

Keith E. Whittington

Department of Politics
Princeton University
Princeton, NJ 08544
(609) 258-3453

kewhitt@princeton.edu
www.princeton.edu/~kewhitt

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

Series Editor, with Gerald Leonard, *New Essays on American Constitutional History*, American Historical Association, 2008-2018

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Publications

Authored Books

Repugnant Laws: Judicial Review of Acts of Congress from the Founding to the Present. Lawrence: University Press of Kansas, 2019.

Speak Freely: Why Universities Must Defend Free Speech. Princeton: Princeton University Press, 2018 (paperback, 2019).

Excerpted in *Princeton Alumni Weekly* (March 7, 2018)

Winner of Association of American Publishers PROSE Award in Education (Theory and Practice)

Winner of Heterodox Academy Open Inquiry Award for Excellence in Scholarship

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

American Constitutionalism, volume 2: Rights and Liberties, with Howard Gillman and Mark A. Graber. New York: Oxford University Press, 2nd ed., 2016 (1st ed., 2013).

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, 2nd ed., 2016 (1st ed., 2012).

Winner of the Teaching and Mentoring Award for innovative instructional material in Law and Courts

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

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, 2016.

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

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- “Presidential Impeachments Should Not be Normalized,” in *Debating the Presidency: Conflicting Perspectives on the American Executive*, eds. Richard J. Ellis and Michael Nelson. 5th ed. (Washington, D.C.: CQ Press, forthcoming 2019).
- “Free Speech and the Diverse University,” *Fordham Law Review* 87:6 (2019): 2453-2477.
- “Academic Freedom and the Scope of Protections for Extramural Speech,” *Academe* 105:1 (January-February 2019).
- “Rogers M. Smith: Stories We Tell Ourselves,” *PS: Political Science and Politics* 51:4 (2018): 895-899.
- “Partisanship, Norms, and Federal Judicial Appointments,” *Georgetown Journal of Law and Public Policy* 16:2 (2018): 521-536.
- “Free Speech and Ideological Diversity on American College Campuses,” in *The Value and Limits of Academic Free Speech: Philosophical, Political, and Legal Perspectives*, eds. Donald Downs and Chris W. Surprenant. New York: Routledge Press, 2018.
- “Slavery and the U.S. Supreme Court,” in *The Political Thought of the Civil War*, eds. Alan Levine, Thomas W. Merrill, and James Stoner. Lawrence: University Press of Kansas, 2018.
- “Why Does the Supreme Court Uphold So Many Laws?,” with Benjamin Johnson. *University of Illinois Law Review* 2018:3 (2018): 1001-1048.
- “The Nondelegation Doctrine: Alive and Well,” with Jason Iuliano. *Notre Dame Law Review* 93:2 (2017): 619-646.
- “Originalism, Constitutional Construction, and the Problem of Faithless Electors,” *Arizona Law Review* 59:4 (2017): 903-945.
- “A Man for All Seasons: John Marshall’s Historical Reputation,” with Daniel Frost. *Polity* 49:4 (2017): 575-602.
- “Much Ado About Nothing: Signing Statements, Vetoes, and Presidential Constitutional Interpretation,” *William & Mary Law Review* 58:5 (2017): 1751-1791.
- “The Place of Congress in the Constitutional Order,” *Harvard Journal of Law and Public Policy* 40:3 (2017): 573-601.
- “Sober Second Thoughts: Evaluating the History of Horizontal Judicial Review by the U.S. Supreme Court,” *Constitutional Studies* 2 (2017): 97-116.
- “The Myth of the Nondelegation Doctrine,” with Jason Iuliano. *University of Pennsylvania Law Review* 165:2 (January 2017): 379-431.
- “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, 2016.
- “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, 2015.
- “Some Dilemmas in Drawing the Public/Private Distinction in New Deal Era State Constitutional Law,” *Maryland Law Review* 75:1 (2015): 383-391.

