

Christopher W. Schmidt

Chicago-Kent College of Law
565 West Adams Street
Chicago, IL 60661
cschmidt@kentlaw.iit.edu

American Bar Foundation
750 North Lake Shore Drive
Chicago, IL 60611
cschmidt@abfn.org

312.906.5389 [office] • 802.384.1616 [cell]

ACADEMIC APPOINTMENTS

IIT Chicago-Kent College of Law, Chicago, Ill.

Professor of Law	2017 –
Associate Dean for Faculty Development	2016 – 2021
Norman and Edna Freehling Scholar	2016 – 2019
Associate Professor of Law	2014 – 2017
Assistant Professor of Law	2009 – 2014

American Bar Foundation, Chicago, Ill.

Research Professor	2019 –
Editor, LAW & SOCIAL INQUIRY	2013 –
Faculty Fellow	2011 – 2019
Visiting Scholar	2007 – 2011

Dartmouth College, Hanover, N.H.

Visiting Assistant Professor of History	2004 – 2008
Visiting Instructor in History	2002 – 2004

EDUCATION

Harvard Law School, Cambridge, Mass.

J.D., <i>magna cum laude</i> , June 2007.	2004 – 2007
---	-------------

Harvard University, Cambridge, Mass.

Ph.D. in the History of American Civilization, November 2004. M.A. in History, June 2000.	1998 – 2004
--	-------------

Dartmouth College, Hanover, N.H.

B.A. in History with High Honors, <i>magna cum laude</i> , June 1996	1992 – 1996
--	-------------

WORKS IN PROGRESS

OUR COURT: A NEW HISTORY OF THE UNITED STATES SUPREME COURT (book manuscript).

Popular Constitutionalism Reconsidered (article manuscript).

What is a Conservative Supreme Court? (article manuscript).

PUBLICATIONS

BOOKS

CIVIL RIGHTS IN AMERICA: A HISTORY (Cambridge University Press, 2021).

THE SIT-INS: PROTEST AND LEGAL CHANGE IN THE CIVIL RIGHTS ERA (University of Chicago Press, 2018).

ARTICLES & ESSAYS

Brown, History, and The Fourteenth Amendment, 97 NOTRE DAME LAW REVIEW 1477 (2022).

Thirteenth Amendment Echoes in Fourteenth Amendment Doctrine, 73 HASTINGS LAW JOURNAL 723 (2022).

Brown v. Board of Education, in THE OXFORD RESEARCH ENCYCLOPEDIA OF AMERICAN HISTORY (2021).

Rights, Dignity, and Public Accommodations, 38 LAW AND HISTORY REVIEW 599 (2020).

The Fourteenth Amendment and the Transformation of Civil Rights, 10 JOURNAL OF THE CIVIL WAR ERA 81 (2020).

Cooper v. Aaron and Judicial Supremacy, 41 UNIVERSITY OF ARKANSAS AT LITTLE ROCK LAW REVIEW 255 (2019).

Section 5's Forgotten Years: Congressional Power to Enforce the Fourteenth Amendment Before Katzenbach v. Morgan, 113 NORTHWESTERN UNIVERSITY LAW REVIEW 47 (2018).

Making Sense of the Messy Sixties, 43 LAW & SOCIAL INQUIRY 1634 (2018) (review essay).

The Sit-In Cases: Explaining the Great Aberration of the Warren Court, 43 JOURNAL OF SUPREME COURT HISTORY 294 (2018).

Buchanan v. Warley and the Changing Meaning of Civil Rights, 48 CUMBERLAND LAW REVIEW 463 (2018).

The Forgotten Issue? The Supreme Court and the 2016 Presidential Campaign, 93 CHICAGO-KENT LAW REVIEW 411 (2018).

The Sit-In Movement, in THE OXFORD RESEARCH ENCYCLOPEDIA OF AMERICAN HISTORY (2018). Reprinted in THE OXFORD ENCYCLOPEDIA OF AMERICAN URBAN HISTORY (Timothy Gilfoyle ed. 2019).

Why the 1960 Lunch Counter Sit-Ins Worked: A Case Study of Law and Social Movement Mobilization, 5 INDIANA JOURNAL OF LAW AND SOCIAL EQUALITY 281 (2017).

