

ILYA SOMIN
Professor of Law
George Mason University

3301 Fairfax Dr., Arlington, VA 22201; ph: 703-993-8069; e-mail: isomin@gmu.edu

EDUCATION

Yale Law School, J.D., February 2001

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

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

PUBLICATIONS

BOOKS

- THE LAW OF TAKINGS (under contract, Oxford University Press) (with David A. Dana) (tentative title).
- FREE TO MOVE: FOOT VOTING, MIGRATION, AND POLITICAL FREEDOM (Oxford University Press, 2020) (revised edition, 2022)
- EMINENT DOMAIN: A COMPARATIVE PERSPECTIVE, (Cambridge University Press, 2017) (co-edited with Iljoong Kim and Hojun Lee).
- DEMOCRACY AND POLITICAL IGNORANCE: WHY SMALLER GOVERNMENT IS SMARTER, (Stanford University Press, 2016) (extensively revised and expanded second edition that covers several important new issues).
- THE GRASPING HAND: KELO V. CITY OF NEW LONDON AND THE LIMITS OF EMINENT DOMAIN, (University of Chicago Press, 2015, revised paperback edition, 2016).
- DEMOCRACY AND POLITICAL IGNORANCE: WHY SMALLER GOVERNMENT IS SMARTER, (Stanford University Press, 2013) (published in Italian translation by the Istituto Bruno Leoni in 2015; published in Japanese translation by Shinzansha in 2016).
- A CONSPIRACY AGAINST OBAMACARE: THE VOLOKH CONSPIRACY AND THE HEALTH CARE CASE, (Palgrave Macmillan, 2013) (with Jonathan Adler, Randy Barnett, David Bernstein, Orin Kerr, and David Kopel).
- STILL-BORN CRUSADE: THE TRAGIC FAILURE OF WESTERN INTERVENTION IN THE RUSSIAN CIVIL WAR (Transaction Publishers, 1996) (book based on undergraduate thesis).

ARTICLES

- *The Constitutional Case Against Exclusionary Zoning*, 103 TEXAS LAW REVIEW 1 (2024) (with Joshua Braver).
- *A Lost Opportunity to Protect Democracy Against Itself: What the Supreme Court Got Wrong in Trump v. Anderson*, 2023-24 CATO SUPREME COURT REVIEW 319 (2024) (symposium on the 2023-24 Supreme Court term).
- *Brown, Democracy, and Foot Voting*, 4 AMERICAN JOURNAL OF LAW AND EQUALITY 39 (2024) (Symposium on the 70th Anniversary of *Brown v. Board of Education*).
- *Empowering Hispanics to Vote With their Feet*, 61 HOUSTON LAW REVIEW 777 (2024) (28th Annual Frankel Lecture Symposium).
- *Immigration and the Economic Freedom of Natives*, 37 PUBLIC AFFAIRS QUARTERLY 226 (2023) (symposium on immigration).
- *The Case for Expanding the Anticanon of Constitutional Law*, 2023 WISCONSIN LAW REVIEW 575 (2023) (symposium on “Controlling the Supreme Court: Now and Far Into the Future”).
- *Rethinking the Supreme Court’s Impact on Federalism and Centralization*, 52 PUBLIUS: THE JOURNAL OF FEDERALISM 1 (2022) (with Michael Dichio).
- *A Major Question of Power: The Vaccinate Mandate Cases and the Limits of Executive Authority*, 2021-22 CATO SUPREME COURT REVIEW 69 (2022) (Symposium on the 2021-22 Supreme Court term).

- *Vaccine Passports as a Constitutional Right*, 51 ARIZONA STATE LAW JOURNAL 505 (2022) (with Kevin Cope and Alexander Stremitzer).
- *Nondelegation Limits on COVID Emergency Powers: Lessons from the Eviction Moratorium and Title 42 Cases*, 15 NYU JOURNAL OF LAW AND LIBERTY 658 (2022) ((Symposium on “Responding to Emergency: A Blueprint for Liberty in A Time of Crisis”).
- *How Judicial Review Can Help Empower People to Vote with their Feet*, 29 GEORGE MASON LAW REVIEW 509 (2022) (Symposium on “Does the Will of the People Exist?”).
- *The Promise and Peril of Epistocracy*, 65 INQUIRY 27 (2022) (symposium on JASON BRENNAN, AGAINST DEMOCRACY (2016)).
- *The Normality of Knick: A Response to Sterk and Pollack*, FLORIDA LAW REVIEW ONLINE (2021).
- *Migration and Liberalism: Rejoinder to Paul Graham and Stephen Davies*, 41 ECONOMIC AFFAIRS 317 (2021)
- *Freedom Through Foot Voting*, 41 ECONOMIC AFFAIRS 141 (2021).
- *Migration and Self-Determination*, 18 GEORGETOWN JOURNAL OF LAW AND PUBLIC POLICY 805 (2020) (Symposium on “The Ethics of Democracy”).
- *Overtuning a Catch 22 in the Knick of Time: Knick v. Township of Scott and the Doctrine of Precedent*, 47 FORDHAM URBAN LAW JOURNAL 545 (2020) (with Shelley Ross Saxer) (symposium on *Knick v. Township of Scott*).
- *Knick v. Township of Scott: Ending a “Catch 22” that Barred Takings Cases from Federal Court*, 2018-19 CATO SUPREME COURT REVIEW 153 (2019) (symposium on the 2018-19 Supreme Court term) (Reprinted in Patricia Salkin, ed., ZONING AND PLANNING LAW HANDBOOK (Thomson Reuters, forthcoming)).
- *Making Federalism Great Again: How the Trump Administration’s Attack on Sanctuary Cities Unintentionally Strengthened Judicial Protection for State Autonomy*, 97 TEXAS LAW REVIEW 1247 (2019) (Symposium on “Reclaiming – and Restoring – Constitutional Norms”).
- *Foot Voting vs. Ballot Box Voting: Why Voting With Your Feet is Crucial to Political Freedom*, 18 EUROPEAN POLITICAL SCIENCE 587 (2019) (symposium on democracy).
- *Foot Voting, Decentralization, and Development*, 102 MINNESOTA LAW REVIEW 1649 (2018) (Symposium on “Decentralization and Development”).
- *Why Growing Government is a Bigger Political Menace than Growing Inequality*, 98 BOSTON UNIVERSITY LAW REVIEW ONLINE 21 (2018) (Symposium on GANESH SITARAMAN, THE CRISIS OF THE MIDDLE-CLASS CONSTITUTION).
- *Obama’s Constitutional Legacy*, 65 DRAKE LAW REVIEW 1039 (2017) (symposium on “President Obama’s Constitutional Law Legacy”).
- *Immigration, Freedom, and the Constitution*, 40 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 1 (2017) (adapted from speech given at the 2016 Federalist Society Student National Convention).
- *Putting Kelo in Perspective*, 48 CONNECTICUT LAW REVIEW 1551 (2016) (symposium on *Kelo v. City of New London*).
- *Federalism and the Roberts Court*, 46 PUBLIUS: THE JOURNAL OF FEDERALISM 441 (2016) (Symposium on Federalism Under Obama).
- *The Ongoing Debate over Political Ignorance: A Response to my Critics*, 27 CRITICAL REVIEW 380 (2015) (Symposium on my book *Democracy and Political Ignorance: Why Smaller Government is Smarter*).
- *The Mainstreaming of Libertarian Constitutionalism*, 77 LAW AND CONTEMPORARY PROBLEMS 43 (2014) (with David Bernstein) (symposium on “Law and Neoliberalism”).
- *NFIB v. Sebelius and the Constitutional Debate over Federalism*, 39 OKLAHOMA CITY UNIVERSITY LAW REVIEW 415 (2014) (2014 William Brennan Lecture).
- *Foot Voting, Federalism, and Political Freedom*, NOMOS LV: FEDERALISM AND SUBSIDIARITY (James Fleming & Jacob Levy, eds. 2014).
- *Why Political Ignorance Undermines the Wisdom of the Many*, 26 CRITICAL REVIEW 151 (2014) (symposium on HÉLÈNE LANDEMORE, DEMOCRATIC REASON: POLITICS, COLLECTIVE INTELLIGENCE, AND THE RULE OF THE MANY (2013)).
- *Jury Ignorance and Political Ignorance*, 55 WILLIAM AND MARY LAW REVIEW 1167 (2014) (Symposium on the Civil Jury as a Political Institution).
- *The Borkean Dilemma: Robert Bork and the Tension Between Originalism and Democracy*, 80 UNIVERSITY OF CHICAGO LAW REVIEW DIALOGUE 243 (2013) (symposium on the work of Judge Robert H. Bork).

- *Systematically Biased Beliefs About Political Influence: Evidence from the Perceptions of Political Influence on Policy Outcomes Survey*, 46 PS: POLITICAL SCIENCE AND POLITICS 760 (2013) (with Bryan Caplan, Eric Crampton, and Wayne Grove).
- *Two Steps Forward for the “Poor Relation” of Constitutional Law: Koontz, Arkansas Game & Fish, and the Future of the Takings Clause*, 2012-13 CATO SUPREME COURT REVIEW 215 (2013) (symposium on the 2012-13 Supreme Court term).
- *Taking Dissenting by Deciding all the Way Down*, 48 TULSA LAW REVIEW 523 (2013) (symposium in honor of Prof. Heather Gerken).
- *Originalism and Political Ignorance*, 97 MINNESOTA LAW REVIEW 625 (2012).
- *A Mandate for Mandates: Is the Individual Health Insurance Mandate Case a Slippery Slope?* 75 LAW AND CONTEMPORARY PROBLEMS 75 (2012) (symposium on the individual health insurance mandate litigation).
- *What if Kelo Had Gone the Other Way?* 45 INDIANA LAW REVIEW 21 (2012) (Symposium on What-Ifs in Constitutional History).
- *Blight, Pretext, And Eminent Domain in New York*, 39 FORDHAM URBAN LAW JOURNAL CITY SQUARE 57 (2012).
- *Federalism and Property Rights*, 2011 UNIVERSITY OF CHICAGO LEGAL FORUM 53 (2011) (Symposium on Governance and Power).
- *The Tea Party and Popular Constitutionalism*, 105 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 300 (2011) (symposium on the constitutional politics of the Tea Party movement).
- *Let There Be Blight: Blight Condemnations in New York after Goldstein and Kaur*, 38 FORDHAM URBAN LAW JOURNAL 1193 (2011) (symposium on eminent domain in New York).
- *Stop the Beach Renourishment and the Problem of Judicial Takings*, 6 DUKE JOURNAL OF CONSTITUTIONAL LAW AND PUBLIC POLICY 91 (2011) (symposium on judicial takings).
- *The Judicial Reaction to Kelo*, 4 ALBANY GOVERNMENT LAW REVIEW 1 (2011) (Introduction to the symposium on eminent domain).
- *Foot Voting, Political Ignorance and Constitutional Design*, 28 SOCIAL PHILOSOPHY AND POLICY 202 (2011) (symposium on “What Should Constitutions Do?”) (reprinted in WHAT SHOULD CONSTITUTIONS DO? (Ellen Frankel Paul, Fred D. Miller, Jr., and Jeffrey Paul, eds., Cambridge University Press, 2011)).).
- *Deliberative Democracy and Political Ignorance*, 22 CRITICAL REVIEW 753 (2010) (symposium on deliberative democracy).
- *Taking Stock of Comstock: The Necessary and Proper Clause and the Limits of Federal Power*, 2009-10 CATO SUPREME COURT REVIEW 239 (2010) (symposium on the 2009-10 Supreme Court term).
- *Is Textualism Doomed?* 158 UNIVERSITY OF PENNSYLVANIA LAW REVIEW PENNUMBRA 235 (2010).
- *The Limits of Backlash: Assessing the Political Response to Kelo*, 93 MINNESOTA LAW REVIEW 2100 (2009).
- *Democracy and International Human Rights Law*, 84 NOTRE DAME LAW REVIEW 1739 (2009) (with John O. McGinnis).
- *Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet*, 73 MISSOURI LAW REVIEW 1247 (2008) (symposium on federalism and international law).
- *The Political Economy of Economic Development Takings*, 58 CASE WESTERN RESERVE UNIVERSITY LAW REVIEW 1185 (2008) (Symposium on “Corporations and their Communities”).
- *A Floor, Not a Ceiling: Federalism and Remedies for Violations of Constitutional Rights in Danforth v. Minnesota*, 102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 365 (2008).
- *The Borkean Case Against Robert Bork’s Case for Censorship*, 31 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 511 (2008) (symposium on the work of Judge Robert H. Bork).
- *Should International Law be Part of Our Law?* 59 STANFORD LAW REVIEW 1175 (2007) (with John O. McGinnis).
- *Is Post-Kelo Reform Bad for the Poor? A Reply to David Dana*, 101 NORTHWESTERN UNIVERSITY LAW REVIEW 1931 (2007).
- *Controlling the Grasping Hand: Economic Development Takings after Kelo*, 15 SUPREME COURT ECONOMIC REVIEW 183 (2007).
- *Why Robbing Peter Won’t Help Poor Paul: Low-Income Neighborhoods and Uncompensated Regulatory Takings*, 117 YALE LAW JOURNAL POCKET PART 71 (2007).

