OPINION

Supreme Court Has Legal Precedent to Strike Down Health Care Bill (op-ed for Policy-Mic), at <http://www.policymic.com/debates/6012>

"Philip Hamburger's Lesson for Our Times," (commentary for Liberty Forum Blog), at <http://www.libertylawsite.org/liberty-forum/philip-hamburgers-lessons-for-our-times/>

"Not All Buy Health Care as Commerce," (op-ed for Politico.com, March 2, 2011), at <http://www.politico.com/news/stories/0311/50435.html>

"Health Ruling Respects Limits on Government," (op-ed for CNN.com, January 31, 2011), at http://articles.cnn.com/2011-01-31/opinion/presser.health.care.ruling_1_individual-mandate-federal-courts-federal-bench?_s=PM:OPINION

"The Constitution Vindicated (op-ed for AOL, December 13, 2010) at <http://www.aolnews.com/2010/12/13/opinion-health-care-ruling-the-constitution-vindicated/>

Book Review of "Unrestrained: Judicial Excess and the Mind of the American Lawyer," by Robert F. Nagel, in *The University Bookman*, Volume 47, Number 1 (Winter 2010)

Book Review of Kermit Roosevelt, *The Myth of Judicial Activism: Making Sense of Supreme Court Decisions*, Volume 45, Number 2 (Spring 2007) *University Bookman*

"The Guantanamo Question," a commentary labeled "American Proscenium" in the April 2007 issue of *Chronicles: A Magazine of American Culture* page 6.

Book Review of David Kennedy and William W. Fisher III, *The Canon of American Legal Thought*, *American Lawyer* pp. 81-82 (April 2007).

Book review of Akhil Reed Amar's *America's Constitution: A Biography* *We, the People* in 6 *CLAREMONT REVIEW OF BOOKS* 48 (2 two-column pages) (Fall 2006)

Book review of Ron Chernow's *Alexander Hamilton* in June 2006 issue of *JOURNAL OF AMERICAN HISTORY* 192-193.

Book review of John Phillip Reid's book *"Rule of Law: The Jurisprudence of Liberty in the Seventeenth and Eighteenth Centuries"* in 24 LAW AND HISTORY REVIEW 463-465 (May, 2006)

Review Essay, "Some Dare Call it Justice," on Vincent Bugliosi, the Betrayal of America, Alan M. Dershowitz, Supreme Injustice, and Richard Posner, Breaking the Deadlock, in *Chronicles: A Magazine of American Culture*, December 2001, pp. 26-28.

Review Essay on Keith Whittington, Constitutional Construction and Keith Whittington, Constitutional Interpretation, Scheduled for publication in Summer 2002, in *Modern Age* (A magazine published by the Intercollegiate Studies Institute).

Review Essay, "The Ordinary, The Exceptional, The Corrupt, and the Moral: What Did the Impeachment of Bill Clinton Mean for America and Americans?" (on R. Posner, *An Affair of State*), 17 *Constitutional Commentary* 149 (2000) Review Essay, "Jeffersonian Blindness," on M. Segers and T. Jelen, *A Wall of Separation? Debating the Public Role of Religion*, and J. Noonan, *The Lustre of Our Country: The American Experience of Religious Freedom*, in 61 *The Review of Politics* 167 (1999)

Chicago Tribune Op-Ed Pieces

Why Bush Should Veto Shays-Meehan, Feb. 19, 2002

How Bush Would Fix the Supremes, November 5, 2000

Saving His Eternal Soul: Why Buchanan Should Not Jump Ship, September 16, 1999.

Selected Recent Professional or Public Appearances:

Addressed Illinois Society of Colonial Dames on Current Issues in Constitutional Law, March, 2014, Indian Hill Club, Winnetka

Addressed Jack Miller Society, Summer Conference, June 2013, on Constitutional Issues

Addressed Federalist Lawyers Society, Richmond Virginia, on Constitutional Issues, June 2013

Addressed Northwestern University Alumni New York Club on Current Issues in Constitutional law, New York, December 13, 2012

Addressed Federalist Society of Chicago, IL, on Constitutionality of Patient Protection and Affordable Care Act, July 17, 2012

Gave a paper on the Constitutionality of the Patient Protection and Affordable Care Act, at George Mason University School of Law, March 22, 2012

Gave a biographical presentation at Symposium honoring Marty Redish, Northwestern University School of Law, January 23, 2012

Gave a paper commenting on the eighteenth century roots of judicial independence at a Conference sponsored by the Federalist Society at Harvard Law School, March 28, 2011.

Gave a talk on “The Supreme Court: A Treasure in Transition” at the Fortnightly, Chicago, IL, February 22, 2011.

