

Keith E. Whittington

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Education

- Ph.D. Political Science, 1995
Yale University, New Haven
Graduated with Distinction
- M.A. Political Science, 1992
Yale University, New Haven
- B.A. and B.B.A. Government, Finance, and Honors Business, 1990
University of Texas, Austin
Graduated with Highest Honors and Special Honors in Government

Professional Experience

William Nelson Cromwell Professor of Politics, Princeton University, 2006-
Professor of Politics, 2005-2006
Associate Professor of Politics (with tenure), 2002-2005
John Maclean Jr. Presidential Preceptor, 2000-2003
Assistant Professor of Politics, 1997-2002

Visiting Professor of Law, University of Texas School of Law, 2005-2006

Assistant Professor of Politics, Catholic University of America, 1995-1997

Visiting Scholar, Social Philosophy and Policy Center, Bowling Green State University, Summer 1995

Instructor, Yale University, Spring 1994

Instructor, Houston Community College, Summer 1993

Teaching Fellow, Yale University, 1991-1993

Editorial Experience

Series Editor, with Gerald Leonard, *New Essays on American Constitutional History*, American Historical Association, 2008-

Series Editor, with Maeva Marcus, Mark Tushnet, and Melvin I. Urofsky, *Cambridge Studies on the American Constitution*, Cambridge University Press, 2010-

Keith E. Whittington

Publications

Authored Books

American Political Thought: Readings and Materials (New York: Oxford University Press, forthcoming 2016).

American Constitutionalism: Powers, Rights, and Liberties, with Howard Gillman and Mark A. Graber. New York: Oxford University Press, 2014.

American Constitutionalism, volume 2: Rights and Liberties, with Howard Gillman and Mark A. Graber. New York: Oxford University Press, 2013 (2nd edition, forthcoming).
Winner of the Teaching and Mentoring Award for innovative instructional material in Law and Courts

American Constitutionalism, volume 1: Structures of Government, with Howard Gillman and Mark A. Graber. New York: Oxford University Press, 2012 (2nd edition, forthcoming).
Winner of the Teaching and Mentoring Award for innovative instructional material in Law and Courts

Political Foundations of Judicial Supremacy: The Presidency, the Supreme Court, and Constitutional Leadership in U.S. History. Princeton: Princeton University Press, 2007 (paperback, 2009; Peking University Press Chinese translation, 2010; Portuguese translation, forthcoming).
Winner of the C. Herman Pritchett Award for best book in Law and Courts
Winner of the J. David Greenstone Award for best book in Politics and History

Constitutional Construction: Divided Powers and Constitutional Meaning. Cambridge: Harvard University Press, 1999 (paperback, 2001).

Constitutional Interpretation: Textual Meaning, Original Intent, and Judicial Review. Lawrence: University Press of Kansas, 1999 (paperback, 2001; China Renmin University Press Chinese translation, 2006).

Monograph

Judicial Review and Constitutional Politics. Washington, D.C.: American Historical Association, forthcoming 2015.

Edited Books

Law and Politics: Critical Concepts in Political Science. Four volumes. London, UK: Routledge Press, 2012.

The Oxford Handbook of Law and Politics, edited with R. Daniel Kelemen and Gregory A. Caldeira. Cambridge, UK: Oxford University Press, 2008 (online edition, 2009; paperback, 2010).

Congress and the Constitution, edited with Neal Devins. Durham, NC: Duke University Press, 2005.

Articles and Book Chapters

“The Supreme Court and Slavery,” in *Political Thought of the Civil War*, eds. James R. Stoner, Thomas Merrill, and Alan Levine. Forthcoming.

“The Power of Judicial Review,” in *The Oxford Handbook of the United States Constitution*, eds. Mark Tushnet, Sanford Levinson, and Mark Graber. New York: Oxford University Press, forthcoming.