- *Can We Make the Constitution More Democratic?* 55 DRAKE LAW REVIEW 971 (2007) (with Neal Devins) (symposium on “Our Undemocratic Constitution”).
- *The Green Costs of Kelo: Economic Development Takings and Environmental Protection*, 84 WASHINGTON UNIVERSITY LAW REVIEW 623 (2006) (with Jonathan H. Adler).
- *Gonzales v. Raich: Federalism as a Casualty of the War on Drugs*, 15 CORNELL JOURNAL OF LAW AND PUBLIC POLICY 507 (2006) (Symposium on the War on Drugs).
- *A False Dawn for Federalism: Clear Statement Rules after Gonzales v. Raich*, 2005-2006 CATO SUPREME COURT REVIEW 113 (2006) (symposium on 2005-2006 Supreme Court term).
- *Knowledge About Ignorance: New Directions in the Study of Political Information*, 18 CRITICAL REVIEW 255 (2006) (symposium on political participation).
- *Federalism vs. States’ Rights: A Defense of Judicial Review in a Federal System*, 99 NORTHWESTERN UNIVERSITY LAW REVIEW 89 (2004) (with John O. McGinnis).
- *Overcoming Poletown: County of Wayne v. Hathcock, Economic Development Takings, and the Future of Public Use*, 2004 MICHIGAN STATE LAW REVIEW 1005 (2004) (symposium on *County of Wayne v. Hathcock*).
- *Democracy and Judicial Review Revisited: The New Old Attack on Judicial Review*, 7 GREEN BAG 2D 287 (2004).
- *Political Ignorance and The Countermajoritarian Difficulty: A New Perspective on the “Central Obsession” of Constitutional Theory*, 89 IOWA LAW REVIEW 1287 (2004).
- *Voter Knowledge and Constitutional Change: The New Deal Experience*, 45 WILLIAM & MARY LAW REVIEW 595 (2003).
- *Closing the Pandora’s Box of Federalism: The Case for Judicial Restriction of Federal Subsidies to State Governments*, 90 GEORGETOWN LAW JOURNAL 461 (2002).
- *Revitalizing Consent*, 23 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 753 (2000).
- *Voter Ignorance and the Democratic Ideal*, 12 CRITICAL REVIEW 413 (1998).

REVIEW ESSAYS

- *Review of SPLITSVILLE, USA: A DEMOCRATIC ARGUMENT FOR BREAKING UP THE UNITED STATES’ by Christopher Zurn*, 54 PUBLIUS: THE JOURNAL OF FEDERALISM 27 (2024).
- *Review of THE US SUPREME COURT AND THE CENTRALIZATION OF FEDERAL AUTHORITY, by Michael A. Dichio*, 49 PUBLIUS: THE JOURNAL OF FEDERALISM 11 (2019) (review of MICHAEL A. DICHIO, US SUPREME COURT AND THE CENTRALIZATION OF FEDERAL AUTHORITY (2018)).
- *Review of THE US SUPREME COURT AND THE DOMESTIC FORCE OF INTERNATIONAL HUMAN RIGHTS LAW, by Stephen Simon*, LAW AND POLITICS BOOK REVIEW, September 2017 (review of STEPHEN SIMON, THE US SUPREME COURT AND THE DOMESTIC FORCE OF INTERNATIONAL HUMAN RIGHTS LAW (2016)).
- *Review, HISTORY NEWS NETWORK, July 19, 2016* (review of CHRISTOPHER ACHEN AND LARRY BARTELS, DEMOCRACY FOR REALISTS: WHY ELECTIONS DO NOT PRODUCE RESPONSIVE GOVERNMENT (2016)).
- *Review, THE INDEPENDENT REVIEW (Spring 2015)* (review of FRANK BUCKLEY, THE ONCE AND FUTURE KING: THE RISE OF CROWN GOVERNMENT IN AMERICA (2014)).
- *Turning Federalism Right-Side Up*, 82 CONSTITUTIONAL COMMENTARY 303 (2012) (review of MICHAEL GREVE, THE UPSIDE-DOWN CONSTITUTION (2012)).
- *Review, 31 CATO JOURNAL 162 (2011)* (review of ALISON LACROIX, THE IDEOLOGICAL ORIGINS OF AMERICAN FEDERALISM (2010)).
- *Democracy and Political Knowledge in Ancient Athens*, 119 ETHICS 585 (2009) (review of JOSIAH OBER, KNOWLEDGE AND DEMOCRACY: INNOVATION AND LEARNING IN CLASSICAL ATHENS (2008)).
- *Lessons of the Rise of Legal Conservatism*, 32 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 415 (2009) (review of STEVEN TELES, THE RISE OF THE CONSERVATIVE LEGAL MOVEMENT (2008)) (invited review).
- *“Active Liberty” and Judicial Power: What Should Courts do to Promote Democracy?* 100 NORTHWESTERN UNIVERSITY LAW REVIEW 1827 (2006) (reviewing STEPHEN E. BREYER, ACTIVE LIBERTY: INTERPRETING OUR DEMOCRATIC CONSTITUTION (2005)).

- *Wise Crowds? When the Many Know More than the Few*, HUMANE STUDIES REVIEW, Sept. 2005 (review of JAMES SUROWIECKI, *WISE CROWDS: WHEN THE MANY ARE SMARTER THAN THE FEW AND HOW COLLECTIVE WISDOM SHAPES BUSINESS, ECONOMICS, SOCIETIES, AND NATIONS* (2004)).
- *Judicial Power and Civil Rights Reconsidered*, 114 YALE LAW JOURNAL 591 (2004) (review of MICHAEL KLARMAN, *FROM JIM CROW TO CIVIL RIGHTS* (2004)) (with David E. Bernstein).
- *Pragmatism and Democracy: Rejoinder to Richard Posner*, 16 CRITICAL REVIEW 473 (2004).
- *Richard Posner's Democratic Pragmatism*, 16 CRITICAL REVIEW 1 (2004) (review of RICHARD A. POSNER, *LAW, PRAGMATISM, AND DEMOCRACY* (2003)).
- *Review*, 23 CATO JOURNAL 475 (2004) (review of IAN SHAPIRO, *THE STATE OF DEMOCRATIC THEORY* (2003)).
- *Do Politicians Pander?* 14 CRITICAL REVIEW 147 (2001) (review of LAWRENCE JACOBS & ROBERT SHAPIRO, *POLITICIANS DON'T PANDER* (2000)).
- *Resolving the Democratic Dilemma?* 16 YALE JOURNAL ON REGULATION 401 (1999) (review of ARTHUR LUPIA & MATTHEW MCCUBBINS, *THE DEMOCRATIC DILEMMA: CAN CITIZENS LEARN WHAT THEY NEED TO KNOW?* (1998)).
- *Book Review*, THE EUROPEAN LEGACY, Feb. 1998, at 129 (review OF RICHARD SAKWA, *RUSSIAN POLITICS AND SOCIETY* (1997)).

BOOK CHAPTERS

- *Immigration and Economic Freedom*, in ROUTLEDGE HANDBOOK OF THE ETHICS OF IMMIGRATION, (Sahar Akhtar, ed., Routledge, forthcoming).
- *The Presumptive Case for Organ Markets*, in BODY PARTS FOR SALE: THE DEBATE 20 YEARS ON (James Stacy Taylor and Mark Cherry, eds., Routledge, forthcoming).
- *Land-Use Regulation*, in ROUTLEDGE HANDBOOK ON CLASSICAL LIBERALISM (Richard Epstein, Liya Palagashvili, and Mario Rizzo, eds., Routledge, forthcoming).
- *Top-Down and Bottom-Up Solutions to the Problem of Political Ignorance*, in THE EPISTEMOLOGY OF DEMOCRACY, (Hana Samaržija and Quassim Cassam, eds., Routledge, 2023).
- *Procedural Requirements for Administrative Limits to Property Rights in the United States of America*, in PROCEDURAL REQUIREMENTS FOR ADMINISTRATIVE LIMITS TO PROPERTY RIGHTS, (Martina Conticelli and Thomas Perroud, eds., Oxford University Press, 2022)
- *Rational Ignorance*, in ROUTLEDGE INTERNATIONAL HANDBOOK OF IGNORANCE STUDIES, (Matthias Gross and Linsey J. McGoey, eds., Routledge, rev. ed., 2022).
- *No More Fair-Weather Federalism*, in James Morone and Ryan Emenaker, *CURRENT DEBATES IN AMERICAN GOVERNMENT*, (Oxford University Press, 3rd ed, 2022).
- *Rational Ignorance*, in ROUTLEDGE INTERNATIONAL HANDBOOK OF IGNORANCE STUDIES, (Matthias Gross and Linsey J. McGoey eds., Routledge, rev. ed., 2022).
- *Is Political Ignorance Rational?* in, ROUTLEDGE HANDBOOK OF POLITICAL EPISTEMOLOGY (Michael Hannon and Jeroen de Ritter, eds., Routledge, 2021).
- *Trust and Political Ignorance*, in TRUST: A PHILOSOPHICAL APPROACH, (Adriano Fabris, ed., Springer, 2020).
- *Foot Voting Nation*, in OUR NATIONAL NARRATIVE: THE SEARCH FOR A UNIFYING AMERICAN STORY, (Joshua Claybourn, ed., Potomac Books, 2019).
- *Rational Ignorance and Public Choice*, in OXFORD HANDBOOK OF PUBLIC CHOICE, Vol. 2, (Roger Congleton, Bernard Grofman, and Stefan Voigt, eds., Oxford University Press, 2019).
- *Foot Voting and the Future of Liberty*, in CAMBRIDGE HANDBOOK OF CLASSICAL LIBERAL THOUGHT, (M. Todd Henderson, ed., Cambridge University Press, 2018).
- *Freedom and Knowledge*, in ROUTLEDGE HANDBOOK ON LIBERTARIANISM, (Jason Brennan, Bas van der Vossen, and David Schmidtz, eds., Routledge, 2017).
- *The Impact of Judicial Review on American Federalism: Promoting Centralization More than State Autonomy*, in COURTS IN FEDERAL COUNTRIES: FEDERALISTS OR UNITARISTS (Nicholas Aroney and John Kincaid, eds., University of Toronto Press, 2017).

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

POLICY PAPERS/MONOGRAPHS

- *Immigration and the Economic Freedom of Natives*, Institute of Economic Affairs, October 2024.
- *Team Libertarian Report*, Restoring the Guardrails of Democracy, National Constitution Center, July 2022. (coauthored with Clark Neily and Walter Olson).
- *Libertarianism and Federalism*, Cato Institute Policy Analysis No. 751, June 30, 2014, Cato Institute Policy Analysis No. 751, June 30, 2014.
- *When Ignorance Isn't Bliss: How Political Ignorance Threatens Democracy*, Cato Institute Policy Analysis No. 525, Sept. 22, 2004 (reprinted in Spanish translation in Argentina).
- *Robin Hood in Reverse: The Case Against Taking Private Property for Economic Development*, Cato Institute Policy Analysis No.535, Feb. 21, 2005.

POPULAR MEDIA

BLOGGING

2006-present Contributor, **Volokh Conspiracy** law and politics blog. Affiliated with *Reason* magazine. 2017-present. Affiliated with the *Washington Post*, 2014-17.

- 2011-present Contributing Editor for Constitutional Law, **JOTWELL** website.
- 2004-present Occasional guest-blogging at various law and politics sites, including the American Constitution Society blog, Balkinization, and others.

ARTICLES AND OP EDS

- *Trump's Mass Deportation Proposal Ignores a Huge Economic and Social Cost*, THE DISPATCH, Oct. 24, 2024 (symposium on immigration and the 2024 election).
- *Courts Might Not Stop Trump's Illicit Plans for Mass Deportations*, THE UNPOPULIST, Oct. 16, 2024.
- *Libertarianism Needs Careful Tweaks, Not Wholesale Updates*, THE DISPATCH, Sept. 23, 2024.
- *Let Me In And I'll Enrich You*, SCHWEIZER MONAT (Switzerland), Sept. 16, 2024 (article on immigration) (also published in German).
- *Both Donald Trump and Kamala Harris are Preying on Political Ignorance*, THE HILL, Sept. 4, 2024.
- *A Cosmopolitan Case Against World Government*, Cato Institute (Defending Globalization series), July 9, 2024.
- *Wokeness is Awful. Nationalism is Far Worse*, THE DISPATCH, July 1, 2024.
- *The (Selfish) Case for Immigration*, SPECTATOR (UK), July 1, 2024.
- *The Constitutional Case Against Exclusionary Zoning*, THE ATLANTIC, June 12, 2024 (with Joshua Braver).
- *American Federalism Can Push Back Against Executive Overreach*, UNPOPULIST, May 28, 2024.
- *Immigration is Not Invasion*, LAWFARE, Mar. 25, 2024.
- *What the Supreme Court Got Wrong in the Trump Section 3 Case*, LAWFARE, Mar. 8, 2024.
- *The Case Against Nationalism*, NATIONAL AFFAIRS, Winter 2024 (with Alex Nowrasteh).
- *Washington's Wrongheaded Ruling that Eviction Moratorium Is Not a Taking of Private Property*, State Court Report, Brennan Center, Dec. 19, 2023 (symposium on "2023's Most Significant State Constitutional Cases").
- *Yes, Trump Is Disqualified from Office*, THE BULWARK, Nov. 30, 2023.
- *Biden has the Right Border Plan, but Arbitrary Caps Have Blocked Legal Migration*, USA TODAY, Nov. 26, 2023 (with David Bier).
- *Section 3 Disqualifications for Democracy Preservation*, LAWFARE, Sept. 6, 2023.
- *Courts Should Uphold Valuable Immigration Policy*, THE HILL, Sept. 2, 2023.
- *Drastic Liberal Schemes to Undermine the US Supreme Court Will Enable an Authoritarian Presidency*, THE UNPOPULIST, AUG. 18, 2023.
- *"Diversity" House of Cards Collapses*, WASHINGTON EXAMINER, July 7, 2023 (article on the Supreme Court's affirmative action decisions).
- *Why the Supreme Court Got it Right on Student Loans*, CNN, June 30, 2023.
- *Supreme Court Strengthens Federal Protections for Property Rights*, State Court Report, Brennan Center for Justice, May 30, 2023.
- *Three Constitutional Issues Libertarians Should Make their Own*, CATO POLICY REPORT, March-April 2023.
- *US Needs to Protect Ukrainian Refugees in the United States*, BOSTON GLOBE, April 21, 2023.
- *Abortion and Foot Voting in Post-Dobbs America: Prospects for Change*, AUSTRALIAN OUTLOOK, Mar. 30, 2023 (Part II) (Australian Institute for International Affairs).
- *Abortion and Foot Voting in a Post-Dobbs America*, AUSTRALIAN OUTLOOK, Mar. 23, 2023 (Part I) (Australian Institute for International Affairs).
- *Don't Let the Executive Abuse Emergency Powers to Raid the Treasury*, SCOTUSblog, Feb. 21, 2023 (symposium on the loan-forgiveness cases before the Supreme Court).
- *We Sponsored Refugees Under a New Biden Program. The Results Were Astonishing*, Washington Post, Jan. 3, 2023 (article on the Uniting for Ukraine private refugee sponsorship program).
- *Reining in the Presidency Requires Limiting the Scope of Federal Power*, NOTICE AND COMMENT, YALE JOURNAL ON REGULATION, Nov. 9, 2022.
- *Arlington's 'Missing Middle' Fight and the Struggle for Affordable Housing*, THE HILL, Oct. 25, 2022.

