

ILYA SOMIN
Associate Professor (with tenure)
George Mason University School of Law

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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

ARTICLES

- *A Mandate for Mandates: Is the Individual Health Insurance Mandate Case a Slippery Slope?* LAW AND CONTEMPORARY PROBLEMS (forthcoming).
- *What if Kelo Had Gone the Other Way?* INDIANA LAW REVIEW (forthcoming) (symposium on What-Ifs in Constitutional History).
- *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 (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*, 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 OFER, 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

- *Blight*, in ENCYCLOPEDIA OF HOUSING, 2d ed. (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).

BOOKS

- THE GRASPING HAND: KELO V. CITY OF NEW LONDON AND THE PROBLEM OF ECONOMIC DEVELOPMENT TAKINGS (under contract with University of Chicago Press).
- STILL-BORN CRUSADE: THE TRAGIC FAILURE OF WESTERN INTERVENTION IN THE RUSSIAN CIVIL WAR (1996) (book based on undergraduate thesis – published by Transaction Publishers).

MONOGRAPHS

- *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 PRESS

- *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-Condemnation 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 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- **George Mason University School of Law**, Arlington, VA.
Associate Professor of Law (previously Assistant Professor). Taught Constitutional Law I, Constitutional Law II, Property, Legislation, and Seminar on Federalism.
- 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.
- Spring 2000/
 Spring 2001 **Harvard University Department of Government**, Cambridge, MA
Head Teaching Fellow. Head TF for “Representation, Equality & Democracy,” course taught by Professor Sidney Verba. Taught two sections of students and managed TF staff.
- Fall 1999 **Harvard University Department of Government**, Cambridge, MA
Teaching Fellow. Taught undergraduate seminar on “Constitutional Democracy in America.”

TEACHING INTERESTS

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

EDITORIAL WORK

2006-present **Supreme Court Economic Review.**
Co-Editor. Beginning with Volume 17.

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**
Associate Professor of Law (Assistant Professor until 2009). Taught Constitutional Law, Property, Seminar on Federalism, and Legislation.

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. Scheduled to teach course on political economy and constitutional law.

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**

Research Assistant. Researched separation of powers, constitutional law, and comparative law.

ACADEMIC PRESENTATIONS AND SPEECHES

- “Ending the War on Drugs,” University of Arkansas Law School, Fayetteville, AK, 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 Law School, 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 Law School, 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 Law School, 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
- “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 Countermajoritarian 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

- *Florida ex rel. Bondi v. Department of Health and Human Services* (11th Circuit) (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*, (6th Circuit), (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).
- *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)..
- *Pequonock 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).

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Political Studies
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Stanford Law Review
Yale Law Journal

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.