

## CURRICULUM VITAE

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### **Education**

06/1988                      Ph.D., Political Science, University of California, Los Angeles  
12/1981                      M.A., Political Science, UCLA  
06/1980                      B.A., Political Science (magna cum laude), UCLA

### **Administrative Positions**

Beginning 09/2014        Chancellor, University of California, Irvine  
07/2014-09/2014        Interim Chancellor, University of California, Irvine  
06/2013-09/2014        Provost and Executive Vice Chancellor, University of California, Irvine

UC Irvine's chief academic and operating officer. Under the direction of the chancellor assumed primary responsibility for the academic and organizational functioning of the campus and the advancement of the University's excellence in education, research and public service.

As provost oversaw the planning, development, implementation, assessment, and improvement of all academic programs, policies, and supporting infrastructure, including facilities and information technology. Ensured academic preeminence through planning for recruitment, retention, and renewal of an outstanding and diverse faculty. As executive vice chancellor served as the chancellor's leading senior executive responsible for day-to-day campus operations, including budget allocations and capital finances. In these roles directed and collaborated with the campus' five vice chancellors, 12 deans, the University Librarian, CEO of the Medical Center, and the Academic Senate leadership.

06/2007-06/2012        Dean, USC Dana and David Dornsife College of Letters, Arts, and Sciences.

Oversaw the largest, oldest, and most diverse academic unit on University of Southern California's University Park Campus. USC Dornsife comprises 33 academic departments, dozens of research centers and institutes, 7000 undergraduates, 1300 Ph.D. students enrolled in over 20 programs, 390 master's students, and nearly 800 faculty members who have expertise across the humanities, social sciences, and sciences. Under USC's system of revenue based management the dean had responsibility for managing a budget of approximately \$340 million, a staff of over 600, and offices of Advancement/External Relations, Technology Services, Admissions, Advising, Facilities, General Education, and Overseas Studies.

Notable accomplishments included fundraising of approximately \$450 million over five years, and a central role securing a \$200 million naming gift of unrestricted endowment—the largest single gift in the history of USC and the largest naming gift in the history of higher education for a research university's college of letters, arts and sciences. Credited with promoting innovation in academic programs, securing yearly

increases in external funding for research (up to approx. \$76 million/yr.), recruiting over 100 new faculty, making diversity an institutional priority, developing new funding model for Ph.D. programs, and expanding undergraduate opportunities to conduct research, study overseas, and engage in service learning (see [dornsife.usc.edu/proclamation-howard-gillman](http://dornsife.usc.edu/proclamation-howard-gillman)).

07/2005-05/2007 Associate Vice Provost for Research Advancement, USC.

Responsible for advancing scholarship in the social sciences and humanities across the university. Developed a number of new initiatives, including a university-wide effort to study immigrant integration. Co-led an effort to create USC's US-China Institute. Co-led a program to provide internal grants for Advancing Scholarship in the Humanities and Social Sciences. Represented the provost's office by co-chairing the search for the dean of the Annenberg School for Communication and Journalism.

08/2004-06/2005 Chair, Department of Political Science, USC

08/1996-06/2001 Director of Graduate Studies, Department of Political Science, USC

### Academic Positions

06/2014-present Professor of Political Science, History, Law, and Criminology, Law & Society, University of California, Irvine

07/2012-06/2013 Professor of Political Science, History and Law (*Law by courtesy*), USC

06/2007-06/2012 Anna H. Bing Dean's Chair, USC

04/2002-06/2012 Professor of Political Science, History, and Law (*History and Law by courtesy*), University of Southern California

09/1995-04/2002 Associate Professor of Political Science, USC

09/1990-08/1995 Assistant Professor of Political Science, USC

09/1989-08/1990 Assistant Professor of Political Science, California State Polytechnic University, Pomona

08/1988-06/1989 Visiting Assistant Professor of Political Science, University of California, Riverside

08/1986-08/1988 Visiting Assistant Professor of Political Science, Pepperdine University, Malibu

08/1988-12/1988 Adjunct Professor of Political Science, University of California, Los Angeles

08/1987-09/1988 Adjunct Professor of Political Science, California State University, Los Angeles

09/1987-06/1988 Adjunct Professor of Political Science, California State University, Northridge

1986-1990 (summers) Lecturer, Department of Political Science, UCLA

09/1981-06/1984 Teaching Associate/Assistant, Department of Political Science, UCLA

### Academic Fields of Specialization

Constitutional law, history, theory, and politics; Supreme Court politics; American political development; judicial politics; law and society; jurisprudence; the new institutionalism.

Doctoral dissertation: "The Constitution Besieged: The Founders' Vision of a Faction-Free Republic, the Intensification of Class Conflict, and Constitutional Ideology During the *Lochner* Era."

**Courses Taught**

American Constitutional Development (graduate seminar); American Constitutional Law and Theory (graduate seminar); The Supreme Court (undergraduate lecture and graduate seminar); Law, Politics, and Public Policy (undergraduate lecture and graduate seminar); The Federal Judiciary; Constitutional Law--Separation of Powers; Constitutional Law--Fundamental Freedoms; Constitutional Law--Rights of the Accused; The Criminal Justice System; Jurisprudence; History of the Anglo-American Legal System; Watergate, the Iran-Contra Affair, and Constitutional Democracy (senior seminar); The Founding of the American Constitution (senior seminar); Theories of Constitutional Interpretation (senior honors seminar); Law in Film; Introduction to American Politics; Contemporary Issues in American Politics (senior honors seminar); The American Presidency; Change and the Future (freshman honors general education); Modern Times (an interdisciplinary general education course); Marxism and Pragmatism (graduate seminar).

**Teaching Awards and Recognitions**

Teaching and Mentoring Award, Law and Courts Section of the American Political Science Association, recognizing innovative teaching and instructional methods and materials, 2013.

USC Associates Award for Excellence in Teaching, 2001—the highest honor the university bestows on its faculty for career achievement in teaching and dedication to students; up to two awards are presented yearly.

General Education Teaching Award, College of Letters, Arts and Sciences, USC, 2001—presented by the dean's office for contributions to the General Education Program during the preceding year.