- *Americans Should be Able to Sponsor Refugees Who can Stay Permanently*, WASHINGTON POST, July 18, 2022 (with Sabine El-Chidiac).
- *The Carson v. Makin Decision Won't Increase Religious Strife. It Will Reduce it*, DESERET NEWS, June 26, 2022.
- *Why the Supreme Court Got it Right in Maine Voucher Case*, NBC, June 21, 2022.
- *Would Overruling Roe v. Wade Imperil Other Constitutional Rights Rulings?*, POLITICO, May, 4, 2022 (symposium on "Alito's Roe Draft, Beyond Abortion").
- *'Gun-at-Work' Laws Violate the Property Rights of Business Owners*, WASHINGTON POST, Apr. 25, 2022.
- *By Accepting Ukrainian and Russian Refugees, Canada Can do Good and do Well*, GLOBE AND MAIL, Apr. 12, 2022 (with Sabine El-Chidiac).
- *Republicans Voted Against Jackson for Inane Reasons – and a Reasonable One*, NBC, Apr. 7, 2022.
- *Gun Rights, Property Rights, and Takings*, Duke Center for Firearms Law, Apr. 5, 2022 (symposium on "Privatizing the Gun Debate").
- *Does the Threat of Terrorism Justify Migration Restrictions?* VERFASSUNGSBLOG, Mar. 30, 2022.
- *How the Us Can Help Refugees (and Weaken Vladimir Putin)*, NEW YORK TIMES, Mar. 8, 2022.
- *Court Should Reject the Flawed Diversity Theory*, BOSTON GLOBE, Feb. 7, 2022.
- *The Case Against Covid-19 Pandemic Migration Restrictions*, Cato Institute, Feb. 1, 2022.
- *Supreme Court Affirmative Action Cases Challenging Harvard, UNC Policies are Overdue*, NBC, Jan. 24, 2022.
- *Supreme Court Vaccine Mandate Hearing Exposes Biden Administration Overreach*, NBC, Jan. 7, 2022.
- *Justices' Texas Abortion Ruling Is Murky On Key Question*, LAW 360, Jan. 7, 2022.
- *The Case for Empowering Americans to Vote With their Feet*, THE WEEK, Dec. 27, 2021.
- *Here's Why We Should End Pandemic Migration Restrictions*, THE HILL, Oct. 29, 2021.
- *Voting With Our Feet*, NATIONAL AFFAIRS, (Fall 2021).
- *America Should Offer Refuge to Victims of Forced Slavery Instead of Weaponizing their Pain*, USA Today, Aug. 8, 2021.
- *How to Counter Possible Political Dangers of Immigration Without Barring Migrants*, CATO UNBOUND, July 16, 2021 (Symposium on "Immigration and Institutions").
- *Government Must Pay Owners More than 'Fair Market Value' When Seizing Property*, WASHINGTON TIMES, July 5, 2021 (part II of two-part series).
- *Supreme Court's Cedar Point Property Rights Decision Protects Both Sides*, THE HILL, June 23, 2021.
- *Government's Power to Seize Private Property Must be Reined in*, WASHINGTON TIMES, June 22, 2021 (Part I of two-part series).
- *The Latest ACA Challenge was so Feeble Even Conservative Justices Shot it Down*, WASHINGTON POST, June 17, 2021.
- *Writing a Academic Book*, Institute for Humane Studies, May 10, 2021 (5 part series).
- *Both Left and Right Discrimination Against African-Americans*, THE HILL, Apr. 6, 2021.
- *How to Curb Executive Power to Exclude Immigrants*, NOTICE AND COMMENT, YALE JOURNAL ON REGULATION, Mar. 31, 2021 (symposium on ADAM COX AND CRISTINA RODRIGUEZ, THE PRESIDENT AND IMMIGRATION LAW).
- *A California Tree Nursery's Supreme Court Fight Has Far-reaching Implications for Property Owners*, THE HILL, Mar. 24, 2021.
- *Our Airstrikes in Syria May be Legal. That Doesn't Mean Our Mission there is*, WASHINGTON POST, Mar. 8, 2021.
- *Trump's First Amendment Rights Don't Matter for His Impeachment Trial*, WASHINGTON POST, Feb. 8, 2021.
- *Biden's Pro-Immigration Agenda is More Expansive than Obama's, but it has Drawbacks*, USA TODAY, Feb. 3, 2021.
- *Sen. Josh Hawley isn't a Censorship Victim, He's a Free Speech Menace*, USA TODAY, Jan. 19, 2021.
- *Constitution Drafting Project Highlights Areas of Potential Consensus on Constitutional Reform*, National Constitution Center, Jan. 14, 2021.
- *How Immigration Restrictions Harm U.S. Citizens, Too*, Regulatory Review, Dec. 15, 2020.
- *Immigration Restrictions and Racial Discrimination Share Similar Roots*, THE HILL, Nov. 24, 2020.
- *Vote With Your Feet: Foot Voting and Political Freedom*, JURIST, Nov. 7, 2020.

- *Why Every Person, Regardless of Citizenship, Counts for Apportioning House Seats*, LOS ANGELES TIMES, Oct. 23, 2020.
- *Justice Ginsburg's Death Adds to Nation's Political Polarization*, INSIDE SOURCES, Sept. 25, 2020.
- *Remove the Natural Born Citizen Clause From the Constitution. Let Immigrants be President*, USA TODAY, Sept. 18, 2020 (with Randall Kennedy).
- *Why Digital Exit Rights are not Enough: The Case for Expanding Foot Voting in Real Space*, CATO UNBOUND, August 2020 (Symposium on the 50th anniversary of Albert Hirschman's Exit, Voice, and Loyalty).
- *Going Mobile*, DISCOURSE (Mercatus Center), July 28, 2020.
- *A Better Way to Limit Congress' Subpoena Power*, SCOTUSBLOG, July 9, 2020 (Symposium on *Trump v. Mazars* and *Trump v. Vance*).
- *The Dangers of America's Coronavirus Immigration Bans*, THE ATLANTIC, June 28, 2020.
- *How to Limit a President's Power Over Immigration*, FORBES, June 8, 2020 (interview with Stuart Anderson).
- *America's Weak Property Rights Harm Those Most in Need*, THE ATLANTIC, Mar. 24, 2020.
- *Impeachment and Constitutional Crisis*, VOX, Oct. 9, 2019 (symposium on impeachment and constitutional crisis).
- *Immigration Law Defies the American Constitution*, THE ATLANTIC, Oct. 3, 2019.
- *How Liberals Learned to Love Federalism*, WASHINGTON POST, July 12, 2019.
- *Can a Sitting President Be Prosecuted for a Crime?* VOX, May 29, 2019 (Symposium on prosecution of sitting presidents).
- *What is a Constitutional Crisis?* VOX, May 16, 2019 (Symposium on constitutional crises).
- *University Presses Shouldn't Have to Make a Profit*, THE ATLANTIC, May 11, 2019.
- *Does the Mueller Report Exonerate Trump?*, VOX, Apr. 18, 2019 (Symposium on the Mueller Report).
- *Can Congress Force Trump to Turn Over His Tax Returns?* VOX, Apr. 9, 2019 (symposium on Congress' demand to see Trump's tax returns).
- *Can Trump Use Emergency Powers to Build His Border Wall?* VOX, Feb. 15, 2019 (symposium on emergency powers and the border wall).
- *Trump Can Call a 'National Emergency,' but that Doesn't Mean he Can Build the Wall*, USA TODAY, Jan. 21, 2019.
- *To Build the Wall, Trump Might Make Thousands of Americans Suffer*, WASHINGTON POST, Jan. 19, 2019.
- *Using Emergency Powers to Seize Property and Build the Wall Would Set a Horrible Precedent*, NEW YORK DAILY NEWS, Jan. 9, 2019.
- *Kavanaugh's Confirmation May Come at a High Price*, POLITICO, Oct. 6, 2018 (Symposium on "Is Brett Kavanaugh Damaged Goods?").
- *The Justices Can Undo a Constitutional Catch-22*, WALL STREET JOURNAL, Oct. 2, 2018.
- *With a Lifetime Appointment to the Supreme Court at Stake, it is Important to Make Every Effort to Get things Right*, POLITICO, Sept. 28, 2018 (Symposium on the Kavanaugh nomination sexual assault hearing).
- *The Judiciary Committee Should Investigate*, POLITICO, Sept. 17, 2018 (symposium on "What Should the Senate Do With Brett Kavanaugh").
- *Does the Constitution Give the Federal Government Power Over Immigration?* CATO UNBOUND, September 2018 (lead essay).
- *The Risks of the Unitary Executive*, WASHINGTON POST, Aug. 31, 2018 (symposium on the jurisprudence of Judge Brett Kavanaugh).
- *As Normal as it Gets*, POLITICO, July 10, 2018 (symposium on the nomination of Judge Brett Kavanaugh to the Supreme Court).
- *Federalism Comes Out as the Winner in Murphy v. NCAA*, REGULATORY REVIEW (University of Pennsylvania), July 10, 2018.
- *Judge Don Willett Would Stand Up Against Trump's Administration*, USA TODAY, June 28, 2018 (Symposium on who should be picked for Supreme Court from Donald Trump's list).
- *Justice Kennedy's Legacy*, POLITICO, June 27, 2018 (Symposium on Justice Kennedy's Legacy).
- *The Supreme Court's Indefensible Double Standard in the Travel-Ban Case and Masterpiece Cakeshop*, VOX, June 27, 2018.
- *Donald Trump's 'Travel Ban' is Still a 'Muslim Ban' No Matter What the Supreme Court Ruled*, USA TODAY, June 26, 2018.

- *What Supreme Court Victory for Sports Gambling Means for Marijuana, Sanctuary Cities*, USA TODAY, May 15, 2018.
- *The Bill of Rights is the Best Defense Against a Travel Ban*, THE HILL, Apr. 24, 2018 (with Michael Mannheimer).
- *Fight Over Sanctuary Cities is also a Fight Over Federalism*, THE HILL, Apr. 7, 2018.
- *Jeff Sessions' Lawsuit Against California's Sanctuary Law*, VOX, Mar. 8, 2018 (Symposium on *United States v. California*).
- *On Immigration, Trump is no Deregulator*, REGULATORY REVIEW (University of Pennsylvania), Jan. 25, 2018 (Symposium on "Regulation in the Trump Administration's First Year").
- *Uncapturing the Economy Requires Limiting Government*, CATO UNBOUND, Jan. 12, 2018 (symposium on Brink Lindsey and Steve Teles, THE CAPTURED ECONOMY).
- *The Politics of "The Last Jedi,"* LEARN LIBERTY, Dec. 20, 2017.
- *Mortgage Interest Deduction Mostly Benefits the Rich – End It*, THE HILL, Nov. 6, 2017.
- *Legal Challenges to Trump's Reversal of DACA*, VOX, Sept. 8, 2017 (symposium on efforts to preserve DACA through litigation).
- *Breaking the Wheel of Westeros: Why Heroes aren't Enough*, LEARN LIBERTY, Aug. 25, 2017.
- *A Cosmopolitan Case Against World Government*, WORLD ORDERS FORUM, World Government Research Network, Aug. 18, 2017.
- *No More Fair Weather Federalism*, NATIONAL REVIEW Aug. 18, 2017.
- *Thursday's Testimony was Dramatic Theater Showing Trump's Disregard for Norms*, POLITICO, June 8, 2017 (symposium on former FBI Director James Comey's testimony on Trump and Russia, before the Senate).
- *Trump's Parental Plan Will Hurt*, USA TODAY, May 23, 2017.
- *The Real Cause for Concern is Not so Much Comey's Departure as his Potential Successor*, POLITICO, May 10, 2017 (symposium on constitutional implications of the firing of FBI Director James Comey).
- *How Federalism Can Help Minorities and the Poor*, SPOTLIGHT ON POVERTY AND OPPORTUNITY, May 10, 2017.
- *The Constitutional Rights of Noncitizens*, LEARN LIBERTY, Apr. 30, 2017.
- *A Threat to Americans*, US NEWS AND WORLD REPORT, Apr. 21, 2017 (column on how immigration restrictions harm American citizens).
- *Immigration Restrictions Hurt Americans, Too*, AUSTIN AMERICAN-STATESMAN, April 13, 2017.
- *Up for Debate*, Politico, Feb. 1, 2017 (Symposium on Supreme Court Nomination of Judge Neil Gorsuch).
- *SCOTUS Pick has Some Troubling Views on Federalism*, Judicial Review, NEW YORK DAILY NEWS, Jan. 31, 2017.
- *Rogue One and the Politics of Star Wars*, LEARN LIBERTY, Dec. 28, 2016.
- *This Election Could be a Turning Point for Marijuana Legalization*, CHICAGO TRIBUNE, Nov. 7, 2016 (reprinted from the Volokh Conspiracy blog, Washington Post website).
- *Moving Vans More Powerful than Ballot Boxes*, USA TODAY, Oct. 18, 2016.
- *Putting the "General" Back in the General Welfare Clause*, THE INTERACTIVE CONSTITUTION, NATIONAL CONSTITUTION CENTER, September 2016.
- *The Spending Clause*, THE INTERACTIVE CONSTITUTION, NATIONAL CONSTITUTION CENTER, September 2016 (with Samuel R. Bagenstos).
- *Seven Fantasy/SF Epics that Can Inform You About the Real-World Political Scene*, LEARN LIBERTY, July 29, 2016.
- *Star Trek is Far From Libertarian – Here's Why*, LEARN LIBERTY, July 22, 2016.
- *The Horrifying Ways Plain Old Ignorance Bolsters Racism*, HISTORY NEWS NETWORK, July 5, 2016.
- *Sometimes, Boycotting is the Right Thing*, INSIGHTS ON LAW AND SOCIETY, Spring 2016 (American Bar Association).
- *Political Ignorance Haunts 2016 Campaign*, CNN.COM, May 12, 2016.
- *Voting and Political Ignorance*, EXAME, May 2016 (Brazil) (translated into Portuguese).
- *Yes, Obama's Executive Action Deferring Deportation for Millions of Immigrants is Constitutional*, REASON, Apr. 19, 2016.
- *Serious Constitutional Issues May be Sacrificed for Political Sport*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Feb. 15, 2016.
- *How Antonin Scalia Changed America*, POLITICO, Feb. 14, 2016 (symposium on Justice Scalia and his legacy).