Keith E. Whittington

- “Law and Courts in American Political Development,” in *The Oxford Handbook of American Political Development*, eds. Robert Lieberman, Suzanne Mettler, and Richard Valelly. New York: Oxford University Press, forthcoming.
- “Some Dilemmas in Drawing the Public/Private Distinction in New Deal Era State Constitutional Law,” *Maryland Law Review* 75 (forthcoming 2015).
- “Foreword: State Constitutional Law in the New Deal Period,” *Rutgers Law Journal* 67:5 (forthcoming 2015).
- “The Least Activist Court in History? The Roberts Court and the Exercise of Judicial Review,” *Notre Dame Law Review* 89:5 (2014): 2219-2252.
- “The Status of Unwritten Constitutional Conventions in the United States,” *University of Illinois Law Review* 2013:5 (2013): 1847-1870.
- “Originalism: A Critical Introduction,” *Fordham Law Review* 82:2 (2013): 375-409.
- “‘Our Own Limited Role in Policing These Boundaries’: Taking Small Steps on Health Care,” *Journal of Health Politics, Policy and Law* 38:2 (April 2013): 273-282.
- “The President’s Nominee: Robert Bork and the Modern Judicial Confirmation Process,” *Baker Center Journal of Applied Public Policy* 4:2 (Fall 2012): 85-99.
- “Making a Mountain Out of a Molehill? *Marbury* and the Construction of the Constitutional Canon,” with Amanda Rinderle. *Hastings Constitutional Law Quarterly* 39:3 (Spring 2012): 823-860.
- “On Pluralism within Originalism,” in *The Challenge of Originalism: Theories of Constitutional Interpretation*. Grant Huscroft and Bradley Miller, eds. New York: Cambridge University Press, 2011.
- “Is Originalism too Conservative?” *Harvard Journal of Law and Public Policy* 34:1 (Winter 2011): 29-41.
- “Constructing a New American Constitution,” *Constitutional Commentary* 27:1 (Fall 2010): 119-37.
- “The State of the Union is a Presidential Pep Rally,” *Inter Alia: Yale Law and Policy Review* 28 (June 2010) (<http://yalelawandpolicy.org/blog/2010/06/29/state-union-presidential-pep-rally>)
- “Constitutional Constraints in Politics,” in *The Supreme Court and the Idea of Constitutionalism*. Steven Kautz, Arthur Melzer, Jerry Weinberger, and M. Richard Zinman, eds. Philadelphia: University of Pennsylvania Press, 2009.
- “Judicial Checks on the Presidency,” in *The Oxford Handbook of the American Presidency*. George C. Edwards III and William G. Howell, eds. Cambridge, UK: Oxford University Press, 2009.
- “Judicial Review of Congress before the Civil War,” *Georgetown Law Journal* 97:5 (May 2009): 1257-1331.
- “Industrial Saboteurs, Reputed Thieves, Communists, and the Freedom of Association,” *Social Philosophy and Policy* 25:2 (2008): 76-91.
- Reprinted in *Freedom of Association*. Ellen Frankel Paul, Fred D. Miller, Jr., Jeffrey Paul, eds. New York: Cambridge University Press, 2008.
- “Constitutionalism,” in *The Oxford Handbook of Law and Politics*. Keith E. Whittington, R. Daniel Kelemen and Gregory A. Caldeira, eds. Cambridge, UK: Oxford University Press, 2008.

Keith E. Whittington

“The Study of Law and Politics,” with R. Daniel Kelemen and Gregory A. Caldeira, in *The Oxford Handbook of Law and Politics*. Keith E. Whittington, R. Daniel Kelemen and Gregory A. Caldeira, eds. Cambridge, UK: Oxford University Press, 2008.

Significantly revised and reprinted as “Overview of the Study of Law and Politics,” in *The Oxford Handbook of Political Science*. Robert E. Goodin, ed. Cambridge, UK: Oxford University Press, 2009.

“Constitutional Theory as Political Science,” in *Constitutional Theory: Arguments and Perspectives*, Third Edition. Michael J. Gerhardt, Stephen M. Griffin, Thomas D. Rowe, Jr., eds. Newark, NJ: LexisNexis, 2007.

“Presidents, Senates, and Failed Supreme Court Nominations,” 2006 *The Supreme Court Review* (2007): 401-438.

“The Constitution and Congressional Committees: 1971-2000,” with Neal Devins and Hutch Hicken, in *The Least Examined Branch: The Role of Legislatures in the Constitutional State*. Richard W. Bauman and Tsvi Kahana, eds. New York: Cambridge University Press, 2006.

“Give ‘The People’ What They Want?” *Chicago-Kent Law Review* 81:3 (2006): 911-922.

“Recovering ‘From the State of Imbecility,’” *Texas Law Review* 84:6 (May 2006): 1567-1586.

“Preserving the ‘Dignity and Influence of the Court’: Political Supports for Judicial Review in the United States,” in *The Art of the State: Rethinking Political Institutions*. Ian Shapiro, Stephen Skowronek, and Daniel Galvin, eds. New York: New York University Press, 2006.

“The Presidential Impeachment Process is Basically Sound,” in *Debating the Presidency: Conflicting Perspectives on the American Executive*. Richard J. Ellis and Michael Nelson, eds. Washington, D.C.: CQ Press, 2006.

“A Note on Commercial Speech in the Era of Late Capitalism,” *The Good Society: A PEGS Journal* 14:2 (2005): 40-43.

“Clothed with the Legitimate Authority of the People,” *Virginia Law Review* 91:8 (December 2005): 2023-2046.

“‘Interpose Your Friendly Hand’: Political Supports for the Exercise of Judicial Review by the United States Supreme Court,” *American Political Science Review* 99:4 (November 2005): 583-596.

“Let’s Call the Whole Thing Off?” *Constitutional Commentary* 22:2 (Summer 2005): 365-382.

“Constitutional Theory and the Faces of Power,” in *The Judiciary in American Democracy: Alexander Bickel, the Countermajoritarian Difficulty, and Contemporary Constitutional Theory*. Kenneth D. Ward and Cecilia R. Castillo, eds. Albany: State University of New York Press, 2005.

“Judicial Review and Interpretation: Have the Courts Become Sovereign When Interpreting the Constitution?” in *Institutions of American Democracy: The Judicial Branch*. Kermit L. Hall and Kevin T. McGuire, eds. New York: Oxford University Press, 2005.

