

JAMAL GREENE

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EXPERIENCE

COLUMBIA LAW SCHOOL, *Dwight Professor of Law* 2016 – present

Professor of Law 2012 – 2016

Associate Professor of Law 2008 – 2012

Taught lecture courses in Constitutional Law; Law of the Political Process; Comparative Constitutional Law; Federal Courts; and First Amendment. Taught seminars in Free Expression and Social Media; Transnational Constitutionalism; Theories of Constitutional Interpretation; Citizenship; and Citizenship, Religion, and Identity. Taught overseas mini-courses in Legislation and Administrative Law; Constitutional Theory; and Constitutional Law. Participated in faculty governance as member of numerous law school and university committees, including as Vice Dean for Intellectual Life and as chair of the entry-level and lateral appointments committees. Published more than 45 articles and book chapters and one book.

OVERSIGHT BOARD, *Co-Chair* 2020 – 2022

Served as inaugural co-chair of independent non-profit organization set up to oversee content moderation on Facebook and Instagram based on international human rights principles. Adjudicated and reached binding decisions on dozens of individual cases, deliberated on hundreds of policy recommendations, oversaw administrative staff, and worked with other co-chairs, Board members, and staff to establish Board's governing rules and procedures.

KNIGHT FIRST AMENDMENT INSTITUTE, *Senior Visiting Research Scholar* 2018 – 2019

HARVARD LAW SCHOOL, *Leo Gottlieb Visiting Professor of Law* Winter 2017

NEW YORK UNIVERSITY SCHOOL OF LAW, *Academic Fellow* 2007 – 2008

HON. JOHN PAUL STEVENS, UNITED STATES SUPREME COURT, *Law Clerk* 2006 – 2007

HON. GUIDO CALABRESI, U.S. COURT OF APPEALS, SECOND CIRCUIT, *Law Clerk* 2005 – 2006

BELDOCK, LEVINE & HOFFMAN, LLP, New York, NY, *Summer Associate* Summer 2004

DEBEVOISE & PLIMPTON, LLP, New York, NY, *Summer Associate* Summer 2004

BRENNAN CENTER FOR JUSTICE, New York, NY, *Democracy Program Intern* Summer 2003

EDUCATION

YALE LAW SCHOOL, J.D., 2005

- Articles Editor, *Yale Law Journal*
- Teaching Assistant (Coker Fellow), Contracts

HARVARD UNIVERSITY, A.B. (Economics), 1999

ACADEMIC PUBLICATIONS

Works-in-Progress

The Right to Grow Old, in LAW AND THE 100-YEAR LIFE (Anne Alstott & Abbe Gluck eds., expected 2023) (book chapter)

Text, History, and Precedent, in RESEARCH HANDBOOK ON CONSTITUTIONAL INTERPRETATION (Carlos Bernal, Sujit Choudhry, & Kate O'Regan eds., expected 2023) (with Yvonne Tew) (book chapter)

Books

HOW RIGHTS WENT WRONG: WHY OUR OBSESSION WITH RIGHTS IS TEARING AMERICA APART (Houghton Mifflin Harcourt, 2021).

Articles

Rights as Trumps?, 132 HARV. L. REV. 28 (2018).

- Quoted in *Marchan v. John Miller Farms*, 352 F. Supp. 3d 938, 948 n.5 (2018)

The Age of Scalia, 130 HARV. L. REV. 144 (2016).

Rule Originalism, 117 COLUM. L. REV. 1639 (2016).

The Meming of Substantive Due Process, 31 CONST. COMM. 241 (2016).

The Supreme Court as a Constitutional Court, 128 HARV. L. REV. 124 (2014).

Pathetic Argument in Constitutional Law, 113 COLUM. L. REV. 1389 (2013).

The Anticanon, 125 HARV. L. REV. 379 (2011).

- Quoted in *Torres v. Seaboard Foods, LLC*, 373 P.3d 1057, ¶ 24 n.35, ¶ 29 n.49 (Okla. 2016).
- Cited in *Aurelius Inv. LLC v. Puerto Rico*, 915 F.3d 838, 854 n.12 (1st Cir. 2019); *Pena-Martinez v. Azar*, D.P.R. 2019; *In Re Regina Metro Co. LLC v. NY Div. Housing & Community Renewal*, 154 N.E.3d 332 (N.Y. 2020)

Profiling Originalism, 111 COLUM. L. REV. 356 (2011) (with Nathaniel Persily & Stephen Ansolabehere).

- Cited in *Covington v. State*, M.D. N.C. 2017

On the Origins of Originalism, 88 TEX. L. REV. 1 (2009).

Heller High Water? The Future of Originalism, 3 HARV. L. & POL'Y REV. 325 (2009).

- Quoted in *Tyler v. Hillsdale County Sheriff's Dep't*, 775 F.3d 308, 332 (6th Cir. 2014).

Selling Originalism, 97 GEO. L.J. 657 (2009).

- Cited in *Ex parte A.A.R.*, 187 D.P.R. 835, 973 (Sup. Ct. P.R. 2013) (Hernández Denton, J., dissenting).

Beyond Lawrence: Metaprivacy and Punishment, 115 YALE L.J. 1862 (2006).

Comment, *Divorcing Marriage from Procreation*, 114 YALE L.J. 1989 (2005).

- Quoted in *In re Marriage Cases*, 143 Cal. App. 4th 873, 952 n.5 (Cal. App. 1st Dist. 2006) (Kline, J., dissenting).

Note, *Judging Partisan Gerrymanders Under the Elections Clause*, 114 YALE L.J. 1021 (2005).

- Quoted in *Lance v. Dennis*, 444 F. Supp. 2d 1149, 1155 n.9 (D. Colo. 2006) (three-judge panel).

Hands Off Policy: Equal Protection and the Contact Sports Exemption of Title IX, 11 MICH. J. GENDER & L. 133 (2005).

Note, *Disappearing Dilemmas: Judicial Construction of Ethical Choice as Strategic Behavior in the Criminal Defense Context*, 23 YALE L. & POL'Y REV. 225 (2005) (with Manuel Berrélez & Bryan Leach).

- Cited in *People v. Jarvis*, 2015 N.Y. Slip Op. 02869 (N.Y. Court of Appeals, Apr. 7, 2015) (Pigott, J., dissenting)

Symposium Contributions and Invited Lectures

Government Counterspeech, Knight First Amendment Institute, Lies & the Law Symposium (2022), <https://knightcolumbia.org/content/government-counterspeech>

Constitutional Moral Hazard and Campus Speech, 61 WM. & MARY L. REV. 223 (2019).

Is Korematsu Good Law?, YALE L.J. FORUM, Jan. 30, 2019.

A Private Law Court in a Public Law System, 12 L. & ETHICS OF HUMAN RIGHTS 37 (2018) (peer reviewed).