- “Days May be Numbered for Male-Only Draft Registration,” *Los Angeles Daily Journal*, Dec. 9, 2015.
- *Markets with Just a Few Limits*, CATO UNBOUND, Nov. 17, 2015 (symposium on JASON BRENNAN AND PETER JAWORSKI, *MARKETS WITHOUT LIMITS: MORAL VIRTUES AND COMMERCIAL INTERESTS*).
- *Trump Exploits Rational Political Ignorance*, USA TODAY, Oct. 4, 2015.
- *Should the Government be able to Take Your House Away and Give it to a Private Developer?* HISTORY NEWS NETWORK, July 19, 2015.
- *The Supreme Court is a Check on Big Government, Protection for Minorities*, NEW YORK TIMES ROOM FOR DEBATE FORUM, July 6, 2015.
- *The Challenge of Political Ignorance: Why Voters are Ignorant and Why it Matters*, UNDERSTANDING SOCIETY, July 2015.
- *Lessons from a Little Pink House, 10 Years Later*, WALL STREET JOURNAL, June 21, 2015.
- *How Constitutional Originalism Promotes Liberty*, LIBERTY LAW FORUM, June 1, 2015.
- *How Eminent Domain Abuse Harms the Poor*, SPOTLIGHT ON POVERTY AND OPPORTUNITY, May 26, 2015.
- *Gender, the Gay Marriage Fight's Missing Piece*, USA TODAY, Apr. 19, 2015 (with Andrew Koppelman).
- *Creeping Libertarian Constitutionalism at US High Court*, LOS ANGELES/SAN FRANCISCO DAILY JOURNAL, Mar. 10, 2015.
- *Why Obama's Immigration Policy is Constitutional*, REASON, Dec. 16, 2014.
- *What No One Talks About During Election Season: Voter Ignorance*, FORBES, Nov. 3, 2014.
- *The Founding Fathers and Political Ignorance*, HISTORY NEWS NETWORK, June 10, 2014.
- *What Happens When You Mix Ignorance and Politics?* HISTORY NEWS NETWORK, May 11, 2014.
- *Maryland Folds on Eminent Domain Threat*, LOS ANGELES DAILY JOURNAL/SAN FRANCISCO DAILY JOURNAL, Apr. 7, 2014.
- *The Problem of Political Ignorance*, UNIVERSITY OF PENNSYLVANIA REG BLOG, Feb. 3, 2014.
- *Democracy and Political Ignorance*, CATO UNBOUND, October 2013 (lead essay).
- *The "Low Information Voter" Knows Very Little About Why Government is Shutting Down*, FORBES, Oct. 1, 2013.
- *Richmond, Calif., Runs Amok With Eminent Domain*, USA TODAY, Aug. 12, 2013.
- *Supreme Court Shutouts Reveal Reckless Decisions*, USA TODAY, July 23, 2013.
- *Obamacare's Constitutional Puzzle: Still Missing the Pieces*, LAW AND LIBERTY, Mar. 11, 2013 (review of EINER ELHAUGE, *OBAMACARE ON TRIAL* (2012)).
- *Yes the Court is Still Less Partisan*, ZOCALO PUBLIC SQUARE, Jan. 15, 2013 (forum on the Supreme Court and partisanship).
- *Assessing the Health Care Decision*, HARVARD HEALTH POLICY REVIEW, Fall 2012.
- *A Taxing, But Potentially Hopeful Decision*, SCOTUSBLOG, June 28, 2012.
- *An Unpersuasive Majority Ruling on Obamacare*, NEW YORK DAILY NEWS, June 28, 2012.
- *The Justices and the Individual Mandate*, UNIVERSITY OF PENNSYLVANIA REG BLOG, Mar. 30, 2012.
- *Why the Health Care Reform Law is Unconstitutional*, CNN, Mar. 26, 2012.
- *Rein in Federal Power*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Mar. 25, 2012.
- *Bond, Federalism, and Freedom*, LIBERTY LAW BLOG, Dec. 28, 2011.
- *Referendum Initiatives Prevent Eminent Domain Abuse*, DAILY CALLER, Nov. 9, 2011.
- *A Right to Economic Liberty*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Sept. 25, 2011.
- *Insurance Mandate Has Fatal Flaws*, NEWSDAY, Aug. 16, 2011.
- *Will the Supreme Court Give Congress an Unlimited Mandate for Mandates?*, SCOTUSBLOG, Aug. 10, 2011.
- *Why Repealing the 17th Amendment Won't Curb Federal Power*, ENGAGE, August 2011.
- *Regulating Inactivity: A Radical Constitutional Departure*, THE JURIST, July 1, 2011.
- *Why the Individual Health Care Mandate is Unconstitutional*, THE JURIST, May 4, 2011.
- *We Do Declare*, NATIONAL REVIEW ONLINE, Mar. 24, 2011 (Symposium on the Constitutionality of the Libya Intervention).
- *The Problem with Broad Definitions*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Dec. 14, 2010 (forum on individual mandate health care litigation).
- *Creation, Consent, and Government Power Over Property Rights*, CATO UNBOUND, Dec. 13, 2010 (forum on “Property Rights in Social Democracy”).

- *Mandate Challenge Could Prevail*, RICHMOND TIMES-DISPATCH, Nov. 7, 2010.
- *Two Cheers for Federal Court's Virginia Health Care Suit Decision*, WASHINGTON EXAMINER, Aug. 6, 2010.
- *Don't Dismiss Elena Kagan*, FORBES, May 11, 2010.
- *Social Sanctions do Work*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Apr. 12, 2010 (forum on "Why do Educated People Use Bad Words?").
- *An Inconvenient Truth: Political Ignorance is Widespread Among Voters in Both Parties*, FORBES, Feb. 12, 2010.
- *Stronger Protections Needed*, NEW YORK TIMES ROOM FOR DEBATE FORUM, Nov. 12, 2009 (forum on *Kelo v. City of New London* and protections for property rights).
- *Forfeiture Laws, the War on Drugs, and Alvarez v. Smith*, FINDLAW, Oct. 14, 2009.
- *Eroding Constitutional Limits on Government Takings*, DETROIT FREE PRESS, July 16, 2009.
- *Sotomayor's Property-Rights Red Flag*, ORANGE COUNTY REGISTER, July 11, 2009.
- *Obama, Sotomayor, and Empathy*, LOS ANGELES TIMES "Dust Up," May 27-29, 2009 (debate with Erwin Chemerinsky).
- *The War on Terror and Civil Liberties*, VANGUARDIA, October 2008, at 28-34 (translated into Spanish) (symposium on "The United States after Bush").
- *Locked Liberties: New DC Gun Law Shows that the Battle over Gun Rights is Far from Over*, LEGAL TIMES, July 28, 2008, at 42.
- *Don't Count on Prop. 99: The Purported Anti-Condensation Measure Would Actually Block Meaningful Eminent Domain Reform*, LOS ANGELES TIMES, May 19, 2008, at A15.
- *Shared Roots of Property, Civil Rights: Constitutional Issue Looms Large for Minorities in South*, ORLANDO SENTINEL, Apr. 28, 2008 (with David Beito).
- *Battle Over Eminent Domain is Another Civil Rights Issue*, KANSAS CITY STAR, Apr. 27, 2008 (with David Beito).
- *Kelo, MIA: Where is the Property Rights Campaign Debate?*, NATIONAL REVIEW ONLINE, Apr. 2, 2008.
- *Federalism and Socialism in Star Trek*, NATIONAL REVIEW ONLINE, Sept. 28, 2007.
- *Put Out to Pasture: The Supreme Court Again Fails to Give Property Rights the Respect they Deserve*, LEGAL TIMES, July 30, 2007.
- *The Limits of Anti-Kelo Legislation*, REASON, August/September 2007, at 42.
- *Be Careful What You Wish For: The Revived Equal Rights Amendment May Surprise Its Supporters*, LEGAL TIMES, June 4, 2007.
- *Post-Kelo America: Assessing the Progress of Eminent Domain Reform*, REASON ONLINE, Apr. 20, 2007.
- *Pretextual Taking*, NATIONAL LAW JOURNAL, Jan. 8, 2007 (with Richard A. Epstein).
- *The Politics of Ignorance: Election Day Reflections*, THE JURIST, Nov. 7, 2006.
- *Blight, Sweet Blight*, LEGAL TIMES, Aug. 14, 2006, at 23.
- *The Final Prejudice*, LEGAL TIMES, Apr. 17, 2006, at 68.
- *Alito's Libertarian Streak*, AMERICAN SPECTATOR, Nov. 10, 2005.
- *Rehnquist's Federalist Legacy*, FOXNEWS.COM, Sept. 9, 2005.
- *Should Courts Limit the Use of Eminent Domain for Private Economic Development?* CONGRESSIONAL QUARTERLY RESEARCHER, Mar. 4, 2005, at 213.
- *In Politics Ignorance is not Bliss*, NEWARK STAR LEDGER, Oct. 10, 2004, at P1.
- *Are American Voters Stupid? Maybe Not*, SOUTH CHINA MORNING POST, Sept. 27, 2004, at A13.
- *Political Ignorance is No Bliss*, FOXNEWS.COM, Sept. 22, 2004.
- *Poletown Decision did not Create Desired Benefits; New Ruling Protects Weak from Government Abuses*, DETROIT NEWS, Aug. 8, 2004, at 13.
- *Michigan Should Alter Property Grab Rules*, DETROIT NEWS, Jan. 8, 2004, at 11A.
- *The Timing Game Justices Play*, L.A. TIMES, Jan. 13, 2003, at B11 (with Steven G. Calabresi).
- *Riddles, Mysteries and Enigmas: Unanswered Questions about the End of the Cold War*, POLICY REVIEW, Fall 1994, at 80.

TESTIMONY BEFORE GOVERNMENT BODIES

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

TEACHING EXPERIENCE

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

TEACHING INTERESTS

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

EDITORIAL WORK

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

AWARDS

- 2007 **Searle Foundation Fellowship.** Awarded to support research on property law.
- 2004 **Critical Infrastructure Project Grant.** Awarded to support research on political ignorance and the War on Terror.

EMPLOYMENT EXPERIENCE

- Fall 2003- **George Mason University School of Law, Arlington, VA**
Professor of Law. Associate Professor of Law with tenure (2009-12), (Assistant Professor, 2003-2009). Taught Constitutional Law, Property, Seminar on Federalism, and Legislation.
University Affiliate, Schar School of Policy and Government (2024-present)
University Affiliate, Institute of Immigration Research (2023-present).
- 2022- Present **Cato Institute, Washington, DC.**
B. Kenneth Simon Chair in Constitutional Studies. Research, presentations, and amicus briefs on constitutional issues.
- Spring 2020 **Georgetown University Law Center, Center for the Constitution.** Washington, DC
Visiting Scholar. Conducted research and presentations on projects related to constitutional property rights.
- Summer 2014 **Zhengzhou University, Law Faculty, Zhengzhou, China**
Visiting Professor. Taught course on “Property Rights.”
- Summer 2010 **University of Torcuato di Tella Law Faculty, Buenos Aires, Argentina.**
Visiting Professor. Taught course on “The Political Economy of Constitutions.”
- Fall 2008 **University of Pennsylvania Law School, Philadelphia, PA.**
Visiting Assistant Professor of Law. Taught Property and Seminar on Federalism.
- Summer 2007 **Torcuato di Tella Law Faculty, Buenos Aires, Argentina.**
Visiting Professor. Taught course on “The Political Economy of Constitutions.”
- Summer 2004 **University of Hamburg Institute for Law and Economics, Hamburg, Germany.**
Visiting Scholar. Presented research on democracy and political ignorance.
- 2002-2003 **Northwestern University Law School, Chicago, IL**
John M. Olin Fellow in Law. Visiting Fellow.
- 2001-2002 **Judge Jerry E. Smith, United States Court of Appeals for the Fifth Circuit, Houston, TX**
Law Clerk.
- Summer 2001 **Mayer, Brown & Platt, Washington, DC**

Summer Associate. Wrote First Amendment amicus brief for US Supreme Court in *Thomas v. Chicago Park District* (case on constitutionality of demonstration permit system for public parks). Wrote takings case amicus brief for Connecticut Supreme Court. Developed legal strategy for Full Faith and Credit Clause case in California Supreme Court. Offered permanent position.