“The Burger Court: Once More in Transition,” in *The Supreme Court of the United States: The Pursuit of Justice*. Christopher Tomlins, ed. New York: Houghton Mifflin, 2005.

“James Madison Has Left the Building,” *University of Chicago Law Review* 72:3 (Summer 2005): 1137-1158.

Keith E. Whittington

“Congress Before the *Lochner* Court,” *Boston University Law Review* 85:3 (June 2005): 821-858.

“Hearing about the Constitution in Congressional Committee,” in *Congress and the Constitution*. Neal Devins and Keith E. Whittington, eds. Durham, NC: Duke University Press, 2005.

“The New Originalism,” *Georgetown Journal of Law and Public Policy* 2:2 (Summer 2004): 599-613.

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“The *Casey* Five versus the Federalism Five: Supreme Legislator or Prudent Umpire?,” in *That Eminent Tribunal: Judicial Supremacy and the Constitution*. Christopher Wolfe, ed. Princeton: Princeton University Press, 2004.

“Judicial Independence, the Power of the Purse, and Inherent Judicial Powers,” with G. Gregg Webb. *Judicature* 88:1 (July-August 2004): 12-19, 45.

Reprinted in *Current* 467 (November 2004): 3.

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“*Marbury v. Madison* and the Politics of Judicial Supremacy,” in *Marbury v. Madison: 1803-2003 Un Dialogue Franco-Americain*. Elisabeth Zoller, ed. Paris: Dalloz, 2003.

“Executive Power in American Institutional Development,” with Daniel P. Carpenter. *Perspectives on Politics* 1:3 (September 2003): 495-513.

“Legislative Sanctions and the Strategic Environment of Judicial Review,” *I-Con: The International Journal of Constitutional Law* 1:3 (July 2003): 446-474.

“William H. Rehnquist: Nixon’s Strict Constructionist, Reagan’s Chief Justice,” in *Rehnquist Justice: Understanding the Court Dynamic*. Earl Maltz, ed. Lawrence: University Press of Kansas, 2003.

“The Separation of Powers at the Founding,” in *The Separation of Powers: Documents and Commentary*. Katy J. Harriger and William Owen Roberts, eds. Washington, D.C.: CQ Press, 2003.

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“‘To Support this Constitution’: Judicial Supremacy in the Twentieth Century,” in *Marbury v. Madison: Documents and Commentary*. Mark A. Graber and Michael Perhac, eds. Washington, D.C.: CQ Press, 2002.

“The Death of the Legalized Constitution and the Specter of Judicial Review,” in *Courts and the Culture Wars*. Bradley C. Watson, ed. Lanham, MD: Lexington Books, 2002.

“The Electoral College: A Modest Contribution,” in *The Longest Night: Polemics and Perspectives on Election 2000*. Arthur J. Jacobson and Michel Rosenfeld, eds. Berkeley: University of California Press, 2002.

“Yet Another Constitutional Crisis?” *William and Mary Law Review* 43:5 (April 2002): 2093-2149.

Keith E. Whittington

“Extrajudicial Constitutional Interpretation: Three Objections and Responses,” *North Carolina Law Review* 80:3 (March 2002): 773-851.

Reprinted in *Constitutional Theory: Arguments and Perspectives*, Third Edition. Michael J. Gerhardt, Stephen M. Griffin, Thomas D. Rowe, Jr., eds. Newark, NJ: LexisNexis, 2007.

“Taking What They Give Us: Explaining the Court’s Federalism Offensive,” *Duke Law Journal* 51:1 (October 2001): 477-520.

“The Political Foundations of Judicial Supremacy,” in *Constitutional Politics: Essays on Constitution Making, Maintenance and Change*. Sotirios A. Barber and Robert P. George, eds. Princeton: Princeton University Press, 2001.

“The Road Not Taken: *Dred Scott*, Constitutional Law, and Political Questions,” *Journal of Politics* 63:2 (May 2001): 365-391.

“Presidential Challenges to Judicial Supremacy and the Politics of Constitutional Meaning,” *Polity* 33:3 (Spring 2001): 365-395.

“In Defense of Legislatures,” *Political Theory* 28:5 (October 2000): 690-702.

“On the Need for a Theory of Constitutional Ethics,” *The Good Society: A PEGS Journal* 9:3 (Spring 2000): 60-66.

“Once More Unto the Breach: Post-Behavioralist Approaches to Judicial Politics,” *Law and Social Inquiry* 25:2 (Spring 2000): 601-634.

“Dworkin’s ‘Originalism’: The Role of Intentions in Constitutional Interpretation,” *Review of Politics* 62:2 (Spring 2000): 197-229.

“Herbert Wechsler’s Complaint and the Revival of Grand Constitutional Theory,” *University of Richmond Law Review* 34:2 (May 2000): 509-543.

Reprinted in *Constitutional Theory: Arguments and Perspectives*, Third Edition. Michael J. Gerhardt, Stephen M. Griffin, Thomas D. Rowe, Jr., eds. Newark, NJ: LexisNexis, 2007.

“Bill Clinton was no Andrew Johnson: Comparing Two Impeachments,” *University of Pennsylvania Journal of Constitutional Law* 2:2 (May 2000): 422-465.