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- “State Constitutional Law in the New Deal Period,” *Rutgers University Law Review* 67:5 (Summer 2015): 1141-1168.
- “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.
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- 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.

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

“The Court as the Final Arbiter of the Constitution: *Cooper v. Aaron* (1958)” in *Creating Constitutional Change: Clashes over Power and Liberty in the Supreme Court*. Gregg Ivers and Kevin McGuire, eds. Charlottesville: University of Virginia Press, 2004.

“*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.

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

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“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.

“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.

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“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

Louis Fisher, *Supreme Court Expansion of Presidential Power: Unconstitutional Leanings*. *Congress & the Presidency* 45:2 (2018): 213-214.

“The Bounded Independence of American Courts,” *New York University Law Review Online* 93 (2018): 70-74 (<http://www.nyulawreview.org/sites/default/files/pdf/NYULawReviewOnline-93-Whittington.pdf>).

Clement Fatovic, *America’s Founding and the Struggle over Economic Inequality*. *The Historian* 79:4 (2017): 847-848.

Amanda Hollis-Brusky, *Ideas with Consequences: The Federalist Society and the Conservative Counterrevolution*. *American Political Thought* 5:3 (Summer 2016): 545-547.

Anna Harvey, *A Mere Machine: The Supreme Court, Congress, and American Democracy*. *Perspectives on Politics* 14:1 (March 2016): 233-235.

Stuart Chinn, *Recalibrating Reform: The Limits of Political Change*. *American Political Thought* 4:4 (Fall 2015): 681-683.

“Instructions,” “Judicial Supremacy,” in *American Governance*, ed. Stephen L. Schechter (New York: Macmillan, 2016).

“Constitutionalism,” in *Emerging Trends in the Social and Behavioral Sciences*, eds. Robert A. Scott and Stephen M. Kosslyn (Wiley Online Library, 2015). (<http://onlinelibrary.wiley.com/doi/10.1002/9781118900772.etrds0051/full>)

“Against Very Entrenched Constitutions,” *Wisconsin Law Review Online* (2015): 12-18 (www.wisconsinlawreview.org/wp-content/files/Whittington-Final.pdf)

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

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

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- “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.
- 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.
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- 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.
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- 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
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- 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

Regular Contributor, *The Volokh Conspiracy* (2019-) (<https://reason.com/volokh/>)

An extended list of substantial media contributions can be found at
<https://scholar.princeton.edu/kewhitt/public-writings-0>

“Alan Dershowitz is Wrong about Impeachments,” *Lawfare* (June 3, 2019)

“How Trump Will Weaken the Presidency,” *Lawfare* (May 16, 2019)

“Should the House Impeach if the Senate Won’t Convict?” *Lawfare* (May 8, 2019)

“Reckoning with the Mueller Report, Volume Two,” Niskanen Center (April 23, 2019)

“Reckoning with the Mueller Report, Volume One,” Niskanen Center (April 22, 2019)

“When Is Impeachment the Right Remedy?” *Lawfare* (March 4, 2019)

“Protecting Extramural Speech,” *Academe Blog* (February 15, 2019)