"The Civilizing Hand of Law": Defending the Legal Process in the Civil Rights Era, in RHETORICAL PROCESS AND LEGAL JUDGMENTS (Austin Sarat ed., Cambridge University Press, 2016).

Legal History and the Problem of the Long Civil Rights Movement, 41 LAW & SOCIAL INQUIRY 1081 (2016) (review essay).

On Doctrinal Confusion: The Case of the State Action Doctrine, 2016 BYU LAW REVIEW 575.

The Civil Rights-Civil Liberties Divide, 12 STANFORD JOURNAL OF CIVIL RIGHTS & CIVIL LIBERTIES 1 (2016).

Beyond Backlash: Conservatism and the Civil Rights Movement, 56 AMERICAN JOURNAL OF LEGAL HISTORY 179 (2016).

Litigating Against the Civil Rights Movement, 86 UNIVERSITY OF COLORADO LAW REVIEW 1173 (2015).

Divided by Law: The Sit-Ins and the Role of the Courts in the Civil Rights Movement, 33 LAW AND HISTORY REVIEW 93 (2015) (winner of the 2016 American Society for Legal History Surrency Prize and the 2014 Association of American Law Schools Scholarly Paper Prize).

New York Times v. Sullivan and the Legal Attack on the Civil Rights Movement, 66 ALABAMA LAW REVIEW 293 (2014).

The Challenge of Supreme Court Biography: The Case of Chief Justice Rehnquist, 29 CONSTITUTIONAL COMMENTARY 271 (2014) (review essay).

Explaining the Baseball Revolution, 45 ARIZONA STATE LAW JOURNAL 1471 (2013) (winner of the 2014 McFarland-SABR Baseball Research Award).

Why Broccoli? Limiting Principles and Popular Constitutionalism in the Health Care Decision, 61 UCLA LAW REVIEW 66 (2013) (with Mark D. Rosen).

Beyond the Opinion: Supreme Court Justices and Extrajudicial Speech, 88 CHICAGO-KENT LAW REVIEW 487 (2013).

American Legal History, 1920-1970, in BLACKWELL COMPANION TO AMERICAN LEGAL HISTORY (Al Brophy & Sally Hadden eds., 2013).

Defending the Right to Discriminate: The Libertarian Challenge to the Civil Rights Movement, in SIGNPOSTS: NEW DIRECTIONS IN SOUTHERN LEGAL HISTORY (Sally Hadden & Patricia Minter eds., 2013).

Social Movements, Legal Change, and the Challenges of Writing Legal History, 65 VANDERBILT LAW REVIEW EN BANC 155 (2012) (review essay).

The Tea Party and the Constitution, 39 HASTINGS CONSTITUTIONAL LAW QUARTERLY 193 (2011).

Conceptions of Law in the Civil Rights Movement, 1 UC-IRVINE LAW REVIEW 641 (2011).

Popular Constitutionalism on the Right: Lessons from the Tea Party, 88 DENVER UNIVERSITY LAW REVIEW 523 (2011).

Oral Dissenting on the Supreme Court, 19 WILLIAM & MARY BILL OF RIGHTS JOURNAL 75 (2010) (with Carolyn Shapiro).

The Sit-ins and the State Action Doctrine, 18 WILLIAM & MARY BILL OF RIGHTS JOURNAL 767 (2010).

Hugo Black's Civil Rights Movement, in TRANSFORMATIONS IN AMERICAN LEGAL HISTORY: ESSAYS IN HONOR OF PROFESSOR MORTON J. HORWITZ (Daniel W. Hamilton & Alfred L. Brophy eds., 2009).

"Freedom Comes Only from the Law": The Debate over Law's Capacity and the Making of Brown v. Board of Education, 2008 UTAH LAW REVIEW 1493 (2008).

Brown and the Colorblind Constitution, 94 CORNELL LAW REVIEW 203 (2008).

Doe v. Kamehameha: Racial Preferences in Private Schools and the Future of §1981, 42 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 557 (2007).

The Children of Brown: Psychology and School Segregation in Mid-Century America, in WHEN SCIENCE ENCOUNTERS THE CHILD: PERSPECTIVES ON EDUCATION, PARENTING, AND CHILD WELFARE IN TWENTIETH CENTURY AMERICA (Barbara Beatty, Emily Cahan, & Julia Grant eds., 2006).