Distinguished Faculty Fellow, USC's Center for Excellence in Teaching, 2001-2013.

Grant recipient, Provost Innovative Undergraduate Teaching Award, "Enhancing Collaborative Learning in Undergraduate Courses Through the Development of Moot Court Simulations," 2000-2001 academic year.

Recipient, Hewlett Grant, for innovative course development relating to a revised General Education curriculum, USC, 1995.

Award presented by the faculty of the Department of Political Science, USC, for "Outstanding Classroom Teaching and Dedication to Students, 1993-1994."

Award presented by the faculty of the Department of Political Science, USC, for "Outstanding Classroom Teaching and Dedication to Students, 1992-1993."

Faculty of the Month, November 1991, presented by the Mortar Board Senior Honor Society, USC chapter.

Teaching Associate of the Year, 1983-1984, a university-wide award presented by UCLA's Academic Senate.

Teaching Assistant of the Year, 1982-1983, a departmental award presented by the Undergraduate Political Science Honors Society.

Teaching Assistant of the Year, 1981-1982, a departmental award presented by the Undergraduate Political Science Honors Society.

**Other Academic Awards and Recognitions**

Law and Courts Service Award, recognizing exceptional service to the Law and Courts Section of the American Political Science Association, 2012.

Enlund Distinguished Scholar in Residence, DePaul University College of Law, April 6, 2006.

American Judicature Society Award for best paper on public law presented the previous year at a national or regional political science meeting, Law and Courts Section of the American Political Science Association, August 2001.

C. Herman Pritchett Award for best book in public law published during the previous year, presented by the Law and Courts section of the American Political Science Association, for *The Constitution Besieged*, 1994.

*The Constitution Besieged* named by *Choice* as an “Outstanding Academic Book” selection for 1993.

1992 Pi Sigma Alpha award “for the best paper presented at the last annual meeting of the Western Political Science Association.”

1988 Pi Sigma Alpha award “for the best paper presented at the last annual meeting of the Western Political Science Association.”

Research Fellowship, Department of Political Science, UCLA, 1986.

Chancellor’s Dissertation Fellowship, 1984.

Department Fellowship, Political Science Department, UCLA, 1980.

Phi Beta Kappa, 1980.

### **Books**

*The Complete American Constitutionalism. Volume One: Introduction and the Colonial Era*, co-authored with Mark A. Graber and Keith E. Whittington. New York and Oxford: Oxford University Press (in press, expected publication in 2015). The first volume of an eight volume reference series under contract with the Academic Law Division of Oxford University Press.

*American Constitutionalism: Powers, Rights, and Liberties*, co-authored with Mark A. Graber and Keith E. Whittington. New York and Oxford: Oxford University Press, 2014 (1088pp).

*American Constitutionalism: Volume II: Rights & Liberties*, co-authored with Mark A. Graber and Keith E. Whittington. New York and Oxford: Oxford University Press, 2013 (1024pp.).

*American Constitutionalism: Volume I: Structures of Government*, co-authored with Mark A. Graber and Keith E. Whittington. New York and Oxford: Oxford University Press, 2012 (773pp.).

*The Votes that Counted: How the Court Decided the 2000 Presidential Election*. Chicago and London: University of Chicago Press, 2001.

*Supreme Court Decision-Making: New Institutional Approaches*, edited with Cornell W. Clayton. Chicago and London: University of Chicago Press, 1999.

*The Supreme Court in American Politics: New Institutional Interpretations*, edited with Cornell W. Clayton. Lawrence, KS: University Press of Kansas, 1999.

*The Constitution Besieged: The Rise and Demise of Lochner Era Police Powers Jurisprudence*. Durham and London: Duke University Press, 1993. Received the C. Herman Pritchett Award for best book in public law published during the previous year, presented by the Law and Courts section of the American Political Science Association. Also a *Choice* “Outstanding Academic Book” selection for 1993.

### **Articles in Refereed Journals and Law Reviews**

“Regime Politics, Jurisprudential Regimes, and Unenumerated Rights,” *University of Pennsylvania Journal of Constitutional Law* (October 2006), 107-119.

“De-Lochnerizing *Lochner*,” *Boston University Law Review* 85 (June 2005):859-865.

“Disaster Relief, ‘Do Anything’ Spending Powers, and the New Deal,” *Law and History Review* 23 (Summer 2005), 443-450.

“Martin Shapiro and the New Institutionalism in Judicial Behavior Studies,” *Annual Review of Political Science*, Vol. 7, edited by Nelson W. Polsby (Portland: Annual Reviews, 2004).

“Judicial Independence Through the Lens of *Bush v. Gore*: Four Lessons from Political Science,” *Ohio State Law Journal* 64 (2003), 249. Reprinted in *Inside the Judicial Process*, eds. Gregg Ivers and Jennifer A. Segal (New York: Houghton Mifflin, 2006) and *Princeton Readings in American Politics*, ed. Richard M. Valelly (Princeton University Press, 2009).

“How Political Parties Can Use the Courts to Advance Their Agendas: Federal Courts in the United States, 1875-1891,” *American Political Science Review* 96 (2002):511-524. Reprinted in *Institutions and Public Law: Comparative Approaches*, eds. Tom Ginsburg and Robert Kagan (New York: Peter Lang, 2005).

“What’s Law Got to Do With It? Judicial Behavioralists Test the ‘Legal Model’ of Judicial Decision Making,” review essay, focusing on Harold J. Spaeth and Jeffrey A. Segal, *Majority Rule or Minority Will* (Cambridge: Cambridge University Press, 1999), *Law and Social Inquiry* 26 (2001):465-504.

“From Fundamental Law to Constitutional Politics -- and Back,” review essay, focusing on Stephen M. Griffin’s *American Constitutionalism: From Theory to Politics* (Princeton: Princeton University Press, 1996), *Law and Social Inquiry* (1998):185-202.

“The Collapse of Constitutional Originalism and the Rise of the Notion of the ‘Living Constitution’ in the Course of American State-Building,” *Studies in American Political Development* 11 (Fall 1997):191-247.

