

## ROBERT LEIDER

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George Mason University, Antonin Scalia Law School  
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### ACADEMIC EXPERIENCE

Assistant Professor, Antonin Scalia Law School at George Mason University, 2018–Present

- Teach Criminal Law and Torts
- Committee Service: Clerkship & Placement (2018–present); Library & Technology (2020–present); Planning, Outcomes, and Assessments (2018–2021).

Georgetown University Law Center

- Visiting Scholar, Georgetown Center for the Constitution, Fall 2022
- Adjunct Professor, Appellate Practice Seminar (with Lisa S. Blatt), Spring 2017 & Spring 2018

University of Pennsylvania Law School, Olin-Searle-Smith Fellow in Law, 2012–13

Georgetown University, Teaching Associate, Philosophy Department, 2005–09

- Introduction to Ethics, Introduction to Logic, and Ethics & Violence

The George Washington University, Lecturer, Philosophy Department, 2006–07

- Introduction to Logic

### LEGAL EXPERIENCE

Arnold & Porter Kaye Scholer, LLP, Associate, Appellate & Supreme Court Practice, Washington, DC, 2016–18

U.S. Supreme Court, Law Clerk, Justice Clarence Thomas, 2015–16

Mayer Brown LLP, Associate, Chicago, IL, 2014–15

U.S. Court of Appeals for the Seventh Circuit, Law Clerk, Judge Diane S. Sykes, 2013–14

O'Melveny & Myers LLP, Summer Associate, Menlo Park, CA, 2011

### EDUCATION

Yale Law School, J.D., 2012

- *Yale Law Journal*, Articles Editor
- Judge William E. Miller Prize (best student paper on the Bill of Rights), 2012
- Transferred from University of California, Berkeley School of Law

Georgetown University, Ph.D. in Philosophy, 2009

- Dissertation (defended with distinction): Justifying Self-Defense, Defense of Others, and the Use of Force in Law Enforcement (Henry S. Richardson, advisor)

The George Washington University, B.A., *summa cum laude*, Philosophy, 2003

- Charles E. Gauss Prize (top undergraduate philosophy student)

## PUBLICATIONS

### Articles

- Deciphering the “Armed Forces of the United States”: A Cy Pres Originalist Reconstruction of the Modern Constitutional Armies and Militia*, forthcoming  
\_\_\_ WAKE FOREST L. REV. \_\_\_ (2022)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3933151](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3933151).
- The State’s Monopoly of Force and the Right to Bear Arms*, 116 NW. U. L. REV. 35 (2021) (invited symposium article),  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3711661](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3711661).
- The Modern Common Law of Crime*, 111 J. CRIM. L. & CRIMINOLOGY 407 (2021),  
<https://scholarlycommons.law.northwestern.edu/jclc/vol111/iss2/2/>.
- Federalism and the Military Power of the United States*, forthcoming 73 VAND. L. REV. 989 (2020), <https://wp0.vanderbilt.edu/lawreview/2020/05/federalism-and-the-military-power-of-the-united-states/>.
- Taming Self-Defense: Using Deadly Force To Prevent Escapes*, 70 FLA. L. REV. 971 (2018), <http://www.floridalawreview.com/2019/taming-self-defense-using-deadly-force-prevent-escapes/>.
- Our Non-Originalist Right to Bear Arms*, 89 IND. L.J. 1587 (2014),  
<http://ilj.law.indiana.edu/articles/13-Leider.pdf>.
- May I See Your License? Terry Stops and License Verification*, 31 QUINNIPIAC L. REV. 387 (2013), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2013446](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2013446).

### Book Reviews

- Political Theory and Limiting the Right of Self-Defense*, 40 CRIM. JUST. ETHICS 274 (2021) (invited) (reviewing JONATHAN QUONG, *THE MORALITY OF DEFENSIVE FORCE* (2020)), <https://doi.org/10.1080/0731129X.2021.2005866>.
- Book Note, 9 NEWSL. ON ETHICS & INTELL. DISABILITY 1 (2006) (reviewing DAVID WASSERMAN, ET AL., *QUALITY OF LIFE AND HUMAN DIFFERENCE: GENETIC TESTING, HEALTH CARE, AND DISABILITY* (2005)).