J. Waties Waring and the Making of Liberal Jurisprudence in Postwar America, in FROM THE GRASSROOTS TO THE SUPREME COURT: *BROWN V. BOARD OF EDUCATION* AND AMERICAN DEMOCRACY (Peter Lau ed., 2004).

ENTRIES & SHORT ESSAYS

There's Something About Brown, 19 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 1934 (2021) (with Erin F. Delaney).

On Constitutional Disobedience, HANNAH ARENDT JOURNAL 7 (2020).

Originalism and Congressional Power to Enforce the Fourteenth Amendment, 74 WASHINGTON AND LEE LAW REVIEW ONLINE 33 (2018).

The Supreme Court and American Politics: Symposium Introduction, 93 CHICAGO-KENT LAW REVIEW 315 (2018) (with Carolyn Shapiro).

The Natural-Born Citizen Clause, Popular Constitutionalism, and Ted Cruz's Eligibility Question, 84 GEORGE WASHINGTON LAW REVIEW ARGUENDO 36 (2016) (with Matthew T. Bodie).

The Resilience of Federalism, 91 DENVER UNIVERSITY LAW REVIEW ONLINE 191 (2014).

Introduction: The Supreme Court and the American Public, 88 CHICAGO-KENT LAW REVIEW 287 (2013) (with Carolyn Shapiro).

John Montgomery Ward: The Lawyer Who Took on Baseball, in THEN & NOW: STORIES OF LAW AND PROGRESS (Lori Andrews & Sarah Harding eds., 2013).

Law and Society, in OXFORD ENCYCLOPEDIA OF AMERICAN SOCIAL HISTORY (Lynn Dumenil ed., 2012).

Listening to History? Parents Involved, Brown, and the Colorblind Constitution, LEGAL WORKSHOP (April 30, 2009).

J. Waties Waring in *YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW* (Roger K. Newman ed., 2009).

Entries on *Adderley v. Florida*, *Ashwander v. TVA*, and *Carter v. Carter Coal Co.*, and the Cold War in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* (David Tanenhaus ed., December 2008).

Entries on George Stovey and Frank Robinson in *AFRICAN AMERICAN NATIONAL BIOGRAPHY* (Henry Louis Gates, Jr., & Evelyn Brooks Higginbotham eds., 2008).

Entries on the Southern Conference for Human Welfare and Francis Biddle in *ENCYCLOPEDIA OF THE GREAT DEPRESSION* (Robert S. McElvaine ed., 2004).

Essays on the New Deal, the Great Black Migration, *Brown v. Board of Education*, and the Civil Rights Movement in *HISTORY IN DISPUTE: AMERICAN SOCIAL AND POLITICAL MOVEMENTS* (Robert J. Allison ed., 2000).

REVIEWS

Felix Frankfurter Reconsidered, review of BRAD SNYDER, *DEMOCRATIC JUSTICE: FELIX FRANKFURTER, THE SUPREME COURT, AND THE MAKING OF THE LIBERAL ESTABLISHMENT* (2022), *JOTWELL* (May 2023).

Using the Past, review of Sarah Seo, “A User’s Guide to History,” in *RESEARCH HANDBOOK ON MODERN LEGAL REALISM* (Shauhin Talesh, Elizabeth Mertz, & Heinz Klug eds. 2021), *JOTWELL* (May 2022).

Review of RAWN JAMES, JR., *THE TRUMAN COURT: LAW AND THE LIMITS OF LOYALTY* (2021), in 116 *MISSOURI HISTORICAL REVIEW* 267 (2022).

Rights, Facts, and Roe, review of MARY ZIEGLER, *ABORTION AND THE LAW IN AMERICA: ROE V. WADE TO THE PRESENT* (2020), *JOTWELL* (May 2021).

Review of AVIDIT ACHARYA, MATTHEW BLACKWELL, & MAYA SEN, *DEEP ROOTS: HOW SLAVERY STILL SHAPES SOUTHERN POLITICS* (2018), in 85 *JOURNAL OF SOUTHERN HISTORY* 972 (2019).

New Approaches to the History of Originalism, *JOTWELL* (September 2019).