Keith E. Whittington

- “Here’s the Simple Reason why It’s So Hard to Abolish Lame-Duck Legislative Sessions,” *MarketWatch* (December 11, 2018).
- “Power Grab or Business as Usual?” *National Review Online* (December 10, 2018)
- “Free Speech is a Core Tent of the Academy. College Trustees Really Ought to Know That,” *Chronicle of Higher Education* (December 5, 2018) (<https://www.chronicle.com/article/Free-Speech-Is-a-Core-Tenet-of/245264>).
- “The Dream of a Nonpartisan Supreme Court,” Princeton University Press Blog (September 6, 2018) (<http://blog.press.princeton.edu/2018/09/06/keith-whittington-the-dream-of-a-nonpartisan-supreme-court/>).
- “Should Congress Treat Impeachable Offenses Cumulatively?” *Lawfare* (August 29, 2018) (<https://www.lawfareblog.com/should-congress-treat-impeachable-offenses-cumulatively/>).
- “Anthony Kennedy’s Supreme Court Legacy: Support for Both Flag-Burners and Citizens United,” *MarketWatch* (June 28, 2018) (<https://www.marketwatch.com/story/anthony-kennedys-supreme-court-legacy-uncomfortable-free-speech-2018-06-28>).
- “Campus Protests Should Stop at the Door of the Classroom,” *Aeon* (June 20, 2018) (<https://aeon.co/ideas/campus-protests-should-stop-at-the-door-of-the-classroom>).
- “The Problem with Zombie Constitutional Amendments,” Harvard Law Review Blog (June 6, 2018) (<https://blog.harvardlawreview.org/the-problem-with-zombie-constitutional-amendments/>).
- “Free Speech and Ideological Diversity on American College Campuses,” Open Inquiry Project (May 2018) (<http://openinquiryproject.org/our-stories/the-value-and-limits-of-academic-speech-a-collection-of-free-speech-essays/free-speech-american-college/>).
- “Don’t Subpoena Testimony from the President,” *Lawfare* (May 4, 2018) (<https://www.lawfareblog.com/dont-subpoena-testimony-president>).
- “Tolerating Campus Dissent, Left and Right,” Princeton University Press Blog (April 25, 2018) (<http://blog.press.princeton.edu/2018/04/25/keith-whittington-tolerating-campus-dissent-left-and-right/>).
- “R.I.P. Congressional War Power,” *Lawfare* (April 20, 2018) (<https://www.lawfareblog.com/rip-congressional-war-power>).
- “The Kids are Alright,” Princeton University Press Blog (March 20, 2018) (<http://blog.press.princeton.edu/2018/03/20/keith-whittington-the-kids-are-all-right/>).
- “Offensive Speech in the Classroom,” *Academe Blog* (March 11, 2018) (<https://academeblog.org/2018/03/11/offensive-speech-in-the-classroom/>).
- “Departmentalism, Judicial Supremacy, and DACA,” *Lawfare* (February 26, 2018) (<https://www.lawfareblog.com/departmentalism-judicial-supremacy-and-daca>).
- “President Trump, #MeToo, and Congressional Power,” *Harvard Law Review Blog* (February 20, 2018) (<https://blog.harvardlawreview.org/president-trump-metoo-and-congressional-power/>).
- “Partisanship, Norms, and Federal Judicial Appointments,” *Balkinization* (November 29, 2017) (<https://balkin.blogspot.com/2017/11/partisanship-norms-and-federal-judicial.html>).