“The Antinomy of Public Purposes and Private Rights in the American Constitutional Tradition, or Why Communitarianism is Not Necessarily Exogenous to Liberal Constitutionalism,” *Law and Social Inquiry* 21 (Winter 1996):67-77.

“More on the Origins of the Fuller Court’s Jurisprudence: The Scope of Federal Power Over Commerce and Manufacturing in Nineteenth-Century Constitutional Law,” *Political Research Quarterly* 49 (June 1996):415-437.

“On Constructing a Science of Comparative Judicial Politics: Comment on Tate and Haynie’s ‘Authoritarianism and the Functions of Courts’,” *Law and Society Review* 28 (1994):901-922.

“Preferred Freedoms: The Progressive Expansion of State Power, and the Rise of Modern Civil Liberties Jurisprudence,” *Political Research Quarterly* 47 (September 1994):623-653.

“The Struggle Over Marshall and the Politics of Constitutional History,” *Political Research Quarterly* 47 (December 1994):877-887.

“The Constitution Besieged: TR, Taft, and Wilson on the Virtue and Efficacy of a Faction-Free Republic,” *Presidential Studies Quarterly* 19 (1989):179-201.

### **Book Chapters**

“Courts and the Politics of Partisan Coalitions,” in *The Oxford Handbook of Law and Politics*, eds. Keith Whittington, R. Daniel Keleman, and Gregory A. Caldiera, pp.644-658. Oxford University Press, 2008.

“Party Politics and Constitutional Change: The Political Origins of Liberal Judicial Activism,” in *The Supreme Court and American Political Development*, eds. Ken Kersch and Ronald Kahn, pp.138-168. Lawrence, KS: The University Press of Kansas, 2006.

“The Waite Court, 1874-1888: The Collapse of Reconstruction and the Transition to Conservative Constitutionalism,” in *The United States Supreme Court: The Pursuit of Justice*, ed. Christopher L. Tomlins, pp.124-146. New York: Houghton Mifflin, 2005.

“Constitutional Law as Hardball Politics: *Bush v. Gore* (2000),” in *Creating Constitutional Change: Clashes over Power and Liberty in the Supreme Court*, eds. Gregg Ivers and Kevin T. McGuire, pp.49-63. Charlottesville and London: University of Virginia Press, 2004.

“Robert G. McCloskey, Historical Institutionalism, and the Arts of Judicial Governance,” in *Pioneers of Public Law*, edited by Nancy Maveety, pp.336-360. Ann Arbor: University of Michigan Press, 2003.

“Reconnecting the Modern Supreme Court to the Historical Evolution of American Capitalism,” in *The Supreme Court in American Politics: New Institutional Interpretations*, eds. Howard Gillman and Cornell W. Clayton, pp.235-256. Lawrence, KS: University Press of Kansas, 1999.

“Introduction,” with Cornell W. Clayton, in *The Supreme Court in American Politics: New Institutional Interpretations*, eds. Howard Gillman and Cornell W. Clayton, pp.1-12. Lawrence, KS: University Press of Kansas, 1999.

“The Court is an Idea, Not a Building (or a Game): Interpretive Institutionalism and the Analysis of Supreme Court Decision-Making,” in *Supreme Court Decision-Making: New Institutional Approaches*, eds. Cornell W. Clayton and Howard Gillman, pp.65-87. Chicago and London: University of Chicago Press, 1999.

“Beyond Judicial Attitudes: Institutional Approaches to Supreme Court Decision-Making,” with Cornell W. Clayton, in *Institutional Approaches to Supreme Court Decision-Making*, eds. Cornell W. Clayton and Howard Gillman, pp.1-12. Chicago and London: University of Chicago Press, 1999.

### Articles in Non-Refereed Journals

“Political Development and the Origins of the ‘Living Constitution’,” *Advance*, a semi-annual publication of the *American Constitution Society* (Fall 2007).

“First Amendment Doctrine as Regime Politics,” *The Good Society* 14 (2005): 59-61.

“Separating the Wheat from the Chaff in The Supreme Court and the Attitudinal Model Revisited,” *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 13 (Summer 2003):12-18.

“Conceptual Chasm or Semantic Imprecision? Are Disagreements between Attitudinalists and Institutionalists Distinctions Without a Difference?,” (co-authored with Harold Spaeth), in *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 11 (Winter 2001):7-12.

“A Friendly Rejoinder from a Historical Institutionalism to a Behavioralist,” in *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 10 (Summer 2001):18.

“How to Succeed in Public Law” (co-authored with Mark Graber), in *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 9 (Winter 1999):15-17.

“Some Scattered Observations About Applying Historical Institutionalism to the Study of Law and Courts,” part of a Symposium on Courts, Law, and the New (Historical) Institutionalism, in *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 9 (Spring 1999):9-11.

“Placing Judicial Motives in Context,” *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 7 (Spring 1997):10-13.

“More and Less Than Strategy: Some Advantages to Interpretive Institutionalism in the Analysis of Judicial Politics,” *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 7 (Winter 1996-1997):6-11.

“Sociological Jurisprudence Revisited, or Why Facts Can’t Serve as Foundations for Constitutional Theory,” *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association) 5 (Summer 1995):7-9.

**Book Reviews**

Review of Michael J. Klarman's *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (Oxford and New York: Oxford University Press, 2004), for H-Law (Dec. 2004), available at <http://www.h-net.org/reviews/showrev.cgi?path=110861109954664>.

Review of Jamin B. Raskin's *Overruling Democracy: The Supreme Court vs. the American People* (New York: Routledge, 2003), for *Political Science Quarterly* 119 (Spring 2004):210-11.

Review of Howard Ball's *The Supreme Court in the Intimate Lives of Americans: Birth, Sex, Marriage, Childrearing, and Death* (New York and London: New York University Press, 2002), for *Perspectives On Politics* 1 (Sept. 2003):600.

Review of Michael J. Phillips's *The Lochner Court, Myth and Reality: Substantive Due Process from the 1890s to the 1930s* (Westport, CT: Praeger Publishers, 2001), for *The Law and Politics Book Review* 11 (April 2001):165-169.