Trump as a Constitutional Failure, 93 INDIANA L.J. 93 (2018).

Maximinimalism, 38 CARDOZO L. REV. 623 (2016).

A Nonoriginalism for Originalists, 96 B.U. L. REV. 1443 (2016).

Constitutional Rhetoric, 50 VALPARAISO L. REV. 519 (2016).

(Anti)Canonizing Courts, 143 DAEDALUS 157 (2014).

What the New Deal Settled, 15 U. PA. J. CONST. L. 265 (2012).

Thirteenth Amendment Optimism, 112 COLUM. L. REV. 1733 (2012).

The Case for Original Intent, 80 GEO. WASH. L. REV. 1683 (2012).

Fourteenth Amendment Originalism, 71 MD. L. REV. 978 (2012).

How Constitutional Theory Matters, 72 OHIO St. L.J. 1183 (2011).

Originalism's Race Problem, 88 DEN. U. L. REV. 517 (2011).

The Rule of Law as a Law of Standards, 99 GEO. L.J. 1289 (2011).

Guns, Originalism, and Cultural Cognition, 13 U. PA. J. CONST. L. 511 (2010).

The So-Called Right to Privacy, 43 U.C. DAVIS L. REV. 715 (2010).

- Cited in *McDonald v. City of Chicago*, 561 U.S. 742, 864 n.8 (2010) (Stevens, J., dissenting).

Book Chapters

The Elephant in the Room, in PROPORTIONALITY AND TRANSFORMATION: THEORY AND PRACTICE FROM LATIN AMERICA (Francisca Pou-Giménez, Laura Clérico, & Esteban Restrepo-Saldarriaga eds., 2022)

Free Speech on Public Platforms, in NEW TECHNOLOGIES OF COMMUNICATION AND THE FIRST AMENDMENT: THE INTERNET, SOCIAL MEDIA AND CENSORSHIP (Lee Bollinger & Geoffrey Stone eds., 2022)

Comparative Approaches to Constitutional History, in COMPARATIVE JUDICIAL REVIEW (Erin Delaney & Rosalind Dixon eds., 2018) (with Yvonne Tew).

Interpretation, in OXFORD HANDBOOK OF THE U.S. CONSTITUTION (Mark Tushnet, Sanford Levinson, & Mark A. Graber eds., 2015).

On Substance and Rhetoric in Constitutional Law, in MAKING LAW AND COURTS RESEARCH RELEVANT: THE NORMATIVE IMPLICATIONS OF EMPIRICAL RESEARCH (Brandon Bartels & Chris W. Bonneau eds., 2014).

The Missing Due Process Argument, in THE HEALTH CARE CASE: THE SUPREME COURT'S DECISION AND ITS IMPLICATIONS (Gillian Metzger, Trevor Morrison, & Nathaniel Persily eds., 2013).

Hate Speech and the Demos, in CONTENT AND CONTEXT OF "HATE SPEECH": RETHINKING REGULATION AND RESPONSES (Michael Eric Herz & Peter Molnar eds., 2012).

Constitutional Interpretation in Comparative Perspective: Comparing Judges or Courts?, in COMPARATIVE CONSTITUTIONAL LAW (Rosalind Dixon & Tom Ginsburg eds., 2011) (with Vicki C. Jackson).

Book Reviews

Review, *John Paul Stevens, The Making of a Justice: Reflections on My First 94 Years*, 20 J. APP. PRAC. & PROC. 327 (2019)

Review, RICHARD A. EPSTEIN, THE CLASSICAL LIBERAL CONSTITUTION, in 130 POLIT. SCI. Q. 540 (2015).

The Alchemy of Dissent, 45 TULSA L. REV. 703 (2011) (reviewing STEPHEN FELDMAN, FREE EXPRESSION AND DEMOCRACY IN AMERICA (2008)).

Giving the Constitution to the Courts, 117 YALE L.J. 886 (2008) (reviewing KEITH E. WHITTINGTON, POLITICAL FOUNDATIONS OF JUDICIAL SUPREMACY: THE PRESIDENCY, THE SUPREME COURT, AND CONSTITUTIONAL LEADERSHIP IN U.S. HISTORY (2007)).

LECTURES, PANELS & PRESENTATIONS

- Discussant, Lecture on Judicial Virtues (Lawrence B. Solum), Project on Constitutional Originalism and the Catholic Intellectual Tradition, Catholic University of America, Washington, DC (Nov. 2022)

- Panelist, “The Legal Profession and Constitutional Culture,” Federalist Society National Lawyers Convention, Washington, DC (Nov. 2022)
- Lecture, “Saving the Constitution,” ASU Center for the Study of Religion and Conflict, Tempe, AZ (Sept. 2022)
- Constitution Day Lecture, Drake Law School, Des Moines, IA (Sept. 2022)
- Panelist, “Free Speech in an Age of Democratic Backsliding,” American Political Science Association Annual Meeting (September 2022) (remote)
- Panelist, Supreme Court Review, New York City Bar Association, New York, NY (July 2022)
- Discussant, “Checks, Balances, and the Relation Between the Branches,” Law & Society Association Global Meeting, Lisbon, Portugal (July 2022)
- Roundtable, “Public and Private Approaches to Online Hate Speech Regulation,” Law & Society Association Global Meeting, Lisbon, Portugal (July 2022)
- “Constitutional Democracy Around the Globe: Contemporary Challenges & Future Directions,” Center for Transnational Legal Studies, King’s College London, UK (July 2022)
- Convener, Comparing Courts, Comparing Judges, Columbia Global Center in Paris, France (July 2022)
- Panel on Disinformation, Second Circuit Judicial Conference, Bolton Landing, NY (June 2022)
- “Engaging Globally: A Discussion on How ACS Can Engage with Progressive International Law Movements,” American Constitution Society National Convention, Washington, DC (June 2022)
- Supreme Court Review, Louisiana State Bar Association Annual Meeting, Destin, FL (June 2022)
- How Rights Went Wrong, Louisiana State Bar Association Annual Meeting, Destin, FL (June 2022)
- Commentator, Annual Civil Procedure Workshop, Cardozo Law School, New York, NY (May 2022)
- Panelist, Conference on Public Rights, Columbia University, New York, NY (May 2022)
- “What Should Be the Limits to Freedom of Expression in Democratic Societies?,” Columbia University Global Center in Rio de Janeiro, Brazil (May 2022) (remote)
- Panelist, Awakening Our Democracy: Digital Citizenship, Columbia University, New York, NY (Apr. 2022)
- Deplatforming: Does Big Tech Protect or Prevent Public Discourse?, Coors Lecture Series, Cornell University, Ithaca, NY (Apr. 2022)
- “Government Speech,” Lies, Free Speech, and the Law Symposium, Knight First Amendment Institute, New York, NY (Apr. 2022)
- Commentator, Inaugural B.R. Ambedkar Lecture (delivered by Pratap Bhanu Mehta), Columbia Law School, New York, NY (Mar. 2022)
- Panelist, Equal Rights and Wrongs, Harvard Radcliffe Institute (Mar. 2022) (remote)
- Panelist, Data, Algorithms, and Human Rights: Life in the Age of Prediction, Schwartz Reisman Institute for Technology and Society, University of Toronto (Mar. 2022) (remote)
- Panelist, The Future of Court Reform, Harvard Kennedy School (Mar. 2022) (remote)
- Panelist, *Democracy and Distrust* at 40: The Past and Future of Dean Ely’s Pathbreaking Work, Stanford Law School, Stanford, CA (Feb. 2022)
- Content Moderation and Human Rights on Facebook and Instagram, University of the Philippines (Feb. 2022) (remote)
- Democracy Talks Series, George W. Bush Institute (Feb. 2022) (remote)
- Book Talk, How Rights Went Wrong, Columbia Academy on Law and Global Affairs (Feb. 2022) (remote)
- “Free Speech on Public Platforms,” Stanford Cyber Policy Center (Jan. 2022) (remote)
- Workshop, How Rights Went Wrong, Florida State University College of Law (Jan. 2022) (remote)
- Workshop, Constitutional Review in China, Yale Law School China Center (Dec. 2021) (remote)
- Forum, Justice Stephen Breyer’s “The Authority of the Court and the Perils of Politics,” Concord Museum & National Archives & Records Administration (Dec. 2021) (remote)
- Democracy Speaker Series, Harvard Law School (Nov. 2021) (remote)
- “Free Speech on Public Platforms,” Towards Life 3.0 Series, Carr Center for Human Rights Policy, Harvard Kennedy School (Nov. 2021) (remote)
- Panelist, International Legal Book Fair, Mexican Supreme Court of Justice (Nov. 2021) (remote)
- Recent Books on the Constitution Seminar, Georgetown University Law Center, Washington, D.C. (Nov. 2021)

