

**ILYA SOMIN**  
**Professor of Law**  
**George Mason University**

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## **EDUCATION**

**Yale Law School**, J.D., February 2001

- Honors** Benjamin N. Cardozo Prize for Best Moot Court Brief, Morris Tyler Moot Court of Appeals, 1999.  
 Humane Studies Fellowship (nationwide fellowship competition for graduate and law study), 2000.  
 Humane Studies Fellowship, 1998.  
 Semifinalist, Morris Tyler Moot Court of Appeals, 2000.  
 Semifinalist, Morris Tyler Moot Court of Appeals, 1999.  
 Teaching Fellowship, Yale Political Science Dept., 2000.
- Activities** *Yale Law Journal* - Editor.  
*Yale Journal on Regulation* - Editor.  
 Non-Profit Organizations Clinic.

**Harvard University**, M.A., Political Science, 1997.

- Honors** National Science Foundation Graduate Research Fellowship (top national fellowship for political science), 1996.  
 Humane Studies Fellowship, 1996.  
 Raymond Atherton Fellowship, 1996.

**Amherst College**, B.A., *Summa Cum Laude*, in Political Science and History, 1995

- Honors** Phi Beta Kappa, 1994.  
 Alfred F. Havighurst Prize (awarded to top senior history major), 1995.  
 George Plimpton Fellowship for Graduate Study, 1995.  
 Earl Latham Fellowship in Political Science, 1994.  
 Armstrong Prize for Best English Essay by a Freshman Student, 1992.
- Activities** *Amherst Spectator* - Senior Editor.  
 Cambodian Refugee Tutoring Program.

## **PUBLICATIONS**

### **BOOKS**

- FREE TO MOVE: FOOT VOTING AND POLITICAL FREEDOM (under contract, Oxford University Press) (tentative title).
- EMINENT DOMAIN: A COMPARATIVE PERSPECTIVE, (Cambridge University Press, 2017) (co-edited with Iljoong Kim and Hojun Lee).
- DEMOCRACY AND POLITICAL IGNORANCE: WHY SMALLER GOVERNMENT IS SMARTER, (Stanford University Press, 2016) (extensively revised and expanded second edition that covers several important new issues).
- THE GRASPING HAND: KELO V. CITY OF NEW LONDON AND THE LIMITS OF EMINENT DOMAIN, (University of Chicago Press, 2015, revised paperback edition, 2016).
- DEMOCRACY AND POLITICAL IGNORANCE: WHY SMALLER GOVERNMENT IS SMARTER, (Stanford University Press, 2013) (published in Italian translation by the Istituto Bruno Leoni in 2015; published in Japanese translation by Shinzansha in 2016).
- A CONSPIRACY AGAINST OBAMACARE: THE VOLOKH CONSPIRACY AND THE HEALTH CARE CASE, (Palgrave Macmillan, 2013) (with Jonathan Adler, Randy Barnett, David Bernstein, Orin Kerr, and David Kopel).
- STILL-BORN CRUSADE: THE TRAGIC FAILURE OF WESTERN INTERVENTION IN THE RUSSIAN CIVIL WAR (Transaction Publishers, 1996) (book based on undergraduate thesis).

## ARTICLES

- *Foot Voting vs. Ballot Box Voting: Why Voting With Your Feet is Crucial to Political Freedom*, EUROPEAN POLITICAL SCIENCE (forthcoming) (symposium on democracy).
- *Foot Voting, Decentralization, and Development*, 102 MINNESOTA LAW REVIEW 1649 (2018) (Symposium on “Decentralization and Development”).
- *Why Growing Government is a Bigger Political Menace than Growing Inequality*, 98 BOSTON UNIVERSITY LAW REVIEW ONLINE 21 (2018) (Symposium on GANESH SITARAMAN, THE CRISIS OF THE MIDDLE-CLASS CONSTITUTION).
- *Obama’s Constitutional Legacy*, 65 DRAKE LAW REVIEW 1039 (2017) (symposium on “President Obama’s Constitutional Law Legacy”).
- *Immigration, Freedom, and the Constitution*, 40 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 1 (2017) (adapted from speech given at the 2016 Federalist Society Student National Convention).
- *Putting Kelo in Perspective*, 48 CONNECTICUT LAW REVIEW 1551 (2016) (symposium on *Kelo v. City of New London*).
- *Federalism and the Roberts Court*, 46 PUBLIUS: THE JOURNAL OF FEDERALISM 441 (2016) (Symposium on Federalism Under Obama).
- *The Ongoing Debate over Political Ignorance: A Response to my Critics*, 27 CRITICAL REVIEW 380 (2015) (Symposium on my book *Democracy and Political Ignorance: Why Smaller Government is Smarter*).
- *The Mainstreaming of Libertarian Constitutionalism*, 77 LAW AND CONTEMPORARY PROBLEMS 43 (2014) (with David Bernstein) (symposium on “Law and Neoliberalism”).
- *NFIB v. Sebelius and the Constitutional Debate over Federalism*, 39 OKLAHOMA CITY UNIVERSITY LAW REVIEW 415 (2014) (2014 William Brennan Lecture).
- *Foot Voting, Federalism, and Political Freedom*, NOMOS LV: FEDERALISM AND SUBSIDIARITY (James Fleming & Jacob Levy, eds. 2014).
- *Why Political Ignorance Undermines the Wisdom of the Many*, 26 CRITICAL REVIEW 151 (2014) (symposium on HÉLÈNE LANDEMORE, DEMOCRATIC REASON: POLITICS, COLLECTIVE INTELLIGENCE, AND THE RULE OF THE MANY (2013)).
- *Jury Ignorance and Political Ignorance*, 55 WILLIAM AND MARY LAW REVIEW 1167 (2014) (Symposium on the Civil Jury as a Political Institution).
- *The Borkean Dilemma: Robert Bork and the Tension Between Originalism and Democracy*, 80 UNIVERSITY OF CHICAGO LAW REVIEW DIALOGUE 243 (2013) (symposium on the work of Judge Robert H. Bork).
- *Systematically Biased Beliefs About Political Influence: Evidence from the Perceptions of Political Influence on Policy Outcomes Survey*, 46 PS: POLITICAL SCIENCE AND POLITICS 760 (2013) (with Bryan Caplan, Eric Crampton, and Wayne Grove).
- *Two Steps Forward for the “Poor Relation” of Constitutional Law: Koontz, Arkansas Game & Fish, and the Future of the Takings Clause*, 2012-13 CATO SUPREME COURT REVIEW 215 (2013) (symposium on the 2012-13 Supreme Court term).
- *Originalism and Political Ignorance*, 97 MINNESOTA LAW REVIEW 625 (2012).
- *A Mandate for Mandates: Is the Individual Health Insurance Mandate Case a Slippery Slope?* 75 LAW AND CONTEMPORARY PROBLEMS 75 (2012) (symposium on the individual health insurance mandate litigation).
- *What if Kelo Had Gone the Other Way?* 45 INDIANA LAW REVIEW 21 (2012) (Symposium on What-Ifs in Constitutional History).
- *Blight, Pretext, And Eminent Domain in New York*, 39 FORDHAM URBAN LAW JOURNAL CITY SQUARE 57 (2012).
- *Federalism and Property Rights*, 2011 UNIVERSITY OF CHICAGO LEGAL FORUM 53 (2011) (Symposium on Governance and Power).
- *The Tea Party and Popular Constitutionalism*, 105 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 300 (2011) (symposium on the constitutional politics of the Tea Party movement).
- *Let There Be Blight: Blight Condemnations in New York after Goldstein and Kaur*, 38 FORDHAM URBAN LAW JOURNAL 1193 (2011) (symposium on eminent domain in New York).

- Stop the Beach Renourishment *and the Problem of Judicial Takings*, 6 DUKE JOURNAL OF CONSTITUTIONAL LAW AND PUBLIC POLICY 91 (2011) (symposium on judicial takings).
- *The Judicial Reaction to Kelo*, 4 ALBANY GOVERNMENT LAW REVIEW 1 (2011) (Introduction to the symposium on eminent domain).
- *Foot Voting, Political Ignorance and Constitutional Design*, 28 SOCIAL PHILOSOPHY AND POLICY 202 (2011) (symposium on “What Should Constitutions Do?”) (reprinted in WHAT SHOULD CONSTITUTIONS DO? (Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul, eds., Cambridge University Press, 2011)).
- *Deliberative Democracy and Political Ignorance*, 22 CRITICAL REVIEW 753 (2010) (symposium on deliberative democracy).
- *Taking Stock of Comstock: The Necessary and Proper Clause and the Limits of Federal Power*, 2009-10 CATO SUPREME COURT REVIEW 239 (2010) (symposium on the 2009-10 Supreme Court term).
- *Is Textualism Doomed?* 158 UNIVERSITY OF PENNSYLVANIA LAW REVIEW PENNUMBRA 235 (2010).
- *The Limits of Backlash: Assessing the Political Response to Kelo*, 93 MINNESOTA LAW REVIEW 2100 (2009).
- *Democracy and International Human Rights Law*, 84 NOTRE DAME LAW REVIEW 1739 (2009) (with John O. McGinnis).
- *Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet*, 73 MISSOURI LAW REVIEW 1247 (2008) (symposium on federalism and international law).
- *The Political Economy of Economic Development Takings*, 58 CASE WESTERN RESERVE UNIVERSITY LAW REVIEW 1185 (2008) (Symposium on “Corporations and their Communities”).
- *A Floor, Not a Ceiling: Federalism and Remedies for Violations of Constitutional Rights in Danforth v. Minnesota*, 102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 365 (2008).
- *The Borkean Case Against Robert Bork’s Case for Censorship*, 31 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 511 (2008) (symposium on the work of Judge Robert H. Bork).
- *Should International Law be Part of Our Law?* 59 STANFORD LAW REVIEW 1175 (2007) (with John O. McGinnis).
- *Is Post-Kelo Reform Bad for the Poor? A Reply to David Dana*, 101 NORTHWESTERN UNIVERSITY LAW REVIEW 1931 (2007).
- *Controlling the Grasping Hand: Economic Development Takings after Kelo*, 15 SUPREME COURT ECONOMIC REVIEW 183 (2007).
- *Why Robbing Peter Won’t Help Poor Paul: Low-Income Neighborhoods and Uncompensated Regulatory Takings*, 117 YALE LAW JOURNAL POCKET PART 71 (2007).
- *Can We Make the Constitution More Democratic?* 55 DRAKE LAW REVIEW 971 (2007) (with Neal Devins) (symposium on “Our Undemocratic Constitution”).
- *The Green Costs of Kelo: Economic Development Takings and Environmental Protection*, 84 WASHINGTON UNIVERSITY LAW REVIEW 623 (2006) (with Jonathan H. Adler).
- *Gonzales v. Raich: Federalism as a Casualty of the War on Drugs*, 15 CORNELL JOURNAL OF LAW AND PUBLIC POLICY 507 (2006) (Symposium on the War on Drugs).
- *A False Dawn for Federalism: Clear Statement Rules after Gonzales v. Raich*, 2005-2006 CATO SUPREME COURT REVIEW 113 (2006) (symposium on 2005-2006 Supreme Court term).
- *Knowledge About Ignorance: New Directions in the Study of Political Information*, 18 CRITICAL REVIEW 255 (2006) (symposium on political participation).
- *Federalism vs. States’ Rights: A Defense of Judicial Review in a Federal System*, 99 NORTHWESTERN UNIVERSITY LAW REVIEW 89 (2004) (with John O. McGinnis).
- *Overcoming Poletown: County of Wayne v. Hathcock, Economic Development Takings, and the Future of Public Use*, 2004 MICHIGAN STATE LAW REVIEW 1005 (2004) (symposium on *County of Wayne v. Hathcock*).
- *Democracy and Judicial Review Revisited: The New Old Attack on Judicial Review*, 7 GREEN BAG 2D 287 (2004).
- *Political Ignorance and The Countermajoritarian Difficulty: A New Perspective on the “Central Obsession” of Constitutional Theory*, 89 IOWA LAW REVIEW 1287 (2004).
- *Voter Knowledge and Constitutional Change: The New Deal Experience*, 45 WILLIAM & MARY LAW REVIEW 595 (2003).