Summer 1999 **Cleary, Gottlieb, Steen & Hamilton**, New York, NY
Summer Associate. Briefed arguments in case representing Japan in Law of the Sea Treaty dispute with Australia. Assisted in restructuring of Russian Federation debt. Offered permanent position.

1998-99 **Professor Bruce Ackerman**, Yale Law School, New Haven, CT
Research Assistant. Researched separation of powers, constitutional law, and comparative law.

ACADEMIC PRESENTATIONS AND SPEECHES

- “The Constitutional Case Against Exclusionary Zoning,” University of Texas School of Law, November 2024 (sponsored by the *Texas Law Review*).
- “The Case for Global Freedom of Movement,” NZZ Real Estate Days Conference, Davos, Switzerland, October 2024.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Avenir Suisse (think tank), Zurich, Switzerland, October 2024.
- “The Case for Immigration Rights,” Symposium on Immigration, University of Missouri School of Law, Columbia, MO, October 2024 (co-sponsored by the University of Missouri Federalist Society and the Hispanic Law Student Association).
- “A Lost Opportunity to Protect Democracy Against Itself: What the Supreme Court Got Wrong in *Trump v. Anderson*,” Panel on “*Trump v. Anderson*: Implications for 2024 and Beyond,” Loyola University Chicago School of Law, Chicago, IL, October 2024.
- “The Importance of Fundamental Principles for Living Together,” Markets and Society Conference, panel on David Schmidtz, *Living Together: Inventing Moral Science*, Mercatus Center, George Mason University, Falls Church, VA, October 2024.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of North Dakota Law School, Grand Forks, ND, October 2024.
- “Legislative and Judicial Approaches to Curbing Exclusionary Zoning,” Panel on “How Policy Changes Can Address Incursions on Property Rights Where Courts Have Failed to Do So?” Symposium on “Too Far: Imagining the Future of Regulatory Takings,” Pacific Legal Foundation, George Mason University, Arlington, VA, October 2024.
- “Immigration is Not Invasion,” Georgetown University Law Center, Washington, DC, October 2024 (debate with former Arizona Attorney General Mark Brnovich).
- “The Case for Immigration,” Panel on “Demography and Destiny,” Philadelphia Society Fall Meeting, McLean, VA, September 2024.
- “Immigration is Not Invasion,” Panel on Border Litigation, Federalist Society Texas Chapters Conference, Fort Worth, TX, September 2024.
- “A Lost Opportunity to Protect Democracy Against Itself: What the Supreme Court Got Wrong in *Trump v. Anderson*,” Constitution Day panel on “Novel Constitutional Issues,” Cato Institute, Washington, DC, September 2024.
- “The Constitutional Case Against Exclusionary Zoning,” Washington DC-area Property Scholars Seminar, American University, Washington, DC, August 2024.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Vinson Centre for the Economy and Entrepreneurship, University of Buckingham, Buckingham, United Kingdom, July 2024.
- “The Case Against Nationalism,” University of Miami British Politics and Policy Seminar, London, United

Kingdom, July 2024.

- “The Case Against Nationalism,” King’s College, London, United Kingdom, July 2024.
- “Immigration and the Economic Freedom of Natives,” Institute of Economic Affairs, London, United Kingdom, July 2024.
- “Immigration is Not Invasion,” Panel on “Law and Order at the Border?,” Executive Branch Review Conference, Federalist Society, Washington, DC, April 2024.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Sloan School of Management, Massachusetts Institute of Technology, Cambridge, MA, April 2024.
- “Takings, the Police Power, and the Right to Use,” Conference on “The Origins, Justification, and Implications of the Right to Property,” Sturm College of Law, University of Denver, Denver, CO, April 2024.
- “The Criminal Cases Against Trump,” Scalia Law School, George Mason University, Arlington, VA, April 2024 (sponsored by the George Mason Criminal Law Society).
- “Economics of the Constitutional Case Against Exclusionary Zoning,” Law and Economics Seminar, Boston University School of Law, Boston, MA, March 2024.
- “The Constitutional Case Against Exclusionary Zoning,” Boston University School of Law, Boston, MA, March 2024 (with commentary by Prof. Gary Lawson).
- “Rights and Wrongs of State Preemption of Local Government Policy,” University of North Carolina Law School, Chapel Hill, NC, February 2024 (debate with Prof. Rick Su).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Case Western Reserve University School of Law, Cleveland, OH, February 2024.
- “Sanctuary States of the Left and Right: A Defense of Liberal Immigration Sanctuaries and Conservative Gun Rights Sanctuaries,” University of Michigan Law School, Ann Arbor, MI, February 2024.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Ross School of Business, University of Michigan, Ann Arbor, MI, February 2024.
- “In Defense of the Major Questions Doctrine,” University of Dayton School of Law, Dayton, OH, February 2024 (debate with Prof. Christopher Roederer).
- “The Case Against Nationalism,” Competitive Enterprise Institute, Washington, DC, January 2024.
- “The Case for Disqualifying Trump Under Section 3 of the 14th Amendment,” Brigham Young University Law School, Provo, UT, January 2024.
- “Empowering Hispanics to Vote with their Feet,” Commentator, Annual Frankel Lecture, University of Houston Law Center, Houston, TX, November 2023.
- “Section 3 Disqualification as a Democracy-Protecting Constraint on Democracy,” Conference on “Section 3, Insurrection, and the 2024 Election,” University of Minnesota Law School, Minneapolis, MN, October 2023.
- “The Constitutional Case Against Exclusionary Zoning,” Pacific Legal Foundation symposium on “Rethinking *Penn Central*,” Williamsburg, VA, October 2023.
- “Affirmative Action and Color-Blindness After *Harvard v. SFFA*,” William and Mary Law School, Williamsburg, VA, October 2023.
- “Has the Supreme Court Gone Rogue? Debating Supreme Court Politicization,” Scalia Law School, George Mason University, October 2023 (debate with Prof. Eric Segall) (sponsored by the American Constitution Society and the Federalist Society).
- “The Meaning of ‘Property’ Under the Takings Clause,” Vanderbilt Law School, Nashville, TN, October 2023.
- “Regulating Supreme Court Ethics,” Georgetown University Law Center, Washington, DC October 2023.
- “Supreme Court Review and Preview,” NYU Law Forum, panel on previous and upcoming Supreme Court terms, New York University School of Law, New York, NY, September 2023.
- “Unpacking Judicial Reform in Israel,” Duke Law School, Durham, NC, September 2023.
- “Immigration and Political Ignorance,” George Mason University, Fairfax, VA, September 2023 (Sponsored by the Schar School Jurisprudence Learning Community and the International Relations Policy Task Force).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Panel on New Books in Constitutional Law, Association of American Law Schools, July 2023 (virtual event).
- “The Promise of Private Migrant Sponsorship,” panel on “Private Sponsorship: Revolution in Immigration Policy,” Cato Institute, Washington, DC, June 2023.
- “The Constitutional Case Against ‘Diversity’ Racial Preferences in Higher Education,” Symposium on “The Scales of Justice Tilt Right: Abortion, Affirmative Action, and the Administrative State,” Drake University Law School,

Des Moines, IA, April 2023.

- “Abortion and Federalism After *Dobbs*,” Drake University Law School, Des Moines, IA, April 2023.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Supreme Court Historical Society, Washington, DC, April 2023 (talk at airing of the film *Little Pink House*).”
- “No More Travel Bans and Double Standards: Rethinking the Constitutional Law of Immigration,” Duke Law School, Durham, NC, April 2023.”
- “The Case Against Biden's Student Loan Forgiveness Program,” panel on Student Loan Forgiveness, conference on “The Roberts Court and the Future of the Administrative State,” University of Pennsylvania Carey Law School, Philadelphia, PA, March 2023 (Sponsored by UPenn Federalist Society).
- “Opening the Golden Door: The Case for Ending Migration Restrictions,” University of Michigan Law School, Ann Arbor, MI, March 2023.
- “The Case Against Court-Packing,” Panel on “Reflections on Judicial Independence and Integrity,” *Loyola Law Review* Symposium on “The Article III Judiciary: Developments and Challenges,” Loyola University New Orleans, College of Law, New Orleans, LA, March 2023.
- “The Case Against Common Good Constitutionalism,” Scalia Law School, George Mason University, Arlington, VA, March 2023 (presentation at panel sponsored by the George Mason Federalist Society).
- “How Federalism Can Promote Unity by Empowering Diversity,” panel on “Does Federalism Lead to a More United or Disunited Democracy?” Federalist Society National Student Symposium, University of Texas at Austin, Austin, TX, March 2023.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Salem Center for Policy, McCombs School of Business, University of Texas at Austin, Austin, TX, March 2023.
- “The Supreme Court and the Major Questions Doctrine,” panel on “Examining the Court's Recent Activity,” symposium on “Understanding Constitutional Law: Perspectives From the Left, Right, and Center,” Francis King Carey School of Law, University of Maryland, Baltimore, MD, February 2023.
- “Judicial Review, Political Ignorance, and Voting With Your Feet,” Constitution Symposium lecture, Bellarmine University, Louisville, KY, February 2023.
- “The Case for Libertarianism,” Northwestern University School of Law, Chicago, IL, February 2023 (debate with Prof. Andrew Koppelman).
- “Biden's Loan Forgiveness Plan as a Trumpian Abuse of Emergency Powers,” Cornell Law School, Ithaca, NY, February 2023 (debate with Prof. Michael Dorf).
- “Liberty in Science Fiction and Fantasy,” Institute for Liberal Studies, Ottawa, Canada, February 2023 (virtual event).
- “Migration Rights and Refugee Crises,” Scalia Law School, George Mason University, Arlington, VA, January 2023 (sponsored by the Amherst College Alumni Association).
- “The Future of Legal Education,” Panel on “Higher Education and the Law,” Georgetown University Law Center, Washington, DC, January 2023 (Co-sponsored by the Coke Inn, Georgetown University Law Center, the Georgetown Center for the Constitution, and ICAP).
- “The Rise, Fall, and Return of Constitutional Property Rights,” panel on “Rights in the Present,” Conference on “The Future of Rights: Frameworks, Trends, and Alternative Visions,” Law and Liberty Center, George Mason University, November 2022 (co-sponsored by the Sunwater Institute).
- “A Major Question of Power: The Supreme Court's Vaccine Mandate Rulings and the Limits of Executive Authority,” Georgetown University, Washington, DC, November 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Faculty of Law, University of Calgary, Calgary, Alberta, Canada November 2022.
- “Limiting Judicial Discretion by Expanding the Anti-Canon,” panel on “Controlling the Court through Precedent,” conference on “Controlling the Court: Now and Far into the Future,” University of Wisconsin Law School, Madison, WI, October 2022.
- “Is Judicial Review Inherently Conservative?” University of Wisconsin Law School, Madison, WI, October 2022 (Debate with Prof. Joshua Braver).
- “Emergency Powers and the Constitution: Lessons of the Covid Experience,” S.C. Johnson College of Business,

Cornell University, October 2022.