Review of David A. Black's *Law in Film: Resonance and Representation* (Urbana and Chicago: University of Illinois Press, 1999), for *The Law and Politics Book Review* 10 (September 2000):514-516.

Review of Richard A. Primus' *The American Language of Rights* (Cambridge and New York: Cambridge University Press, 1999), in the *American Political Science Review* 94 (Sept. 2000):712.

Review of Barry Cushman's *Rethinking the New Deal Court: The Structure of a Constitutional Revolution* (New York: Oxford University Press, 1998), in the *American Political Science Review* 93 (March 1999):207-208.

Review of Richard A. Brisbin, Jr.'s *Justice Antonin Scalia and the Conservative Revival* (Baltimore and London: The Johns Hopkins University Press, 1997), in *The Journal of Politics* 60 (August 1998):884-886.

Review of Paul Kens' *Justice Stephen Field: Shaping American Liberty From the Gold Rush to the Gilded Age* (Lawrence, KS: University Press of Kansas, 1997), in *The Law and Politics Book Review* 7 (November 1997):511-516.

Review of Rudolph J.R. Peritz's *Competition Policy in America, 1888-1992: History, Rhetoric, Law* (New York and Oxford: Oxford University Press, 1996), in *The American Journal of Legal History*.

Review of Scott Douglas Gerber's *To Secure These Rights: The Declaration of Independence and Constitutional Interpretation* (New York: New York University Press, 1995), in *Law and History Review* 16 (Summer 1998):424-426.

Review of William Gangi's *Saving the Constitution from the Courts* (Norman, OK: University of Oklahoma Press, 1995), in *Political Science Quarterly* 111 (Winter 1997):720-721.

Review of Roberta Kevelson's (ed.) *Law and the Conflict of Ideologies: Ninth Round Table on Law and Semiotics* (New York: Peter Lang, 1996), in *The Law and Politics Book Review* 7 (July 1997):330-332.

Review of William G. Ross' *A Muted Fury: Populists, Progressives, and Labor Unions Confront the Courts, 1890-1937* (Princeton: Princeton University Press, 1994), in *The Journal of Interdisciplinary History* 26 (Spring 1996):736-37.

Review of Martin H. Redish's *The Constitution as Political Structure* (New York and Oxford: Oxford University Press, 1995), in *The Annals of the American Academy of Political and Social Science* 544 (March 1996):226-27.

Review of James W. Ely, Jr.'s *The Chief Justiceship of Melville W. Fuller, 1888-1910* (Columbia, S.C.: University of South Carolina Press, 1995), in *The Journal of American History* 82 (Dec. 1995):1243-44.

"American Labor versus American Capital before the Civil War," review of Tony A. Freyer's *Producers versus Capitalists: Constitutional Conflict in Antebellum America* (Charlottesville and London: University

Press of Virginia, 1994) and Christopher Tomlins' *Law, Labor, and Ideology in the Early American Republic* (Cambridge and New York: Cambridge University Press, 1993), *Legal Studies Forum* 18 (1995):369-377.

Review of David Kairys' (ed.) *The Politics of Law: A Progressive Critique*, revised edition (New York: Pantheon Books, 1982, 1990), in *The Law and Politics Book Review* 5 (Feb. 1995):36-41.

Review of John Phillip Reid's *Constitutional History of the American Revolution: The Authority to Legislate, Volume 3* (Madison: University of Wisconsin Press, 1991), forthcoming in *The Annals of the American Academy of Political and Social Science* 536 (Nov. 1994):180-181.

Review of Paul W. Kahn's *Legitimacy and History: Self-Government in American Constitutional Theory* (New Haven & London, Yale University Press, 1992) in *Social Science Quarterly* 75 (March 1994):232-233.

Review of Steven A. Shull's *A Kinder, Gentler Racism? The Reagan-Bush Civil Rights Legacy* (Armonk and London: M.E. Sharpe, 1993) in *The Law and Politics Book Review* 4 (Jan. 1994):10-12.

Review of Michael L. Lacey and Knud Haakonssen, eds., *A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law--1791 and 1991* (Cambridge and New York: Woodrow Wilson International Center for Scholars and Cambridge University Press, 1991) in *Legal Studies Forum* 17 (1993):201-204.

### **Encyclopedia Entries**

"Stephen J. Field," in *The Yale Biographical Dictionary of American Law*, ed. Roger K. Newman. New Haven: Yale University Press, 2009.

"Bush v. Gore," *The Oxford Companion to American Law*, eds. Kermit L. Hall, David S. Clark, James W. Ely, Joel B. Grossman. New York and Oxford: Oxford University Press, 2002.

"The Living Constitution," in *The Encyclopedia of the American Constitution: Supplement II*, eds. Leonard W. Levy, Kenneth L. Karst, and Adam Winkler. New York: Macmillan Publishing, 2000.

"Judicial Review in the Nineteenth Century," *The Constitution and Its Amendments*, ed. Roger K. Newman. New York: Macmillan Publishing, 1999.

### **Publications Related to Consulting**

(Contributing editor), *With Liberty and Justice for All: The Story of the Bill of Rights* (Calabasas: Center for Civic Education, 1991), co-sponsored by the Commission on the Bicentennial of the Constitution; other contributors included Calvin Jillson, Thomas Pangle, Melvin Urofsky, and Donald Nieman. Wrote the first detailed outline of the text and wrote the chapters associated with the unit on the First Amendment.

(Contributing editor), *Introduction to the Constitution of the United States of America* (Calabasas: Center for Civic Education, 1986), co-sponsored by the Commission on the Bicentennial of the U.S. Constitution. Outlined the text and wrote the first draft.

### **Other Consulting**

*One Nation, Under Law: The Story of the Supreme Court* (NEH 2003), PBS documentary, produced by Thirteen/WNET New York, aired January 2007 (featured on-air commentator).

### **Academic Conference Papers and Presentations**

"Integrating Politics and History into the Teaching of Constitutional Law," annual meeting of the American Political Science Association, New Orleans, LA, August 30-September 2, 2012 (conference canceled due to Hurricane Isaac).