- *Closing the Pandora's Box of Federalism: The Case for Judicial Restriction of Federal Subsidies to State Governments*, 90 GEORGETOWN LAW JOURNAL 461 (2002).
- *Revitalizing Consent*, 23 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 753 (2000).
- *Voter Ignorance and the Democratic Ideal*, 12 CRITICAL REVIEW 413 (1998).

## REVIEW ESSAYS

- *Review*, HISTORY NEWS NETWORK, July 19, 2016 (review of CHRISTOPHER ACHEN AND LARRY BARTELS, *DEMOCRACY FOR REALISTS: WHY ELECTIONS DO NOT PRODUCE RESPONSIVE GOVERNMENT* (2016)).
- *Review*, THE INDEPENDENT REVIEW (Spring 2015) (review of FRANK BUCKLEY, *THE ONCE AND FUTURE KING: THE RISE OF CROWN GOVERNMENT IN AMERICA* (2014)).
- *Turning Federalism Right-Side Up*, 82 CONSTITUTIONAL COMMENTARY 303 (2012) (review of MICHAEL GREVE, *THE UPSIDE-DOWN CONSTITUTION* (2012)).
- *Review*, 31 CATO JOURNAL 162 (2011) (review of ALISON LACROIX, *THE IDEOLOGICAL ORIGINS OF AMERICAN FEDERALISM* (2010)).
- *Democracy and Political Knowledge in Ancient Athens*, 119 ETHICS 585 (2009) (review of JOSIAH OBER, *KNOWLEDGE AND DEMOCRACY: INNOVATION AND LEARNING IN CLASSICAL ATHENS* (2008)).
- *Lessons of the Rise of Legal Conservatism*, 32 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 415 (2009) (review of STEVEN TELES, *THE RISE OF THE CONSERVATIVE LEGAL MOVEMENT* (2008)) (invited review).
- *"Active Liberty" and Judicial Power: What Should Courts do to Promote Democracy?* 100 NORTHWESTERN UNIVERSITY LAW REVIEW 1827 (2006) (reviewing STEPHEN E. BREYER, *ACTIVE LIBERTY: INTERPRETING OUR DEMOCRATIC CONSTITUTION* (2005)).
- *Wise Crowds? When the Many Know More than the Few*, HUMANE STUDIES REVIEW, Sept. 2005 (review of JAMES SUROWIECKI, *WISE CROWDS: WHEN THE MANY ARE SMARTER THAN THE FEW AND HOW COLLECTIVE WISDOM SHAPES BUSINESS, ECONOMICS, SOCIETIES, AND NATIONS* (2004)).
- *Judicial Power and Civil Rights Reconsidered*, 114 YALE LAW JOURNAL 591 (2004) (review of MICHAEL KLARMAN, *FROM JIM CROW TO CIVIL RIGHTS* (2004)) (with David E. Bernstein).
- *Pragmatism and Democracy: Rejoinder to Richard Posner*, 16 CRITICAL REVIEW 473 (2004).
- *Richard Posner's Democratic Pragmatism*, 16 CRITICAL REVIEW 1 (2004) (review of RICHARD A. POSNER, *LAW, PRAGMATISM, AND DEMOCRACY* (2003)).
- *Review*, 23 CATO JOURNAL 475 (2004) (review of IAN SHAPIRO, *THE STATE OF DEMOCRATIC THEORY* (2003)).
- *Do Politicians Pander?* 14 CRITICAL REVIEW 147 (2001) (review of LAWRENCE JACOBS & ROBERT SHAPIRO, *POLITICIANS DON'T PANDER* (2000)).
- *Resolving the Democratic Dilemma?* 16 YALE JOURNAL ON REGULATION 401 (1999) (review of ARTHUR LUPIA & MATTHEW MCCUBBINS, *THE DEMOCRATIC DILEMMA: CAN CITIZENS LEARN WHAT THEY NEED TO KNOW?* (1998)).
- *Book Review*, THE EUROPEAN LEGACY, Feb. 1998, at 129 (review of RICHARD SAKWA, *RUSSIAN POLITICS AND SOCIETY* (1997)).

## BOOK CHAPTERS

- *Foot Voting Nation*, in *OUR NATIONAL NARRATIVE: THE SEARCH FOR A UNIFYING AMERICAN STORY*, (Joshua Claybourn, ed., Potomac Books, forthcoming).
- *Rational Ignorance and Public Choice*, in *OXFORD HANDBOOK OF PUBLIC CHOICE*, (Roger Congleton, Bernard Grofman, and Stefan Voigt, eds., Oxford University Press, forthcoming).
- *Foot Voting and the Future of Liberty*, in *CAMBRIDGE HANDBOOK OF CLASSICAL LIBERAL THOUGHT*, (M. Todd Henderson, ed., Cambridge University Press, 2018).
- *Freedom and Knowledge*, in *ROUTLEDGE HANDBOOK ON LIBERTARIANISM*, (Jason Brennan, Bas van der Vossen, and David Schmidtz, eds., Routledge, 2017).

- *The Impact of Judicial Review on American Federalism: Promoting Centralization More than State Autonomy*, in *COURTS IN FEDERAL COUNTRIES: FEDERALISTS OR UNITARISTS* (Nicholas Aroney and John Kincaid, eds., University of Toronto Press, 2017).
- *Foreword* in PHILIP BOOTH, *FEDERAL BRITAIN: THE CASE FOR DECENTRALISATION*, (London: Institute of Economic Affairs, 2015).
- *Rational Ignorance*, in *ROUTLEDGE INTERNATIONAL HANDBOOK OF IGNORANCE STUDIES*, (Matthias Gross and Linsey J. McGoey eds., Routledge, 2015).
- *Political Ignorance in America*, in *THE STATE OF THE AMERICAN MIND*, (Mark Bauerlein and Adam Bellow, eds., Templeton Press, 2015).
- *Brain Dead vs. Undead: Public Ignorance and the Political Economy of Responses to Vampires and Zombies*, in, *ECONOMICS OF THE UNDEAD: ZOMBIES, VAMPIRES, AND THE DISMAL SCIENCE*, (Glen Whitman and James Dow, eds., Rowman & Littlefield, 2014).
- *The Individual Mandate and the Proper Meaning of “Proper,”* in *THE HEALTH CARE CASES* (Nathaniel Persily, Gillian Metzger and Trevor Morrison, eds., Oxford University Press, 2013).
- *Blight*, in *ENCYCLOPEDIA OF HOUSING*, 2d ed. (Sage, 2012).
- *Apathy*, in *ENCYCLOPEDIA OF POLITICAL THOUGHT* (Sage, forthcoming).
- *Nations Should Not Be Valued Merely for their Own Sake*, in *PATRIOTISM* (Sylvia Engdahl, ed., Greenhaven Press, 2011).
- *Foot Voting, Political Ignorance, and Constitutional Design*, in *WHAT SHOULD CONSTITUTIONS DO?* (Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul, eds., Cambridge University Press, 2011).
- *The Limits of Backlash: Assessing the Political Response to Kelo*, in *PROPERTY RIGHTS: EMINENT DOMAIN AND REGULATORY TAKINGS RE-EXAMINED* (Bruce L. Benson, ed., Palgrave Macmillan, 2010).
- *Economic Development Takings as Government Failure*, in *LAW WITHOUT ROMANCE: PUBLIC CHOICE AND THE LEGAL SYSTEM* (Edward R. Lopez ed., Palgrave Macmillan 2010).
- *Federalism, Political Ignorance, and Voting With Your Feet*, in *THE POLYHEDRON OF LIBERTARIANISM* (Susumu Morimura, ed., Tokyo: Keisoshobo 2009) (in Japanese translation).
- *Public Use*, in *ENCYCLOPEDIA OF THE SUPREME COURT* 156 (Macmillan 2008).
- *Yee v. Escondido*, in *ENCYCLOPEDIA OF THE SUPREME COURT* 273 (Macmillan 2008).
- *Private Interest*, in *ENCYCLOPEDIA OF THE SOCIAL SCIENCES* 478 (Macmillan 2008).
- *Peonage Cases*, in *ENCYCLOPEDIA OF RACE AND RACISM* 405 (Macmillan 2007).
- *Political Ignorance*, in *READINGS IN AMERICAN GOVERNMENT* 66 (Steffen W. Schmidt, et al., eds., 5th ed. 2006).

## MONOGRAPHS

- *Libertarianism and Federalism*, Cato Institute Policy Analysis No. 751, June 30, 2014, Cato Institute Policy Analysis No. 751, June 30, 2014.
- *When Ignorance Isn't Bliss: How Political Ignorance Threatens Democracy*, Cato Institute Policy Analysis No. 525, Sept. 22, 2004 (reprinted in Spanish translation in Argentina).
- *Robin Hood in Reverse: The Case Against Taking Private Property for Economic Development*, Cato Institute Policy Analysis No.535, Feb. 21, 2005.

## POPULAR MEDIA

### BLOGGING

- 2006-present Contributor, **Volokh Conspiracy** law and politics blog. Affiliated with *Reason* magazine. 2017-present. Affiliated with the *Washington Post*, 2014-17.
- 2011-present Contributing Editor for Constitutional Law, **JOTWELL** website.

2004-present Occasional guest-blogging at various law and politics sites, including the American Constitution Society blog, Balkinization, and others.