“From Democratic Dualism to Political Realism: Transforming the Constitution,” *Constitutional Political Economy* 10:4 (November 1999): 405-414.

“Dismantling the Modern State? The Changing Structural Foundations of Federalism,” *Hastings Constitutional Law Quarterly* 25:4 (Summer 1998): 483-527.

Reprinted in *State and Local Government in a Federal System*, eds. Daniel Mandelker, Dawn Clark Netsch, Peter Salsich, and Judith Welch Wegner. Albany, NY: LexisNexis, 2010.

“Revisiting Tocqueville’s America: Society, Politics and Association in the Nineteenth Century,” *American Behavioral Scientist* 42:1 (September 1998): 21-32.

Reprinted in *Beyond Tocqueville: Civil Society and Social Capital in Comparative Perspective*. Bob Edwards, Michael W. Foley and Mario Diani, eds. Hanover: University Press of New England, 2001.

Keith E. Whittington

“The Rhetorical Presidency, Presidential Authority, and President Clinton,” *Perspectives on Political Science* 26:4 (Fall 1997): 199-207.

Reprinted in *The Presidency, Then and Now*. Phillip G. Henderson, ed. Lanham, MD: Rowman & Littlefield, 2000.

“The Political Constitution of Federalism in Antebellum America: The Nullification Debate as an Illustration of Informal Mechanisms of Constitutional Change,” *Publius: The Journal of Federalism* 26:2 (Spring 1996): 1-24.

“Reconstructing the Federal Judiciary: The Chase Impeachment and the Constitution,” *Studies in American Political Development* 9:1 (Spring 1995): 55-116.

Short Book Reviews and Articles

“Against Very Entrenched Constitutions,” *Wisconsin Law Review Online* (2015)
(<http://wisconsinlawreview.org/wp-content/files/Whittington-Final.pdf>)

Stuart Chinn, *Recalibrating Reform: The Limits of Political Change*. *American Political Thought* (forthcoming).

“Constitutionalism,” in *Emerging Trends in the Social and Behavioral Sciences*, eds. Robert A. Scott and Stephen M. Kosslyn (forthcoming).

“Instructions,” “Judicial Supremacy,” in *American Governance*, ed. Stephen L. Schechter (New York: Macmillan, forthcoming).

“Assessing the Debate over Judicial Elections,” (review of G. Alan Tarr’s *Without Fear or Favor: Judicial Independence and Judicial Accountability in the States*). H-Net Reviews (November 2013)
(<http://www.h-net.org/reviews/showrev.php?id=38849>)

Jed Handelsman Shugerman, *The People’s Courts: Pursuing Judicial Independence in America*. *The Historian* 75:3 (Fall 2013): 586-588.

“Competition or Cartel,” (review of Michael S. Greve’s *The Upside-Down Constitution*). *Review of Politics* 75:2 (2013): 282-285.

David J. Bodenhamer, *The Revolutionary Constitution*. *Journal of American History* 99 (2013): 1221-1222.

Jack M. Balkin, *Constitutional Redemption: Constitutional Faith in an Unjust World*. *Review of Metaphysics* 65 (June 2012): 861-862.

“Judicial Review,” in *Oxford Companion to American Politics*, ed. David Coates (New York: Oxford University Press, 2012).

“The Supreme Court in Politics,” (review essay on Lucas A. Powe, Jr.’s *The Supreme Court and the American Elite, 1789-2008*). *Reviews in American History* 39 (December 2011): 631-636.

Cass R. Sunstein, *A Constitution of Many Minds: Why the Founding Document Doesn’t Mean What It Meant Before*. *Ethics* 120:2 (January 2010): 413-417.

David E. Kyvig, *The Age of Impeachment: American Constitutional Culture since 1960*. *Indiana Magazine of History* 105:3 (September 2009) 295-296.

“The Political Foundations of Judicial Supremacy,” *Clio* 19:1 (Fall/Winter 2008-9): 1, 39.

