

## ACADEMIC POSITIONS

2012-      University of Iowa  
Associate Professor of Law (pre-tenure)  
Adjunct Associate Professor of Political Science (by courtesy)

## EDUCATION

2012      Stanford University  
Ph.D. in Political Science

2000      Harvard University  
J.D.

1997      California State University  
B.A. in Political Science

## PUBLICATIONS

### Book

2016      THE RULE OF LAW IN THE REAL WORLD (Cambridge University Press)

### Peer-Reviewed Articles

2015      “What the Laws Demand of Socrates---and of Us”, *The Monist* 98(4):360-374

2014      “Institutional Values, or How to Say What Democracy Is”, *Southwest Philosophy Review* 30(1):235-242

2014      “Institutional Corruption and the Rule of Law”, *Les Ateliers de l’Ethique/The Ethics Forum* 9(1):84-102

2014      “Market Unfreedom”, *Critical Review* 26(3-4): 306-347 (peer-edited, invited contribution, not blind reviewed)

- 2013 "Death and Taxes in NFIB v. Sebelius", *Public Affairs Quarterly* 27(3):243-266
- 2013 "The Rule of Law and Equality", *Law & Philosophy* 32(5):565-618
- 2006 "Secrecy as Mystification of Power: Meaning and Ethics in the Security State", *I/S: A Journal of Law and Policy for the Information Society* 2(1):1-26 (supported by the Century Foundation; reprinted in Maret and Goldman, eds., *Understanding Government Secrecy: Classic and Contemporary Readings*)

## Law Journal Articles

- 2016 "Democratic Paternalism, not Libertarian Paternalism", *Georgetown Journal of Law and Public Policy* (forthcoming)
- 2016 "Transnational Litigation as a Prisoner's Dilemma", *North Carolina Law Review* 94(3):751-816 (co-author with Maya Steinitz)
- 2015 "The Rule of Law Against Sovereign Immunity in a Democratic State", *Texas Law Review* See Also 93:247-262 (online law review commentary)
- 2015 "Critical Race Science and Critical Race Philosophy of Science", *Fordham Law Review* 83(6):3155-3177 (invited contribution)
- 2015 "Racial Classification and Ascriptive Injury", *Washington University Law Review* 92(2):325-396
- 2014 "Equal Law in an Unequal World", *Iowa Law Review* 99:1021-1081
- 2014 "Democracy, Solidarity and the Rule of Law: Lessons from Athens", *Buffalo Law Review* 62(1):1-67
- 2014 "The Countermajoritarian Complaint", *Transnational Law and Contemporary Problems* 23:7-33 (invited contribution)
- 2006 "Quasi-Public Executives", *Yale Law Journal* 115(9):2254-2278 (co-author with K.A.D. Camara)
- 1998 "Remote Purchasing and Fundamental Fairness: The Sales and Use Tax Equalization Act", *Harvard Journal on Legislation* 35:537-559 (major contributor within Harvard Legislative Research Bureau)

## Book Chapters

- 2015 "Trust and Commitment: How Athens Rebuilt the Rule of Law", pp. 225-236 in Corradetti, Eiskovits, and Rotondi, eds. *Theorizing Transitional Justice* (Ashgate)
- 2014 "The Health Insurance Mandate Really is a Tax, and That's a Good Thing Too", pp. 103-116 in Allhoff and Hall, eds. *The Affordable Care Act Decision: Philosophical and Legal Implications* (Routledge) (lightly revised adaptation of 'Death and Taxes in NFIB v. Sebelius')