## ARTICLES AND OP ED S

- *As Normal as it Gets*, POLITICO, July 10, 2018 (symposium on the nomination of Judge Brett Kavanaugh to the Supreme Court).
- *Federalism Comes Out as the Winner in Murphy v. NCAA*, REGULATORY REVIEW (University of Pennsylvania), July 10, 2018.
- *Judge Don Willett Would Stand Up Against Trump’s Administration*, USA TODAY, June 28, 2018 (Symposium on who should be picked for Supreme Court from Donald Trump’s list).
- *Justice Kennedy’s Legacy*, POLITICO, June 27, 2018 (Symposium on Justice Kennedy’s Legacy).
- *The Supreme Court’s Indefensible Double Standard in the Travel-Ban Case and Masterpiece Cakeshop*, VOX, June 27, 2018.
- *Donald Trump’s ‘Travel Ban’ is Still a ‘Muslim Ban’ No Matter What the Supreme Court Ruled*, USA TODAY, June 26, 2018.
- *What Supreme Court Victory for Sports Gambling Means for Marijuana, Sanctuary Cities*, USA TODAY, May 15, 2018.
- *The Bill of Rights is the Best Defense Against a Travel Ban*, THE HILL, Apr. 24, 2018 (with Michael Mannheimer).
- *Fight Over Sanctuary Cities is also a Fight Over Federalism*, THE HILL, Apr. 7, 2018.
- *Jeff Sessions’ Lawsuit Against California’s Sanctuary Law*, VOX, Mar. 8, 2018 (Symposium on *United States v. California*).
- *On Immigration, Trump is no Deregulator*, REGULATORY REVIEW (University of Pennsylvania), Jan. 25, 2018 (Symposium on “Regulation in the Trump Administration’s First Year”).
- *Uncapturing the Economy Requires Limiting Government*, CATO UNBOUND, Jan. 12, 2018 (symposium on Brink Lindsey and Steve Teles, THE CAPTURED ECONOMY).
- *The Politics of “The Last Jedi,”* LEARN LIBERTY, Dec. 20, 2017.
- *Mortgage Interest Deduction Mostly Benefits the Rich – End It*, THE HILL, Nov. 6, 2017.
- *Legal Challenges to Trump’s Reversal of DACA*, VOX, Sept. 8, 2017 (symposium on efforts to preserve DACA through litigation).
- *Breaking the Wheel of Westeros: Why Heroes aren’t Enough*, LEARN LIBERTY, Aug. 25, 2017.
- *A Cosmopolitan Case Against World Government*, WORLD ORDERS FORUM, World Government Research Network, Aug. 18, 2017.
- *No More Fair Weather Federalism*, NATIONAL REVIEW Aug. 18, 2017.
- *Thursday’s Testimony was Dramatic Theater Showing Trump’s Disregard for Norms*, POLITICO, June 8, 2017 (symposium on former FBI Director James Comey’s testimony on Trump and Russia, before the Senate).
- *Trump’s Parental Plan Will Hurt*, USA TODAY, May 23, 2017.
- *The Real Cause for Concern is Not so Much Comey’s Departure as his Potential Successor*, POLITICO, May 10, 2017 (symposium on constitutional implications of the firing of FBI Director James Comey).
- *How Federalism Can Help Minorities and the Poor*, SPOTLIGHT ON POVERTY AND OPPORTUNITY, May 10, 2017.
- *The Constitutional Rights of Noncitizens*, LEARN LIBERTY, Apr. 30, 2017.
- *A Threat to Americans*, US NEWS AND WORLD REPORT, Apr. 21, 2017 (column on how immigration restrictions harm American citizens).
- *Immigration Restrictions Hurt Americans, Too*, AUSTIN AMERICAN-STATESMAN, April 13, 2017.
- *Up for Debate,” Politico*, Feb. 1, 2017 (Symposium on Supreme Court Nomination of Judge Neil Gorsuch).
- *SCOTUS Pick has Some Troubling Views on Federalism, Judicial Review*, NEW YORK DAILY NEWS, Jan. 31, 2017.
- *Rogue One and the Politics of Star Wars*, LEARN LIBERTY, Dec. 28, 2016.
- *This Election Could be a Turning Point for Marijuana Legalization*, CHICAGO TRIBUNE, Nov. 7, 2016 (reprinted from the Volokh Conspiracy blog, *Washington Post* website).
- *Moving Vans More Powerful than Ballot Boxes*, USA TODAY, Oct. 18, 2016.

- *Putting the "General" Back in the General Welfare Clause*, THE INTERACTIVE CONSTITUTION, NATIONAL CONSTITUTION CENTER, September 2016.
- *The Spending Clause*, THE INTERACTIVE CONSTITUTION, NATIONAL CONSTITUTION CENTER, September 2016 (with Samuel R. Bagenstos).
- *Seven Fantasy/SF Epics that Can Inform You About the Real-World Political Scene*, LEARN LIBERTY, July 29, 2016.
- *Star Trek is Far From Libertarian – Here's Why*, LEARN LIBERTY, July 22, 2016.
- *The Horrifying Ways Plain Old Ignorance Bolsters Racism*, HISTORY NEWS NETWORK, July 5, 2016.
- *Sometimes, Boycotting is the Right Thing*, INSIGHTS ON LAW AND SOCIETY, Spring 2016 (American Bar Association).
- *Political Ignorance Haunts 2016 Campaign*, CNN.COM, May 12, 2016.
- *Voting and Political Ignorance*, EXAME, May 2016 (Brazil) (translated into Portuguese).
- *Yes, Obama's Executive Action Deferring Deportation for Millions of Immigrants is Constitutional*, REASON, Apr. 19, 2016.
- *Serious Constitutional Issues May be Sacrificed for Political Sport*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Feb. 15, 2016.
- *How Antonin Scalia Changed America*, POLITICO, Feb. 14, 2016 (symposium on Justice Scalia and his legacy).
- "Days May be Numbered for Male-Only Draft Registration," *Los Angeles Daily Journal*, Dec. 9, 2015.
- *Markets with Just a Few Limits*, CATO UNBOUND, Nov. 17, 2015 (symposium on JASON BRENNAN AND PETER JAWORSKI, MARKETS WITHOUT LIMITS: MORAL VIRTUES AND COMMERCIAL INTERESTS).
- *Trump Exploits Rational Political Ignorance*, USA TODAY, Oct. 4, 2015.
- *Should the Government be able to Take Your House Away and Give it to a Private Developer?* HISTORY NEWS NETWORK, July 19, 2015.
- *The Supreme Court is a Check on Big Government, Protection for Minorities*, NEW YORK TIMES ROOM FOR DEBATE FORUM, July 6, 2015.
- *The Challenge of Political Ignorance: Why Voters are Ignorant and Why it Matters*, UNDERSTANDING SOCIETY, July 2015.
- *Lessons from a Little Pink House, 10 Years Later*, WALL STREET JOURNAL, June 21, 2015.
- *How Constitutional Originalism Promotes Liberty*, LIBERTY LAW FORUM, June 1, 2015.
- *How Eminent Domain Abuse Harms the Poor*, SPOTLIGHT ON POVERTY AND OPPORTUNITY, May 26, 2015.
- *Gender, the Gay Marriage Fight's Missing Piece*, USA TODAY, Apr. 19, 2015 (with Andrew Koppelman).
- *Creeping Libertarian Constitutionalism at US High Court*, LOS ANGELES/SAN FRANCISCO DAILY JOURNAL, Mar. 10, 2015.
- *Why Obama's Immigration Policy is Constitutional*, REASON, Dec. 16, 2014.
- *What No One Talks About During Election Season: Voter Ignorance*, FORBES, Nov. 3, 2014.
- *The Founding Fathers and Political Ignorance*, HISTORY NEWS NETWORK, June 10, 2014.
- *What Happens When You Mix Ignorance and Politics?* HISTORY NEWS NETWORK, May 11, 2014.
- *Maryland Folds on Eminent Domain Threat*, LOS ANGELES DAILY JOURNAL/SAN FRANCISCO DAILY JOURNAL, Apr. 7, 2014.
- *The Problem of Political Ignorance*, UNIVERSITY OF PENNSYLVANIA REG BLOG, Feb. 3, 2014.
- *Democracy and Political Ignorance*, CATO UNBOUND, October 2013 (lead essay).
- *The "Low Information Voter" Knows Very Little About Why Government is Shutting Down*, FORBES, Oct. 1, 2013.
- *Richmond, Calif., Runs Amok With Eminent Domain*, USA TODAY, Aug. 12, 2013.
- *Supreme Court Shutouts Reveal Reckless Decisions*, USA TODAY, July 23, 2013.
- *Obamacare's Constitutional Puzzle: Still Missing the Pieces*, LAW AND LIBERTY, Mar. 11, 2013 (review of EINER ELHAUGE, OBAMACARE ON TRIAL (2012)).
- *Yes the Court is Still Less Partisan*, ZOCALO PUBLIC SQUARE, Jan. 15, 2013 (forum on the Supreme Court and partisanship).
- *Assessing the Health Care Decision*, HARVARD HEALTH POLICY REVIEW, Fall 2012.
- *A Taxing, But Potentially Hopeful Decision*, SCOTUSBLOG, June 28, 2012.
- *An Unpersuasive Majority Ruling on Obamacare*, NEW YORK DAILY NEWS, June 28, 2012.
- *The Justices and the Individual Mandate*, UNIVERSITY OF PENNSYLVANIA REG BLOG, Mar. 30, 2012.