"Rethinking the Teaching of American Constitutionalism," annual meeting of the Midwest Political Science Association, Chicago, IL, April 12-15, 2012.



“Unenumerated Rights and American Political Development,” annual meeting of the Western Political Science Association, Albuquerque, NM, March 16-18, 2006.

“Elements of a New ‘Regime Politics’ Approach to the Study of Judicial Politics,” annual meeting of the American Political Science Association, Chicago, IL, September 2-5, 2004.

“Courts Are More Interesting Than We Think: Elements of a New ‘Regime Politics’ Tradition in Public Law Scholarship,” annual meeting of the Western Political Science Association, Portland, OR, March 11-14, 2004.

Chair, panel on “What Does the Recall Mean for Policy in California?,” Post Mortem on the Recall, Conference Sponsored by the Jesse M. Unruh Institute of Politics, the Annenberg School for Communication at USC, the USC/Caltech Center for the Study of Law and Politics, the Initiative and Referendum Institute, the League of Women Voters of Los Angeles, and the California Center for Education in Public Affairs, Nov. 13-14, 2003, USC.

Participant, Authors Meet Critics Roundtable on Spaeth and Segal’s *The Supreme Court and the Attitudinal Model Revisited*, annual meeting of the Midwest Political Science Association, April 2-5, 2003, Chicago, IL.

“Judicial Politics as Political Entrenchment: Congressional Democrats and Judicial ‘Activism’ in the 1960s and 1970s,” annual meeting of the Western Political Science Association, Denver, CO, March 27-29, 2003.

Participant, roundtable on teaching effectiveness, annual meeting of the Western Political Science Association, Denver, CO, March 27-29, 2003.

Discussant, panel on Judicial Appointments and Confirmations, annual meeting of the Western Political Science Association, Denver, CO, March 27-29, 2003.

“Constitutional History as Political History Rather than Doctrinal History: Perspectives from the Lochner Era,” prepared for a conference on Constitutional Law co-sponsored by the Association of American Law Schools and the American Political Science Association, Washington, D.C., June 2002.

“Judicial Independence Through the Lens of *Bush v. Gore*.” Paper presented at a conference entitled “Perspectives on Judicial Independence,” co-sponsored by the Michael E. Moritz College of Law, the John Glenn Institute for Public Service and Public Policy, and the League of Women Voters of Ohio Education Fund, Ohio State University, March 21-22, 2002.

“The Idea of Constitutional Politics.” Remarks prepared as part of an “author meets readers” roundtable on Douglas R. Reed’s *On Equal Terms*, annual meeting of the Western Political Science Association, Long Beach, CA, March 23, 2002.

“Judicial Politics in the Context of Political Development.” Remarks prepared as part of a roundtable on “Public Law and Political Development,” annual meeting of the Western Political Science Association, Long Beach, CA, March 23, 2002.

“*Bush v. Gore*.” Remarks prepared as part of a roundtable on *Bush v. Gore* at the annual meeting of the Western Political Science Association, Las Vegas, Nevada, March 2001.

“*Bush v. Gore* and Political Science Theories of Judicial Politics.” Remarks prepared as part of a roundtable on *Bush v. Gore* at the annual meeting of the Midwest Political Science Association, Chicago, Illinois, April 2001.

“The Political Construction of Federal Judicial Power in Late-Nineteenth-Century America.” Paper presented at the annual meeting of the American Political Science Association, Washington, D.C., August 31-September 3, 2000. Received the 2001 American Judicature Society Award for “best paper” on public law at a national or regional political science conference during the previous year.

“Revisiting the Rise of ‘Judicial Supremacy’ in the United States: The Federal Judiciary and Regime Politics, 1863-1895.” Paper presented at the annual meeting of the Western Political Science Association, San Jose, CA, March 24-26, 2000.

“Editors Meet Readers: Roundtable on Clayton and Gillman’s *Supreme Court Decision-Making: New Institutional Approaches*,” at the annual meeting of the Western Political Science Association, March 25-27, 1999, Seattle, Washington.

“Reconnecting Modern Constitutional Law to the Historical Development of American Capitalism.” Paper prepared for presentation at the 1998 annual meeting of the American Political Science Association, Boston, MA.

“Pragmatism at the Birth of Modern Constitutional Theory.” Paper prepared for presentation at the 1997 annual meeting of the American Political Science Association, Washington, D.C.

“Constitutionalism’s Contingent Advantages,” remarks prepared for a Roundtable entitled “What’s So Great About Constitutionalism?,” presented at the 1997 annual meeting of the American Political Science Association, Washington, D.C.

“The Collapse of Constitutional Originalism and the Rise of the Notion of the ‘Living Constitution’.” Paper presented at the 1997 annual meeting of the Western Political Science Association, Tuscon, AZ.

“State-Building and the Collapse of Constitutional Originalism.” Paper presented at the 1996 annual meeting of the American Political Science Association, San Francisco, CA.

“Judicial Behavioralism’s Problematic Jurisprudence: On the Relationship Between Legal Philosophy and Social Science Methodology.” Paper presented at the 1995 annual meeting of the American Political Science Association, Chicago, Illinois.

“The Problem of Political Development for Constitutional Theory: The Collapse of Foundationalist Constitutionalism and the Origins of the Concept of the Living Constitution.” Paper presented at the 1995 meeting of the Western Political Science Association, Portland, Oregon.

“Sociological Jurisprudence Revisited, or Why Facts Can’t Serve as Foundations for Constitutional Theory.” Remarks presented as part of a roundtable on “Social Facts and Constitutional Theory” at the 1995 meeting of the Western Political Science Association, Portland, Oregon.

“When Critical Theory Loses Sight of Its Politics and Neopragmatism Discovers Its Radical Potential.” Remarks presented as part of a session on “Language, Institutions, and Philosophy” at the Conference on Critical Epistemologies in Law, hosted by the Oñati International Institute for the Sociology of Law, Oñati, Gipuzkoa - Euskadi, Spain, October 2-5, 1994.