- Participatory Democracy Speaker Series, University of Arizona School of Law (Oct. 2021) (remote)
- Panelist, The Misinformation Age, University of British Columbia (Oct. 2021) (remote)
- Ethics in AI Colloquium, “The Right to Free Expression on Social Media,” Oxford University, Oxford, UK (Oct. 2021)
- Book Talk, How Rights Went Wrong, Brooklyn Book Festival, Brooklyn, NY (Sept. 2021)
- Constitution Day Lecture, Northeastern University School of Law (Sept. 2021) (remote)
- Book Talk, How Rights Went Wrong, City Club of Cleveland, Cleveland, OH (Sept. 2021)
- Frank J. Battisti Memorial Lecture, Case Western Reserve School of Law, Cleveland, OH (Sept. 2021)
- Barrett Lecture, UC Davis School of Law, Davis, CA (Aug. 2021)
- Discussant, Supreme Court Reform, Center for American Progress (Aug. 2021) (remote)
- Book Talk, How Rights Went Wrong, Columbia University Global Center in Santiago, Chile (July 2021) (remote)
- Testimony, Presidential Commission on the Supreme Court of the United States (July 2021) (remote)
- Panelist, ABA Annual Supreme Court Year in Review (July 2021) (remote)
- Panelist, Plenary, Technology and the Future of Public Law, International Society of Public Law Annual Conference (July 2021) (remote)
- Panelist, Content Moderation, Digitization and Democracy Symposium, National Academy of Sciences (June 2021) (remote)
- Panelist, The Constitution in Exile, American Constitution Society National Convention (June 2021) (remote)
- Panelist, The Decisions of Facebook’s Oversight Board—Implications for the Global South, Particularly in Latin America, Inter-American Dialogue (May 2021) (remote)
- Book Talk, Knight First Amendment Institute, Columbia University (May 2021) (remote)
- Panelist, Deplatforming Trump: The Facebook Oversight Board Decision, Aspen Institute (May 2021)
- Keynote, Publius Symposium, Stanford Law School (Apr. 2021) (remote)
- Faculty Workshop, University of Chicago Law School (Mar. 2021) (remote)
- Book Talk, How Rights Went Wrong, Commonwealth Club (Mar. 2021) (remote)
- Book Talk, How Rights Went Wrong, Brennan Center for Justice (Mar. 2021) (remote)
- Book Talk, How Rights Went Wrong, Boston Athenaeum (Mar. 2021) (remote)
- Panelist, The Future of the American Press, Yale Law School Information Society Project & Abrams Institute for Free Expression (Mar. 2021) (remote)
- Book Talk, How Rights Went Wrong, Harvard Bookstore (Mar. 2021) (remote)
- Keynote, National Conference of Constitutional Law Scholars (Mar. 2021) (remote)
- Panelist, The Misinformation Age, University of British Columbia (Mar. 2021) (remote)
- Panelist, Liberalism and Online Speech, Walled Gardens or a Marketplace of Ideas?, Cato Institute (Feb. 2021) (remote)
- Panelist, You Thought 2020 Was Tough for Content Moderation? Welcome to 2021, State of the Net Conference (Jan. 2021) (remote)
- Panelist, The Press and the Separation of Powers: The News Media’s Relationships with Public and Private Power, American Association of Law Schools Annual Meeting (Jan. 2021) (remote)
- Panelist, Fixing SCOTUS: Proposals for Court Reform, American Constitution Society NYU & Columbia Student Chapters (Nov. 2020) (remote)
- Speaker, Human Rights in the Digital Age: Making Digital Technology Work for Human Rights, Glion VII Policy Dialogue 2020 (Nov. 2020) (remote)
- Commentator, 2020 BCLT Privacy Lecture: Digital and Physical Company Towns in the Age of Public Capitalism, Berkeley Center for Law & Technology (Oct. 2020) (remote)
- Moderator, Book Event: Constitutional Statecraft in Asian Courts, American Society of Comparative Law Annual Conference (Oct. 2020) (remote)
- Keynote Lecture, Symposium: Empires or Umpires? Political Questions, Separation of Powers, and Judicial Legitimacy, University of Connecticut Law Review (Oct. 2020) (remote)
- Presenter, Constitution Drafting Project, National Constitution Center (Oct. 2020) (remote)