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- “Trump’s Rhetoric is Offensive, But Is It an Impeachable Offense?” *Vox: Mischiefs of Faction* (August 4, 2017) (<https://www.vox.com/mischiefs-of-faction/2017/8/4/16093946/trump-andrew-johnson-rhetoric-offensive>).
- “The Power to Impeach Executive Officers,” *Lawfare* (August 4, 2017) (<https://www.lawfareblog.com/power-impeach-executive-officers>).
- “Possibly Impeachable Offenses: The Need for Congressional Investigation,” Niskanen Center (August 2, 2017) (<https://niskanencenter.org/blog/possibly-impeachable-offenses/>)
- “What is the Downside of Not Impeaching?” *Lawfare* (July 25, 2017) (<https://www.lawfareblog.com/what-downside-not-impeaching>)
- “The Coming Constitutional Crisis?” *Lawfare* (July 21, 2017) (<https://www.lawfareblog.com/coming-constitutional-crisis>)
- “So What Exactly Counts as an Impeachable Offense?” *Washington Post: Monkey Cage* (May 24, 2017) (https://www.washingtonpost.com/news/monkey-cage/wp/2017/05/24/so-what-exactly-counts-as-an-impeachable-offense-spoiler-its-a-trick-question/?utm_term=.b1e2ed19c357)
- “What is the Impeachment Power For?” *Law and Liberty* (May 22, 2017) (<http://www.libertylawsite.org/2017/05/22/what-is-the-impeachment-power-for/>)
- “How to Get Out of Impeachment Territory,” *Lawfare* (May 19, 2017) (<https://lawfareblog.com/how-get-out-impeachment-territory>)
- “Will the 25th Amendment Save Us? Lessons from the Nation’s First Impeachment,” *Vox: Mischiefs of Faction* (May 18, 2017) (<https://www.vox.com/mischiefs-of-faction/2017/5/18/15658236/25th-amendment-impeachment-issues>).
- “How Does Impeachment Work?” *The Atlantic* (May 17, 2017) (<https://www.theatlantic.com/politics/archive/2017/05/a-primer-on-the-impeachment-power/527052/>).
- “An Impeachment Should Not Be a Partisan Affair,” *Lawfare* (May 16, 2017) (<https://www.lawfareblog.com/impeachment-should-not-be-partisan-affair>).
- “Is the Supreme Court a Court?,” *Law and Liberty* (February 23, 2017) (<http://www.libertylawsite.org/2017/02/23/is-the-supreme-court-a-court/>).
- “Constitutional Norms Matter,” *Law and Liberty* (February 16, 2017) (<http://www.libertylawsite.org/2017/02/16/constitutional-norms-matter/>).
- “Departmentalism, Judicial Supremacy, and Trump,” *Balkinization* (February 15, 2017) (<https://balkin.blogspot.com/2017/02/departmentalism-judicial-supremacy-and.html>).
- “Making the Bricks of the Modern Presidency from Constitutional Straw: Review of Harold H. Bruff’s *Untrodden Ground*,” *Law and Liberty* (January 4, 2016) (<http://www.libertylawsite.org/book-review/making-the-bricks-of-the-modern-presidency-from-constitutional-straw/>)
- “Our Regional Constitution: Review of Akhil Reed Amar’s *The Law of the Land*,” *Wall Street Journal* (June 4, 2015): A13.
- “Paradise Lost: Review of Mike Lee’s *Our Lost Constitution: The Willful Subversion of America’s Founding Document*,” *Law and Liberty* (June 2, 2015) (<http://libertylawsite.org/2015/06/02/paradise-lost/>)
- Guest Blogger, *Liberty Law Blog* (April 2014) (www.libertylawsite.org/blog)

Keith E. Whittington

“Are Signing Statements a Bad Thing?” (April 28, 2014)
“Remembering Why Hayek Mattered” (April 26, 2014)
“What’s Wrong with Judicial Activism Anyway?” (April 21, 2014)
“One of the ‘Most Activist Judges We Have Right Now’” (April 10, 2014)
“Is the Roberts Court the Least Activist in History?” (April 8, 2014)
“Sowing the Seeds of an Originalist Future” (April 6, 2014)
“Constitutional Politics in the States” (April 6, 2014)
“How I Learned to Stop Worrying and Love Substantive Due Process – Sort of” (April 4, 2014)
“What Did John Marshall Accomplish in *Marbury v. Madison*” (April 2, 2014)

“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.

“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

Constitutional Crises, Real and Imagined, book under contract with Princeton University Press.

The Idea of Democracy in America: A Study in American Political Thought, book under contract with University of Oklahoma Press.

“A Formidable Weapon of Faction? The Law and Politics of Impeachment,” (review essay).