## Miscellany

- 2016 The Rule of Law, entry in Oxford Bibliographies in Political Science
- 2014 Procedural Due Process: the Missing Casebook Chapter, open access casebook chapter, released on SSRN
- 2014 The Rule of Law, entry in Sage Encyclopedia of Criminal Justice Ethics
- 2013 The Serious Point, a micro-contribution to the Green Bag/Journal of Law micro-symposium on Orin Kerr's "Theory of Law"
- 2009 "Shopping Malls and the First Amendment," "Masson v. New Yorker Magazine," and "Pruneyard Shopping Center v. Robins", entries in Schultz, ed., *Encyclopedia of the United States Constitution* (Facts on File)
- 2008 "Noerr-Pennington Doctrine," "Pruneyard Shopping Center v. Robins," and "Amalgamated Food Employees Union Local 590 v. Logan Valley Plaza, Inc", entries in Hudson, Schultz and Vile, eds., *Encyclopedia of the First Amendment*, (Congressional Quarterly Press)
- 1999 Book Note: Losing the Vote, the Impact of Prisoner Disenfranchisement, 12 *Harvard Human Rights Journal* 399 (student book note)
- 1999 Book Note: Data Smog/The Transparent Society, 12 *Harvard Journal of Law and Technology* 513 (student book note)
- 1999 Recent Developments: Antitrust, 27 *Journal of Law, Medicine, and Ethics* 278 (student comment)

## GRANTS, AWARDS AND HONORS

2014-5	Institute for Advanced Study, Princeton, NJ: Member (School of Social Science)
2014-5	Law and Public Affairs Program, Princeton University (LAPA/Perkins Fellow, offered but declined)
2014-5	Edmond J. Safra Center for Ethics, Harvard University: Network Fellow
2014	Montreal Political Theory Manuscript Award, Groupe de recherche interuniversitaire en philosophie politique de Montreal (for The Rule of Law in the Real World)
2011-2	Geballe Dissertation Prize Fellowship, Stanford University
2008-11	Gerhard Casper Stanford Graduate Fellowship
2008-9	Philanthropy and Civil Society Fellowship, Stanford University
1998	Williston Contracts Competition (first place), Harvard Law School

## PRESENTATIONS

### Invited Talks

2016	The Rule of Law in the Real World (practitioner-oriented book presentation): American Bar Association, Rule of Law Initiative
2015	Democratic Paternalism, not Libertarian Paternalism: Georgetown University McDonough School of Business, Symposium on Nudging
2015	Democratic Rule of Law Reform, Circa 403 B.C.E.: Stanford University, Freeman Spogli Institute for International Studies and Stanford Law School
2015	General Will, Causality, Equality: Georgetown University, McDonough School of Business
2015	Thinking Aloud About Vulnerability and Policy: American Association of Law Schools Midyear Meeting, Workshop on Next Generation Issues on Sex, Gender and the Law (plenary session)

- 2015      What the Laws Demand of Socrates---and of Us: Stanford University, Political Theory Workshop
- 2014      Critical Race Science Studies?: Fordham Law Review symposium on critical race theory and empirical methods
- 2014      Racial Classification and Ascriptive Injury: Loyola University Chicago School of Law faculty workshop
- 2014      Underprotection, Domination, and Group-Subordinating Violence: Cardozo Law School Conference on Republicanism and Criminal Law
- 2014      What the Laws Demand of Socrates---and of Us: Loyola University New Orleans School of Law faculty workshop
- 2014      What the Laws Demand of Socrates---and of Us: Princeton University, Law and Public Affairs seminar
- 2013      How Demanding is Occupational Liberty?: Annual Meeting of the American Philosophical Association., Pacific Division (invited commentary on Tomasi, Free Market Fairness)

## **Conference Presentations**

- 2016      Scalia, Equality, Rule of Law: Southeast Association of Law Schools Annual Meeting
- 2015      Heaven Save Us From Legal Heroes: American Association of Law Schools Annual Meeting, Law and Humanities Section
- 2015      What the Laws Demand of Socrates---and of Us: American Society for Legal History
- 2014      The Rule of Law in the Real World (two book MS chapters): Culp Colloquium at Duke Law School
- 2014      A Respect-Centered Sex Discrimination Jurisprudence: Southeast Association of Law Schools Annual Meeting
- 2014      An Islamic Rule of Law: Mid-Atlantic People of Color Legal Scholarship Conference
- 2014      Racial Classification and Ascriptive Injury: John Mercer Langston Conference