“Should We Consider the Search for Science to be Aspirational?” Remarks presented as part of a Roundtable Debate on “The Search for Science in Public Law Scholarship” at the 1994 Annual meeting of the Western Political Science Association, Albuquerque, New Mexico.

“Before Interest-Group Liberalism: The Constitutional Prohibition Against ‘Class Politics’ in the First American Republic.” Paper presented at the 1993 meeting of the American Political Science Association, Washington, D.C.

“Can Behavioralists Explain ‘Liberty of Contract’?: The Case for Historical and Interpretive Legal Scholarship.” Paper prepared for the 1993 meeting of the Western Political Science Association, Pasadena, California.

“Preferred Freedoms.” Paper presented at the 1992 meeting of the Western Political Science Association, San Francisco, California. Winner of the Pi Sigma Alpha award for “the best paper presented at the last WPSA annual meeting.”

“The Progressive Expansion of State Power and the Rise of Modern Civil Liberties Jurisprudence.” Paper presented at the 1992 meeting of the American Political Science Association, Chicago, Illinois.

“Fire When Ready: The Great Canon Debate and Political Science.” Remarks presented at a roundtable that I co-chaired at the 1992 meeting of the Western Political Science Association, San Francisco, California.

“The Evolution of the Rights Trump in the American Constitutional Tradition.” Paper presented at the 1991 annual meeting of the American Political Science Association, Washington, D.C.

“The Conservative Indictment of PC.” Talk presented as part of a roundtable sponsored by the Dean of Letters, Arts, and Sciences, USC, entitled “Political Correctness, Diversity, and Multiculturalism,” Fall 1991.

“Political Correctness: What Is It?” Talk presented as part of a roundtable sponsored by the Thematic Option Program, USC, Fall 1991.

“The New Deal and the Transformation of American Constitutional Ideology.” Paper presented at the 1990 annual meeting of the Western Political Science Association, Irvine, California.

“The Constitution Besieged: The Ideological Challenges Facing Progressive Politics.” Paper presented at the 1987 annual meeting of the Western Political Science Association, Anaheim, California. Winner of the 1988 Pi Sigma Alpha award for “the best paper presented at the last WPSA annual meeting.”

“The Supreme Court, Hegemonic Ideology, and the 1937 Constitutional Revolution.” Paper presented at the 1987 annual meeting of the Southwestern Political Science Association, Dallas, Texas. Nominated for best paper at the convention.

“The Indeterminacy of Law and the Imperfect Determinacy of Legal Communities: On Contemporary Theories of Adjudication.” Talk presented at a roundtable discussion of contemporary theories of constitutional interpretation at the 1987 annual meeting of the Western Political Science Association, Anaheim, California.

“The Twilight of the ‘Republican Ideal’: TR, Taft, and Wilson on the Legitimacy of Progressive Politics.” Paper presented at the 1987 annual meeting of the Southwestern Political Science Association, Dallas, Texas.

“The Progressive Challenge to the ‘Republican Ideal’ and the Response of the Supreme Court.” Paper presented at the 1987 annual meeting of the Law and Society Association, Washington, D.C.

#### **Invited Academic Lectures, Conference Participation, Workshops, and Colloquia**

“Bush v. Gore and Its Constitutional Impact,” the Gilder Lehrman Lecture, in partnership with the Long Beach Unified School District, February 26, 2013, Long Beach, sponsored by the Gilder Lehrman Institute of American History.

“Political Development and the Rise of the ‘Living Constitution’,” conference on Keeping Faith With the Constitution in Changing Times, sponsored by the American Constitution Society and the Vanderbilt Law School, October 6-7, 2006, Vanderbilt Law School, Nashville, TN.

Chair and Moderator, Theme Roundtable on “The American Constitutional Order After 9/11,” Annual Meeting of the American Political Science Association, August 30-September 3, 2006, Philadelphia, PA.

Chair, Author Meets Readers Roundtable on Sanford Levinson’s “Our Undemocratic Constitution,” Annual Meeting of the American Political Science Association, August 30-September 3, 2006, Philadelphia, PA.

Participant, “Teaching Constitutional Law,” Annual Meeting of the Law and Society Association, July 6-9, 2006, Baltimore, MD.

Discussant, Workshop on “Institutional Change and the Law,” Northwestern University, Center for International and Comparative Studies, Evanston, IL, April 7, 2006.

“Political Science, Judicial Politics, and the Rule of Law,” Lecture as Enlund Distinguished Scholar in Residence, DePaul University College of Law, Chicago, IL, April 6, 2006.

Participant, “The Liberal Tradition at the Turn of the 21<sup>st</sup> Century,” University of Maryland Law School Workshop on Constitutional Theory, March 2-4, 2006.

Chair, “Authors Meet Authors: Recent Books on the Supreme Court, the Elected Branches, and the Constitution,” Annual Meeting of the Law and Society Association, Las Vegas, NV, June 2-5, 2005.

Chair/Discussant, “Alternative Accounts of Judging,” Annual Meeting of the Law and Society Association, Las Vegas, NV, June 2-5, 2005.

Chair, “Authors Meet Readers: Roundtable on Haltom and McCann’s Distorting the Law,” Annual Meeting of the Western Political Science Association, Oakland, CA, March 17-20, 2005.

Invited participant, “Lochner v. New York Centennial Conference,” sponsored by the Boston University School of Law, Oct. 15-16, 2004.

Invited participant, “Seminar on Constitutional Constructions and Liberty,” sponsored by Liberty Fund, April 1-4, 2004, Seattle, WA.

Invited Lecture, “The Legacy of Bush v. Gore: From Election 2000 to Recall 2003 and Beyond,” UCLA Extension’s “Beyond the Headlines: The World Today” Lecture Series, Feb. 17, 2004.

Invited Lecture, “The Rehnquist Court’s ‘New Federalism’ and Its Effect on Civil Rights Legislation,” Pasadena Senior Center, Feb. 2004.

Invited presenter, Yale Legal Theory Workshop, Yale Law School, September 11, 2003.