- “Migration Rights and the Russia-Ukraine War: The Case for Opening Western Doors to Ukrainian Refugees and Russians Fleeing Putin's Tyranny,” Cornell Law School, Ithaca, NY, October 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Osher Lifelong Learning Institute, George Mason University, Fairfax, VA, September 2022 (virtual event).
- “Human Rights and the War in Ukraine,” Symposium on “Fallout and Repercussions of the Russia-Ukraine Crisis,” Scalia Law School, George Mason University, Arlington, VA, September 2022.
- “A Major Question of Power: The Vaccinate Mandate Cases and the Limits of Executive Authority,” Constitution Day Panel on “Constitutional Structure,” Cato Institute, Washington, DC, September 2022.
- “Immigration and Judicial Review,” panel on “The Expanding Mandate: Immigration and the Courts,” Bipartisan Policy Center, Washington, DC, August 2022 (virtual event).
- “Constitutional Law Update: The 2021-22 Supreme Court Term,” Florida Conference of Circuit Judges, Naples, FL, August 2022 (annual convention of Florida state judges).
- “Top-Down and Bottom-Up Solutions to the Problem of Political Ignorance,” Symposium on “Experts, Citizens, and Knowledge Problems in Democracy,” Centre for the Study of Governance and Society, King’s College, London, United Kingdom, June 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Institute of Economic Affairs, United Kingdom, June 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Centre for the Study of Governance and Society, King’s College, London, United Kingdom, May 2022.
- “Is the Supreme Court Politicized?” conference on “The Politicization of SCOTUS in the 2021-22 Term” Siena College, Loudonville, NY, April 2022.
- “Immigration Under Biden,” conference on “Immigration in the Biden Era,” UC Davis School of Law, Davis, CA, April 2022 (keynote).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Coastal Carolina University, Conway, SC, April 2022.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Kelley School of Business, University of Indiana, Bloomington, IN, April 2022 (sponsored by the Adam Smith Society).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Columbia Law School, New York, NY, April 2022.
- “Immigration and the Economic Liberty of Natives,” PPE Workshop, McDonough School of Business, Georgetown University, Washington, DC, March 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” American Enterprise Institute, Washington, DC, March 2022.
- “Guns, Takings, and Property Rights,” panel on “Private Property and Gun Regulation.” Conference on “Privatizing the Gun Debate,” Duke Law School, Durham, NC, March 2022.
- “How Protecting Property Rights Helps Minorities and the Poor,” Duke Law School, Durham, NC, March 2022.
- “The Case for ‘Normal’ Judicial Review of the Exercise of Emergency Powers,” Edmonton Legal Forum, Edmonton, Alberta, Canada, March 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” University of Alberta. Edmonton, Alberta, Canada, March 2022 (co-sponsored by the Runnymede Society).
- “Justice and the Russia-Ukraine War,” panel on “Justice, International Law, and the War in Ukraine.” Scalia Law School, George Mason University, Arlington, VA, March 2022.
- “Vaccine Passports as a Constitutional Right,” faculty workshop, Georgetown University Law Center, Washington, DC, March 2022 (with Kevin Cope).
- “Foot Voting, Ballot Box Voting, and Rational Ignorance,” Panel on “The Rationality of Voting,” American Philosophical Association, Central Division Annual Meeting, Chicago, IL, February 2022.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” University of Wisconsin Law School, Madison, WI, February 2022.
- “Federalism and Freedom,” Seminar on “Modern Conservative Legal Thought,” Boston College Law School, Boston, MA, February 2022 (virtual event).
- “Nondelegation Limits on Covid Emergency Powers: Lessons from the Eviction Moratorium and Title 42

Cases,” Panel on “Covid and the Feds: Moratoria, Mandates, and More,” NYU Journal of Law and Liberty/Pacific Legal Foundation Symposium on Emergency Powers, Washington, DC, February 2022.

- “Free to Move: Foot Voting, Migration, and Political Freedom,” Centre for Research in Economic Sociology and Innovation, University of Essex, Colchester, UK, February 2022 (virtual event).
- “Immigration and the Economic Liberty of Natives,” Symposium on “The Moral, Empirical, and Constitutional Foundations of Immigration Law and Policy,” New York University School of Law, New York, NY, January 2022 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Georgetown University Law Center, Washington, DC, January 2022 (virtual event).
- “Voting With Your Feet: How Freedom to Move Can Improve Governance,” R Street Institute, Washington, DC, January 2022 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Institute for Humane Studies, Arlington, VA, December 2021 (virtual event).
- “No More Travel Bans: Rethinking the Constitutional Law of Immigration,” Yale Law School, New Haven, CT, November 2021 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Schwerten Foundations of Freedom Lecture, University of Portland, Portland, OR, October 2021 (annual lecture) (sponsored by the University of Portland Department of Political Science and Global Affairs).
- “*Cedar Point Nursery v. Hassid* and the Future of the Takings Clause,” William and Mary Law School, Williamsburg, VA, September 2021 (virtual event).
- “Immigration and the Constitution,” Center for American Studies, Christopher Newport University, Newport News, VA, September 2021 (Constitution Day debate with Ilya Shapiro).
- “How Judicial Review Can Help Empower People to Vote with their Feet,” conference on “Does the Will of the People Exist,” George Mason University, September 2021 (co-sponsored by Institute for Justice and Center for Law and Liberty).
- “Designing Federal Systems for Foot Voting,” Conference on “The Philosophy of Federalism,” MANCEPT Workshops, University of Manchester, Manchester, United Kingdom, September 2021 (virtual event).
- “The Case Against Court-Packing – and For Judicial Term Limits,” Panel on “Reorganizing, Restructuring, and Reforming the Federal Courts,” Southeastern Association of Law Schools, annual conference, Amelia Island, FL, July 2021.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” lecture series on “New Frontiers in Law and Economics,” Bucerius Law School, Hamburg, Germany, June 2021 (virtual event).
- “How to Publish an Academic Book,” Institute for Humane Studies, Arlington, VA, June 2021 (virtual event).
- “The Case for Stronger Constitutional Federalism,” Panel on State Sovereignty or Fair-Weather Federalism, Federalist Society Executive Branch Review Conference, Washington, DC, May 2021 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” CSI Lecture Series, City University of New York, New York, NY, March 2021 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” University of Iowa College of Law, March 2021 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” New York University School of Law, New York, NY, February 2021 (with comments by Prof. Richard Epstein and Prof. Roderick Hills) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Israel Liberty and Law Forum, Jerusalem, Israel, February 2021 (with comments by Prof. Joshua Segev) (virtual event).
- “Assessing the Second Impeachment of Trump,” Center for Law and Liberty, Scalia Law School, George Mason University, Arlington, VA, February 2021 (debate with Eugene Kontorovich) (virtual event).
- “The Second Impeachment of Donald Trump,” Indiana University, McKinney School of Law, Indianapolis, IN, February 2021 (virtual event).
- “Court Packing and Other Judicial Reforms,” Panel on “Supreme Court Packing and Judicial Reform: Proposals and Prospects,” Committee for Justice, Washington, DC, February 2021 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Harvard Law School, Cambridge, MA, February 2021 (sponsored by the Harvard Crimmigration Clinic) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Osher Lifelong Learning Institute, University of California San Diego, San Diego, CA, January 2021 (virtual event).

- “Why Growing Government is a Greater Menace than Growing Economic Inequality,” seminar on “Libertarianisms,” (with Prof. Andrew Koppelman), Northwestern University, Pritzker School of Law, Chicago, IL, January 2021 (virtual event).
- “Trust and Political Ignorance,” Conference on “Trust: A Philosophical Approach,” University of Pisa, Pisa, Italy, December 2020 (virtual event).
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” class on Public Economics, Central Michigan University, Mt. Pleasant, MI, November 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Institute of Economic Affairs, London, United Kingdom, November 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Panel on “Vote With Your Hands or Your Feet?” Jean Beer Blumenthal Center for Ethics, Georgia State University, Atlanta, GA, October 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Federalist Society Lawyers Division Chapter, Evansville, IN, October 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” R Street Institute, Washington, DC, October 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Columbia Law School, New York, NY, October 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Kennedy School of Government, Harvard University, Cambridge, MA, October 2020 (with commentary by Harvard Prof. Edward Glaeser) (Co-sponsored by the Taubman Center for State and Local Government and the Rappaport Center for Greater Boston) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” panel on “Federalism, Liberty, and Public Health,” conference on “Federalism on Trial: Lessons From Covid-19,” Center for Constitutional Studies, Utah Valley University, Orem, UT, October 2020 (virtual event).
- “The Case for Stronger Judicial Enforcement of Constitutional Limits on Federal Power,” Georgia State University College of Law, Atlanta, GA, October 2020 (virtual event).
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Institute for Liberal Studies, Ottawa, Canada, October 2020 (virtual event).
- “The Free Market Conservative Case for Open Borders,” Arizona State University, Phoenix, AZ, October 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Duke University School of Law, Durham, NC, October 2020 (co-sponsored by the Duke Federalist Society, Duke Political Science Department, the Duke Program in American Values and Institutions, and the Duke FOCUS Program) (with commentary by Prof. Guy-Uriel Charles) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Cornell Law School, Ithaca, NY, October 2020 (with commentary by Prof. Stephen Yale-Loehr) (virtual event).
- “The Case for ‘Normal’ Judicial Review of Emergency Measures,” Lawyers Division Chapter, Federalist Society, San Juan, Puerto Rico, September 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” class on “Migration,” University of Virginia, Charlottesville, VA September 2020 (with commentary by Prof. David Leblang) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Miller Center for Public Affairs, University of Virginia, Charlottesville, VA September 2020 (with commentary by Prof. David Leblang) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Yale Law School, New Haven, CT, September 2020 (virtual event) (with commentary by Yale Law School Dean Heather Gerken).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Conference on Law, Technological Institute of Monterrey, Monterrey, Mexico, September 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Faculty of Law, University of Alberta, Edmonton, Alberta, Canada, September 2020 (co-sponsored by Runnymede Society) (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Panel on “Crossing Borders,

Breaking Borders: New Ideas About Migration, Secession, and Political Freedom,” co-sponsored by the Indiana University Maurer School of Law, Bloomington, IN, and the Law and Economics Center, George Mason University, Arlington, VA, September 2020 (virtual event).

- “Constitutional Limits on Executive Power Over Immigration,” panel on “Executive Power and Immigration,” annual Constitution Day event, Center for Policy Studies, Case Western Reserve University, Cleveland, OH, September 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Book Forum, Cato Institute, Washington, DC, August 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Seminar on Law, Economics and Regulation, University of Torcuato Di Tella, Buenos Aires, Argentina, August 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Pacific Legal Foundation, Arlington, VA, July 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Niskanen Center, Washington, DC, July 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Institute for Humane Studies, Arlington, VA, June 2020 (virtual event).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Oxford University Hayek Society, Oxford, United Kingdom, June 2020 (co-sponsored by Students For Liberty UK) (virtual appearance).
- “The Grasping Hand: Kelo v. City of New London and the Limits of Eminent Domain,” guest lecture in Property class, Georgetown University Law Center, Washington, DC, April 2020 (virtual appearance).
- “Assessing Post-Kelo Eminent Domain Reform,” guest lecture in class on “How to Regulate,” Georgetown University Law Center, Washington, DC, April 2020 (virtual appearance).
- “Congress, the President, and the Power to Initiate War,” Panel on War Powers, Conference on “Presidential Powers Under the Constitution,” Washington College of Law, American University, March 2020.
- “Federalism and Sanctuary Cities,” Panel on “Federalism and Sanctuary Cities,” Duke University School of Law, Durham, NC, March 2020 (Co-sponsored by the Federalist Society, American Constitution Society, and the Duke Immigrant and Refugee Project).
- “The Future of Agency Deference,” Panel on “Agency Deference After *Kisor v. Wilkie*,” Georgetown University Law Center, Washington, DC, March 2020.
- “The Second Amendment Returns to the Supreme Court,” Panel with Clark Neily, Georgetown University Law Center, Washington, DC, February 2020.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Panel on Works in Progress, Federalist Society Annual Faculty Conference, Washington, DC, January 2020.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Conference on “The Ethics of Democracy,” McDonough School of Business, Georgetown University, Washington, DC, November 2019.
- “The Original Meaning of ‘Public Use,’” Panel on “Originalism and Constitutional Property Rights,” Federalist Society National Lawyers Convention, Washington, DC, November 2019.
- “The Case for Sanctuary Cities,” Panel on “The Wisdom and Legality of Sanctuary Cities,” Federalist Society National Lawyers Convention, Washington, DC, November 2019.
- “Eminent Domain, Zoning, and Dispossession,” Conference on “Dispossessing Detroit: How the Law Takes Property,” University of Michigan Law School, Ann Arbor, MI, November 2019 (sponsored by the *Journal of Law Reform*).
- “The Constitution and Executive Power Over Immigration,” George Washington University Law School, Washington, DC, October 2019 (debate with Ilya Shapiro).
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Symposium on Case Studies in Self-Governance, Center for the Study of Governance and Society, King’s College, London, United Kingdom, October 2019.
- “How Political Decentralization Can Increase Freedom and Happiness,” Institute of Economic Affairs, London, United Kingdom, October 2019.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Programme for the Foundations of Law and Constitutional Government, Jesus College, Oxford University, Oxford, United Kingdom, October 2019.
- “The Border Wall Litigation and the Power of the Purse,” Widener University Delaware Law School, Wilmington,

DE, October 2019.