Keith E. Whittington

- Beau Breslin, *From Words to Worlds: Exploring Constitutional Functionality*. *Law and Politics Book Review* 19:5 (June 2009): 337-340 (www.bsos.umd.edu/gvpt/lpbr).
- Richard E. Ellis, *Aggressive Nationalism: McCulloch v. Maryland and the Foundation of Federal Authority in the Young Republic*. *Journal of American History* 96:1 (June 2009): 200.
- "Joseph Story," in *Yale Biographical Dictionary of American Law*. Roger K. Newman, ed. New Haven: Yale University Press, 2009.
- George Thomas, *The Madisonian Constitution*. *History: Reviews of New Books* 37:1 (Fall 2008): 20-21.
"Situating Judicial Review," *Extensions* (Fall 2008): 5-9.
- "American System," "Chase Impeachment," "Departmentalism," in *Encyclopedia of the Supreme Court of the United States*. David S. Tanenhaus, ed. New York: Macmillan, 2008.
- Austin Allen, *Origins of the Dred Scott Case: Jacksonian Jurisprudence and the Supreme Court, 1837-1857*. *Civil War History* 53:4 (December 2007): 415-417.
- Stephen Elkin, *Reconstructing the Commercial Republic: Constitutional Design after Madison*. *Political Science Quarterly* 122:1 (Spring 2007): 182-183.
- Stuart Streichler, *Justice Curtis in the Civil War Era: At the Crossroads of American Constitutionalism*. *The Register of the Kentucky Historical Society* 104:1 (Winter 2006): 146-148.
- Johnathan O'Neill, *Originalism in American Law and Politics: A Constitutional History*. *American Historical Review* 111 (June 2006): 876-877.
- "Bill of Rights," "Constitutionalism," in *American Conservatism: An Encyclopedia*. Bruce Frohnen, Jeffrey O. Nelson, and Jeremy Beer, eds. Wilmington, DE: ISI Books, 2006.
- "William H. Rehnquist," in *Encyclopedia of American Civil Liberties*. Paul Finkelman, ed. New York: Routledge, 2006.
- Jeb Barnes, *Override?: Legislative Overrides, Pluralism, and Contemporary Court-Congress Relations*. *Political Science Quarterly* 120:2 (Summer 2005): 317-318.
- Gregg Ivers, *American Constitutional Law*, 2 volumes. *Law and Politics Book Review* 15:8 (August 2005): 682-685 (www.bsos.umd.edu/gvpt/lpbr).
- "You Say You'll Change the Constitution?" *Perspectives on Politics* 3:3 (September 2005): 570-572.
- "U.S. v. Nixon," "The Court and Abortion: *Roe* and Its Progeny," in *The Supreme Court of the United States: The Pursuit of Justice*. Christopher Tomlins, ed. New York: Houghton Mifflin, 2005.
- H. Jefferson Powell, *A Community Built on Words: The Constitution in History and Politics*. *The Historian* 66:4 (Winter 2004): 844-845.
- "Crossing Over: Citation of Public Law Faculty in Law Reviews," *Law and Courts* 14:2 (Spring 2004): 5-10
- "Alien and Sedition Acts," "John C. Calhoun," "Impeachment of Andrew Johnson," "Nullification," in *The Encyclopedia of the American Presidency*. Michael A. Genovese, ed. New York: Facts on File, 2004.
- "A Constitution for the Age? Review of Mark Tushnet's *The New Constitutional Order*," *Journal of Law and Politics* 19:4 (Fall 2003): 417-424.

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- Mark V. Tushnet, *Slave Law in the American South: State v. Mann in History and Literature*. *Law and Politics Book Review* 13:9 (September 2003) (www.bsos.umd.edu/gvpt/lpbr).
- Lisa Jane Disch, *The Tyranny of the Two-Party System*. *Perspectives on Politics* 1:2 (June 2003): 380-381.
- Carol Weisbrod, *Emblems of Pluralism: Cultural Differences and the State*. *Law and Politics Book Review* 13:2 (February 2003) (www.bsos.umd.edu/gvpt/lpbr).
- Martha Derthick, *Keeping the Compound Republic: Essays on American Federalism*. *Political Studies* 50:5 (December 2002): 1013-1014.
- “‘The Constitution Must Be Looked into By the Judges’: Review of R. Kent Newmyer, *John Marshall and the Heroic Age of the Supreme Court*.” *Common-Place* 2:4 (July 2002) (www.common-place.org).
- Rogan Kersh, *Dreams of a More Perfect Union*. *American Historical Review* 107:2 (April 2002): 532-533.
- “Charles Beard,” “Robert H. Bork,” “Samuel Chase,” “Law,” “Palko v. Connecticut,” in *The Encyclopedia of American Law*. David Schultz, ed. New York: Facts on File, 2002.
- Eric Schickler, *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*. *Congress and the Presidency* 28:2 (Fall 2001): 227-229.
- Michael A. Genovese, *The Power of the American Presidency, 1789-2000*. *Rhetoric and Public Affairs* 4:4 (Winter 2001): 770-771.
- Stefan Voigt, *Explaining Constitutional Change: A Positive Economics Approach*. *Constitutional Political Economy* 12:3 (September 2001): 277-279.
- Joseph M. Lynch, *Negotiating the Constitution: The Earliest Debates over Original Intent*. *Law and History Review* 19:3 (Fall 2001): 681-684.
- Scott Gordon, *Controlling the State: Constitutionalism from Ancient Athens to Today*. *Law and Politics Book Review* 11:5 (May 2001): 216-218 (www.bsos.umd.edu/gvpt/lpbr).
- “Congressional Government,” in *Encyclopedia of the American Constitution: Supplement II*. Leonard W. Levy, Kenneth L. Karst, and Adam Winkler, eds. New York: Macmillan, 2000.
- Katy J. Harriger, *The Special Prosecutor in American Politics*. H-Pol, H-Net Reviews, October 2000 (www.h-net.msu.edu/reviews).
- Robert Justin Lipkin, *Constitutional Revolutions: Pragmatism and the Role of Judicial Review in American Constitutionalism*. *Law and Politics Book Review* 10:6 (June 2000): 358-361 (www.bsos.umd.edu/gvpt/lpbr).
- Robert D. Cooter, *The Strategic Constitution*. *American Journal of Legal History* 44:1 (January 2000): 104-106.
- Barry Cushman, *Rethinking the New Deal Court: The Structure of a Constitutional Revolution*. *Business History Review* 73:2 (Summer 1999): 306-309.
- “What’s the Point of APD?” *Clio* 9:2 (Spring/Summer 1999): 5, 43-45.
- G. Alan Tarr, *Understanding State Constitutions*. *Law and Politics Book Review* 9:1 (January 1999): 56-59 (www.bsos.umd.edu/gvpt/lpbr).