- *Why the Health Care Reform Law is Unconstitutional*, CNN, Mar. 26, 2012.
- *Rein in Federal Power*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Mar. 25, 2012.
- *Bond, Federalism, and Freedom*, LIBERTY LAW BLOG, Dec. 28, 2011.
- *Referendum Initiatives Prevent Eminent Domain Abuse*, DAILY CALLER, Nov. 9, 2011.
- *A Right to Economic Liberty*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Sept. 25, 2011.
- *Insurance Mandate Has Fatal Flaws*, NEWSDAY, Aug. 16, 2011.
- *Will the Supreme Court Give Congress an Unlimited Mandate for Mandates?*, SCOTUSBLOG, Aug. 10, 2011.
- *Why Repealing the 17th Amendment Won't Curb Federal Power*, ENGAGE, August 2011.
- *Regulating Inactivity: A Radical Constitutional Departure*, THE JURIST, July 1, 2011.
- *Why the Individual Health Care Mandate is Unconstitutional*, THE JURIST, May 4, 2011.
- *We Do Declare*, NATIONAL REVIEW ONLINE, Mar. 24, 2011 (Symposium on the Constitutionality of the Libya Intervention).
- *The Problem with Broad Definitions*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Dec. 14, 2010 (forum on individual mandate health care litigation).
- *Creation, Consent, and Government Power Over Property Rights*, CATO UNBOUND, Dec. 13, 2010 (forum on "Property Rights in Social Democracy").
- *Mandate Challenge Could Prevail*, RICHMOND TIMES-DISPATCH, Nov. 7, 2010.
- *Two Cheers for Federal Court's Virginia Health Care Suit Decision*, WASHINGTON EXAMINER, Aug. 6, 2010.
- *Don't Dismiss Elena Kagan*, FORBES, May 11, 2010.
- *Social Sanctions do Work*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Apr. 12, 2010 (forum on "Why do Educated People Use Bad Words?").
- *An Inconvenient Truth: Political Ignorance is Widespread Among Voters in Both Parties*, FORBES, Feb. 12, 2010.
- *Stronger Protections Needed*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Nov. 12, 2009 (forum on *Kelo v. City of New London* and protections for property rights).
- *Forfeiture Laws, the War on Drugs, and Alvarez v. Smith*, FINDLAW, Oct. 14, 2009.
- *Eroding Constitutional Limits on Government Takings*, DETROIT FREE PRESS, July 16, 2009.
- *Sotomayor's Property-Rights Red Flag*, ORANGE COUNTY REGISTER, July 11, 2009.
- *Obama, Sotomayor, and Empathy*, LOS ANGELES TIMES "Dust Up," May 27-29, 2009 (debate with Erwin Chemerinsky).
- *The War on Terror and Civil Liberties*, VANGUARDIA, October 2008, at 28-34 (translated into Spanish) (symposium on "The United States after Bush").
- *Locked Liberties: New DC Gun Law Shows that the Battle over Gun Rights is Far from Over*, LEGAL TIMES, July 28, 2008, at 42.
- *Don't Count on Prop. 99: The Purported Anti-Condensation Measure Would Actually Block Meaningful Eminent Domain Reform*, LOS ANGELES TIMES, May 19, 2008, at A15.
- *Shared Roots of Property, Civil Rights: Constitutional Issue Looms Large for Minorities in South*, ORLANDO SENTINEL, Apr. 28, 2008 (with David Beito).
- *Battle Over Eminent Domain is Another Civil Rights Issue*, KANSAS CITY STAR, Apr. 27, 2008 (with David Beito).
- *Kelo, MIA: Where is the Property Rights Campaign Debate?*, NATIONAL REVIEW ONLINE, Apr. 2, 2008.
- *Federalism and Socialism in Star Trek*, NATIONAL REVIEW ONLINE, Sept. 28, 2007.
- *Put Out to Pasture: The Supreme Court Again Fails to Give Property Rights the Respect they Deserve*, LEGAL TIMES, July 30, 2007.
- *The Limits of Anti-Kelo Legislation*, REASON, August/September 2007, at 42
- *Be Careful What You Wish For: The Revived Equal Rights Amendment May Surprise Its Supporters*, LEGAL TIMES, June 4, 2007.
- *Post-Kelo America: Assessing the Progress of Eminent Domain Reform*, REASON ONLINE, Apr. 20, 2007.
- *Pretextual Taking*, NATIONAL LAW JOURNAL, Jan. 8, 2007 (with Richard A. Epstein).
- *The Politics of Ignorance: Election Day Reflections*, THE JURIST, Nov. 7, 2006.
- *Blight, Sweet Blight*, LEGAL TIMES, Aug. 14, 2006, at 23.
- *The Final Prejudice*, LEGAL TIMES, Apr. 17, 2006, at 68.



- *Alito's Libertarian Streak*, AMERICAN SPECTATOR, Nov. 10, 2005.
- *Rehnquist's Federalist Legacy*, FOXNEWS.COM, Sept. 9, 2005.
- *Should Courts Limit the Use of Eminent Domain for Private Economic Development?* CONGRESSIONAL QUARTERLY RESEARCHER, Mar. 4, 2005, at 213.
- *In Politics Ignorance is not Bliss*, NEWARK STAR LEDGER, Oct. 10, 2004, at P1.
- *Are American Voters Stupid? Maybe Not*, SOUTH CHINA MORNING POST, Sept. 27, 2004, at A13.
- *Political Ignorance is No Bliss*, FOXNEWS.COM, Sept. 22, 2004.
- *Poletown Decision did not Create Desired Benefits; New Ruling Protects Weak from Government Abuses*, DETROIT NEWS, Aug. 8, 2004, at 13.
- *Michigan Should Alter Property Grab Rules*, DETROIT NEWS, Jan. 8, 2004, at 11A.
- *The Timing Game Justices Play*, L.A. TIMES, Jan. 13, 2003, at B11 (with Steven G. Calabresi).
- *Riddles, Mysteries and Enigmas: Unanswered Questions about the End of the Cold War*, POLICY REVIEW, Fall 1994, at 80.

### **TESTIMONY BEFORE GOVERNMENT BODIES**

- Testimony on the the Use of Drones for Targeted Killing in the War on Terror, United States Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, April 23, 2013.
- Testimony on the Civil Rights Implications of Eminent Domain Abuse, United States Commission on Civil Rights, August 12, 2011.
- Testimony on Property Rights, United States Senate Committee on the Judiciary, Confirmation Hearings for Judge Sonia Sotomayor, July 16, 2009.
- Testimony on Eminent Domain Reform, Washington State Attorney General's Eminent Domain Task Force, June 12, 2009.

### **TEACHING EXPERIENCE**

- Fall 2003- **Scalia Law School, George Mason University**, Arlington, VA.  
*Professor of Law* (previously Associate Professor and Assistant Professor). Taught Constitutional Law I, Constitutional Law II, Property, Legislation, and Seminar on Federalism.
- Summer 2014 **Zhengzhou University, Law School**, Zhengzhou, China.  
*Visiting Professor of Law*. Taught course on “Property Rights.”
- Fall 2008 **University of Pennsylvania Law School**, Philadelphia, PA.  
*Visiting Assistant Professor of Law*. Taught Property and Seminar on Federalism.
- Summer 2007, Summer 2010 **University of Torcuato di Tella, Law Faculty**, Buenos Aires, Argentina.  
*Visiting Professor*. Taught course on “The Political Economy of Constitutions.”
- Summer 2004 **University of Hamburg Institute for Law and Economics**, Hamburg, Germany.  
*Visiting Scholar*. Made presentation on research. Worked with German graduate students.
- Spring 2003 **Northwestern University Law School**, Chicago, IL  
*John M. Olin Fellow in Law*. Taught seminar on “The Structural Constitution.” Co-teacher for Introduction to Constitutional Law. Co-Leader, student International Training Program expedition to Russia to study Russian law

## **TEACHING INTERESTS**

- Constitutional Law.
- Property.
- Legislation.
- Seminar classes on federalism, property law, and constitutional political economy.

## **EDITORIAL WORK**

2006-2013      **Supreme Court Economic Review.**  
*Co-Editor.* Co-edited one of the nation's top-ranking peer reviewed law and economics journals.

## **AWARDS**

2007            **Searle Foundation Fellowship.** Awarded to support research on property law.

2004            **Critical Infrastructure Project Grant.** Awarded to support research on political ignorance and the War on Terror.

## **EMPLOYMENT EXPERIENCE**

Fall 2003-      **George Mason University School of Law, Arlington, VA**  
*Professor of Law.* Associate Professor of Law with tenure (2009-12), (Assistant Professor, 2003-2009). Taught Constitutional Law, Property, Seminar on Federalism, and Legislation.

Summer 2014   **Zhengzhou University, Law Faculty, Zhengzhou, China**  
*Visiting Professor.* Taught course on "Property Rights."

Summer 2010   **University of Torcuato di Tella Law Faculty, Buenos Aires, Argentina.**  
*Visiting Professor.* Taught course on "The Political Economy of Constitutions."

Fall 2008       **University of Pennsylvania Law School, Philadelphia, PA.**  
*Visiting Assistant Professor of Law.* Teaching Property and Seminar on Federalism.

Summer 2007   **Torcuato di Tella Law Faculty, Buenos Aires, Argentina.**  
*Visiting Professor.* Taught course on "The Political Economy of Constitutions."

Summer 2004   **University of Hamburg Institute for Law and Economics, Hamburg, Germany.**  
*Visiting Scholar.* Presented research on democracy and political ignorance.

2002-2003      **Northwestern University Law School, Chicago, IL**  
*John M. Olin Fellow in Law.* Visiting Fellow.

2001-2002      **Judge Jerry E. Smith, United States Court of Appeals for the Fifth Circuit, Houston, TX**  
*Law Clerk.*

- Summer 2001 **Mayer, Brown & Platt**, Washington, DC  
*Summer Associate*. Wrote First Amendment amicus brief for US Supreme Court in *Thomas v. Chicago Park District* (case on constitutionality of demonstration permit system for public parks). Wrote takings case amicus brief for Connecticut Supreme Court. Developed legal strategy for Full Faith and Credit Clause case in California Supreme Court. Offered permanent position.
- Summer 1999 **Cleary, Gottlieb, Steen & Hamilton**, New York, NY  
*Summer Associate*. Briefed arguments in case representing Japan in Law of the Sea Treaty dispute with Australia. Assisted in restructuring of Russian Federation debt. Offered permanent position.
- 1998-99 **Professor Bruce Ackerman**, Yale Law School, New Haven, CT  
*Research Assistant*. Researched separation of powers, constitutional law, and comparative law.

### **ACADEMIC PRESENTATIONS AND SPEECHES**

- “Judicial Review and the Administrative State,” Panel on “Courts and the Administrative State,” 2018 Second Circuit Judicial Conference, Saratoga Springs, NY, June 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Bruno Leoni Institute, Milan, Italy, June 2018 (appearance by Skype).
- “Free Speech on Campus,” Cato Institute, Washington, DC, March 2018 (commentary on KEITH WHITTINGTON, *SPEAK FREELY: WHY UNIVERSITIES MUST DEFEND FREE SPEECH* (2018)).
- “Democracy and Political Ignorance,” Conference on “Public Journalism and Deliberative Democracy,” Center for Narrative and Conflict Resolution, George Mason University, Arlington, VA, March 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Donald J. Sutherland Lecture, Hofstra University, Hempstead, NY, March 2018 (annual lecture series).
- “The Case for Expanding the Free Movement of Labor,” conference on “Freedom vs. Fairness: The Tension Between Free Market and Populist Ideals in Labor,” New York University School of Law, February 2018.
- “Free to Move: Foot Voting and Political Freedom,” Faculty of Law, Hitotsubashi University, Tokyo, Japan, February 2018.
- “Why the Travel Ban is Illegal and Unconstitutional,” Debate on the Travel Ban, Fordham University School of Law, New York, NY, February 2018.
- “The Free Market Conservative Case for Open Borders,” Columbia Law School, New York, NY, February 2018.
- “Why Progressives Should Help Make Constitutional Federalism Great Again,” Keynote Speech, Symposium on “US v. Oregon: Examining the Role of Federalism Under the Trump Administration,” Willamette University College of Law, February 2018.
- “Federalism and Sanctuary Cities,” Portland Federalist Society, Lawyers Division, Portland, OR, February 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Center for the Study of Political Economy, Hampden-Sydney College, Hampden Sydney, VA, January 2018.
- “Federalism, Foot Voting, and Political Ignorance,” Quinnipiac University School of Law, North Haven, CT, January 2018.
- “Federalism and Sanctuary Cities,” Panel on “Federalism and Sanctuary Cities,” Association of American Law Schools Annual Meeting, January 2018 (panel organizer).
- “Foot Voting, Decentralization, and Development,” Federalist Society Annual Faculty Conference, San Diego, CA, January 2017.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Clinton School Speaker Series, Clinton School of Public Service, University of Arkansas, Little Rock, AR, December 2017.
- “The Case for Stronger Judicial Enforcement of Constitutional Limits on Federal Power,” Conference on “Hamilton’s Vision: Federalism, National Authority, and Judicial Review,” National Constitution Center, Philadelphia, PA, November 2017 (educational program for federal judges sponsored by the Federal Judicial

Center).