### Blog Posts

- Guns, Background Checks, Administrative Law, and the Sixth Circuit Michigan Case*, Oct. 28, 2021, <https://reason.com/volokh/2021/10/28/guns-background-checks-administrative-law-and-the-sixth-circuit-michigan-case/> (posted by Eugene Volokh).
- Five Blog Posts on *The Modern Common Law of Crime*, VOLOKH CONSPIRACY, June 7–11, 2021, <https://reason.com/people/robert-leider/> (collecting posts).
- Members of Congress Have Little Right to Bear Arms on Capitol Hill*, SECOND THOUGHTS BLOG, Duke Center for Firearms Law, Jan. 15, 2021, <https://firearmslaw.duke.edu/2021/01/members-of-congress-have-little-right-to-bear-arms-on-capitol-hill/>.

*The Supreme Court and the Current Public Carry Petitions: Open Splits and Concealed Vehicle Problems*, SECOND THOUGHTS BLOG, Duke Center for Firearms Law, May 29, 2020, <https://firearmslaw.duke.edu/2020/05/the-supreme-court-and-the-current-public-carry-petitions-open-splits-and-concealed-vehicle-problems/>.

*Second Amendment in the Highest Court, NYSPRA v. City of New York*, FEDERALIST SOCIETY BLOG, Dec. 2, 2019, <https://fedsoc.org/commentary/fedsoc-blog/second-amendment-in-the-highest-court-nyspra-v-city-of-new-york>.

*What is a Constitutional Right?*, Post, U. CHI. L. REV. ONLINE, Nov. 15, 2018, <https://lawreviewblog.uchicago.edu/2018/11/15/what-is-a-constitutional-right-by-professor-robert-leider/>.

### **Other Academic Contributions**

WAYNE A. DAVIS & THE GEORGETOWN LOGIC GROUP. AN INTRODUCTION TO LOGIC (2007) (contributor).

### **Newspapers**

*Breaking the Gun Control Stalemate*, WALL ST. J., Dec. 17, 2012, at A17, <http://online.wsj.com/article/SB10001424127887324407504578183392516362534.html>.

*Understanding “Stand Your Ground,”* WALL ST. J., Apr. 18, 2012, at A17, <http://online.wsj.com/article/SB10001424052702304432704577350010609562008.html>.

### **WORKS IN PROGRESS**

Constitutional Liquidation, Surety Laws, and the Right to Bear Arms, *forthcoming in* New Histories of Gun Rights and Regulation: Essays on the Place of Guns in American Law and Society (Joseph Blocher, Jacob D. Charles, Darrell A.H. Miller, eds., forthcoming) (invited book chapter), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3697761](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3697761).

For the Common Defense: The Continuing Relevance of the Militia.

### **AMICUS BRIEFS**

Brief of Professors Robert Leider and Nelson Lund, and the Buckeye Firearms Association as Amici Curiae in Support of Petitioners, *New York Rifle & Pistol Assoc. v. Bruen*, No. 20-843, 2019 WL 2173985 (written with Nelson Lund).

Brief of Robert Leider as Amicus Curiae in Support of Petitioners, *New York Rifle & Pistol Assoc. v. City of New York*, 140 S. Ct. 1525 (2020) (No. 18-280), 2019 WL 2173985 (written with William S. Consovoy, J. Michael Connolly, and the Antonin Scalia Law School Supreme Court Clinic).

## SELECTED PRESENTATIONS AND PANEL DISCUSSIONS

*Second Amendment on the Docket: Georgetown Law's Supreme Court Institute Previews NYSRPA v. Bruen*, Oct. 27, 2021, <https://www.law.georgetown.edu/news/second-amendment-on-the-docket-georgetown-laws-supreme-court-institute-previews-nysrpa-v-bruen/>.

*Deciphering the "Armed Forces of the United States"*

- Manne Faculty Forum, Law & Economics Center, Antonin Scalia Law School at George Mason University (Aug. 27, 2021)

*Constitutional Liquidation, Surety Laws, and the Right to Bear Arms*

- Manne Faculty Forum, Law & Economics Center, Antonin Scalia Law School at George Mason University (Aug. 28, 2020)
- Duke Historical Gun Law Conference (June 19, 2020)

*The Modern Common Law of Crime*

- Manne Faculty Forum, Law & Economics Center, Antonin Scalia Law School at George Mason University (Sept. 20, 2019)
- Southeastern Law Schools Conference New Scholars Workshop (July 31, 2019)
- CrimFest! (July 15, 2019)
- Levy Workshop Antonin Scalia Law School at George Mason University (Apr. 16, 2019)

*Federalism and the Military Power of the United States*

- Levy Workshop Antonin Scalia Law School at George Mason University (Nov. 12, 2020)
- Federalist Society Faculty Conference, Young Legal Scholars Paper Presentation (Jan. 4, 2014)

ABA National Security Conference, 29th Annual Review of the Field of National Security Law, *Needed Reform or Constitutional Minefield? Proposals to Create a Federal Crime of Domestic Terrorism*, November 8, 2019 (Panel VIII).