Gave a paper on Freedom of Association at a conference sponsored by the Liberty Fund and the Center on Law and Social Policy of Bowling Green University, in La Jolla California, on June 22, 2007

Gave a talk on responding to Terror at the Pritzker Military Library on May 3, 2007
Spoke on Judicial Selection at a seminar sponsored by the Lawyers’ Chapter of the Federalist Society, Las Vegas, Nevada, April 6, 2007

Commented on Papers at the Tort Litigation Conference sponsored by the Searle Center at Northwestern University School of Law, March 30, 2007
Delivered a paper on Judicial Confirmations at a conference on separation of powers at Loyola University School of Law, March 23, 2007

Spoke before the Contemporary Club of Chicago, January 26, 2007, “Whither the Supreme Court,” on current Supreme Court controversies

10/06 on NPR Radio Talk of the Nation (talk about Supreme Court)

Speech for the Chicago World President’s Organization (WPO) on 2/21/06 to speak on the current state of the Supreme Court

A debate with Geoff Stone of the University of Chicago before the Chicago chapter of the United Jewish Appeal Speech at Jenner & Block, to debate judicial ideology (2/27/06)

June 26, 2006 Debate on the merits of the Flag Amendment with three other participants on Kentucky Public radio (one of the participants was an ACLU type, another was a veterans rights activist, and a third was a former Miss America)

Speech on 9/13/06 before the Northwestern University School of Law Federalist Society on Judicial Ideology.

Appearance on 10/03/06 on Milt Rosenberg’s Extension 720 radio program in Chicago to discuss current events

Debate on 11/01/06 with Robert Bennett on the merits of George Bush’s recent performance, in an event sponsored by Northwestern University School of Law Federalist society and Constitution Society

Speech on 11/07/06 at the University of Chicago School of Law Federalist Society on the future of the Supreme Court

Taped Appearance on 3/07/07 with the Canadian Broadcasting Corporation (CBC) (partly in French) on the Conrad Black case

Co-Organizer and Commentator, Conference on Human Rights and the Rule of Law, Held July 23-24, 2000, London England, under the auspices of Northwestern University School of Law and the Institute of United States Studies, University of London, sponsored by the Searle Foundation

Participant, Liberty Fund Conference on Liberty in Anglo-American Law, London England, July 19-22, 2000

Participant, Liberty Fund Conference on The Constitution and The Bill of Rights, Lexington, Ky., June 6-8, 2000

Faculty Member, Liberty Fund Seminar for the Instruction of Judges, Key West Florida, September, 1999.

Congressional Testimony, MARCH 23, 1999, 4075 words, PREPARED TESTIMONY OF PROFESSOR STEPHEN B. PRESSER BEFORE THE HOUSE COMMITTEE ON THE JUDICIARY SUBCOMMITTEE ON THE CONSTITUTION SUBJECT - IN SUPPORT OF H.J. RES. 33 (THE "FLAG PROTECTION" AMENDMENT)

Congressional Testimony, NOVEMBER 9, 1998, 8080 words, PREPARED TESTIMONY OF STEPHEN B. PRESSER RAOUL BERGER PROFESSOR OF LEGAL HISTORY NORTHWESTERN UNIVERSITY SCHOOL OF LAW BEFORE THE HOUSE JUDICIARY COMMITTEE CONSTITUTION SUBCOMMITTEE SUBJECT - "THE BACKGROUND AND HISTORY OF IMPEACHMENT"

Congressional Testimony, MAY 21, 1998, 2942 words, PREPARED TESTIMONY OF STEPHEN B. PRESSER RAOUL BERGER PROFESSOR OF LEGAL HISTORY NORTHWESTERN UNIVERSITY SCHOOL OF LAW BEFORE THE HOUSE JUDICIARY COMMITTEE SUBCOMMITTEE ON THE CONSTITUTION SUBJECT - H.R. 3682 -- CHILD CUSTODY PROTECTION ACT

Selected Civic, Professional, Charitable, and Academic Associations:

Trustee, Village of Winnetka, Illinois, 2000- 2004; Police and Fire Commissioner, Village of Winnetka 2004- 2012, Chair 2008- 2012.

Member, Board of Directors, University Club of Chicago (1997-2000, Secretary 1999-2000),

Member, Membership Development Committee (2012-2014)

Member, American Law Institute (1986-Present)

Member, Board of Directors, Harvard Club of Chicago (1982-1988. 2000- 2005)

Member, Board of Academic Advisors, Washington Legal Foundation, Washington, D.C. (1985-Present)

Member, Advisory Board, Center for Individual Rights, Washington, D.C. (1994-Present)

Member, Advisory Board, Texas Journal of Law and Policy, Austin Texas (1999 – Present)

Recent Reviews for other Institutions

Made a recommendation for Tenure of Professor Peter Oh, University of Pittsburgh School of Law, February, 2014

Reviewed manuscripts for Cambridge University Press and Oxford University Press, 2013-2014