- “Prospects for Cross-ideological Cooperation on Constitutional Federalism,” Panel on “Is Everyone for Federalism Now?” Federalist Society National Lawyers Convention, Washington, DC, November 2017.
- “Property Rights and the Constitution,” School of Public and International Affairs, North Carolina State University, Raleigh, NC, November 2017.
- “Lessons from a Century of Communism,” University of Miami School of Law, Miami, FL, November 2017 (co-sponsored by the Federalist Society and the Hispanic Law Students Association).
- “The Free Market Conservative Case for Open Borders,” Case Western Reserve University School of Law, Cleveland, OH, October 2017.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Scalia Law School, George Mason University, October 2017 (co-sponsored by the Center for Law and Liberty and the Federalist Society).
- “Why Travel Ban 3.0 is Unconstitutional,” Debate on Travel Ban 3.0, Georgetown University Law Center, Washington, DC, October 2017 (co-sponsored by the ACLU, the Federalist Society, and the Muslim Law Students Association).
- “Why Trump’s Travel Ban Order is Unconstitutional,” Debate on the Travel Ban Cases, Scalia Law School, George Mason University, Arlington, VA, October 2017.
- “Eminent Domain and the Border Wall,” Panel on “Walling off Rights: A Border Wall’s Impact on Tribal and Property Rights,” James E. Rogers College of Law, University of Arizona, Tucson, AZ, September 2017.
- “Federalism and Sanctuary Cities,” University of Baltimore School of Law, Baltimore, MD, September 2017.
- “Eminent Domain and Trump’s Great Wall,” panel on “Eminent Domain and the Border Wall: Protecting Private Property Along the Border,” Cato Institute, Capitol Hill Visitor Centre, Washington, DC, September 2017.
- “Federalism and Marijuana Legalization,” panel on “A Conservative Approach to Smarter Marijuana Policy,” Cato Institute, Cannon House Office Building, Washington, DC, September 2017.
- “Immigration and Executive Power,” panel on “Immigration and Executive Power,” Cornell Law School, Ithaca, NY, September 2017.
- “How the Size and Scope of Government Threatens to Rule of Law,” Panel on “Challenges to the Rule of Law,” American Political Science Association Annual Meeting, San Francisco, CA, September 2017.
- “The Politics of Game of Thrones,” Panel on the Politics of Game of Thrones, Cato Institute, Washington, DC, August 2017.
- “Expanding Jobs and Housing by Cutting Back on Zoning and Takings,” Panel on “Race and Space,” American Constitution Society National Convention, Washington, DC, June 2017.
- “Democracy and Judicial Review Reconsidered,” Conference on “Judicial Review – Law and Politics,” Cegla Center for Interdisciplinary Research of the Law, Buchmann Faculty of Law, Tel Aviv University, Tel Aviv, Israel, June 2017.
- “Federalism and Sanctuary Cities,” Federalist Society Lawyers Division Chapter, Columbus, OH, May 2017.
- “Why Trump’s Executive Orders on Immigration are Unconstitutional,” Federalist Society, Rayburn House Office Building, Washington, DC, April 2017 (debate with Texas Solicitor General Scott Keller).
- “Why (Most) Wrongly Decided Precedents Should be Reversed,” American Bankruptcy Institute, Spring Annual Meeting, Washington, DC, April 2017.
- “The Originalist Case for a Right to Same-Sex Marriage,” Boston College Law School, Boston, MA, April 2017.
- “Democracy and Political Ignorance,” Program on Philosophy, Politics, Economics, and Law, Bowling Green State University, Bowling Green, OH, April 2017.
- “Change it can be Dangerous to Believe in: President Obama’s Constitutional Legacy,” Conference on “President Obama’s Constitutional Law Legacy,” Constitutional Law Center, Drake Law School, Des Moines, IA, April 2017.
- “Federalism and Political Ignorance,” Spring Colloquium, Arkansas Center for Research in Economics, University of Central Arkansas, Conway, AR, March 2017.
- “Free to Move: Foot Voting and Political Freedom,” College of Business, Conway, AR, March 2017.
- “Democracy and Political Ignorance,” College of Business, University of Central Arkansas, Conway, AR, March 2017.
- “How Open Borders Promote Liberty,” Faculty of Law, University of Calgary, Calgary, Alberta, Canada, March 2017 (debate with Candice Malcolm).

- “*Murr*, Regulatory Takings, and the Case Against Expanding the ‘Parcel as a Whole’ Rule,” Panel on “Rethinking Regulatory Takings: A Preview of *Murr v. Wisconsin* on the Eve of Oral Argument,” Cato Institute, Washington, DC, March 2017.
- “Foot Voting, Decentralization, and Development,” Conference on “Decentralization and Development,” Law Faculty, University of Hong Kong, Hong Kong, China, March 2017 (co-sponsored by the Classical Liberal Institute, New York University).
- “The Libertarian Case Against Trumpist Nationalism,” New York University School of Law, New York, NY, March 2017.
- “Trump, Federal Power, and the Left: How Liberals Can Help Make Federalism Great Again,” S.J. Quinney College of Law, University of Utah, Salt Lake City, UT, March 2017.
- “Trump, Federal Power, and the Left: How Liberals Can Help Make Federalism Great Again,” Lawyers Division Chapter, Federalist Society, Salt Lake City, UT, March 2017.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Capital University Law School, Columbus, OH, February 2017.
- “The Free Market Conservative Case for Open Borders Immigration,” Moritz College of Law, Ohio State University, Columbus OH, February 2017.
- “The Original Scope of State and Federal Power Over Immigration,” Originalism Works-in-Progress Conference, Center for the Study of Originalism, University of San Diego, San Diego, CA, February 2017.
- “The Moral Case for Increasing Immigration,” Conference on Immigration Reform, Reason Foundation, Washington, DC, January 2017.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of Chicago Law School, Chicago, IL, January 2017 (debate with Prof. Michael Pollack).
- “Political Ignorance and its Challenge to Democracy,” Duke University School of Law, Durham, NC, January 2017 (debate with Prof. Pope McCorkle).
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Washington and Lee University School of Law, Lexington, VA, January 2017.
- “Why there is no General Federal Power Over Immigration,” Panel on Federal Power Over Immigration, Association of American Law Schools Annual Meeting, January 2017 (panel organizer).
- “Some Troubling Implications of *Fisher v. University of Texas II*,” Panel on Responding to *Fisher v. Texas*, Association of American Law Schools Annual Meeting, January 2017.
- “The Original Scope of Federal Power Over Immigration,” Federalist Society Annual Faculty Conference, San Francisco, January 2017.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Recent Books on the Constitution Seminar, Georgetown University Law Center, Washington, DC, November 2016.
- “Assessing Scalia’s Takings Clause Jurisprudence,” panel on Justice Scalia’s Property Rights Jurisprudence, Federalist Society National Lawyers Convention, Washington, DC, November 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Connecticut Supreme Court Historical Society, Hartford, CT, November 2016.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Northwestern University School of Law, Chicago, IL, October 2016.
- “The Free Market Conservative Case for Open Borders Immigration,” DePaul University College of Law, Chicago, IL, October 2016.
- “*Fisher v. University of Texas II* and the Future of Affirmative Action in Higher Education,” John Marshall Law School, Chicago, IL, October 2016.
- “Democracy and Political Ignorance,” Forum on “Is Democracy in Crisis?” Institute of Politics, Kennedy School of Government, Harvard University, Cambridge, MA, October 2016.
- “The Use and Abuse of Eminent Domain in the United States,” Brigham-Kanner Conference on Property Rights, The Hague, The Netherlands, October 2016.
- “The Free Market Conservative Case for Open Borders Immigration,” University of Colorado Law School, October 2016.

- “The Constitution and the the Power to Initiate War,” Steve and Guido Calabresi Debate on Constitutional Law, Yale Law School, New Haven, CT, September 2016.
- “*Army Corps of Engineers v. Hawkes* and the Future of Property Rights,” Cato Institute Constitution Day, Panel on Property Rights, Cato Institute, September 2016.
- “Immigration and Executive Power,” George Mason University, Scalia Law School, Arlington, VA, September 2016 (debate with Josh Blackman).
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of Pennsylvania Law School, September 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of Kentucky College of Law, Lexington, KY, September 2016.
- “Justice Thomas on Federalism and Property Rights,” Panel on “Justice Thomas After 25 Years,” Southeastern Association of Law Schools Conference, Amelia Island, FL, August 2016.
- “The Politics of Star Wars,” panel on “The World According to Star Wars,” Cato Institute, Washington, DC, August 2016 (panel on CASS R. SUNSTEIN, *THE WORLD ACCORDING TO STAR WARS* (2016)).
- “The Politics of Star Trek,” Reason Foundation, Washington DC, August 2016.
- “Popular Movements, Political Ignorance and the Politics of Exclusion,” Panel on “We The People? Law and the Politics of Inclusion and Exclusion,” American Constitution Society National Convention, Washington, DC, June 2016.
- “Open Borders and the Constitution,” Fund for American Studies, Washington, DC, June 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter” (second edition), Cato Institute, Washington, DC, June 2016.
- “Prime Directives in a Galaxy Far, Far Away: The Politics of Star Trek and Star Wars,” Australian Institute for Progress, Brisbane, Australia, May 2016.
- “Democracy and Political Ignorance,” Current Constitutional Controversies Occasional Colloquium, University of Queensland, TC Beirne School of Law, Brisbane, Australia, May 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Australian Libertarian Society Friedman Conference, Sydney, Australia, May 2016.
- “Libertarianism and Science Fiction,” Panel on Libertarianism in Fantasy and Science Fiction, Australian Libertarian Society Friedman Conference, Sydney, Australia, May 2016.
- “Democracy and Political Ignorance,” School of Government, Victoria University of Wellington, Wellington, New Zealand, May 2016.
- “Urban Development and Public Takings for Private Use,” New Zealand Initiative, Wellington, New Zealand, May 2016.
- “Eminent Domain and Public Use,” World Bank, Washington, DC, April 2016.
- “Immigration and Executive Power,” Reason Foundation, Washington, DC, April 2016 (debate with Ilya Shapiro).
- “Health Care and Constitutional Federalism,” Conference on “The Future of Public Health,” Northeastern University School of Law, Boston, MA, April 2016
- “Same-Sex Marriage and the Equal Protection Clause,” University of Chicago Law School, Chicago, IL, March 2016 (debate with Sherif Girgis).
- “The Use and Abuse of Eminent Domain in the United States,” Panel on Perspectives on Eminent Domain, Annual Conference on Land and Poverty, World Bank, Washington, DC, March 2016.
- “Police Misconduct and Overcriminalization,” Yale Law School, New Haven, CT, March 2016 (panel with Prof. Stephen Carter).
- “Democracy and Political Ignorance,” University of Denver, Sturm College of Law, Denver, CO, March 2016 (debate with Prof. Ian Farrell).
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Colorado Federalist Society Lawyers Division, Denver, CO, March 2016.
- “*Kelo*’s Doctrinal Legacy,” Yale Law School, Panel on “*Kelo* Ten Years Later,” New Haven, CT, March 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter” (second edition), Department of Government, Dartmouth College, Hanover, NH, February 2016.
- “The Impact of *Kelo* and the Limits of Eminent Domain,” American Law Institute, Conference on Eminent Domain

and Land Value Litigation, Austin, TX, January 2016.

- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Houston Federalist Society, Lawyers Division, Houston, TX, January 2016.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” University of Houston Law Center, Houston, TX, January 2016.
- “The Problem of Upward Redistribution,” Panel on Upward Redistribution, Federalist Society Faculty Conference, New York, NY, January 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter, Second Edition,” Federalist Society Faculty Conference, New York, NY, January 2016.
- “*Fisher* and Competing Rationales for Affirmative Action in Higher Education,” panel on *Fisher v. University of Texas II*, Association of American Law Schools Annual Meeting, New York, NY, January 2016.
- “Why Seizing Raisins is a Taking,” Virtual Symposium on *Horne v. USDA*, Takings Law, and Regulating Commodities and other Property,” University of Notre Dame Law School, South Bend, Indiana, December 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Florida Southern College, Lakeland, FL, November 2015.
- “Is LGBT Discrimination Sex Discrimination?” *Civil Rights Law Journal* Panel on LGBT Discrimination as Sex Discrimination, George Mason University School of Law, Arlington, VA, November 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Federalist Society Lawyers Division Chapter, San Francisco, November 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Faculty Colloquium, University of Texas School of Law, October 2015.
- “How Centralization and Political Ignorance Exacerbate Inequalities of Power,” Panel on Income Inequality and Democracy, Alumni Weekend, Yale Law School, New Haven, CT, October 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Boston University School of Law, Boston, MA, October 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” UCLA School of Law, Los Angeles, CA, October 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Washington and Lee School of Law, Lexington, VA, October 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” University of Virginia School of Law, Charlottesville, VA, September 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Annual Conference on Litigating Takings Challenges to Land Use and Environmental Regulations, University of Maryland Francis King Carey School of Law, Baltimore, MD, September 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Sandra Day O’Connor College of Law, Arizona State University, Tempe, AZ, September 2015.
- “Notable Cases of the 2014-15 Supreme Court Term,” Constitution Day panel on notable Supreme Court cases, James Rogers College of Law, University of Arizona, Tucson, AZ, September 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Classical Liberal Institute, NYU School of Law, September 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Annual Education Program, Florida Conference of District Court of Appeal Judges, Ponte Vedra Beach, FL, September 2015.
- “The Impact of the *Kelo* Decision,” Panel on “Takings and the American Regime: Reexamining *Kelo v. City of New London*,” American Political Science Association Annual Meeting, San Francisco, CA, September 2015.
- “Federalism and the Roberts Court,” Panel on “The Obama Administration and American Federalism,” American Political Science Association Annual Meeting, San Francisco, CA, September 2015 (sponsored by *Publius: The Journal of Federalism*).
- “Property Rights and the Roberts Court,” Panel on “The Roberts Court at 10,” Southeastern Association of Law Schools Conference, Boca Raton, FL, July 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Conference on Property Rights on the Tenth Anniversary of *Kelo v. City of New London*, Cato Institute, Washington, DC, June 2015.

- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Ninth Annual Judicial Symposium on Civil Justice Issues, Law and Economics Center, George Mason University School of Law, Arlington, VA, June 2015.
- “The Impact of *Kelo v. City of New London*,” Panel on “*Kelo* Ten Years Later: The Impact on Eminent Domain, Property Rights, and Homes,” University of Chicago Law School, May 2015 (sponsored by Kreisman Initiative on Housing Law and Policy and the Federalist Society).
- “Intellectual Property and the Takings Clause,” Panel on Intellectual Property and Eminent Domain, Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, April 2015.
- “Constitutional Limits on the Spending Power,” Panel on the Spending Power, National Association of Attorneys General, Midwest Conference, Indianapolis, IN, April 2015.
- “Democracy and Political Ignorance,” Charles Carroll Program, College of the Holy Cross, Worcester, MA, March 2015 (debate with Prof. Eric Beerbohm).
- “Eminent Domain Reform: Ten Years after *Kelo*,” Tulsa Federalist Society Lawyers Division Chapter, Tulsa, OK, March 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” University of Tulsa College of Law, Tulsa, OK, March 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Nelson Symposium on “*Kelo*’s First Decade: The Eminent Domain (R)evolution,” University of Florida Levin College of Law, Gainesville, FL, February 2015.
- “Assessing the Impact of *Kelo v. City of New London*,” panel on “Public Use Since *Kelo*,” Association of American Law Schools Annual Meeting, Washington, DC, January 2015 (also served as panel organizer).
- “The Mainstreaming of Libertarian Constitutionalism,” Federalist Society Faculty Conference, Washington, DC, January 2015.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Northwestern University School of Law, Chicago, IL, November 2014.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Faculty Workshop, University of Oklahoma College of Law, Norman, OK, November 2014.
- “Congress, Popular Constitutionalism, and Public Use,” Symposium on “The People, the Congress, and the Constitution,” Institute for the American Constitutional Heritage, University of Oklahoma, Norman, OK, November 2014.
- “Federalism and Political Ignorance,” Center for the Constitution, Georgetown University Law Center, October 2014.
- “Democracy, Foot Voting, and the Case for Limiting Federal Power,” Keynote Speech, Browning Symposium on “The Future of Federalism,” University of Montana School of Law, Missoula, MT, October 2014.
- “Democracy and Political Ignorance,” Maurer School of Law, Indiana University, Bloomington, IN, October 2014.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Unirule Institute of Economics, Beijing, China, July 2014.
- “*Kelo* and the Limits of Eminent Domain,” Shanghai Austrian Economic Summit, Shanghai, China, July 2014.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Zhengzhou University Law School, Zhengzhou, China, July 2014.
- “Public Use and the Limits of Eminent Domain,” Department of Legal Affairs, Taipei City Government, Taipei, Taiwan (presentation for Taiwanese officials involved in land use policy).
- “Democracy and Political Ignorance,” Academia Sinica, Taipei, Taiwan, July 2014.
- “Voting, Turnout, and Political Ignorance,” Panel on Voting in America, sponsored by *The Hill*, Library of Congress, Washington, DC, June 2014.
- “Democracy and Political Ignorance,” Stanford Law School, Palo Alto, CA, April 2014.
- “Democracy and Political Ignorance,” Amherst College Political Science Department, Amherst, MA, April 2014.
- “Democracy and Political Ignorance,” James Wilson Institute, Washington, DC, April 2014.
- “Democracy and Political Ignorance,” University of Arizona College of Law, Tucson, AZ, April 2014.
- “Democracy and Political Ignorance,” Federalist Society Lawyers Division Chapter, Phoenix, AZ, April 2014.
- “Democracy and Political Ignorance,” Department of Government, Stephen F. Austin State University, Nacogdoches, TX, March 2014.



- “Democracy and Political Ignorance,” European Students for Liberty Annual Conference, Berlin, Germany, March 2014.
- “Democracy and Political Ignorance,” Law and Economics Institute, University of Hamburg, Hamburg, Germany, March 2014.
- “Democracy and Political Ignorance,” Faculty of Law, University of Antwerp, Antwerp, Belgium, March 2014.
- “Democracy and Political Ignorance,” Union of Flemish Liberal Students, Leuven, Belgium, February 2014.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Public Choice Society Annual Conference, Charleston, SC, February 2014 (panel devoted to the book of the same title).
- “A Conspiracy Against Obamacare: The Volokh Conspiracy and the Health Care Case,” University of Wisconsin Law School, Madison, WI, February 2014.
- “Democracy and Political Ignorance,” University of Houston Law Center, Houston, TX, February 2014.
- “A Conspiracy Against Obamacare: The Volokh Conspiracy and the Health Care Case,” South Texas College of Law, Houston, TX, February 2014.
- “The Original Meaning of Public Use,” Originalism Works-in-Progress Conference, Center for the Study of Originalism, University of San Diego, San Diego, CA, February 2014.
- “Deciding What Rights the Constitution Protects,” Panel on Individual Rights, Symposium on Richard Epstein, *The Classical Liberal Constitution*, New York University School of Law, New York, NY, February 2014.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Symposium on “Is Democracy Desirable?” University of Texas School of Law, Austin, TX, January 2014 (co-sponsored by the University of Texas Government Department).
- “Democracy and Political Ignorance,” University of Illinois Law School, Champaign, IL, January 2014.
- “Democracy and Political Ignorance,” University of Chicago Law School, January 2014 (co-sponsored by the Federalist Society and Law and Economics Society).
- “NFIB v. Sebelius and the Constitutional Debate over Federalism,” William J. Brennan Lecture, Oklahoma City University School of Law, Oklahoma City, OK, January 2014 (annual invited lecture).
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Faculty Workshop, Oklahoma City University School of Law, Oklahoma City, OK, January 2014.
- “Democracy and Political Ignorance,” Boston University School of Law, Boston, MA, January 2014.
- “Democracy and Political Ignorance,” Boston College Law School, Newton, MA, January 2014.
- “Democracy and Political Ignorance,” New England School of Law, Boston, MA, January 2014.
- “Democracy and Political Ignorance,” Research Group on Constitutional Studies, McGill University, Montreal, Canada, January 2014.
- “A Conspiracy Against Obamacare: The Volokh Conspiracy and the Health Care Case,” Heritage Foundation, Washington, DC, January 2014.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Federalist Society Faculty Conference, New York, NY, January 2014.
- “*Bond v. United States* and the Limits of the Treaty Power,” Federalist Society, Lawyers Division Chapter, Atlanta, GA, December 2013.
- “Democracy and Political Ignorance,” Department of Economics, University of Dayton, Dayton, OH, December 2013.
- “Democracy and Political Ignorance,” Department of Political Economy, King's College, London, United Kingdom, November 2013.
- “Democracy and Political Ignorance,” Law Department, University of Winchester, Winchester, United Kingdom, November 2013.
- “Democracy and Political Ignorance,” Christ Church College, Oxford Hayek Society, Oxford University, Oxford, United Kingdom, November 2013.
- “Democracy and Political Ignorance,” Institute of Economic Affairs/Adam Smith Institute, London, United Kingdom, November 2013.
- “The Case Against Blight Condemnations,” NYU/University of Vermont Takings Conference, New York University School of Law, November 2013.
- “Democracy and Political Ignorance,” Legal Theory Workshop, University of Virginia Law School, Charlottesville, VA, November 2013.

- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Cato Institute Book Forum, Washington, DC, November 2013.
- “Democracy and Political Ignorance,” Duke University School of Law, Durham, NC, October 2013.
- “Democracy and Political Ignorance,” UCLA School of Law, Los Angeles, CA, October 2013.
- “Democracy and Political Ignorance,” Pepperdine University School of Law, Malibu, CA, October 2013.
- “Democracy and Political Ignorance,” Yale Law School, New Haven, CT, October 2013.
- “Democracy and Political Ignorance,” Faculty Enrichment Seminar, Florida State University College of Law, Tallahassee, FL, October 2013.
- “Two Steps Forward for the ‘Poor Relation’ of Constitutional Law: The Supreme Court and Property Rights,” Brigham-Kanner Property Rights Conference, William and Mary Law School, Williamsburg, VA, October 2013.
- “When and Why Laws Banning Same-Sex Marriage Became Unconstitutional,” Chicago-Kent College of Law, Chicago, IL, October 2013.
- “Democracy and Political Ignorance,” Columbia Law School, New York, NY, October 2013.
- “Two Steps Forward for the ‘Poor Relation’ of Constitutional Law: *Koontz*, *Arkansas Game & Fish*, and the Future of the Takings Clause,” Constitution Day Conference, Cato Institute, Washington, DC, September 2013.
- “Democracy and Political Ignorance,” Research Roundtable on Austrian Law and Economics, Law and Economics Center, George Mason University School of Law, Arlington, VA, April 2013.
- “Federalism and Political Ignorance: Why Decentralizing Government Helps Us Make Smarter Decisions,” New York University School of Law, New York, NY, April 2013.
- “The 17th Amendment and Challenges to American Democracy,” New York University School of Law, New York, NY, April 2013. (*New York University Journal of Legislation and Public Policy* symposium on “Democracy Unfiltered: Discussing 100 Years of Direct Elections and Modern Issues Affecting the Law of Democracy”).
- “Affirmative Action and *Fisher v. University of Texas*,” Columbia Law School, New York, NY, April 2013 (debate with Professor Theodore Shaw).
- “Progressive Federalism,” Harvard Law School, Cambridge, MA, April 2013 (debate with Professor Heather Gerken).
- “The Tea Party Movement and Voter Rationality,” George Mason University School of Law, Arlington, VA, April 2013.
- “Democracy and Political Ignorance,” Politics, Law and Economics Lecture Series, Campbell University, Buies Creek, NC, March 2013.
- “*Kelo* and its Aftermath,” University of Michigan Law School, Ann Arbor, MI, March 2013.
- “Does the Constitution Protect Economic Rights?,” Rutgers School of Law-Camden, Camden, NJ, March 2013 (debate with Professor Louis Michael Seidman).
- “Democracy and Political Ignorance,” Faculty Seminar, Northwestern University School of Law, Chicago, IL, March 2013.
- “Jury Ignorance and Political Ignorance,” William and Mary Law School, Williamsburg, VA, February 2013 (Symposium on the Civil Jury as a Political Institution).
- “*Kelo* and its Aftermath,” District of Columbia Court of Appeals, Washington, DC, January 2013 (presentation for the judges of the highest court of the District of Columbia).
- “*Kelo* and its Aftermath,” South Texas College of Law, Houston, TX, January 2013.
- “Democracy and Political Ignorance,” Lawyers Club of Chicago, Chicago, IL October 2012.
- “Does Regulation of Corporate Political Speech Violate the First Amendment,” Amherst College, Amherst, MA, October 2012 (debate with Professor Larry Lessig and others) (upcoming).
- “Democracy, Federalism, and Dissent,” Conference in Honor of Professor Heather Gerken, University of Tulsa Law School, Tulsa, OK, September 2012.
- “Assessing the Health Care Decisions,” University of Minnesota Law School, Minneapolis, MN, September 2012.
- “Assessing the Health Care Decisions,” Christopher Newport University, Newport News, VA, September 2012 (debate with Professor Daniel Ortiz).
- “The Supreme Court and Property Rights,” Annual Supreme Court Review Conference, Cato Institute, Washington, DC, September 2012.

- “Democracy and Political Ignorance,” Philosophy, Politics and Economics lecture series, Department of Economics, George Mason University, Fairfax, VA, September 2012.
- “Assessing the Individual Mandate Decision,” University of Toledo School of Law, Toledo, OH, August 2012 (debate with Professor Rebecca Zietlow).
- “Federalism and the War on Drugs,” Washington University School of Law, St. Louis, MO, April 2012.
- “Deregulating the Legal Profession” University of Washington School of Law, Seattle, WA, April 2012.
- “Property Rights Since *Kelo*,” Tulane Law School, New Orleans, LA, April 2012.
- “Property Rights Since *Kelo*,” University of North Carolina Law School, Chapel Hill, NC, April 2012.
- “Federalism and Judicial Review in the United States,” Forum on Federations, International Conference on Courts in Federal Countries, Montreal, Canada, March 2012.
- “The Constitutionality of the Individual Mandate,” LA Federalist Society/Stanford Law School Alumni Association/Libertarian Law Council, Los Angeles, CA, March 2012 (debate with Dean Larry Kramer).
- “The Constitutionality of the Individual Mandate,” Washington Legal Foundation, Washington, DC, March, 2012 (debate with Andrew Pincus).
- “The Constitutionality of the Individual Mandate,” UCLA Law School, Los Angeles, CA March 2012 (debate with Professor Jonathan Varat).
- “Political Ignorance and Popular Constitutionalism,” Conference on Popular Constitutionalism and the 2012 Election, Roger Williams Law School, Bristol, RI, February 2012.
- “Originalism and Political Ignorance,” Originalism Works-in-Progress Conference, Center for the Study of Originalism, University of San Diego, San Diego, CA, February 2012.
- “Ending the War on Drugs,” University of Chicago Law School, Chicago, IL, January 2012.
- “Ending the War on Drugs,” University of Arkansas Law School, Fayetteville, AR, November 2011.
- “Referendum Measure 31 and Post-*Kelo* Reform in Mississippi,” University of Mississippi School of Law, Oxford, MS, October 2011.
- “The Tea Party Movement and Popular Constitutionalism,” New York University School of Law, New York, NY, October 2011.
- “A Mandate for Mandates: Is the Individual Health Care Mandate Case a Slippery Slope?” Symposium on Constitutional Challenges to the Affordable Care Act, Duke University School of Law, Durham, NC, September 2011.
- “Review of the 2010-11 Supreme Court Term,” Columbus Law School, Catholic University, Washington, DC, September 2011.
- “Is the Libya Intervention Constitutional?” University of Akron Law School, Akron, OH, September, 2011.
- “Democracy and Political Ignorance,” University of Athens, Athens, Greece, May 2011.
- “*Kelo* and Post-*Kelo* Eminent Domain Reform,” Temple University School of Law, Philadelphia, PA, April 2011 (debate with Prof. Jane Baron).
- “Is Health Care Reform Constitutional?” Amherst College Political Union Debate, Amherst College, Amherst, MA, April 2011 (debate with Profs. Akhil Amar and Roderick Hills).
- “What if *Kelo* had Gone the Other Way?,” Symposium on Counterfactuals in Constitutional History, Indiana University School of Law, Indianapolis, IN, April 2011.
- “Clarence Thomas on Textualism, Originalism, and Federalism,” Conference on the Twentieth Anniversary of Justice Thomas' Accession to the Supreme Court, University of Detroit Mercy Law School, Detroit, MI, March 2011.
- “Federalism and Property Rights,” Levy Seminar, George Mason University School of Law, Arlington, VA, March 2011.
- “Technology and Political Ignorance,” *Northwestern Journal of Technology and Intellectual Property* Symposium, Northwestern University School of Law, Chicago, IL, March 2011.
- “The Constitutionality of the Individual Mandate,” Center For American Progress debate, Washington, DC, March 2011.
- “The Constitutionality of the Individual Mandate,” Brookings Institution debate, Washington, DC, March 2011.
- “The Constitutionality of the Individual Mandate,” American Constitution Society debate, Arlington, VA, February 2011.

- “The Idea of Judicial Takings,” Duke University School of Law, Durham, NC, February 2011 (Conference on Judicial Takings).
- “Property Rights Since *Kelo*,” University of Wisconsin Law School, Madison, WI, January 2011.
- “The Constitutionality of the Federal Health Care Law,” Federalist Society Panel, Madison, WI, January 2011.
- “Why the Individual Health Care Mandate is Unconstitutional,” National Conference on Health Care Reform, Washington, DC, January 2011.
- “The Tea Party and Popular Constitutionalism,” panel on The Constitutional Politics of the Tea Party Movement, American Association of Law Schools Conference, San Francisco, CA, January 2011.
- “Causes and Consequences of the Lack of Ideological Diversity in Legal Academia,” panel on Ideological Diversity and Discrimination in American Law Schools, American Association of Law Schools Conference, San Francisco, CA January 2011.
- “Rationality and Political Ignorance,” New York University Department of Economics, New York, NY, December 2010.
- “The Political and Judicial Reaction to *Kelo*,” University of Illinois Law School Colloquium on Constitutional Theory, History, and Law, Champaign, IL, November 2010.
- “Why the Individual Health Care Mandate is Unconstitutional,” Duke University School of Law, Durham, NC, November 2010.
- “Why the Individual Health Care Mandate is Unconstitutional,” University of Florida Law School, Gainesville, FL, November 2010.
- “Going to Pot: Federalism and the War on Drugs,” Michigan State University Law School, Lansing, MI, October 2010 (debate with Judge Landis Lain).
- “Federalism and the War on Drugs,” Thomas M. Cooley Law School, Lansing, MI, October 2010.
- “Federalism and Constitutional Property Rights,” *University of Chicago Legal Forum* Symposium on Governance and Power, University of Chicago Law School, Chicago, IL, October 2010.
- “Public Opinion and Prospects for Reform of Overcriminalization,” Conference on Overcriminalization 2.0, Georgetown University, Washington, DC, October 2010.
- “The Grasping Hand: Takings and Property Rights Since *Kelo v. City of New London*,” Lewis & Clark Law School, Portland, OR, October 2010.
- “Taking Stock of *Comstock*: The Necessary and Proper Clause and the Limits of Federal Power,” Annual Supreme Court Review Conference, Cato Institute, Washington, DC, September 2010.
- “The State of the Supreme Court,” American Constitution Society Panel on the 2009-10 Supreme Court term, University of Pennsylvania Law School, Philadelphia, PA, September 2010.
- “Deliberative Democracy and Political Ignorance,” University of Santo Tomas, Santiago, Chile, August 2010.
- “Deliberative Democracy and Political Ignorance,” University of Torcuato Di Tella, Buenos Aires, Argentina, July 2010.
- “Customary International Law and the Political Economy of the Alien Tort Claims Statute,” Northwestern University School of Law, Chicago, IL, April 2010 (with John O. McGinnis).
- “The Constitutionality of the Individual Health Care Mandate,” Notre Dame Law School, South Bend, IN, April 2010.
- “*Kelo* and Post-*Kelo* Eminent Domain Reform,” University of Chicago Law School, Chicago, IL, February 2010 (debate with Saul Levmore).
- “Democracy and Political Ignorance,” Levy Seminar, George Mason University School of Law, February 2010.
- “Federalism and the Economic Crisis,” Federalist Society National Lawyers Convention, Washington, DC, November 2009.
- “Localism and Democracy,” Constitution in 2020 Conference, Yale Law School, New Haven, CT October 2009.
- “Foot Voting, Political Ignorance and Constitutional Design,” Korea Institutional Economics Association Conference, National University, Seoul, Korea, August 2009.
- “Foot Voting, Political Ignorance and Constitutional Design,” Social Philosophy and Policy Center, Symposium on “What Should Constitutions Do?” Tampa, FL, April 2009.
- “The Art of Legal Blogging,” Panel on Legal Blogging, Princeton University Program in Law and Public Affairs, Princeton, NJ, April 2009.
- “*Kelo* and its Aftermath,” University of Florida Law School, Gainesville, FL, April 2009.
- “*Kelo* and its Aftermath,” Michigan State University Law School, Lansing, MI, March 2009.