Review of JAMES O. HEATH, *TO FACE DOWN DIXIE: SOUTH CAROLINA'S WAR ON THE SUPREME COURT IN THE AGE OF CIVIL RIGHTS* (2017), in 46 *HISTORY: REVIEWS OF NEW BOOKS* 150 (2019).

Review of DAVID M. O'BRIEN, *JUSTICE ROBERT H. JACKSON'S UNPUBLISHED OPINION IN BROWN V. BOARD: CONFLICT, COMPROMISE, AND CONSTITUTIONAL INTERPRETATION* (2017) in 41 *KANSAS HISTORY* 248 (Winter 2018–2019).

Review of LAURA KALMAN, *THE LONG REACH OF THE SIXTIES: LBJ, NIXON, AND THE MAKING OF THE CONTEMPORARY SUPREME COURT* (2017), in 36 *LAW AND HISTORY REVIEW* 1105 (2018).

Quiet Justice, review of MELISSA MILEWSKI, *LITIGATING ACROSS THE COLOR LINE: CIVIL CASES BETWEEN BLACK AND WHITE SOUTHERNERS FROM THE END OF SLAVERY TO CIVIL RIGHTS* (2018), JOTWELL (March 2018).

Review of RISA GOLUBOFF, *VAGRANT NATION: POLICE POWER, CONSTITUTIONAL CHANGE, AND THE MAKING OF THE 1960S* (2016), in 57 *AMERICAN JOURNAL OF LEGAL HISTORY* 589 (2017).

Exceptions and Baselines in American Political and Legal History, review of JEFFERSON COWIE, *THE GREAT EXCEPTION: THE NEW DEAL AND THE LIMITS OF AMERICAN POLITICS* (2016), JOTWELL (March 2017).

Review of J. DOUGLAS SMITH, *ON DEMOCRACY'S DOORSTEP: THE INSIDE STORY OF HOW THE SUPREME COURT BROUGHT "ONE PERSON, ONE VOTE" TO THE UNITED STATES* (2014), in 81 *JOURNAL OF SOUTHERN HISTORY* 1038 (2015).

Review of CHERYL ELIZABETH BROWN WATTLE, *A STEP TOWARD BROWN V. BOARD OF EDUCATION: ADA LOIS SPUDEL FISHER AND HER FIGHT TO END SEGREGATION* (2014), in 38 *KANSAS HISTORY* 140 (2015).

Review of STUART BANNER, *THE BASEBALL TRUST* (2013) & NATHANIEL GROW, *BASEBALL ON TRIAL: THE ORIGIN OF BASEBALL'S ANTITRUST EXEMPTION* (2014), in 33 *LAW AND HISTORY REVIEW* 756 (2015).

The Law and Economics of the Civil Rights Revolution, review of GAVIN WRIGHT, *SHARING THE PRIZE: THE ECONOMICS OF THE CIVIL RIGHTS REVOLUTION IN THE AMERICAN SOUTH* (2013), JOTWELL (March 2015).

Review of CHARLES L. ZELDEN, *THURGOOD MARSHALL: RACE, RIGHTS, AND THE STRUGGLE FOR A MORE PERFECT UNION* (2013), in 33 *LAW AND HISTORY REVIEW* 257 (2015).

Review of BRETT GADSDEN, *BETWEEN NORTH AND SOUTH: DELAWARE, DESEGREGATION, AND THE MYTH OF AMERICAN SECTIONALISM* (2013), in 48 *JOURNAL OF AMERICAN STUDIES* (2014).

Review of LARRY S. GIBSON, *YOUNG THURGOOD: THE MAKING OF A SUPREME COURT JUSTICE* (2012), in 76 *HISTORIAN* 360 (2014).

How Tax Law Made America Modern, review of AJAY K. MEHROTRA, *MAKING THE MODERN AMERICAN FISCAL STATE: LAW, POLITICS, AND THE RISE OF PROGRESSIVE TAXATION, 1877-1929* (2013), JOTWELL (February 2014).

Review of WILLIAMJAMES HULL HOFFER, *PLESSY V. FERGUSON: RACE AND INEQUALITY IN JIM CROW AMERICA* (2012), in 76 *HISTORIAN* 122 (2014).