Keith E. Whittington

Bradford P. Wilson and Ken Masugi, eds., *The Supreme Court and American Constitutionalism. Ethics* 109:2 (January 1999): 493.

“Impeachable Offenses and Political Checks,” *Law and Courts* 8:4 (Fall 1998): 13-15.

“A Reputational Ranking of Public Law Programs,” *Law and Courts* 8:3 (Summer 1998): 4-5.

Bette Novit Evans, *Interpreting the Free Exercise of Religion: The Constitution and American Pluralism*. H-Law, H-Net Reviews, August 1998 (www.h-net.msu.edu/reviews).

Richard John Neuhaus, ed., *The End of Democracy? The Judicial Usurpation of Politics. Review of Politics* 60:3 (Summer 1998): 597-599.

Edward Keynes, *Liberty, Property and Privacy: Toward a Jurisprudence of Substantive Due Process. American Political Science Review* 92:2 (June 1998): 464-465.

Wayne D. Moore, *Constitutional Rights and the Powers of the People. American Journal of Legal History* 42:2 (April 1998): 190-191.

Deborah A. Rosen, *Courts and Commerce: Gender, Law and Markets in Colonial New York. Law and Politics Book Review* 8:1 (January 1998): 41-43 (www.bsos.umd.edu/gvpt/lpbr).

Thomas D. Morris, *Southern Slavery and the Law, 1619-1860. Law and Politics Book Review* 8:1 (January 1998): 9-11 (www.bsos.umd.edu/gvpt/lpbr).

Other

Guest Blogger, *Liberty Law Blog* (April 2014) (www.libertylawsite.org/blog)

“The Troublesome Case of *Lochner*: Symposium on *Rehabilitating Lochner*,” *Law and Liberty* (March 1, 2012) (<http://libertylawsite.org/post/keith-whittington-the-troublesome-case-of-lochner/>).

“The Conquering Bureaucracy: Review of Daniel Carpenter’s *Reputation and Power: Organizational Image and Pharmaceutical Regulation at the FDA*,” *Reason* (December 2010): 62-65.

“Originalism within the Living Constitution,” American Constitution Society Issue Brief (July 2007)

“How to Read the Constitution: Self-Government and the Jurisprudence of Originalism,” First Principles Series, No. 5, Heritage Foundation (May 1, 2006).

“Bogus Balance Banter,” *National Review Online* (August 10, 2005) (www.nationalreview.com/comment/whittington200508100749.asp)

“The Confirmation Process We Deserve: Review of Michael J. Gerhardt’s *The Federal Appointments Process: A Constitutional and Historical Analysis*,” *Policy Review* 107 (June-July 2001): 76-83.

Reprinted in *Current* 433 (June 2001): 36-41.

“The Politics of the Supreme Court: Review of Lucas A. Powe, Jr.’s *The Warren Court and American Politics*,” *Policy Review* 102 (August-September 2000): 63-70.

Reprinted in *Current* 426 (October 2000): 35-38.

“High Crimes’ After Clinton: Deciding What’s Impeachable,” *Policy Review* 99 (February-March 2000): 27-40.

Keith E. Whittington

“Not-So-Grand Inquests: Review of Richard A. Posner’s *An Affair of State: The Investigation, Impeachment, and Trial of President Clinton*” *Reason* (January 2000): 67-69.

“Serving the President: When Must the President Obey a Subpoena?” *Reason* (November 1998): 54-56.

“When is a Crime a ‘High Crime’?” *Chicago Tribune* (13 September 1998): 1:19.

Works in Progress

Repugnant Laws: Judicial Review of Acts of Congress from the Founding to the Present, book under contract with University Press of Kansas

The Idea of Democracy in America, book under contract with the University of Oklahoma Press

Teaching

Courses Taught (selected)

Constitutional Theory
Theories of Judicial Review
American Constitutional Development
Civil Liberties
American Political Thought
Constitutional Interpretation
Law and Society
American Political Development

Dissertation Committees

James G. Pope (chair), Lynda G. Dodd (chair), Mariah Zeisberg, Bryan Shelly, Micah Watson, David Erdos (chair), Justin Crowe (chair), Tom Clark, David Glick (chair), Emily Zackin (chair), Michael Sullivan (chair), Rob Hunter (chair), Philip Wallach (chair), Daniel Frost (chair), Herschel Nachlis, Sean Beienburg (chair), Marko Radenovic, P.J. Gardner, Jason Iuliano (chair)

Chair of advisory committee to dissertation given Edward S. Corwin Award for best dissertation in public law by the American Political Science Association (Emily Zackin)

Chair of advisory committee to dissertation given best dissertation award by APSA Law and History Section (Emily Zackin)

Member of advisory committee to dissertation given best dissertation award by the APSA Legislative Politics Section (Tom Clark)

Advisor to two graduate student papers given best paper award by the APSA Law and Courts Section (David Glick, Tom Clark).