- “Closing the Pandora's Box of Federalism,” University of Cincinnati Law School, Cincinnati, OH, March 2009.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” University of Pennsylvania Ad Hoc Seminar, October 2008.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Boston University Law and Economics Seminar, Boston, MA, October 2008.
- “Competitive and Cooperative Federalism,” American Enterprise Institute Conference on the Future of Federalism, Washington, DC, September 2008.
- “Normative Implications of Political Ignorance,” Critical Review Conference on “Homo Politicus,” Boston, MA August 2008.
- “Taking Property Rights Seriously? The Supreme Court and the Poor Relation of Constitutional Law,” Conference on The Supreme Court: Contested Constitutional Doctrines, Michigan State University, Lansing, MI, March 2008.
- “Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet,” University of Missouri Law School, Conference on Federalism and International Law, Columbia, MO, February 2008.
- “The Politics of Economic Development Takings,” Case Western Reserve University School of Law, Conference on Corporations and their Communities, Cleveland, OH, February 2008.
- “Democracy and International Human Rights Law,” Hebrew University Minerva Center for Human Rights, Jerusalem, Israel, November 2007.
- “Property Rights and Economic Development Takings Since *Kelo*,” Northwestern University School of Law, Chicago, IL, October 2007.
- “Federalism and Political Ignorance: The Informational Advantages of Voting with Your Feet,” IVR World Congress on Philosophy of Law and Social Philosophy, Cracow, Poland, August 2007.
- “The Case Against ‘Morals’ Regulation,” Federalist Society Conference on the Work of Judge Robert Bork, Washington, DC, July 2007.
- “Federalism and Political Ignorance: “The Informational Advantages of Voting with Your Feet,” University of Torcuato Di Tella Conference on Law and Legal Philosophy, Buenos Aires, Argentina, June 2007.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Florida State University Law School, Conference on Eminent Domain, April 2007.
- “Can We Make the Constitution More Democratic?” Drake Law School, Conference on “Our Undemocratic Constitution,” Des Moines, IA, March 2007.
- “Federalism and Political Ignorance: The Informational Advantages of Voting with Your Feet,” University of California, Santa Cruz Economics Department, Conference on Federalism, Santa Cruz, CA, March, 2007
- “Congressional Authority to Limit Wartime Executive Power,” Federalist Society Academic Conference, Panel on Wartime Executive Power, Washington, DC, January 2007.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Northwestern University School of Law Constitutional Law Colloquium, Chicago, IL, January 2007.
- “The Problem of Political Ignorance,” ESEN University, San Salvador, El Salvador, Central American Conference on Law and Economics, October 2006.
- “Your Land is My Land: Eminent Domain After *Kelo*,” University of Pennsylvania Law School, Philadelphia, PA, October 2006.
- “Controlling the Grasping Hand: Economic Development Takings after *Kelo*,” Seminar on Environmental Policy and Land Use, Georgetown University Law Center, Washington, DC, October 2006.
- “A False Dawn for Federalism: Clear Statement Rules after *Gonzales v. Raich*,” Annual Supreme Court Review Conference, Cato Institute, September 2006.
- “Knowledge About Ignorance,” Latin American and Caribbean Law and Economics Association Conference, University of Torcuato di Tella Law School, Buenos Aires, Argentina, May 2006.
- “Democracy and Judicial Review,” University of Torcuato di Tella Law School, Buenos Aires, Argentina, May 2006.

- “I Want Your Land: Eminent Domain After *Kelo*,” Washington & Lee School of Law, September 2005.
- “The Politics of Ignorance,” Northwestern University School of Law, September, 2005.
- “Political Ignorance and the Role of Government in Society,” World Congress on Philosophy of Law and Social Philosophy, Granada, Spain, May 2005.
- “Democracy and Political Ignorance,” New York University Department of Economics, February 2005.
- “The Case for Banning Economic Development Takings,” American Association of Law Schools, Annual Conference, January 2005.
- “The Case for Banning Economic Development Takings,” Conference on Property Rights in the Twenty-First Century, New York University School of Law, November 2004.
- “Overruling *Poletown: County of Wayne v. Hathcock* and the Future of Public Use,” Conference on *County of Wayne v. Hathcock*, Michigan State University College of Law, November 2004.
- “Federalism vs. States’ Rights,” Legal Scholarship Workshop, University of Chicago Law School, October 2004.
- “When Ignorance is No Bliss,” Panel on “What’s Wrong with Voters?”, Cato Institute, Washington, DC. October 2004.
- Political Ignorance and the War on Terror,” Critical Infrastructure Project Annual Conference, Fairfax, VA, September 2004.
- “Democracy and the Problem of Political Ignorance,” University of Hamburg Institute for Law and Economics, Hamburg, Germany, July 2004.
- Discussant, Panel on “Preventing Another Florida?” American Enterprise Institute conference on the Florida 2000 recount dispute, Washington, DC, June 2004 (aired on C-SPAN).
- “Federalism and the New Iraqi Constitution,” Panel on Federalism in Iraq, Cato Institute, Washington, DC, May 2004.
- “Closing the Pandora’s Box of Federalism: The Case for Strict Judicial Limits on the Spending Power,” Yale Law School, New Haven, CT, November 2003.
- “Political Ignorance and the Counter-majoritarian Difficulty,” George Mason University Department of Economics Seminar, Fairfax, VA, September 2003.
- “Constitutional Change in Times of Crisis,” Stanford Law School, Stanford, CA, February 2003.

## **AMICUS BRIEFS AUTHORED**

- *Trump v. International Refugee Assistance Project*, (US Supreme Court 2018) (amicus brief on behalf of a group of constitutional law professors).
- *Trump v. International Refugee Assistance Project*, (US Supreme Court 2017) (amicus brief on behalf of a group of constitutional law professors).
- *Murr v. Wisconsin*, (US Supreme Court 2017) (amicus brief in important Takings Clause case, on behalf of nine state governments).
- *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015) (amicus brief arguing that laws banning same-sex marriage discriminate on the basis of sex, on behalf of legal scholars Stephen Clark, Andrew Koppelman, Sanford Levinson, Irina Manta, Erin Sheley, and myself) (coauthored with Andrew Koppelman).
- *Kenter v. City of Sanibel*, 750 F.3d 1274 (11th Cir. 2014) (amicus brief supporting petition for certiorari in case addressing status of property rights under the Due Process Clause, on behalf of the National Federation of Independent Business, the Cato Institute, Owners’ Counsel of America, and the Rutherford Institute).
- *Ilagan v. Ungacta*, (Guam 2012) (case challenging constitutionality of pretextual takings) (amicus brief on behalf of the National Federation of Independent Business, Becket Fund for Religious Liberty, Cato Institute, nine other organizations, and a group of constitutional law and property scholars supporting petition for certiorari).
- *NFIB v. Sebelius*, 132 S.Ct. 2566 (2012), (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and group of constitutional law scholars).
- *Colony Cove Properties, LLC v. City of Carson*, 640 F.3d 948 (9th Cir. 2011) (amicus brief on behalf of Cato Institute, National Federation of Independent Business, Institute for Justice, Goldwater Institute, and New England Legal Foundation supporting petition for certiorari to the Supreme Court).

- *Florida ex rel. Attorney General v. Department of Health and Human Services*, 648 F.3d 1235 (11th Cir. 2011). (11th Cir., 2011) (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and group of constitutional law scholars).
- *Thomas More Law Center v. Obama*, 651 F.3d 629 (6th Cir. 2011), (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and 11 members of Congress).
- *Tuck It Away, Inc. v. New York State Urban Development Corporation*, (N.Y. 2010) (case challenging constitutionality of pretextual blight condemnations in New York City) (amicus brief on behalf of Becket Fund for Religious Liberty, Cato Institute, and Institute for Justice supporting petition for certiorari to the Supreme Court).
- *Virginia ex rel. Cuccinelli v. Sebelius*, 728 F.Supp.2d 768 (E.D. Va. 2010) (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and 14 constitutional law scholars).
- *City of Milwaukee Post 2874, Veterans of Foreign Wars v. Redevelopment Authority of the City of Milwaukee*, (Wisc. 2009) (amicus brief on behalf of Institute for Justice supporting petition for certiorari in Just Compensation Clause case).
- *Didden v. Village of Port Chester*, 173 Fed. Appx. 931 (2d Cir. 2006) (brief supporting cert. petition on behalf of six prominent property law professors in important post-*Kelo* takings case).
- *Kelo v. City of New London*, 545 U.S. 469 (2005) (amicus brief on behalf of Jane Jacobs) (cited by the Court in its majority opinion).  
*County of Wayne v. Hathcock*, 684 N.W2d 765 (Mich. 2004) (case reversing notorious 1981 *Poletown* eminent domain decision) (amicus brief on behalf of Institute for Justice).
- *Rukab v. City of Jacksonville Beach*, 866 So.2d 773 (Fla. Dist. Ct. App. 2004) (challenge to constitutionality of condemnation of property for the purpose of benefiting private interests) (brief on behalf of Institute for Justice)..
- *Pequonnock Yacht Club, Inc. v. City of Bridgeport*, 790 A.2d 1178 (Conn. 2002) (case challenging constitutionality of taking of property without advance specification of a future public use) (brief on behalf of Institute for Justice)..
- *Thomas v. Chicago Park District*, 534 U.S. 316 (2002) (case challenging constitutionality of speaker permit system in Chicago public parks) (brief on behalf of National Governors Association and National Council of State Legislatures).

## **PEER REVIEWER SERVICE**

### **JOURNALS**

*American Journal of Political Science*  
*American Law and Economics Review*  
*American Political Science Review*  
*American Political Thought*  
*California Journal of Politics and Policy*  
*Constitutional Political Economy*  
*George Mason Law Review*  
*Harvard Law Review*  
*Independent Review*  
*International Review of Law and Economics*  
*Journal of Common Market Studies*  
*Kyklos*  
*Law and Social Inquiry*  
*Perspectives on Politics*  
*Political Studies*  
*Political Studies Review*  
*Public Administration Review*

*Public Choice*  
*Publius: The Journal of Federalism*  
*Review of Law and Economics*  
*Social Science Quarterly*  
*Social Theory and Practice*  
*Stanford Law Review*  
*Yale Law Journal*

### **BOOK PUBLISHERS**

Cambridge University Press  
Edward Elgar Publishing  
Oxford University Press  
Polity  
University of Chicago Press

### **BAR MEMBERSHIPS**

Massachusetts, admitted July 2001; United States Supreme Court, admitted October 2011.

### **PERSONAL**

- Fluent in Russian (native speaker). Conversant in French.
- Born in St. Petersburg, Russia, 1973.