- The Complexity of Consensus on the Supreme Court*, review of PAMELA C. CORLEY, AMY STEIGERWALT, & ARTEMUS WARD, *THE PUZZLE OF UNANIMITY: CONSENSUS ON THE UNITED STATES SUPREME COURT* (2013), H-LAW (January 2014).
- Review of GEORGE I. LOVELL, *THIS IS NOT CIVIL RIGHTS: DISCOVERING RIGHTS TALK IN 1939 AMERICA* (2012), in 47 *LAW & SOCIETY REVIEW* 986 (2013).
- Review of CHRISTOPHER BONASTIA, *SOUTHERN STALEMATE: FIVE YEARS WITHOUT PUBLIC EDUCATION IN PRINCE EDWARD COUNTY, VIRGINIA* (2012), in 47 *J. AMER. STUDIES* 578 (May 2013).
- The Global Community of Ideas that Created Neoliberalism*, review of ANGUS BURGIN, *THE GREAT PERSUASION: REINVENTING FREE MARKETS SINCE THE GREAT DEPRESSION* (2012), JOTWELL (April 2013).
- Review of KENNETH W. MACK, *REPRESENTING THE RACE: THE CREATION OF THE CIVIL RIGHTS LAWYER* (2012), in 30 *LAW AND HISTORY REVIEW* 927 (2012).
- Review of CHRISTOPHER WALDREP, *JURY DISCRIMINATION: THE SUPREME COURT, PUBLIC OPINION, AND A GRASSROOTS FIGHT FOR RACIAL EQUALITY IN MISSISSIPPI* (2010), in 29 *LAW AND HISTORY REVIEW* 651 (2011).
- Review of *LONG IS THE WAY AND HARD: ONE HUNDRED YEARS OF THE NAACP* (Kevern Verney & Lee Sartain eds., 2009), in 64 *ALABAMA REVIEW* 76 (2011).
- The Pragmatic Civil Rights Movement*, review of TOMIKO BROWN-NAGIN, *COURAGE TO DISSENT: ATLANTA AND THE LONG HISTORY OF THE CIVIL RIGHTS MOVEMENT* (2011), JOTWELL (May 2011).
- Review of ANDERS WALKER, *THE GHOST OF JIM CROW: HOW SOUTHERN MODERATES USED BROWN V. BOARD OF EDUCATION TO STALL CIVIL RIGHTS* (2009), in 25 *CONTINUITY & CHANGE* 466 (December 2010).
- Review of FRANK J. COLUCCI, *JUSTICE KENNEDY'S JURISPRUDENCE: THE FULL AND NECESSARY MEANING OF LIBERTY* (2009), H-LAW (December 2010).
- The Story Behind Griggs v. Duke Power*, review of ROBERT SAMUEL SMITH, *RACE, LABOR, AND CIVIL RIGHTS: GRIGGS VERSUS DUKE POWER AND THE STRUGGLE FOR EQUAL EMPLOYMENT* (2008), H-LAW (February 2010).
- Review of *LAW TOUCHED OUR HEARTS: A GENERATION REMEMBERS BROWN V. BOARD OF EDUCATION* (Mildred Wigfall Robinson & Richard J. Bonnie eds., 2009), in 28 *LAW AND HISTORY REVIEW* (2010).
- Review of STUART STREICHLER, *JUSTICE CURTIS IN THE CIVIL WAR ERA: AT THE CROSSROADS OF AMERICAN CONSTITUTIONALISM* (2005), in 24 *CONTINUITY & CHANGE* 563 (December 2009).
- The Long Life of Jim Crow*, review of LEON F. LITWACK, *HOW FREE IS FREE? THE LONG DEATH OF JIM CROW* (2009) H-LAW (August 2009).

Review of WITH ALL DELIBERATE SPEED: IMPLEMENTING BROWN V. BOARD OF EDUCATION (Brian J. Daugherty & Charles C. Bolton eds., 2008) in 96 JOURNAL OF AMERICAN HISTORY 299 (June 2009).

Review of DAVISON M. DOUGLAS, JIM CROW MOVES NORTH: THE BATTLE OVER NORTHERN SCHOOL SEGREGATION, 1865-1954 (2005), in 33 MICH. HIST. REV. 143 (Spring 2007).

Review of MARTIN H. REDISH, THE LOGIC OF PERSECUTION: FREE EXPRESSION AND THE MCCARTHY ERA (2005), in 41 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 591 (2006).