2014	Racial Classification and Ascriptive Injury: Mid-Atlantic Law and Society Association Annual Meeting
2014	Racial Classification and Ascriptive Injury: Midwest People of Color Legal Scholarship Conference
2013	Equal Law in an Unequal World: Arizona State University Legal Scholars Workshop
2013	Equal Law in an Unequal World: Mid-Atlantic People of Color Legal Scholarship Conference
2013	Equal Law in an Unequal World: Sharing Scholarship, Building Teachers Development Workshop at Albany Law School
2013	Equal Law in an Unequal World: Southeast/Southwest People of Color Legal Scholarship Conference
2013	Institutional Values, or How to Say What Democracy Is: Southwestern Philosophical Society
2013	The Countermajoritarian Complaint: American Political Science Association
2013	The People's Will and the People's Laws: American Political Science Association
2013	The People's Will and the People's Laws: Annual Meeting of the Law and Society Association
2013	The People's Will and the People's Laws: Association for Political Theory
2013	The People's Will and the People's Laws: Loyola Constitutional Law Colloquium
2013	The People's Will and the People's Laws: Midwest People of Color Legal Scholarship Conference
2013	The Rule of Law Will Not Set You Free: Midwest Law and Economics Association
2012	Death and Taxes in NFIB v. Sebelius: Medical Humanities Conference, Western Michigan University
2012	Democracy, Solidarity, and the Rule of Law: Lessons from Athens: Big Ten Conference for Untenured Scholars, Indiana University Maurer School of Law

- 2012      Equal Law in an Unequal World: Classcrits V, University of Wisconsin, Madison
- 2012      Equal Law in an Unequal World: Washington University Regional Junior Faculty Workshop
- 2012      The Countermajoritarian Complaint: Loyola Constitutional Law Colloquium
- 2012      Violence and Inequality: The Liberal Critique of Domination: Western Political Science Association
- 2010      Para-Ideal Theory and the Strategic Justification of Democracy: Canadian Political Science Association
- 2010      Para-Ideal Theory and the Strategic Justification of Democracy: Democracy as Idea and Practice Conference, University of Oslo
- 2010      When does the Rule of Law Persist? A Strategic Model of Institutional Endurance: Midwest Law and Economics Association
- 2009      Don't be Afraid, the Clown's Afraid Too: Deliberation, Participation, Tolerance and Fear: Association for Political Theory
- 2009      Making Space for Rosa Parks: Democratic Authorship as Political Autonomy: Public Reason Political Philosophy Podcast Symposium
- 2009      Strategic Morality and Para-Ideal Theory: Graduate Conference in Political Philosophy, University of Pavia

## **Campus Talks**

- 2015      Corruption and the Transnational Litigation Prisoner's Dilemma (Co-Author with Maya Steinitz): Iowa Legal Studies Workshop
- 2015      General Will, Causality, Equality: Institute for Advanced Study, School of Social Science
- 2015      The Logic of Coordination/The Logic of Commitment (book MS chapters): Institute for Advanced Study, School of Social Science---Egalitarianism Workshop
- 2014      Racial Classification and Ascriptive Injury: Iowa Legal Studies Workshop

2012	Equal Law in an Unequal World: Iowa Legal Studies Workshop
2012	The Countermajoritarian Complaint: Annual Meeting of the American Society for Comparative Law (hosted at Iowa)
2012	The Countermajoritarian Complaint: University of Iowa Food for Thought Speaker Series
2010	The Oligarch, the Miser, and the Capitalist: Plato, Kant, and Marx on the Psychology and Politics of the Money-Hungry: Stanford Ethics and Politics, Ancient and Modern Workshop

## TEACHING

### University of Iowa

2016-	Torts (Fall 2016)
2015-	Constitutional Law I---Structure (Spring 2016, continuing)
2015-6	Policy Lab (yearlong)
2012-4	Professional Responsibility (Spring 2013, Spring 2014)
2012-	Constitutional Law II---Individual Rights (Fall 2012, Spring 2014, Fall 2015, Fall 2016, continuing)