Keith E. Whittington

Online Resources

Judicial Review of Congress Database (<https://scholar.princeton.edu/kewhitt/judicial-review-congress-database>)

Primary Documents in the History of American Constitutionalism (with Howard Gillman and Mark Graber) (<http://global.oup.com/us/companion.websites/umbrella/gillman/>)

Primary Documents in the History of American Political Thought (<http://global.oup.com/us/companion.websites/9780199338863/>)

Teaching

Courses Taught (selected)

Constitutional Theory
Theories of Judicial Review
American Constitutional Development
Civil Liberties
American Political Thought
Free Speech and the Law
Constitutional Difficulties in the Age of Trump
Law and Society
American Political Development
Philosophy of Law

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, Marko Radenovic, P.J. Gardner, Jason Iuliano (chair), Benjamin Johnson, Geoffrey Sigalet, Paul Baumgardner

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

Open Inquiry Award for Exceptional Scholarship, Heterodox Academy, 2019

PROSE Award in Education (Theory and Practice), Association of American Publishers, 2019

Stanley Kelley Teaching Award, Department of Politics, Princeton University, 2017

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)

Keith E. Whittington

Co-PI, National Science Foundation, Collaborative Research: Updating and Backdating the U.S. Supreme Court Judicial Database, 2009-2013
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 (2019, 2016-1997)
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 National Lawyers Conference (2017)
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 Virginia, 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, University of Southern California Law School, Western Ontario Law School, Pennsylvania State Law School, University of Toledo Law School, University of Oklahoma, University of Houston, Michigan State University, Center for American Law of Paris II University, Centre for Constitutional Studies of the University of Alberta,

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University of Massachusetts at Amherst, Rutgers University, University of Texas Law School, Texas A&M University, Washington College of Law, Chicago-Kent Law School, Claremont McKenna College, University of Chicago, University of Delaware, Swarthmore College, Baylor University, Bowling Green State University, University of Connecticut, Amherst College, Wellesley College, Johns Hopkins University, University of Wisconsin, University of North Texas, University of Dallas, Texas Christian University, Texas State University, University of Georgia, Dartmouth College, Wichita State University, Bucknell University, American University, Berry College, Lafayette College, Boston College, University of West Florida, University of California at Irvine, Brigham Young University, Christopher Newport University, University of Maryland at Baltimore County, Montgomery College, Holy Cross College, George Washington University, Washington State University, Georgetown/Maryland-PEGS Discussion Group on Constitutional Law, CUNY Graduate Center, Saint Vincent College, Annenberg Foundation, National Constitution Center, New Jersey Historical Commission, Heterodox Academy, Jack Miller Center Cato Institute, Heritage Foundation, Institute for Humane Studies, Liberty Fund, American Enterprise Institute, Institute for Civil Society, Reason Foundation, American Association of University Professors

Professional Service

Activities:

Member, Editorial Board, *Polity*, 2005-
Member, Editorial Board, *American Political Thought*, 2010-
Member, Editorial Board, *Law and Social Inquiry*, 2012-
Member, Editorial Board, *Political Research Quarterly*, 2006-2018
Member, Editorial Board, *Law and Courts*, 2005-2007
Chair, Law and Courts Section C. Herman Pritchett Award Committee, 2014-2015
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 Legal History*, *American Journal of Political Science*, *American Political Science Review*, *American Political Thought*, *British Journal of Political Science*, *Congress & the Presidency*, *Ethics*, *Journal of American History*, *Journal of the Early Republic*, *Journal of Law and Religion*, *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*, *Public Choice*, *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, University of Missouri

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Press, Rowman & Littlefield, Lexington Books, Westview Press, SUNY Press, Polity 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, 2014-2017
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
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, 2014-2017
Member and Chair, Graduate Admissions Committee, 2002-2003, 2006-2017
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, 2014-2016
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 Task Force on the Future of the Graduate School, 2014-2016
Member, University Steering Committee on Firestone Library Renovations, 2007-
Member, University Committee on Library and Computing, 2007-2012, 2015-2016
Member, University Faculty Committee on the Graduate School, 2007-2009, 2010-2013, 2014-2017
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 Faculty Graduate Policy Committee, 2016-2017
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 Clisophic Society, 2008-

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