The Worst State of All, review of CHARLES C. BOLTON, THE HARDEST DEAL OF ALL: THE BATTLE OVER SCHOOL INTEGRATION IN MISSISSIPPI, 1870-1980 (2005), H-LAW (August 2006).

Review of Nancy HATHAWAY STEENBURG, CHILDREN AND THE CRIMINAL LAW IN CONNECTICUT, 1635-1855: CHANGING PERCEPTIONS OF CHILDHOOD (2005), in 45 CONN. HIST. (Spring 2006).

Making Sense of the History of Affirmative Action, review of TERRY ANDERSON, THE PURSUIT OF FAIRNESS: A HISTORY OF AFFIRMATIVE ACTION (2004), H-1960s (May 2005).

A Classic and Its Progeny, review of RICHARD KLUGER, SIMPLE JUSTICE (rev. ed., 2005), and ROBERT COTTROL, ET AL., BROWN V. BOARD OF EDUCATION (2003), H-LAW (September 2004).

POPULAR PRESS ARTICLES

The Kavanaugh Hearings Had One Big Benefit for All Americans, WASHINGTON POST, November 1, 2018.

The Parkland Students Can Transform the Gun-Control Movement, WASHINGTON POST, March 13, 2018.

What Trump-Era Protesters Can Learn from the Lunch Counter Sit-Ins of 1960, USA TODAY, February 1, 2018.

When Everything Is a Civil Right, Nothing Is, WASHINGTON POST, January 24, 2018.

Yes, There Is a Right to Discriminate, WASHINGTON POST, December 5, 2017.

PRESENTATIONS & LECTURES

“The Defeat of Judge Parker and the Making of the Modern Supreme Court,” University of Minnesota Legal History Workshop, Fall 2023.

“The Dilemma of the Supreme Court”

University of Georgia School of Law Faculty Colloquium, March 2023.

St. Louis University School of Law Faculty Workshop, April 2023.

“Civil Rights in America: A History”

Reconstruction and the Constitution Seminar, University of Iowa College of Law, September 2022.

Civil Rights Enforcement Colloquium, Duke University School of Law, February 2022.

American Bar Foundation Fellows Meeting, New York City, October 2021.

American Bar Foundation Book Reception, April 2021.

Faculty Workshop, Cardozo School of Law, October 2017.

Faculty Workshop, Chicago-Kent College of Law, February 2017.

“The Sit-Ins: Protest and Legal Change in the Civil Rights Era”

American Bar Foundation Fellows Meeting, Portland, Maine, December 2022.

Baker Donelson Diversity Speaker Series, February 2021.

American Bar Foundation Oregon Fellows Meeting, October 2020.

Georgia State University, Atlanta, November 2019.

ABA Section of International Law Annual Conference, Washington, D.C., April 2019.

Constitutional History in the Classroom Program, New York University, February 2019.

Author-Meets-Reader Panel, American Society for Legal History Annual Meeting, Houston, October 2018.

Southern Festival of Books, Nashville, Tennessee, October 2018.

Osher Lifelong Learning Institute, Dartmouth College, July 2018.

Center for the Study of Law and Society, University of California, Berkeley School of Law, April 2018.

American Bar Foundation Book Launch, Chicago, April 2018.

American Bar Foundation Fellows Meeting, New York City, April 2018.

Constitutional Rights Foundation Chicago Book Talk, Chicago, March 2018.

Chicago-Kent Book Talk, sponsored by the Chicago-Kent chapters of the American Constitution Society and Federalist Society, March 2018.

American Bar Foundation Fellows Research Advisory Committee, Chicago, December 2017.

American Bar Foundation Fellows Meeting, Kansas City, Missouri, September 2017.

“*Brown*, History, and The Fourteenth Amendment,” Conference on Constitutional Reconstruction, University of Notre Dame, October 2021.

“Thirteenth Amendment Echoes in Fourteenth Amendment Doctrine”

National Conference of Constitutional Law Scholars, March 2021.

Faculty Workshop, Chicago-Kent College of Law, February 2021.

Law and History Workshop, Harvard Law School, February 2020.

“Navigating the Civil Rights-Civil Liberties Divide: Earl B. Dickerson and the National Lawyers Guild,” Earl B. Dickerson Centennial Conference, University of Chicago Law School, October 2020.

“What is a Conservative Supreme Court?”