Invited participant, “Seminar on Constitutionalism and Liberty in Comparative Perspective,” sponsored by Liberty Fund, August 7-10, 2003, Chicago, IL.

Invited speaker, “Constitutional Law as Political Entrenchment,” Department of Political Science, University of California, San Diego, May 28, 2003.

Invited discussant, Conference on “Modeling the Constitution,” sponsored by USC and Cal Tech’s Center for the Study of Law and Politics, California Institute of Technology, May 16-17, 2003.

Invited presenter, “Martin Shapiro: Progenitor and Provocateur of the New Institutionalism in Public Law,” Conference on the work of Martin Shapiro, sponsored by the Center for the Study of Law and Society, University of California, Berkeley, March 2003.

Invited participant, “Seminar on the Political Philosophy of John Adams,” sponsored by Liberty Fund, Braintree, MA, May 9-10, 2003.

Invited presenter, “Constitutional Law as Political Entrenchment,” University of Chicago Law School, Constitutional Law Workshop, November 2002.

Invited lecturer, “Bush v. Gore Two Years Later: Lessons in Judicial Politics,” Lectureship in Law and Politics, University of Tulsa, November 2002.

Invited presenter, conference on Constitutional Law, co-sponsored by the Association of American Law Schools and the American Political Science Association, Washington, D.C., June 5-8, 2002.

Invited participant, “author meets readers” roundtable on Howard Gillman’s *The Votes that Counted*, annual meeting of the Law and Society Association, Vancouver, BC, May 30-June 1, 2002.

Invited participant, “Seminar on the Rule of Law and the Interpretation of Constitutional Texts,” sponsored by Liberty Fund, Indianapolis, March 8-9, 2002.

Invited lecturer, Gilbert Lecture, Swarthmore College, Nov. 29, 2001.

Invited participant, Virginia Constitutional History Conference, University of Virginia Law School, October 6-7, 2001.

Invited participant, "Teaching Constitutional History to Undergraduates," Supreme Court Historical Society, Feb. 15-18, 2001, Washington, D.C.

Invited speaker, UCLA School of Law Colloquium Series, Spring 2001.

Invited speaker, University of Southern California Law School, Workshop Series, November 17<sup>th</sup>, 2000.

Invited speaker, Center for the Student of Law and Society, University of California, Berkeley, September 26<sup>th</sup>, 2000.

Invited participant, University of Virginia Law School Constitutional Law Workshop, September 30<sup>th</sup>-October 1<sup>st</sup>, 2000, Charlottesville, VA (declined).

Invited participant, "Collaborative Research Network" on "Constitutional Ethnography" at the 2000 and 2001 annual meetings of the Law and Society Association, organized by Kim Lane Scheppele.

Invited speaker, "Pragmatism at the Birth of Modern Constitutional Theory." University of Texas at Austin, Departments of Political Science and School of Law, February 1999.

Invited speaker, "Insider and Outsider Empiricism: From Sociological Jurisprudence to Constitutional Politics." Prepared for presentation at the Georgetown/PEGS Discussion Group Meeting on the question "How Empirical Should/Must Constitutional Law Be?," Georgetown University Law School, December 5-6, 1998.

Invited speaker, "The New Historical Institutionalism in Public Law Scholarship." Remarks prepared as part of a "short course" on "The New (Historical) Institutionalism in Public Law Scholarship," at the 1998 annual meeting of the American Political Science Association, Boston, MA.

Invited speaker, "Solving the Problem of Enumerated Powers." Lewis and Clark College, November 1997.

Invited speaker, "Political Development and Constitutional Theory: New Deal State-Building and the Collapse of Constitutional Originalism." Harvard University, Department of Government, November 1995.

Invited speaker, "Constitutionalism in an Age of Post-Realism." Washington State University, Department of Political Science, Pullman, WA, May 1995.

Invited participant in Oñati Seminar on Critical Socio-legal Studies, on the topic of "Critical Epistemologies and the Law," Oñati, Spain, October 1994.

### **Professional Service and Other Scholarly Activities**

Executive Committee, Council of Academic Affairs, Association of Public and Land Grant Universities, 2014.

Chair, Law and Courts Section of the American Political Science Association, elected August 2006 for a term beginning August 2007.

Editorial Advisory Board, *Law and Society Review* (2007-2009).

Editorial Board, *Political Research Quarterly* (2006-2008).

Law and Society Association, Board of Trustees (elected 2005), Class of 2008.

Chair, Lifetime Achievement Awards Committee, Law and Courts Section, American Political Science Association, 2006.

Co-editor (with Maeva Marcus, Mark Tushnet, and Melvin Urofsky), *Cambridge Studies on the American Constitution* (book series), 2006-2007.

NSF Proposal Referee (various).

Executive Committee, Western Political Science Association, 2003-2006.

Chair, Membership Committee, Law and Society Association, 2003-2005.

Executive Committee, Law and Courts Section of the American Political Science Association, 1997-early 2000s (ex officio as moderator of section email discussion list).

Editorial Board, *Law and Social Inquiry*, 2000-2001.

Editorial Board, *Law and Courts* (Newsletter of the Law and Courts Section of the American Political Science Association), 1998-2005.

Creator and Moderator, "The Law and Courts Discussion List, a.k.a., lawcourts-l," the official e-mail discussion list of the Law and Courts Section of the American Political Science Association, 1996-2006.

Member, Ad Hoc Committee to find a replacement editor for the APSA Law and Court Section newsletter, 2002.

Program Committee, American Society of Legal History, 2001 annual meeting.

Chair and Organizer, roundtable on "Judicial Politics and the 2000 Presidential Election Dispute," annual meeting of the American Political Science Association, San Francisco, CA, Aug. 30-Sept. 2, 2001.

Discussant, panel on "Institutional Development and Change," annual meeting of the American Political Science Association, San Francisco, CA, Aug. 30-Sept. 2, 2001.

Chair, "Best Dissertation" Award Committee, Western Political Science Association, 2000-2001.

Discussant, panel on "Historical and Cultural Approaches to Constitutions," at the 2000 annual meeting of the American Political Science Association, Washington, D.C.