- Panelist, Decision 2020, Hunter College High School Alumni Association (Sept. 2020) (remote)
- Panelist, Combatting Online Misinformation, Council on Foreign Relations (Aug. 2020) (remote)
- Panelist, The Importance of Term Limits for the Supreme Court, Center for American Progress (Aug. 2020) (remote)
- Panelist, ABA Annual Supreme Court Year in Review (July 2020) (remote)
- Panelist, Meet the New Facebook Oversight Board, Aspen Institute (May 2020) (remote)
- “The Rights Epidemic,” Conference on Constitutional Originalism, USD Law School, San Diego, CA (Feb. 2020)
- Speaker, Free Speech Symposium, The Dalton School, New York, NY (Feb. 2020)
- MLK Memorial Lecture, Vanderbilt Law School, Nashville, TN (Jan. 2020)
- Genest Lecture, Osgoode Hall Law School, Toronto, CA (Jan. 2020)
- *Statutory and Constitutional Interpretation at the Supreme Court: Will Justices Gorsuch and Kavanaugh Make a Difference?*, American Ass’n of Law Schools Annual Meeting, Washington, D.C. (Jan. 2020)
- Panelist, “Beyond the Bench: Federal Judges, Public Engagement, & Civil Rights,” Princeton University School of Public and International Affairs (Dec. 2019)
- *Does Originalism Protect Unenumerated Rights?*, Federalist Society Lawyers’ Convention, Washington, D.C. (Nov. 2019)
- “The Rights Epidemic,” Faculty Workshop, Michigan Law School, Ann Arbor, MI (Nov. 2019)
- A Conversation About the Place of Slavery in American Law, Columbia Law School, New York, NY (Oct. 2019)
- “The Rights Epidemic,” Faculty Workshop, Columbia Law School, New York, NY (Sept. 2019)
- “The Rights Epidemic,” Public Law Workshop, Berkeley School of Law, Berkeley, CA (Sept. 2019)
- Supreme Court Review, Columbia Law School, New York, NY (Sept. 2019)
- “The Rights Epidemic,” Public Law Workshop, NYU School of Law, New York, NY (Aug. 2019)
- “The Rights Epidemic,” Faculty Workshop, Univ. of Iowa College of Law, Iowa City, IA (Aug. 2019)
- The Roberts Court 2018–19, ABA Webinar, Aug. 5, 2019 (remote)
- Panelist, *The Relationship of the Constitution with the Past*, Int’l Society of Public Law Annual Conference Santiago, Chile (July 2019)
- Discussant, *Global Constitutionalism in Crisis?*, Int’l Society of Public Law, Annual Conference, Santiago, Chile (July 2019)
- Discussant, *Proportionality, US Constitutional Law, and “Rights as Trumps?”*, Int’l Society of Public Law, Annual Conference, Santiago, Chile (July 2019)
- “Rights Absolutism,” Seminario en Latinoamérica de Teoría Constitucional y Política (SELA), Buenos Aires, Argentina (June 2019)
- Works-in-Progress Roundtable in Comparative Law, Austin, TX (May 2019)
- “Rights as Trumps,” University of Pennsylvania Law School Public Law Workshop, Cambridge, MA (Apr. 2019)
- Panelist, “Court Packing,” American Constitution Society Columbia Law School Chapter (Apr. 2019)
- Panelist, Voting Rights Panel, American Constitution Society Columbia Law School Chapter, New York, NY (Mar. 2019)
- Constitutional Theory Seminar, Tulane Law School, New Orleans, LA (Mar. 2019)
- “Rights as Trumps,” Harvard Law School Public Law Workshop, Cambridge, MA (Mar. 2019)
- “Rights as Trumps,” University of Michigan Law School Public Law Workshop, Ann Arbor, MI (Jan. 2019)
- Moderator, Freedom of Speech in 21st Century America: Second Annual First Amendment Program, New York City Bar, New York, NY (Dec. 2018)
- Democratic Distortions Conference, NYU School of Law, New York, NY (Nov. 2018)
- Originalism 3.0, Northwestern Pritzker School of Law, Chicago, IL (Nov. 2018)
- Panelist, American Voter Project: The Supreme Court Confirmation of Brett Kavanaugh, Eric H. Holder Jr. Initiative for Civil and Political Rights, Columbia University, New York, NY (Oct. 2018)
- Conference on Justice Anthony Kennedy, Georgia State University College of Law, Atlanta, GA (Oct. 2018)
- “The Rule of Law, Adjudication, and Proportionality,” Celebration of the 70th Anniversary of the Universidad de los Andes Law School, Bogotá, Colombia (Sept. 2018)

- Panelist, The Future of the Supreme Court, Columbia Law School, New York, NY (Sept. 2018)
- “Regulating Online Threats to Democracy,” International Society of Public Law Conference, Hong Kong (June 2018)
- Constitutional Reasoning Workshop, Xth World Congress of the International Association of Constitutional Law, Seoul, South Korea (June 2018)
- “Rights as Trumps,” University of Pittsburgh School of Law, Pittsburgh, PA (Apr. 2018)
- “Rights as Trumps,” Faculty Workshop, Columbia Law School, New York, NY (Apr. 2018)
- Advanced Constitutional Law Workshop, Georgetown University Law Center, Washington, D.C. (March 2018)
- Distinguished Commentator, Constitutional Law Scholars Conference, Tucson, AZ (March 2018)
- Panelist, Federalist Society Student Symposium, Washington, D.C. (March 2018)
- Commentator, Comparative Constitutional Law Roundtable, Washington, D.C. (March 2018)
- Panelist, ACS Panel on Norms and the Rule of Law, San Diego, CA (Jan. 2018)
- Commentator, ACS Junior Scholars Public Law Workshop, San Diego, CA (Jan. 2018)
- Panelist, Madison’s Notes Conference, James Madison’s Montpelier, Orange, VA (Dec. 2017)
- Moderator, The First Amendment: From Skokie to Charlottesville & Beyond, New York City Bar, New York, NY (Dec. 2017)
- “A Private Law Court in a Public Law System,” University of Texas at Austin Law School, Austin, TX (Nov. 2017)
- “Redistricting and Representation,” American Academy of Arts & Sciences, Cambridge, MA (Nov. 2017)
- “Courts Under Pressure: Protecting Rule of Law in the Age of Trump,” Brennan Center for Justice, New York, NY (Nov. 2017)
- “A Private Law Court in a Public Law System,” Faculty Workshop, University of Minnesota Law School (Oct. 2017)
- “Can the Constitution Save Us?,” Cutler Lecture, William & Mary Law School, Williamsburg, VA (Sept. 2017)
- Constitution Day Lecture, Johns Hopkins University, Baltimore, MD (Sept. 2017)
- “The Role of Facts in Constitutional Adjudication,” International Society of Public Law Conference, Copenhagen, Denmark (July 2017)
- Commentator, “Judicial Authority Within the Judiciary,” Seminario en Latinoamérica de Teoría Constitucional y Política (SELA), Quito, Ecuador (June 2017)
- “A Big Fix: Should We Amend Our Constitution?,” Conference, Stanford Law School, Palo Alto, CA (May 2017)
- “Constitutional Adjudication: Traditions and Horizons,” International Association of Constitutional Law Roundtable, LUISS Guido Carli University, Rome, Italy (May 2017)
- “The Future of the U.S. Constitution,” Conference, Maurer School of Law at Indiana University Bloomington Bloomington, IN (Apr. 2017)
- *A Private Law Court in a Public Law System*, Public Law Workshop, Harvard Law School (Mar. 2017)
- *A Private Law Court in a Public Law System*, FGV-Columbia Exchange, São Paulo, Brazil (Dec. 2016)
- “Global Constitutionalism and Human Rights,” Conference, Boston College Law School, Newton, MA (Dec. 2016)
- Commentator, Equality Law Roundtable, Cardozo Law School, New York, NY (Nov. 2016)
- Comparative Judicial Review, Conference, Northwestern University Pritzker School of Law, Chicago, IL (Oct. 2016)
- *Rights as Trumps: A Reappraisal*, Dean Alfange, Jr. Distinguished Lecture on American Constitutionalism, University of Massachusetts Amherst, Amherst, MA (Sept. 2016)
- Moderator, “Supreme Court Review,” New York City Bar Association (July 2016)
- Economic Liberties and the Fourteenth Amendment, Colloquium, Federalist Society/Liberty Fund, Chicago, IL (July 2016)
- *Rule Originalism*, Faculty Workshop, Columbia Law School, New York, NY (Apr. 2016)
- *Rule Originalism*, Conference on Constitutional Originalism, USD Law School, San Diego, CA (Feb. 2016)
- *Rule Originalism*, Faculty Workshop, Yale Law School, New Haven, CT (Feb. 2016)