Advisor to one graduate student paper given best article award by the APSA Politics and History Section (Justin Crowe).

Advisor to one undergraduate student paper given best undergraduate paper award by the APSA Presidency Research Group (Brett Amelkin).

Honors, Awards and Grants

Teaching and Mentoring Award for innovative teaching materials in Law and Courts, APSA Law and Courts Section, 2013

Fellow, American Academy of Arts and Sciences (elected 2012)

Co-PI, National Science Foundation, Collaborative Research: Updating and Backdating the U.S. Supreme Court Judicial Database, 2009-2013

Keith E. Whittington

Co-PI, National Science Foundation, Collaborative Research: Updating and Backdating the U.S. Supreme Court Judicial Database, 2008
J. David Greenstone Award for best book in Politics and History, APSA Politics and History Section, 2008
C. Herman Pritchett Award for best book in Law and Courts, APSA Law and Courts Section, 2008
John Maclean Jr. Presidential Preceptorship, Princeton University, 2000-2003
Founders Award for the Best Convention Paper on the Presidency delivered at the 1999 American Political Science Association meeting, Presidency Research Group, 2000
Faculty Fellow, John M. Olin Foundation, 1999-2000
Junior Faculty Fellow, American Council of Learned Societies, 1999-2000
Selected as an Alternate, Woodrow Wilson Center, 1999-2000 (declined)
Selected as Fellow, Stanford Humanities Center, 1999-2000 (declined)
250th Anniversary Fund for Innovation in Undergraduate Education grant, Princeton University, 1998
University Committee on Research in the Humanities and Social Sciences grant, Princeton University, 1998, 2004
Selected as Fellow, National Humanities Center, 1997-1998 (declined)
University Research Fund grant, Catholic University of America, 1997
Nominee for American Political Science Association's Edward S. Corwin Dissertation Award, Department of Political Science, Yale University, 1996
Visiting Scholar, Social Philosophy and Policy Center, Bowling Green State University, 1995
Newhouse Fellow in Writing, Yale University, 1992 (awarded by university in recognition of writing-intensive teaching)
Katherine K. Walker Prize, Yale University, 1992 (awarded by university for paper "Original Intent and the Nature of a Written Constitution")
Charles Washburn Clark Prize, Department of Political Science, Yale University, 1992 (awarded by department for best paper on the subject of American politics)

Conferences and Presentations

American Political Science Association annual meeting (2015-1997)
Western Political Science Association annual meeting (2012, 2011, 2007, 2003, 2001, 2000, 1999)
Midwest Political Science Association annual meeting (2014, 2012, 2011, 2006, 2004, 1997)
American Society for Legal History annual meeting (2007, 2005, 2002, 2001, 2000)
New England Political Science Association annual meeting (2003, 2001, 2000)
Association of American Law Schools' Conference (2010, 2008, 2004, 2002)
Conference on Empirical Legal Studies (2006)
Congress and History Conference (2007)
Federalist Society Faculty Conference (2004)
American Constitution Society Faculty Conference (2006)
Association for Public Policy Analysis and Management (2010)
Northeastern Political Science Association annual meeting (1997)
Southern Political Science Association annual meeting (1995)
Southwestern Political Science Association annual meeting (1993)

Invited lectures, workshops and conferences at Harvard University, Harvard Law School, Yale University, Yale Law School, Columbia University, Columbia Law School, Duke Law School, New York University Law School, New York University, Princeton University, University of Virginia Law School, University of Michigan Law School, University of Michigan, Georgetown Law Center, University of Pennsylvania Law School, Boston University Law School, Northwestern University Law School, William and Mary Law School, Washington University Law School, University of San Diego Law School, Chicago-Kent Law School, Fordham Law School, University of Notre Dame Law School, Tulane University Law School, Western Ontario Law School, Michigan State University, Center for American Law of Paris II University, Centre for Constitutional Studies of the University of Alberta, University of Massachusetts at Amherst, Rutgers University, University of Texas Law School, Texas A&M University, Washington College of Law, Chicago-Kent Law School, University of Delaware, Swarthmore College, Baylor University, Bowling Green State University, Texas State University, University of Georgia, Wichita State University, Bucknell University, American University, Berry College, Georgetown/Maryland-PEGS Discussion Group on Constitutional Law, CUNY Graduate Center, Saint

Keith E. Whittington

Vincent College, Annenberg Foundation, National Constitution Center, New Jersey Historical Commission, Cato Institute, Heritage Foundation, Institute for Humane Studies, Liberty Fund, Institute for Civil Society, Reason Foundation

Professional Service

Activities:

Member, Editorial Board, *Political Research Quarterly*, 2006-
Member, Editorial Board, *Polity*, 2005-
Member, Editorial Board, *American Political Thought*, 2010-
Member, Editorial Board, *Law and Social Inquiry*, 2012-
Member, Editorial Board, *Law and Courts*, 2005-2007
Member, Law and Courts field journal search committee, 2010-2011
Chair, Law and Courts Section Service Award Committee, 2012-2013 (recused)
Member, Law and Courts Lasting Contribution Award Committee, 2008-2009
Member, Law and Politics Book Review editor search committee, 2008-2009
Member, *Political Research Quarterly* Best Article Award Committee, 2007-2008
Member, Law and Courts Section Executive Committee, 2005-2007
Member, Politics and History Section Mary Parker Follett Award Committee, 2003-2004
Program Chair, Constitutional Law and Jurisprudence, American Political Science Association, 2003-2004
Member, Law and Courts Section Nominating Committee, 2002-2003
Program Chair, Judicial Politics and Public Law, Western Political Science Association, 2002-2003
Member, Advisory Board, Constitutionalism and Democracy Series, University of Virginia Press, 2002-
Member, American Political Science Association Edward S. Corwin Award Committee, 2001-2002
Member, Politics and History Section Mary Parker Follett Award Committee, 2000-2001
Program Chair, Politics and History, Western Political Science Association, 1999-2000
Member, Law and Courts Section C. Herman Pritchett Award Committee, 1998-1999
Member, Law and Courts Section Finances Review Committee, 1997-1998

Manuscript and Grant Reviewer:

American Law and Economics Review, *American Journal of Political Science*, *American Political Science Review*, *British Journal of Political Science*, *Congress & the Presidency*, *Journal of American History*, *Journal of the Early Republic*, *Journal of Political Philosophy*, *Journal of Politics*, *Journal of Policy History*, *Law and History Review*, *Law and Social Inquiry*, *Law and Society Review*, *Legal Theory*, *Law and Policy*, *Perspectives on Politics*, *Political Research Quarterly*, *Polity*, *Princeton University Library Chronicle*, *Presidential Studies Quarterly*, *Publius*, *Review of Politics*, *Studies in American Political Development*, *Women & Politics*, Cambridge University Press, Duke University Press, Harvard University Press, New York University Press, Oxford University Press, Princeton University Press, Stanford University Press, University of Chicago Press, University Press of Kansas, Yale University Press, University of Virginia Press, Rowman & Littlefield, Westview Press, Meyner Center for the Study of State and Local Government, Institute for Humane Studies, National Endowment for the Humanities, National Humanities Center, National Science Foundation

University and Department Service (Princeton University):

Director of the Graduate Program, 2007-2009, 2010-2013, 2014-
Director of Undergraduate Program and Senior Advisor, 2002-2005
Acting Director, James Madison Program in American Ideals and Institutions, 2004-2005
Senior and Junior Independent Work Advisor, 2003-2005
Chair, Faculty Committee on the Undergraduate Program, 2002-2005
Chair, American Politics Search Committee, 2006-2008
Chair, Public Law Search Committee, 2007-2009

Keith E. Whittington

Member, Public Law Search Committee, 1998-1999, 2001-2002
Member, American Politics Search Committee, 2003-2004
Member, Political Theory Search Committee, 2011-2012, 2012-2013
Member, Omnibus Faculty Search Committee, 2008-2009, 2010-2011
Chair, Research Scholar in Public Law and Jurisprudence Search Committee, 2002-2003
Member and Chair, Faculty Committee on the Graduate Program, 1998-1999, 2000-2001, 2006-2013, 2014-
Member and Chair, Graduate Admissions Committee, 2002-2003, 2006-
Chair, Graduate Program Review Committee, 2012-2013
Member, Advisory Committee to the Chair, 2000-2001, 2003-2005, 2007-2008, 2010-11
Departmental Affirmative Action Officer, 2002-2003
Founder and Organizer, Public Law Colloquium, 2002-2004, 2006-2013, 2014-
Organizer, Junior Faculty Research Workshop, 1998-1999
Co-organizer, American Politics Colloquium, 2000-2001
Public Law Field Coordinator, 1997-2003, 2006-
Member, Law and Public Affairs Committee, 1997-1998
Executive Committee, Center for the Study of Democratic Politics, 2000-2004, 2006-2009
Executive Committee, James Madison Program in American Ideals and Institutions, 2002-
Faculty Associate, James Madison Program in American Ideals and Institutions, 2000-
Faculty Associate, Law and Public Affairs Program, 1999-
Member, University Priorities Committee, 2003-2005
Member, University Committee on Library and Computing, 2007-2012, 2015-2016
Member, University Steering Committee on Firestone Library Renovations, 2007-
Member, University Faculty Committee on the Graduate School, 2007-2009, 2010-2013, 2014-
Member, University Committee on President's Award for Distinguished Teaching, 2008-2009
Member, University Faculty Graduate Curriculum Committee, 2007-2008, 2012-2013, 2014-2015
Member, University Faculty Graduate Fellowships Committee, 2008-2009, 2010-2011, 2015-2016
Member, University Committee on Classrooms and Schedules, 2003-2005
Member, Social Science Reference Librarian Search Committee, 2004
Member, Editorial Board, Princeton University Press, 2007-2008
Member, Board of Trustees, American Whig Closophic Society, 2008-

7/1/15