Federalist Society Presentations & Teleforums

- Courthouse Steps Oral Argument: New York State Rifle & Pistol Association v. Bruen (Dec. 13, 2021), <https://fedsoc.org/events/courthouse-steps-oral-argument-new-york-state-rifle-and-pistol-association-v-bruen>.
- New York State Rifle & Pistol Association, Inc. v. City of New York, Post-Argument SCOTUScast (Dec. 20, 2019), <https://fedsoc.org/commentary/podcasts/new-york-state-rifle-pistol-association-inc-v-city-of-new-york-post-argument-scotuscast>.
- Courthouse Steps Preview: New York State Rifle & Pistol Association, Inc. v. City of New York (Nov. 22, 2019) (with George Mocsary & Robert Spitzer), <https://fedsoc.org/events/courthouse-steps-preview-new-york-state-rifle-pistol-association-inc-v-city-of-new-york-new-york>.
- Tenth Anniversary of *Heller* (Apr. 13, 2018) (with Nelson Lund & Darrell A.H. Miller), <https://fedsoc.org/events/tenth-anniversary-of-heller>.
- *United States v. Stitt* and *United States v. Simms*, SCOTUScast (Feb. 27, 2019), <https://fedsoc.org/commentary/podcasts/united-states-v-stitt-and-united-states-v-sims-post-argument>.

- *Kisela v. Hughes*, SCOTUScast (Apr. 20, 2018), <https://fedsoc.org/commentary/podcasts/kisela-v-hughes-post-decision-scotuscast>.

## ACADEMIC SERVICE

- AALS Jurisprudence Section: Treasurer (2019); Secretary (2020); Chair (2021)
- Referee, *Journal of Ethics & Social Policy* (2019)

## SELECTED MEDIA COVERAGE

- *Oxford High School Shooting: Suspect's Parents Charged*, FOX 26 HOUSTON, <https://www.fox26houston.com/video/1010022>.
- Brendan Pierson, *Manslaughter Charges Against Michigan Shooter's Parents Break New Legal Ground*, REUTERS, Dec. 6, 2021, <https://www.reuters.com/world/us/manslaughter-charges-against-michigan-shooters-parents-break-new-legal-ground-2021-12-04/>.
- Todd Ruger, *Capitol Attack Could Loom Over Supreme Court Gun Case*, ROLL CALL, Nov. 2, 2021, <https://www.rollcall.com/2021/11/02/capitol-attack-could-loom-over-supreme-court-gun-case/>.
- Ben Kesling, et al., *Texas Firearms Bill Revives Gun-Rights Strategy Rejected by U.S. Courts in Past*, June 17, 2021, <https://www.wsj.com/articles/texas-firearms-bill-revives-gun-rights-strategy-rejected-by-u-s-courts-in-past-11623954667>.
- INGRAHAM ANGLE, Fox News, Sept. 21, 2020 (discussing the 2020 Supreme Court vacancy).
- Heath Druzin & Leigh Paterson, *Guns Are An Increasing Danger at Already Tense Protests*, GUNS & AMERICA, Boise State Public Radio, July 30, 2020, <https://gunsandamerica.org/story/20/07/30/guns-anti-police-violence-protests-aurora-colorado/>.
- Jack Jacobs & Emily Holter, *As 2nd Amendment Sanctuary Movement Arrives in Region, It Is Unclear if It Will Accomplish Its Goals*, Virginia Gazette, Dec. 6, 2019, <https://www.dailypress.com/viriniagazette/va-vg-2nd-amendment-sanctuary-1207-20191206-353fdwowfrg3rfnayohhidv7pe-story.html>.
- *Understanding "Stand Your Ground,"* Wall Street Journal, Apr. 19, 2012, <https://www.youtube.com/watch?v=PkKpIcb1j08>.

## BAR MEMBERSHIPS AND COURT ADMISSIONS

State: New York, District of Columbia (inactive), Illinois (inactive)

Federal: U.S. Court of Appeals for the Second Circuit, U.S. Court of Appeals for the Third Circuit, U.S. Court of Appeals for the Fifth Circuit, U.S. Court of Appeals for the Seventh Circuit, U.S. Court of Appeals for the Ninth Circuit, U.S. Court of Appeals for the Federal Circuit