- Slavery v. Liberty: The History and Relevance of the Thirteenth Amendment @ 150, Howard University School of Law, Washington, D.C. (Dec. 2015)
- Thinking About Federalism(s) Beyond the U.S. Experience, Yale Law School, New Haven, CT (Oct. 2015)
- Ten Years the Chief: Examining a Decade of John Roberts on the Supreme Court, Cardozo Law School, New York, NY (Oct. 2015)
- Constitutional Culture: Identities, Texts, Institutions, Queens University, Hamilton, ON, Canada (Oct. 2015)
- Montpelier Comparative Constitutional Law Roundtable, Orange, VA (Oct. 2015)
- *The Meming of Substantive Due Process*, Faculty Workshop, University of Virginia School of Law, Charlottesville, VA (Sept. 2015)
- Panelist, Supreme Court Review, ABA Annual Meeting, Chicago, IL (Aug. 2015)
- The High Court's Recent Jurisprudence, N.Y. Appellate Division Seminar, New York, NY (May 2015)
- *The Meming of Substantive Due Process*, Faculty Workshop, Columbia Law School, New York, NY (Apr. 2015)
- Commenter, Proportionality in Transnational Perspective, Harvard Law School, Cambridge, MA (Mar. 2015)
- Commenter, Comparative Constitutional Law Roundtable, George Washington University Law School, Washington, DC (Mar. 2015)
- *The Meming of Substantive Due Process*, Faculty Workshop, William & Mary Law School, Williamsburg, VA (Feb. 2015)
- (Anti)Canonizing Courts, American Academy of Arts and Sciences Meeting, Yale Club, New York, NY (Dec. 2014)
- "Constitutional Rhetoric," Seegers Lecture on Jurisprudence, Valparaiso University School of Law, Valparaiso, IN (Oct. 2014)
- Panelist, Supreme Court Review, ABA Annual Meeting, Boston, MA (Aug. 2014)
- "The Fire This Time: Constructing Our Post-Racial Future," James Baldwin Lecture on Literary and Social Criticism, Adelphi University, Hempstead, NY (Apr. 2014)
- Commentator, "Originalism and the Desegregation Decisions," Virginia Law Review Centennial Symposium, Charlottesville, VA (Mar. 2014)
- *Race and Original Meaning*, Black History Month Event, Duke Law School, Durham, NC (Feb. 2014)
- *Pathetic Argument in Constitutional Law*, Faculty Workshop, Stanford Law School, Palo Alto, CA (Jan. 2014)
- *Pathetic Argument in Constitutional Law*, Georgetown Constitutional Law Colloquium, Georgetown University Law Center, Washington, D.C. (Oct. 2013)
- *(Anti)Canonizing Courts*, LAPA Seminar, Princeton University, Princeton, N.J. (Oct. 2013)
- Panelist, Supreme Court Review, ABA Annual Meeting, San Francisco, CA (Aug. 2013)
- Panelist, "Supreme Court: A Year in Review," City Bar Center for CLE, New York, NY (July 2013)
- Discussant, Normative Implications of Empirical Research on Law and Courts Workshop, Washington, D.C. (May 2013)
- Panelist, "Roe at 40: What Have We Learned?," Stanford Constitutional Law Center, Stanford, CA (Mar. 2013)
- Commenter, Comparative Constitutional Law Roundtable, Washington, D.C. (Mar. 2013)
- *Pathetic Argument in Constitutional Law*, Constitutional Theory Colloquium, University of Chicago Law School, Chicago, IL (Feb. 2013)
- *Pathetic Argument in Constitutional Law*, Faculty Workshop, Columbia Law School, New York, NY (Jan. 2013)
- *Pathetic Argument in Constitutional Law*, Faculty Workshop, Fordham Law School, New York, NY (Oct. 2012)
- *Pathetic Argument in Constitutional Law*, Faculty Workshop, Brooklyn Law School, Brooklyn, NY (Oct. 2012)
- *Pathetic Argument in Constitutional Law*, Constitutional Law and Theory Colloquium, Cornell Law School, Ithaca, NY (Sept. 2012)
- *Pathetic Argument in Constitutional Law*, University of Georgia Law School Faculty Colloquium, Athens, GA (Sept. 2012)
- *Pathetic Argument in Constitutional Law*, Faculty Workshop, University of Connecticut Law School, Hartford CT (Sept. 2012)
- Panelist, Supreme Court Review, ABA Annual Meeting, Chicago, IL (Aug. 2012)