### Stanford University

#### *Lead Instructor*

2010-2	Educational Program for Gifted Youth, Stanford University "Topics in Political Science" (Summer 2010-2012 at Stanford, Spring 2011 through Singapore Honors Academy)
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#### *Teaching Assistant*

2008	"Corruption" research seminar, under Lawrence Lessig
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2008	“Introduction to Global Justice,” under Helena de Bres and Avia Pasternak
2008	“Philosophical Issues Concerning Race and Racism,” under Debra Satz
2007	“Introduction to Political Philosophy,” under Nadeem Hussein

## NON-ACADEMIC POSITIONS

2004-6	Victor M. Glasberg & Associates, Attorney (civil rights/liberties practice)
2001-3	Oregon Law Center, Attorney (low-income legal services practice)
1999	American Civil Liberties Union of the National Capital Area, Summer Law Clerk

## SERVICE

### University Service

#### *University of Iowa*

2015-	Service on one S.J.D. committee, and (2016-) adviser to another
2015-6	Chair, Speakers Committee
2014, 6	Faculty Advisor, AAI Moot Court Problem Creation
2012-4	Member, Speakers Committee
2012-6	Judge, AAI Moot Court

#### *Stanford University*

2010-11	Graduate Admissions Committee, Department of Political Science
2008	Graduate Organizer, Political Theory Workshop
2008	Graduate Organizer (interim), Global Justice Workshop

2008	Chair, Ad Hoc Graduate Incentives Committee, Political
2008	Science Graduate Students Association
2007-8	Social Chair, Political Science Graduate Students Association

### *Harvard University*

1999-2000	Public Relations Chair, Student Public Interest Network
1997-8	Tenant Advocacy Project

### **Disciplinary Service**

2016	Reviewer, Oxford University Press
2016	Reviewer, McGill University Press
2016	Reviewer, British Journal of Political Science
2015, 6	Reviewer, Cambridge University Press
2015	Reviewer, Columbia University Press
2015	Reviewer, South Carolina Law Review
2015	Reviewer, Journal of Legal Analysis
2014, 6	Reviewer, European Journal of Political Theory
2014	Reviewer, International Journal of Law and Economics
2013-4	Reviewer, Journal of Politics

### **Community Service and Outreach**

2016-	Member, Iowa City Telecommunications Commission
2016	Panelist: 'Family Law', Iowa LGBT Rural Summit (USDA/National Center for Lesbian Rights/Drake Law School)
2016	Presentation, 'Loving v. Virginia,' African-American Museum of Iowa/Cedar Rapids

## Public Library

- 2015 Presentation, 'The Leadership Rationale,' The Past, Present, & Future of Diversity and Inclusion Within the Central Iowa Legal Community
- 2014 Presentation, Voting Rights in the United States: Iowa Interfaith Alliance, Intersections speaker series
- 2014 Panelist, Ethical Perspectives on the News: KCRG TV (discussing religion and public life, Hobby Lobby, etc.)
- 2014 Editorial, "Court Moves Toward Death for Contraceptive Coverage": Des Moines Register,
- 2015, 6 Guest blogger, Prawfsblawg
- 2013 Guest blogger, Concurring Opinions
- 2012 Editorial: "Independent Judiciary": Cedar Rapids Gazette (with Nicholas Johnson)
- 2010 Presentation: The Law and Ethics of Farm Worker Internships, Cultivating Food Justice Conference
- 2005 Editorial: "A Naked Assault on the Public and Courts": Oregon State Bar Journal
- 2001-3 Executive Board Member, Oregon Rural Action

## Human Languages

Attic Greek (basic reading level)

## Computer Languages

Python (intermediate), R (intermediate), Clojure (intermediate), Javascript (rudimentary)

## Ph.D.

Dissertation: *An Egalitarian Theory of the Rule of Law*

Ph.D. Fields: Major: Political Theory, Political Institutions  
Minor: American Politics

## Bars:

Louisiana, Massachusetts, Oregon, Virginia (none currently active/eligible to practice)

**Other:**

Research Assistant to Lawrence Lessig (2006-8, 1999), and to Richard Sobel (1998)