- “Federalism and the War on Drugs,” University of Kentucky College of Law, Lexington, KY, September 2019.
- “*Knick v. Township of Scott*: Ending a Catch-22 that Barred Takings Cases from Federal Court,” Constitution Day Panel on “Antitrust, Property Rights, and the Census,” Cato Institute, Washington, DC, September 2019.
- “Free to Move: Foot Voting, Migration, and Political Freedom,” Stranahan Lecture (annual lecture series), College of Law, University of Toledo, Toledo, OH, September 2019.
- “Trump and the Weaknesses of Our Constitutional System,” Panel on “Trump, Constitutional Crisis, and American Democracy,” American Political Science Association Annual Meeting, Washington, DC, August 2019.
- “Democracy and Political Ignorance,” Conference on “Ignorance and Irrationality in Politics,” University of Nottingham, Nottingham, United Kingdom, June 2019.
- “Democracy and Political Ignorance,” LUISS School Of Government, Rome, Italy, May 2019.
- Discussion participant, International conference on “Procedural Protections for Property Rights,” European Research Council, Rome, Italy, May 2019
- Discussion participant, Zoning Innovation Knowledge Lab, Next 50 Change Makers Forum, Urban Institute, Washington, DC, May 2019.
- “Free to Move: Foot Voting and Political Freedom,” Conference on “The Travails of Liberal Democracy,” Institute for Law and Philosophy/Institute for Law and Religion, University of San Diego School of Law, San Diego, CA, May 2019.
- “Constraining Emergency Powers,” panel on “A Real Emergency: Executive Power Under the National Emergencies Act,” Cato Institute, March 2019 (co-sponsored by the American Constitution Society).
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Coles School of Business, Kennesaw State University, Kennesaw, GA, March 2019 (lecture series sponsored by the Bagwell Center for the Study of Markets and Opportunity).
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Coles School of Business, Kennesaw State University, Kennesaw, GA, March 2019 (lecture series sponsored by the Bagwell Center for the Study of Markets and Opportunity).
- “Free to Move: Reforming Zoning to Empower Americans to Vote with their Feet,” New York University School of Law, New York, NY, March 2019 (with commentary by Prof. Vicki Been).
- “Federalism, Executive Power, and the Sanctuary Cities Cases,” Panel on “Unilateral Presidential Lawmaking,” Conference on “Reclaiming and Restoring Constitutional Norms,” University of Texas School of Law, Austin, TX, February 2019.
- “Severability and the New Obamacare Case,” Panel on “Sense and Severability,” American Enterprise Institute, Washington, DC, February 2019.
- “The Harvard Case and the Future of Affirmative Action,” Georgia State University College of Law, Georgia State University College of Law, Atlanta, GA, January 2019 (Debate with Prof. Eric Segall).
- “The Case for Stronger Judicial Enforcement of Federalism,” Georgia State University College of Law, Atlanta, GA, January 2019 (debate with Prof. Neil Kinkopf).
- “Why the Supreme Court Got the Travel Ban Decision Wrong,” Charles Widger School of Law, Villanova University, Villanova, PA, November 2018 (debate with Prof. Michael Moreland).
- “The Continuing Relevance of the Founders’ View of Federalism,” Annual Meeting of the Wisconsin Judicial Conference, Lake Geneva, WI, October 2018.
- “The Case Against Repealing the 17th Amendment,” Georgetown University Law Center, Washington, DC, October 2018 (debate with Prof. Todd Zywicki).
- “Rethinking the Scope of Federal Power Over Immigration,” LeFrak Forum on Science, Reason and Modern Democracy, Michigan State University, Lansing Michigan, October 2018 (Conference on “A 21st Century Immigration Policy for the West”).
- “Justice Kennedy on Federalism and Separation of Powers,” Panel on Federalism and Separation of Powers, Georgia State University College of Law, Atlanta, GA, October 2018 (Conference on “The Swing Justice: Reflections on the Career of Justice Anthony Kennedy”).
- “Why the Supreme Court Should Put an End to the *Williamson County* Catch-22,” Scalia Law School, George

Mason University, Arlington, VA, October 2018 (panel on *Knick v. Township of Scott*).

- “Foot Voting and Political Freedom,” Kadish Workshop in Law, Philosophy, and Political Theory, University of California at Berkeley, Berkeley, CA, September 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Law School, University of California at Berkeley, Berkeley, CA, September 2018.
- “Foot Voting and the Evolution of American Federalism,” Panel on The Evolution of Federalism, Constitution Day Federalism Conference, Center for Constitutional Studies, Utah Valley University, Orem, UT, September 2018.
- “The Legal and Political and Political Battle over Pipeline Takings,” Panel on Pipelines and Eminent Domain, Rayburn House Office Building, Niskanen Center, September 2018
- “Trump and the Future of American Federalism,” Panel on “Trump: Is He Good or Bad for America's Federal System?” American Political Science Association Annual Meeting, Boston, MA, September 2018.
- “Reflections on Democracy and Political Ignorance,” Panel on “Democracy and Libertarianism: Friends or Foes?,” American Political Science Association Annual Meeting, Boston, MA, August 2018.
- “Judicial Review and the Administrative State,” Panel on “Courts and the Administrative State,” 2018 Second Circuit Judicial Conference, Saratoga Springs, NY, June 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Bruno Leoni Institute, Milan, Italy, June 2018 (appearance by Skype).
- “Free Speech on Campus,” Cato Institute, Washington, DC, March 2018 (commentary on KEITH WHITTINGTON, SPEAK FREELY: WHY UNIVERSITIES MUST DEFEND FREE SPEECH (2018)).
- “Democracy and Political Ignorance,” Conference on “Public Journalism and Deliberative Democracy,” Center for Narrative and Conflict Resolution, George Mason University, Arlington, VA, March 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Donald J. Sutherland Lecture, Hofstra University, Hempstead, NY, March 2018 (annual lecture series).
- “The Case for Expanding the Free Movement of Labor,” conference on “Freedom vs. Fairness: The Tension Between Free Market and Populist Ideals in Labor,” New York University School of Law, February 2018.
- “Free to Move: Foot Voting and Political Freedom,” Faculty of Law, Hitotsubashi University, Tokyo, Japan, February 2018.
- “Why the Travel Ban is Illegal and Unconstitutional,” Debate on the Travel Ban, Fordham University School of Law, New York, NY, February 2018.
- “The Free Market Conservative Case for Open Borders,” Columbia Law School, New York, NY, February 2018.
- “Why Progressives Should Help Make Constitutional Federalism Great Again,” Keynote Speech, Symposium on “US v. Oregon: Examining the Role of Federalism Under the Trump Administration,” Willamette University College of Law, February 2018.
- “Federalism and Sanctuary Cities,” Portland Federalist Society, Lawyers Division, Portland, OR, February 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Center for the Study of Political Economy, Hampden-Sydney College, Hampden Sydney, VA, January 2018.
- “Federalism, Foot Voting, and Political Ignorance,” Quinnipiac University School of Law, North Haven, CT, January 2018.
- “Federalism and Sanctuary Cities,” Panel on “Federalism and Sanctuary Cities,” Association of American Law Schools Annual Meeting, January 2018 (panel organizer).
- “Foot Voting, Decentralization, and Development,” Federalist Society Annual Faculty Conference, San Diego, CA, January 2018.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Clinton School Speaker Series, Clinton School of Public Service, University of Arkansas, Little Rock, AR, December 2017.
- “The Case for Stronger Judicial Enforcement of Constitutional Limits on Federal Power,” Conference on “Hamilton’s Vision: Federalism, National Authority, and Judicial Review,” National Constitution Center, Philadelphia, PA, November 2017 (educational program for federal judges sponsored by the Federal Judicial Center).
- “Prospects for Cross-ideological Cooperation on Constitutional Federalism,” Panel on “Is Everyone for Federalism Now?” Federalist Society National Lawyers Convention, Washington, DC, November 2017.
- “Property Rights and the Constitution,” School of Public and International Affairs, North Carolina State

University, Raleigh, NC, November 2017.

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

Faculty, University of Hong Kong, Hong Kong, China, March 2017 (co-sponsored by the Classical Liberal Institute, New York University).

- “The Libertarian Case Against Trumpist Nationalism,” New York University School of Law, New York, NY, March 2017.
- “Trump, Federal Power, and the Left: How Liberals Can Help Make Federalism Great Again,” S.J. Quinney College of Law, University of Utah, Salt Lake City, UT, March 2017.
- “Trump, Federal Power, and the Left: How Liberals Can Help Make Federalism Great Again,” Lawyers Division Chapter, Federalist Society, Salt Lake City, UT, March 2017.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Capital University Law School, Columbus, OH, February 2017.
- “The Free Market Conservative Case for Open Borders Immigration,” Moritz College of Law, Ohio State University, Columbus OH, February 2017.
- “The Original Scope of State and Federal Power Over Immigration,” Originalism Works-in-Progress Conference, Center for the Study of Originalism, University of San Diego, San Diego, CA, February 2017.
- “The Moral Case for Increasing Immigration,” Conference on Immigration Reform, Reason Foundation, Washington, DC, January 2017.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of Chicago Law School, Chicago, IL, January 2017 (debate with Prof. Michael Pollack).
- “Political Ignorance and its Challenge to Democracy,” Duke University School of Law, Durham, NC, January 2017 (debate with Prof. Pope McCorkle).
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Washington and Lee University School of Law, Lexington, VA, January 2017.
- “Why there is no General Federal Power Over Immigration,” Panel on Federal Power Over Immigration, Association of American Law Schools Annual Meeting, January 2017 (panel organizer).
- “Some Troubling Implications of *Fisher v. University of Texas II*,” Panel on Responding to *Fisher v. Texas*, Association of American Law Schools Annual Meeting, January 2017.
- “The Original Scope of Federal Power Over Immigration,” Federalist Society Annual Faculty Conference, San Francisco, January 2017.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Recent Books on the Constitution Seminar, Georgetown University Law Center, Washington, DC, November 2016.
- “Assessing Scalia’s Takings Clause Jurisprudence,” panel on Justice Scalia’s Property Rights Jurisprudence, Federalist Society National Lawyers Convention, Washington, DC, November 2016.
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” Connecticut Supreme Court Historical Society, Hartford, CT, November 2016.
- “The Grasping Hand: *Kelo v. City of New London* and the Limits of Eminent Domain,” Northwestern University School of Law, Chicago, IL, October 2016.
- “The Free Market Conservative Case for Open Borders Immigration,” DePaul University College of Law, Chicago, IL, October 2016.
- “*Fisher v. University of Texas II* and the Future of Affirmative Action in Higher Education,” John Marshall Law School, Chicago, IL, October 2016.
- “Democracy and Political Ignorance,” Forum on “Is Democracy in Crisis?” Institute of Politics, Kennedy School of Government, Harvard University, Cambridge, MA, October 2016.
- “The Use and Abuse of Eminent Domain in the United States,” Brigham-Kanner Conference on Property Rights, The Hague, The Netherlands, October 2016.
- “The Free Market Conservative Case for Open Borders Immigration,” University of Colorado Law School, October 2016.
- “The Constitution and the the Power to Initiate War,” Steve and Guido Calabresi Debate on Constitutional Law, Yale Law School, New Haven, CT, September 2016.
- “*Army Corps of Engineers v. Hawkes* and the Future of Property Rights,” Cato Institute Constitution Day, Panel on Property Rights, Cato Institute, September 2016.
- “Immigration and Executive Power,” George Mason University, Scalia Law School, Arlington, VA, September 2016 (debate with Josh Blackman).
- “Democracy and Political Ignorance: Why Smaller Government is Smarter,” University of Pennsylvania Law

School, September 2016.

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

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

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

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

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

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

- “The Tea Party and Popular Constitutionalism,” panel on The Constitutional Politics of the Tea Party Movement, American Association of Law Schools Conference, San Francisco, CA, January 2011.
- “Causes and Consequences of the Lack of Ideological Diversity in Legal Academia,” panel on Ideological Diversity and Discrimination in American Law Schools, American Association of Law Schools Conference, San Francisco, CA January 2011.
- “Rationality and Political Ignorance,” New York University Department of Economics, New York, NY, December 2010.
- “The Political and Judicial Reaction to *Kelo*,” University of Illinois Law School Colloquium on Constitutional Theory, History, and Law, Champaign, IL, November 2010.
- “Why the Individual Health Care Mandate is Unconstitutional,” Duke University School of Law, Durham, NC, November 2010.
- “Why the Individual Health Care Mandate is Unconstitutional,” University of Florida Law School, Gainesville, FL, November 2010.
- “Going to Pot: Federalism and the War on Drugs,” Michigan State University Law School, Lansing, MI, October 2010 (debate with Judge Landis Lain).
- “Federalism and the War on Drugs,” Thomas M. Cooley Law School, Lansing, MI, October 2010.
- “Federalism and Constitutional Property Rights,” *University of Chicago Legal Forum* Symposium on Governance and Power, University of Chicago Law School, Chicago, IL, October 2010.
- “Public Opinion and Prospects for Reform of Overcriminalization,” Conference on Overcriminalization 2.0, Georgetown University, Washington, DC, October 2010.
- “The Grasping Hand: Takings and Property Rights Since *Kelo v. City of New London*,” Lewis & Clark Law School, Portland, OR, October 2010.
- “Taking Stock of *Comstock*: The Necessary and Proper Clause and the Limits of Federal Power,” Annual Supreme Court Review Conference, Cato Institute, Washington, DC, September 2010.
- “The State of the Supreme Court,” American Constitution Society Panel on the 2009-10 Supreme Court term, University of Pennsylvania Law School, Philadelphia, PA, September 2010.
- “Deliberative Democracy and Political Ignorance,” University of Santo Tomas, Santiago, Chile, August 2010.
- “Deliberative Democracy and Political Ignorance,” University of Torcuato Di Tella, Buenos Aires, Argentina, July 2010.
- “Customary International Law and the Political Economy of the Alien Tort Claims Statute,” Northwestern University School of Law, Chicago, IL, April 2010 (with John O. McGinnis).
- “The Constitutionality of the Individual Health Care Mandate,” Notre Dame Law School, South Bend, IN, April 2010.
- “*Kelo* and Post-*Kelo* Eminent Domain Reform,” University of Chicago Law School, Chicago, IL, February 2010 (debate with Saul Levmore).
- “Democracy and Political Ignorance,” Levy Seminar, George Mason University School of Law, February 2010.
- “Federalism and the Economic Crisis,” Federalist Society National Lawyers Convention, Washington, DC, November 2009.
- “Localism and Democracy,” Constitution in 2020 Conference, Yale Law School, New Haven, CT October 2009.
- “Foot Voting, Political Ignorance and Constitutional Design,” Korea Institutional Economics Association Conference, National University, Seoul, Korea, August 2009.
- “Foot Voting, Political Ignorance and Constitutional Design,” Social Philosophy and Policy Center, Symposium on “What Should Constitutions Do?” Tampa, FL, April 2009.
- “The Art of Legal Blogging,” Panel on Legal Blogging, Princeton University Program in Law and Public Affairs, Princeton, NJ, April 2009.
- “*Kelo* and its Aftermath,” University of Florida Law School, Gainesville, FL, April 2009.
- “*Kelo* and its Aftermath,” Michigan State University Law School, Lansing, MI, March 2009.
- “Closing the Pandora’s Box of Federalism,” University of Cincinnati Law School, Cincinnati, OH, March 2009.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” University of Pennsylvania Ad Hoc Seminar, October 2008.

- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Boston University Law and Economics Seminar, Boston, MA, October 2008.
- “Competitive and Cooperative Federalism,” American Enterprise Institute Conference on the Future of Federalism, Washington, DC, September 2008.
- “Normative Implications of Political Ignorance,” Critical Review Conference on “Homo Politicus,” Boston, MA August 2008.
- “Taking Property Rights Seriously? The Supreme Court and the Poor Relation of Constitutional Law,” Conference on The Supreme Court: Contested Constitutional Doctrines, Michigan State University, Lansing, MI, March 2008.
- “Tiebout Goes Global: International Migration as a Tool for Voting With Your Feet,” University of Missouri Law School, Conference on Federalism and International Law, Columbia, MO, February 2008.
- “The Politics of Economic Development Takings,” Case Western Reserve University School of Law, Conference on Corporations and their Communities, Cleveland, OH, February 2008.
- “Democracy and International Human Rights Law,” Hebrew University Minerva Center for Human Rights, Jerusalem, Israel, November 2007.
- “Property Rights and Economic Development Takings Since *Kelo*,” Northwestern University School of Law, Chicago, IL, October 2007.
- “Federalism and Political Ignorance: The Informational Advantages of Voting with Your Feet,” IVR World Congress on Philosophy of Law and Social Philosophy, Cracow, Poland, August 2007.
- “The Case Against ‘Morals’ Regulation,” Federalist Society Conference on the Work of Judge Robert Bork, Washington, DC, July 2007.
- “Federalism and Political Ignorance: ‘The Informational Advantages of Voting with Your Feet,’” University of Torcuato Di Tella Conference on Law and Legal Philosophy, Buenos Aires, Argentina, June 2007.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Florida State University Law School, Conference on Eminent Domain, April 2007.
- “Can We Make the Constitution More Democratic?” Drake Law School, Conference on “Our Undemocratic Constitution,” Des Moines, IA, March 2007.
- “Federalism and Political Ignorance: The Informational Advantages of Voting with Your Feet,” University of California, Santa Cruz Economics Department, Conference on Federalism, Santa Cruz, CA, March, 2007
- “Congressional Authority to Limit Wartime Executive Power,” Federalist Society Academic Conference, Panel on Wartime Executive Power, Washington, DC, January 2007.
- “The Limits of Backlash: Assessing the Political Response to *Kelo*,” Northwestern University School of Law Constitutional Law Colloquium, Chicago, IL, January 2007.
- “The Problem of Political Ignorance,” ESEN University, San Salvador, El Salvador, Central American Conference on Law and Economics, October 2006.
- “Your Land is My Land: Eminent Domain After *Kelo*,” University of Pennsylvania Law School, Philadelphia, PA, October 2006.
- “Controlling the Grasping Hand: Economic Development Takings after *Kelo*,” Seminar on Environmental Policy and Land Use, Georgetown University Law Center, Washington, DC, October 2006.
- “A False Dawn for Federalism: Clear Statement Rules after *Gonzales v. Raich*,” Annual Supreme Court Review Conference, Cato Institute, September 2006.
- “Knowledge About Ignorance,” Latin American and Caribbean Law and Economics Association Conference, University of Torcuato di Tella Law School, Buenos Aires, Argentina, May 2006.
- “Democracy and Judicial Review,” University of Torcuato di Tella Law School, Buenos Aires, Argentina, May 2006.
- “I Want Your Land: Eminent Domain After *Kelo*,” Washington & Lee School of Law, September 2005.
- “The Politics of Ignorance,” Northwestern University School of Law, September, 2005.
- “Political Ignorance and the Role of Government in Society,” World Congress on Philosophy of Law and Social Philosophy, Granada, Spain, May 2005.
- “Democracy and Political Ignorance,” New York University Department of Economics, February 2005.
- “The Case for Banning Economic Development Takings,” American Association of Law Schools, Annual Conference, January 2005.

- “The Case for Banning Economic Development Takings,” Conference on Property Rights in the Twenty-First Century, New York University School of Law, November 2004.
- “Overruling *Poletown: County of Wayne v. Hathcock* and the Future of Public Use,” Conference on *County of Wayne v. Hathcock*, Michigan State University College of Law, November 2004.
- “Federalism vs. States’ Rights,” Legal Scholarship Workshop, University of Chicago Law School, October 2004.
- “When Ignorance is No Bliss,” Panel on “What’s Wrong with Voters?,” Cato Institute, Washington, DC, October 2004.
- “Political Ignorance and the War on Terror,” Critical Infrastructure Project Annual Conference, Fairfax, VA, September 2004.
- “Democracy and the Problem of Political Ignorance,” University of Hamburg Institute for Law and Economics, Hamburg, Germany, July 2004.
- Discussant, Panel on “Preventing Another Florida?” American Enterprise Institute conference on the Florida 2000 recount dispute, Washington, DC, June 2004 (aired on C-SPAN).
- “Federalism and the New Iraqi Constitution,” Panel on Federalism in Iraq, Cato Institute, Washington, DC, May 2004.
- “Closing the Pandora’s Box of Federalism: The Case for Strict Judicial Limits on the Spending Power,” Yale Law School, New Haven, CT, November 2003.
- “Political Ignorance and the 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

- *United States v. Abbott*, (5th Circuit 2024) (brief explaining why illegal migration and drug smuggling do not qualify as “invasion” under the Constitution) (amicus brief on behalf of the Cato Institute and myself) (en banc).
- *Trump v. Anderson*, U.S. Supreme Court (2024) (arguing that a criminal conviction is not necessary to disqualify Donald Trump from the presidency under Section 3 of the Fourteenth Amendment).
- *Texas v. Department of Homeland Security*, Southern District of Texas (2023) (defending legality of Cuba-Nicaragua-Venezuela-Haiti immigration parole program) (amicus brief on behalf of the Cato Institute, MedGlobal, and myself).
- *Huisha-Huisha v. Mayorkas*, D.C. Circuit (2022) (case challenging Title 42 expulsion of migrants on southern border) (amicus brief on behalf of the Cato Institute).
- *Knick v. Township of Scott*, 139 S.Ct. 2162 (2019) (amicus brief on behalf of the Cato Institute, the National Federation of Independent Business, the Southeastern Legal Foundation, the Beacon Center of Tennessee, the Reason Foundation).
- *Trump v. Hawaii*, 138 S.Ct. 2392 (2018) (amicus brief against the “travel ban” on behalf of a group of constitutional law professors).
- *Trump v. International Refugee Assistance Project*, (US Supreme Court 2017) (amicus brief on behalf of a group of constitutional law professors).
- *Murr v. Wisconsin*, 137 S.Ct. 1933 (2017) (amicus brief in important Takings Clause case, on behalf of nine state governments).
- *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015) (amicus brief arguing that laws banning same-sex marriage discriminate on the basis of sex, on behalf of legal scholars Stephen Clark, Andrew Koppelman, Sanford Levinson, Irina Manta, Erin Sheley, and myself) (coauthored with Andrew Koppelman).
- *Kenter v. City of Sanibel*, 750 F.3d 1274 (11th Cir. 2014) (amicus brief supporting petition for certiorari in case addressing status of property rights under the Due Process Clause, on behalf of the National Federation of Independent Business, the Cato Institute, Owners’ Counsel of America, and the Rutherford Institute).
- *Ilagan v. Ungacta*, (Guam 2012) (case challenging constitutionality of pretextual takings) (amicus brief on behalf of the National Federation of Independent Business, Becket Fund for Religious Liberty, Cato Institute, nine other organizations, and a group of constitutional law and property scholars supporting petition for certiorari).

- *NFIB v. Sebelius*, 132 S.Ct. 2566 (2012), (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and group of constitutional law scholars).
- *Colony Cove Properties, LLC v. City of Carson*, 640 F.3d 948 (9th Cir. 2011) (amicus brief on behalf of Cato Institute, National Federation of Independent Business, Institute for Justice, Goldwater Institute, and New England Legal Foundation supporting petition for certiorari to the Supreme Court).
- *Florida ex rel. Attorney General v. Department of Health and Human Services*, 648 F.3d 1235 (11th Cir. 2011). (11th Cir., 2011) (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and group of constitutional law scholars).
- *Thomas More Law Center v. Obama*, 651 F.3d 629 (6th Cir. 2011), (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and 11 members of Congress).
- *Tuck It Away, Inc. v. New York State Urban Development Corporation*, (N.Y. 2010) (case challenging constitutionality of pretextual blight condemnations in New York City) (amicus brief on behalf of Becket Fund for Religious Liberty, Cato Institute, and Institute for Justice supporting petition for certiorari to the Supreme Court).
- *Virginia ex rel. Cuccinelli v. Sebelius*, 728 F.Supp.2d 768 (E.D. Va. 2010) (case challenging constitutionality of 2010 health care bill individual mandate) (amicus brief on behalf of the Washington Legal Foundation and 14 constitutional law scholars).
- *City of Milwaukee Post 2874, Veterans of Foreign Wars v. Redevelopment Authority of the City of Milwaukee*, (Wisc. 2009) (amicus brief on behalf of Institute for Justice supporting petition for certiorari in Just Compensation Clause case).
- *Didden v. Village of Port Chester*, 173 Fed. Appx. 931 (2d Cir. 2006) (brief supporting cert. petition on behalf of six prominent property law professors in important post-*Kelo* takings case).
- *Kelo v. City of New London*, 545 U.S. 469 (2005) (amicus brief on behalf of Jane Jacobs) (cited by the Court in its majority opinion).
- *County of Wayne v. Hathcock*, 684 N.W2d 765 (Mich. 2004) (case reversing notorious 1981 *Poletown* eminent domain decision) (amicus brief on behalf of Institute for Justice).
- *Rukab v. City of Jacksonville Beach*, 866 So.2d 773 (Fla. Dist. Ct. App. 2004) (challenge to constitutionality of condemnation of property for the purpose of benefiting private interests) (brief on behalf of Institute for Justice)..
- *Pequonnock Yacht Club, Inc. v. City of Bridgeport*, 790 A.2d 1178 (Conn. 2002) (case challenging constitutionality of taking of property without advance specification of a future public use) (brief on behalf of Institute for Justice)..
- *Thomas v. Chicago Park District*, 534 U.S. 316 (2002) (case challenging constitutionality of speaker permit system in Chicago public parks) (brief on behalf of National Governors Association and National Council of State Legislatures).

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International Review of Law and Economics
Journal of Common Market Studies

Journal of Law and Courts
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Political Studies Review
Politics
Public Administration Review
Public Affairs Quarterly
Public Choice
Publius: The Journal of Federalism
Review of Law and Economics
Social Science Quarterly
Social Theory and Practice
Stanford Law Review
Yale Law Journal

BOOK PUBLISHERS

Cambridge University Press
Edward Elgar Publishing
Oxford University Press
Lexington Books (Rowman & Littlefield)
Polity
Routledge
University of Chicago Press

BAR MEMBERSHIPS

- Massachusetts, admitted July 2001.
- United States Supreme Court, admitted October 2011.
- United States Court of Appeals, DC Circuit, admitted November 2021.
- United States Court of Appeals, Fifth Circuit, admitted October 2023.

PERSONAL

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

REFERENCES

Professor Bruce A. Ackerman
Sterling Professor of Law and Political Science

Yale Law School
P.O. Box 208215
New Haven, CT 06520
ph: 203-432-0065
e-mail: bruce.ackerman@yale.edu

Hon. Guido Calabresi

United States Court of Appeals, Second Circuit
U.S. Courthouse
157 Church St., 18th Fl.
New Haven, CT 06512
Ph: 203-773-2291
e-mail: guido.calabresi@gmail.com

Dean Heather Gerken

Dean and Sol and Lillian Goldman Professor of Law
Yale Law School
P.O. Box 208215
New Haven, CT 06520
Ph: 203-432-8022
e-mail: heather.gerken@yale.edu

Professor Edward L. Glaeser

Fred and Eleanor Glimp Professor of Economics
Economics Department
Harvard University
Littauer Center 315A
1805 Cambridge Street
Cambridge, MA 02138
Ph: 617-496-6255
e-mail: eglaeser@harvard.edu

Professor Roderick M. Hills, Jr.

William T. Comfort, III Professor of Law
New York University School of Law
40 Washington Square South, 411H
New York, NY 10012
Ph: 212-912-8177
e-mail: roderick.hills@nyu.edu

Professor James E. Krier

Earl Warren Delano Professor of Law (emeritus)
University of Michigan Law School
625 S State St
Ann Arbor, MI 48109
Ph: 734-763-4701
e-mail: jkrier@umich.edu

Professor Sanford V. Levinson

W. St. John Garwood and W. St. John Garwood, Jr. Centennial Chair
University of Texas Law School
JON 6.243
The University of Texas at Austin

727 E Dean Keeton Street
Austin, TX 78705
Ph: 512-232-1351
e-mail: slevinson@law.texas.edu

Professor Daniel R. Ortiz

Michael J. and Jane R. Horvitz Distinguished Professor of Law
University of Virginia School of Law
580 Massie Road
Charlottesville, VA 22903-1738
Ph: 434-924-3127
e-mail: dro@uva.edu

Hon. Jerry E. Smith

United States Court of Appeals, Fifth Circuit
12621 U.S. Courthouse, 515 Rusk St
Houston, TX 77002
Ph: 713-250-5101
e-mail: jerry_smith@ca5.uscourts.gov