- Panelist, “Supreme Court: A Year in Review,” City Bar Center for CLE, New York, NY (July 2012)
- Commenter, “Health Care Reform’s Big Test: Commerce and the Constitution,” National Constitution Center, Philadelphia, PA (June 2012)
- *Originalism and National Memory*, Legal Research Institute, National Autonomous University of México, México City, MX (Mar. 2012)
- “The Global Constitutional Canon,” 2012 Maryland Discussion Group on Constitutionalism, University of Maryland School of Law, Baltimore, MD (Feb. 2012)
- *Fourteenth Amendment Originalism; The Case for Original Intent*, Constitutional Theory Symposium, Brooklyn Law School, Brooklyn, NY (Feb. 2012)
- *Fourteenth Amendment Originalism*, Conference on Constitutional Originalism, USD Law School, San Diego, CA (Feb. 2012)
- *Thirteenth Amendment Optimism*, Conference on the Contemporary Relevance of the Thirteenth Amendment, Columbia Law School, New York, NY (Jan. 2012)
- *What the New Deal Settled*, Conference, The New Deal Era and the Obama Era, University of Pennsylvania School of Law, Philadelphia, PA (Jan. 2012)
- *The Strange Career of Original Intent*, Conference on the Centennial of Farrand’s Records, George Washington University Law School, Washington, DC (Nov. 2011)
- *Fourteenth Amendment Originalism*, Conference on *Constitutional Redemption*, University of Texas School of Law, Austin, TX (Oct. 2011)
- *Fourteenth Amendment Originalism*, Northwestern University Law School Constitutional Law Colloquium, Chicago, IL (Oct. 2011)
- First Amendment Cases, Seventeenth Annual Supreme Court Roundup, Columbia Law School, New York, NY (Oct. 2011)
- *Fourteenth Amendment Originalism*, Columbia Law School Faculty Workshop, New York, NY (Sept. 2011)
- *The Anticanon*, Washington College of Law, American University Faculty Workshop, Washington, DC (Sept. 2011)
- “FDR and the New Deal: Are There Lessons for the Obama Administration and Its Critics?” SEALS Annual Conference, Hilton Head, SC (Jul. 2011)
- *How Constitutional Theory Matters*, ACS Constitution in 2020 Schmooze, Washington, DC (May 2011)
- *The Anticanon*, Presentation to the D.C. Court of Appeals, Washington, DC (May 2011)
- Symposium, “Reflections on Progressive Constitutionalism: Theory, Practice, and Critique,” Moritz College of Law, The Ohio State University, Columbus, OH (Apr. 2011)
- Panelist, The Future of Progressive Constitutionalism, ACS, Columbia Law School, New York, NY (Apr. 2011)
- Panelist, The Constitution in 2020, University of Pennsylvania School of Law, Philadelphia, PA (Apr. 2011)
- Commenter, Comparative Constitutional Law Roundtable, George Washington University Law School, Washington, DC (Mar. 2011)
- *The Anticanon*, Faculty Workshop, Columbia Law School, New York, NY (Feb. 2011)
- Panelist, “Popular Constitutionalisms and the Use of History in Constitutional Argument,” Byron R. White Center for the Study of American Constitutional Law, U. of Colo. Law School, Denver, CO (Jan. 2011)
- *The Anticanon*, Faculty Workshop, University of Minnesota Law School, Minneapolis, MN (Dec. 2010)
- *The Anticanon*, Constitutional Law Workshop, University of Michigan Law School, Ann Arbor, MI (Nov. 2010)
- Commentator, *New Issues, Unlikely Alliances: Law, Politics, and the American State in the 1970s*, American Society for Legal History Annual Conference, Philadelphia, PA (Nov. 2010)
- Seminar on *Constitutional Engagement in a Transnational Era*, School of Law Queen’s University Belfast & Georgetown University Law Center, Washington, DC (Oct. 2010)
- *Profiling Originalism*, Faculty Workshop, Pace Law School, White Plains, NY (Oct. 2010)
- University of Wisconsin Discussion Group on Constitutionalism: “Constitutional Sovereignty,” University of Wisconsin Law School, Madison, WI (Oct. 2010)
- Moderator, ACS Panel on Impact of *McDonald v. City of Chicago*, National Press Club, Washington, DC (Oct. 2010)

- *The Rule of Law as a Law of Standards*, Symposium on the Jurisprudence of Justice Stevens, Georgetown University Law Center, Washington, DC (Oct. 2010)
- Panelist, *The 2009 U.S. Supreme Court Term, Justice Stevens's Departure, and the Court's Future*, ACS-NYC Bar Association, New York, NY (Jul. 2010)
- Commentator, Premiere of *Advise & Dissent: Where the Supreme Court and Politics Collide*, New York University School of Law, New York, NY (June 2010)
- Panelist, *The Legacy of Justice Stevens*, American Constitution Society, Washington, DC (June 2010)
- Panelist, *Definition of Hate Speech and the Argument About Legitimacy*, Colloquium: Content or Context of "Hate Speech": Rethinking Regulations and Remedies, Cardozo School of Law, New York, NY (May 2010)
- *Profiling Originalism*, Faculty Workshop, Duke Law School, Durham, NC (May 2010)
- Panelist, "Hate Speech," *Incitement to Violence, and Public Discourse*, Cardozo School of Law, New York, NY (Apr. 2010)
- *The Politics of Originalism*, Felix S. Cohen Lecture in Jurisprudence, City College, CUNY, New York, NY (Apr. 2010)
- *Guns, Originalism, and Cultural Cognition*, Symposium: The Judiciary and the Popular Will, University of Pennsylvania Law School, Philadelphia, PA (Jan. 2010)
- Panelist, *American Constitutional Law and the New Supreme Court*, AALS Annual Meeting, New Orleans, LA (Jan. 2010)
- Commentator, *Are We All Originalists Now?*, Constitutional Law Advanced Workshop: "The Conservative Legal Era," Princeton University, Princeton, NJ (Dec. 2009)
- Commentator, *D.C. v. Heller and the Uses of History*, American Society for Legal History Annual Conference, Dallas, TX (Nov. 2009)
- Panelist, *Constitutional Theory*, The Constitution in 2020 Conference, Yale Law School, New Haven, CT (Oct. 2009)
- *On the Origins of Originalism*, Faculty Workshop, Columbia Law School, New York, NY (Oct. 2009)
- Panelist, *Progressive Originalism*, American Constitution Society Speaker Series, Harvard Law School, Cambridge, MA (Sept. 2009)
- *On the Origins of Originalism*, Faculty Workshop, SMU Dedman School of Law, Dallas, TX (Sept. 2009)
- *Dred Scott and the Constitution*, Celebration of the U.S. Constitution, Columbia Law School, New York, NY (Sept. 2009)
- *On the Origins of Originalism*, Faculty Workshop, Loyola University New Orleans' College of Law, New Orleans, LA (Sept. 2009)
- Commentator, *A More Perfect Union*, Epic Theatre Ensemble Forum Series, New York, NY (May 2009)
- *Is the Constitution Democratic?*, Eva Samo Lecture, Maplewood, NJ (Apr. 2009)
- Commentator, *The Future of Originalism*, Constitutional Theory Conference, USC Gould School of Law, Los Angeles, CA (Apr. 2009)
- *Constitutional Interpretation in the Age of Obama*, Raymond Pace and Sadie T.M. Alexander Civil Rights Speaker Series, University of Pennsylvania Law School, Philadelphia, PA (Mar. 2009)
- *The So-Called Right to Privacy*, Symposium: The Honorable John Paul Stevens, UC Davis School of Law, Davis, CA (Mar. 2009)
- *On the Origins of Originalism*, New York City Junior Faculty Colloquium, Fordham Law School, New York, NY (Nov. 2008)
- *Selling Originalism*, Faculty Colloquium Series, University of Alabama School of Law, Tuscaloosa, AL (Nov. 2008)
- *The District of Columbia Guns Case*, Fourteenth Annual Supreme Court Roundup, Columbia Law School, New York, NY (Oct. 2008)
- *Making Justice Legal: A Clerk's Perspective*, Alice Sofis Evangelides Lecture, Eagleton Institute of Politics, Rutgers, State University of New Jersey, New Brunswick, NJ (Feb. 2008)

