**Paul Gowder**

408 Boyd Law Building paul-gowder@uiowa.edu

Iowa City, IA 52242 319-384-3202 (office)

ACADEMIC POSITIONS

2012- University of Iowa

Associate Professor of Law (pre-tenure)

(courtesy appointments in Political Science, Philosophy)

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* 14:747-787

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

2017 Two Models of Technological Change in Law: University of Toronto, Centre for Innovation Law and Policy

2017 Ethics of Augmentation: University of Toronto, Centre for Ethics

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

2017 Author/Respondent for Author Meets Critics session on The Rule of Law in the Real World: Annual Meeting of the American Philosophical Association, Central Division

2016 The Rule of Law in the Real World: Loyola Constitutional Law Colloquium

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)

2016- Constitutional Law I---Structure (Spring 2016, Spring 2017)

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)

*Teaching Assistant*

2008 “Corruption” research seminar, under Lawrence Lessig

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

2017 Public/Student Presentation, University of Iowa, Student Governmemt/Lecture Committee, "The Unfamiliar Threats to Free Speech"

2017- Service on two Ph.D. committees and one M.A. committee (philosophy department)

2016- Faculty Advisor, Black Law Students Association

2016- Faculty Advisor, American Constitution Society Student Chapter

2016-7 Member, Diversity Committee

2016-7 Member, Honors and Awards Committee

2015-6 Chair, Speakers Committee

2014, 6 Faculty Advisor, AAI Moot Court Problem Creation

2012-4 Member, Speakers Committee

2012-7 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, Journal of Political Philosophy

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)