Chaired a panel on "Segregation Between *Plessy* and *Brown*," at the annual meeting of the American Society for Legal History, October 21-23, 1999, Toronto, Canada.

Chaired a panel entitled "Elements of Judicial Strategy," 1998 annual meeting of the American Political Science Association, Boston, MA.

Program committee for the 1996 meeting of the American Political Science Association. Organized (with Major Coleman) the panels for the Law and Courts section.

Editorial Policy Board, *Political Research Quarterly*, 1993-1996.

Chair, C. Herman Pritchett Award Committee, which recognizes the best book written by a member of the Law and Courts Section of the American Political Science Association, 1995-1996.

Program committee for the 1994 meeting of the Western Political Science Association. Organized panels for the Judicial Politics and Public Law section.

Chair, Western Political Science Association's Committee on Professional Development, 1995-1996.

Member, Western Political Science Association's Committee on Professional Development, 1994-1995.

Chaired a panel entitled "The Jurisprudential Foundations of Empirical Law and Courts Scholarship, or How Does Our Conception of Law Effect Our Research" for the 1996 Annual Meeting of the American Political Science Association, San Francisco, CA.

Organized and chaired a panel entitled "Positivist v. Post-Positivist Public Law Scholarship: A Debate" for the 1993 Annual Meeting of the American Political Science Association, Washington, D.C.

Organized panel entitled “Labor, Social Movements, and Constitutional Ideology During the Progressive Era” for the 1993 Annual Meeting of the American Political Science Association, Washington, D.C.

Co-organized and co-chaired (with Judith Grant) a panel entitled “Fire When Ready: The Great Canon Debate and Political Science” for the 1992 meeting of the Western Political Science Association, San Francisco, California.

Chair and discussant on panel entitled “Economic Rights, Culture and Courts,” 1991 annual meeting of the Western Political Science Association, Seattle, Washington.

Lecturer, National Endowment for the Humanities, Summer Institute on the Constitution, held at the University of California, Los Angeles (Summer 1991, 1992, 1994).

Participated in the organization (with Ruth O’Brien) of the new “Politics and History” section of the Western Political Science Association, 1992.

Consultant, Commission on Teacher Credentialing, New Subject-Matter Examination for Prospective Teachers of Social Science.

Participant in the Dean’s Faculty Seminar on Social Thought, College of Letters, Arts, and Sciences, USC.

Manuscript Referee for *Journal of Politics*, *American Journal of Political Science*, *Political Research Quarterly*, *Law and Social Inquiry*, *Law and Society Review*, *Studies in American Political Development*, *Princeton University Press*, *University of Chicago Press*, *Oxford University Press*, *Cambridge University Press*, *University Press of Kansas*, and *Duke University Press*.

### **University, College, and Departmental Service (excluding Administrative Appointments) at USC**

University Committee on Appointments, Tenure, and Promotion, 2003-2005.

Member, Department Third Year Review Committee (evaluating Professor Ricardo Ramirez), 2005.

College Merit Review Appeal Committee, 2004.

College TA Training (2004).

College Initiatives Advisory Committee, Subcommittee on Urbanization and Globalization, 2003-2004.

POIR Steering/Admissions Committee, 2003-2004.

Graduate Committee, Department of Political Science, 2003-2004.

Chair, Department Promotion Committee (evaluating Professor Jefferey Sellers), 2004.

Chair, Department Promotion Committee (evaluating Associate Professor Ann Crigler), 2003.

Chair, Third-Year Review Committee (evaluating Assistant Professor Jeb Barnes), 2003.

Political Theory Search Committee, Department of Political Science, 2003.

Faculty Fellow, USC’s Center for Excellence in Teaching, 1999-2001.

Member, College Strategic Planning Task Force, Fall 2001.

College Strategic Planning Task Force, Subcommittee on Interdisciplinary Studies, Fall 2001.

Steering Committee, USC Center for Law, History, and Culture, Fall 2001-Spring 2002.

Executive Committee, Department of Political Science, 2001-2002.

Graduate Committee, Department of Political Science, 2001-2002.

Ad Hoc Committee to Devise a Combined Ph.D. Program for the Department of Political Science and the School of International Relations, 2001-2002.

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Senate Committee on Academic Policies and Procedures, Spring 2000.

Faculty Council, College of Letters, Arts, and Sciences, 1997-1999.

Chair, Research Caucus, LAS Faculty Council, 1997-1998.

College General Education Committee, 1998-2000.

University Teaching Assistant Training, 1999-2001.

Chair, College Academic Services Advisory Board, College of Letters, Arts, and Sciences, 1993-1994.

Faculty Governing Board for College Advisement, College of Letters, Arts, and Sciences, 1992-1993.

Faculty Committee Overseeing the B.A./M.D. program, College of Letters, Arts, and Sciences, 1994-1996.

Faculty Senate, 1990-1992.

Created and maintained department's web site, 1996-1998.

Non-Resident Faculty Fellow, 1990-1997.

Mentor Program, College of Letters, Arts, and Sciences, 1996-1997.

Participant in "Each One, Reach One" program for recruitment of prospective applicants to USC, 1996-1997.

Faculty Advisor, Black Student Association's Pre-Law Society, 1992-1993.

Faculty Advisor, student chapter of the ACLU, 1993-1994.

Helped organize and supervise a pilot program initiated by the Freshmen Writing Program to incorporate writing instruction directly into discussion sections in large lecture courses, 1994-1995.

Executive Committee, Department of Political Science, 1993.

Graduate Committee, Department of Political Science, 1994-present.

Undergraduate Committee, Department of Political Science, 1993.

M.A./Screening Examination Committee, periodically 1990-present.

Contributed to the preparation of Public Law Field Development Plan and to the Department's Development Plan, 1995-1996.

Curriculum development for the graduate program, 1996-1998.

Workshops for graduate students on preparing for comprehensive exams and entering the job market, periodically, 1990-present.

Ph.D. Comprehensive Examination Committees.

Dissertation Committees for students in Political Science, Political Economy, History, and English.