PROFESSIONAL SERVICE

Administrative: Clerkship Committee (2020-21); Anti-Racism Steering Committee (2020-21); Chair, Promotion & Tenure Committee (2019-2020); Lateral Appointments Committee (2014-16; Chair, 2017-2019); Advisory Committee (2017-2019); Associates Committee (2015-17); Vice Dean for Intellectual Life (2014-16); Chair, Entry-Level Appointments Committee (2012-14); Co-Chair, Teaching Committee (2010-12); Intellectual Life Committee (2011-12; Chair, 2014-16); Admissions Committee (2009-13); Solomon Amendment Amelioration Committee (2008-11); Columbia Law Diversity Council (2008-12)

Peer Review: Columbia Law Review; Harvard Law Review; International Journal of Constitutional Law; Journal of Legal Studies; Law and Social Inquiry; Yale Law Journal

Additional Teaching: Georgia Constitutional Court Summer School (July 2021) (remote); Rethinking the Twentieth Century Constitution, New York Historical Society, New York, NY (Fall 2019) (with John Fabian Witt); Comparative Constitutional Law, Harvard Law School, Cambridge, MA (January 2017); Constitutional Law, Columbia Law School, New York, NY (online) (Summer 2016, Summer 2017); Columbia Law School G-LEAP Program, New York, NY (2014); Constitutional Law, Columbia Summer Program in American Law, University of Leiden, Leiden, The Netherlands (2014); Columbia Law School Chinese Judges Program, New York, NY (2009, 2011); Felipe Tena Ramírez Seminar on Comparative Constitutional Law, Instituto Tecnológico Autónomo de México (ITAM), México City, México (Mar. 2012); Legislation and Administrative Law, Columbia Summer Program in American Law, University of Amsterdam, Amsterdam, The Netherlands (2009).

Grants: Comparing Inside the Courts: Comparative Law Departments Working in Supreme and Constitutional Courts, Alliance Program Joint Project (2018) (with Eleonora Bottini & David Law)

Academic Exchange: Genest Global Visitor, Osgoode Hall Law School, Toronto, Canada (January 2020); Tsunoda Fellow, Waseda University, Tokyo, Japan (June-July 2015); European University Institute, Fiesole, Italy (June 2014)

Legislative Engagement:

- Testimony, “Judicial Ethics and Transparency: The Limits of Existing Statutes and Rules,” House Judiciary Committee, Subcommittee on Courts, Intellectual Property and the Internet, Oct. 26, 2021
- Aide to U.S. Sen. Kamala Harris for Supreme Court Confirmation Hearing of Hon. Brett Kavanaugh, Aug.-Sept. 2018, and Hon. Amy Coney Barrett, Oct. 2020
- Panelist, Senate Democratic Steering and Outreach Committee’s Ad Hoc Forum on the Supreme Court Vacancy, Feb. 24, 2016

Boards and Professional Associations:

- Board of Directors, John Paul Stevens Foundation (2021–present)
- Board of Editors, *Journal of Free Speech Law* (2021–present)
- Elected to American Law Institute (2016)
 - Early Career Scholars Committee (2020–present)
- Board of Academic Advisors, American Constitution Society (2016–present)
- Solicitor General’s Resolution Committee to Honor John Paul Stevens (2020–21)
- Member, International Association of Constitutional Law (2014–2019)
- Member, International Society of Public Law (2014–present)
- Advisory Board, First Amendment Gallery, National Constitution Center (2022–2023)
- Advisory Board, Civil War and Reconstruction: The Battle for Equality and Freedom, National Constitution Center (2018–2019)

Admitted to the Bar of the District of Columbia (2006)

HONORS AND AWARDS

PROSE Award Finalist (2022), for *How Rights Went Wrong*
Nominee, Exemplary Legal Writing, GREEN BAG (2012), for *The Anticanon*
Nominee, Exemplary Legal Writing, GREEN BAG (2009), for *Giving the Constitution to the Courts*
Nominee, Exemplary Legal Writing, GREEN BAG (2007), for *Beyond Lawrence*
Burton H. Brody Prize, Best Paper on Constitutional Privacy (2005), for *Beyond Lawrence*
Smith-Doheny Legal Ethics Writing Prize (with co-authors) (2004), for *Disappearing Dilemmas*
Edgar M. Cullen Prize, Best Paper by a First-Year Law Student (2003), for *Hands Off Policy*

MEDIA APPEARANCES

Television or radio interviews on ABC News Live; *AirTalk* (KPCC-LA); *All-In with Chris Hayes* (MSNBC); *All Things Considered* (NPR); *The Brian Lehrer Show* (WNYC); *The Briefing Room* (BBC Radio); *CBS Evening News* (CBS); *Charlie Rose* (PBS); *Detroit Today* (WDET); *Disrupted* (Connecticut Public Radio); *Due Process* (NJN); *Inside City Hall* (NY1); *Jansing & Co.* (MSNBC); *The Karen Hunter Show* (Sirius XM); *Melissa Harris-Perry* (MSNBC); *MetroFocus* (WNET); *Midday* (WYPR-Baltimore); *Morning Edition* (NPR); *Need to Know* (PBS); *On Point* (WBUR); *PBS NewsHour* (PBS); *The Rachel Maddow Show* (MSNBC); *Reliable Sources* (CNN); *The Takeaway* (NPR); *Think* (KERA-Dallas); *Up Close with Bill Ritter* (WABC-TV); *Weekends With Alex Witt* (MSNBC); *Writers on Writing* (WNYE); quoted as an expert on constitutional law or federal courts in *amNY*, *AOL News*, *Associated Press*, *Axios*, *CBSNEWS.com*, *CNBC.com*, *CNNBusiness.com*, *CQ Weekly*, *Esquire*, *National Law Journal*, *New York*, *New York Times*, *New York Times Magazine*, *New Yorker*, *Newsday*, *NPR.org*, *PBS.org*, *Radio Free Europe*, *Reuters*, *Slate*, *Time*, *USA Today*, *Village Voice*, and on AP Television News, CBS 2 News, NPR (*All Things Considered*), NY1, and WCBS Newsradio 880.

PODCASTS

Meditations with Zohar (Zohar Atkins); *Conversations with Tyler* (Tyler Cowen); *Deep Background* (Noah Feldman); *Digging a Hole* (Samuel Moyn & David Schleicher); *Entitled* (Claudia Flores & Tom Ginsburg); *Why Is This Happening?* (Chris Hayes); *The Ezra Klein Show* (Ezra Klein); *In Lieu of Fun Show* (Kate Klonick & Benjamin Wittes); *The Legal Academy* (Orin Kerr); *People's Party* (Talib Kweli); *Vox Conversations* (Zack Beauchamp); *Strict Scrutiny* (Leah Litman & Kate Shaw); *Supreme Myths* (Eric Segall); *We the People* (Jeffrey Rosen)

POPULAR WRITING

Federalism Worsens Divisions Over Abortion in America, *ECONOMIST*, June 22, 2022

Op-Ed, *Ketanji Brown Jackson's Confirmation Feels Both Pathbreaking and Hopeless*, *N.Y. TIMES*, Mar. 25, 2022

Op-Ed, *Biden Isn't Proposing a Vaccine Mandate. He's Giving People a Vaccine Choice*, *WASH. POST*, Sept. 23, 2021

America's Legalistic Culture Is About to Become a Problem, *ATLANTIC*, Mar. 4, 2021

Op-Ed, *Americans Are Obsessed with Rights. In the Pandemic, That's Killing Us*, *L.A. TIMES*, July 2, 2020

Op-Ed, *What Slavery Can Teach Supreme Court Justices About DACA*, *L.A. TIMES*, Nov. 13, 2019 (with Elora Mukherjee)

Op-Ed, *John Paul Stevens Was Justice Incarnate*, *N.Y. TIMES*, July 17, 2019

Trump's Judge-Whisperer Promised to Take Us Back to the 1930s, *SLATE*, May 27, 2019

Desuetude and Immigration Enforcement, TAKE CARE, Mar. 16, 2017, <http://takecareblog.com/blog/desuetude-and-immigration-enforcement>

Op-Ed, *A Gang of 11 Could End the Madness of Supreme Court Confirmations*, L.A. TIMES, Feb. 7, 2017

Op-Ed, *How We'll Know Who's Right About Advice and Consent*, L.A. TIMES, Mar. 30, 2016

A Fixed Term Would Lower the Heat on Supreme Court Confirmations, N.Y. TIMES (Room for Debate Blog), Mar. 19, 2016, <http://www.nytimes.com/roomfordebate/2016/03/19/could-term-limits-ease-fights-over-supreme-court-nominees/a-fixed-term-would-lower-the-heat-on-supreme-court-confirmations>

Op-Ed, *Liberal Love for Antonin Scalia*, N.Y. TIMES, Feb. 14, 2016

Racial Discrimination Is Only One Threat to Voting, N.Y. TIMES (ROOM FOR DEBATE BLOG), Aug. 5, 2015, <http://www.nytimes.com/roomfordebate/2015/08/05/ensuring-voting-rights-in-the-21st-century/racial-discrimination-is-only-one-threat-to-elections>

Term Limits for Federal Judges, N.Y. TIMES (ROOM FOR DEBATE BLOG), July 8, 2012, <http://www.nytimes.com/roomfordebate/2012/07/08/another-stab-at-the-us-constitution/revisiting-the-constitution-we-need-term-limits-for-federal-judges>

Why John Roberts Sided with Obama, N.Y. DAILY NEWS, June 29, 2012

"I Do Not Think the United States Would Come to an End" if the Supreme Court Stopped Telling Congress and the President Which Laws They Can Pass, SLATE, Mar. 27, 2012, http://www.slate.com/articles/news_and_politics/jurisprudence/2012/03/the_supreme_court_should_drop_the_affordable_care_act_case_.html

Op-Ed, *Revealing Roberts: What Obamacare Ruling Would Show*, N.Y. DAILY NEWS, Nov. 20, 2011

Dedication to Justice Stevens, 44 LOYOLA L.A. L. REV. 829 (2011)

The Lone Dissenter, N.Y. TIMES (ROOM FOR DEBATE BLOG), Feb. 16, 2011, <http://www.nytimes.com/roomfordebate/2011/02/16/does-clarence-thomass-silence-matter/the-lone-dissenter>

Op-Ed, *In Obamacare Ruling, a Lesson from Roe v. Wade*, N.Y. DAILY NEWS, Feb. 2, 2011

Op-Ed, *Commandeering the Constitution*, N.Y. DAILY NEWS, Jan. 9, 2011

Justice Thomas and Korematsu, BALKINIZATION, Jan. 5, 2011, <http://balkin.blogspot.com/2011/01/justice-thomas-and-korematsu.html>

Justice Stevens' Temperance, 94 JUDICATURE 4 (July-Aug. 2010)

Op-Ed, *Access Denied*, NAT'L L.J., June 14, 2010, *available at* http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202462607831&Access_denied

Justice Stevens and the So-Called Right to Privacy, SCOTUSBLOG, May 21, 2010, <http://www.scotusblog.com/2010/05/justice-stevens-and-the-so-called-right-to-privacy/>

A Balance to Justice Alito, N.Y. TIMES (ROOM FOR DEBATE BLOG), May 10, 2010, <http://roomfordebate.blogs.nytimes.com/2010/05/10/what-kagan-will-bring-to-the-court/>

An Overseer of Wall Street, N.Y. TIMES (ROOM FOR DEBATE BLOG), Apr. 28 2010,
<http://roomfordebate.blogs.nytimes.com/2010/04/28/who-should-be-the-next-justice/>

How Constitutional Theory Matters, THE CONSTITUTION IN 2020 BLOG, Sept. 15, 2009,
<http://www.constitution2020.org/>

Down with Presidential Birthright, NPR.ORG, July 28, 2009,
<http://www.npr.org/templates/story/story.php?storyId=111179199>

Stay out of the Testing Business, N.Y. TIMES (ROOM FOR DEBATE BLOG), June 29, 2009,
<http://roomfordebate.blogs.nytimes.com/2009/06/29/detecting-race-bias-in-workplaces>

Chief Justice Roberts as Mediator, N.Y. TIMES (ROOM FOR DEBATE BLOG), June 22, 2009,
<http://roomfordebate.blogs.nytimes.com/2009/06/22/the-battle-not-the-war-on-voting-rights>

Lawrence and the Right to Metaprivacy, YALE L.J. (THE POCKET PART), May 2006,
<http://www.thepocketpart.org/2006/06/greene.html>

Sports Illustrated, more than 30 articles on baseball and other sports

Color Me Different, in STRONG TEENS, STRONG NEIGHBORHOODS: TEENS WRITE ABOUT FRIENDS, FAMILY, AND COMMUNITY 25 (2007); in *The STRUGGLE TO BE STRONG: TRUE STORIES BY TEENS ABOUT OVERCOMING TOUGH TIMES* 28 (2000); and in *STARTING WITH I: PERSONAL ESSAYS BY TEENAGERS* 78 (1997)

OTHER EXPERIENCE

Reporter, *Sports Illustrated*, New York, NY (1999-2002)