Faculty Workshop, Chicago-Kent College of Law, February 2023.

American Bar Foundation Seminar, June 2020.

- Constitutional Law Colloquium, Loyola University Chicago School of Law, November 2019.
- “The Thirteenth Amendment and the Transformation of Civil Rights,” Conference on the Thirteenth Amendment and Racial Justice, Chicago-Kent College of Law, November 2019.
- “The Case of Judge Kenesaw Mountain Landis,” Symposium to Commemorate the Bicentennial of the Federal District Court in Chicago, Chicago-Kent College of Law, October 2019.
- “Popular Constitutionalism Reconsidered”
Conference on Amending America’s Unwritten Constitution, Boston College, May 2019.
Constitutional Law Colloquium, Loyola University Chicago School of Law, November 2018.
- “Victory as Resource: A New Perspective on Social Movements”
Law and Society Association Annual Meeting, Washington, D.C. May 2019.
Midwest Law and Society Retreat, University of Wisconsin, Madison, October 2018.
- “On Constitutional Disobedience,” Citizenship and Civil Disobedience Conference, Hannah Arendt Center, Bard College, October 2018.
- “*Cooper v. Aaron* and Judicial Supremacy,” *Cooper v. Aaron*: Still Timely at Sixty Years Conference, University of Arkansas at Little Rock School of Law, September 2018.
- “Section 5’s Forgotten Years: Congressional Power to Enforce the Fourteenth Amendment Before *Katzenbach v. Morgan*”
American Constitution Society Junior Scholars Public Law Workshop, San Diego, January 2018.
National Conference of Constitutional Law Scholars, Tucson, Arizona, March 2018.
Constitutional Law Colloquium, University of Illinois College of Law, April 2018.
- “The Transformation of Civil Rights, 1866-1964,” Symposium on the Many Fourteenth Amendments, University of Miami, March 2018.
- “Civil Rights Conservatism,” American Society for Legal History Annual Meeting, Las Vegas, October 2017.
- “The Supreme Court as an Issue in Presidential Campaigns,” Symposium on the Supreme Court and American Politics, Chicago-Kent College of Law, October 2017.
- “Social Movements and Victory,” Conference on Lawyers and Social Movements: Reimagining Theory and Practice, UCLA School of Law, February 2017.
- “Toward a New History of Civil Rights,” Midwest Law and Society Retreat, University of Wisconsin, Madison, November 2016.
- “Exceptions in American Constitutional History,” Wisconsin Discussion Group on Constitutionalism, University of Wisconsin Law School, September 2016.

“The Sit-Ins: A Legal History”

American Bar Foundation Fellows Meeting, Denver, Colorado, May 2016
American Bar Foundation Research Seminar, April 2016.

“The Student Sit-In Movement of 1960: Protest, Law, and Social Change,” Conference on Turning Points in Social Movements: Past and Future, Indiana University School of Law, April 2016.

“‘The Civilizing Hand of Law’: Defending the Legal Process in the Civil Rights Era,” Conference on Rhetorical Process and Legal Judgments, University of Alabama School of Law, September 2015.

“On Doctrinal Confusion: The Case of the State Action Doctrine”

Constitutional Law Colloquium, Loyola University Chicago School of Law, October 2015.

Faculty Workshop, Chicago-Kent College of Law, February 2015.

Faculty Workshop, University of Illinois College of Law, March 2014.

Chicago Junior Faculty Workshop, Valparaiso University Law School, February 2014.

“Federalism and Movement Mobilization in the Civil Rights Era,” Law and Society Association Annual Meeting, Seattle, May 2015.

“Litigating Against the Civil Rights Movement”

Conference on Litigating for Social Change, Byron R. White Center for the Study of American Constitutional Law, University of Colorado, September 2014.

American Society for Legal History Annual Meeting, Denver, November 2014.

“Massive Resistance as a Constitutional Movement,” Law and Society Association Annual Meeting, Minneapolis, May 2014.

“Divided by Law: The Sit-Ins and the Role of the Courts in the Civil Rights Movement,” Keynote Address, Northwestern Journal of Law and Social Policy Symposium on Social Movements and the Law, Northwestern Law School, April 2014.

“*New York Times v. Sullivan* and the Legal Attack on the Civil Rights Movement,” *New York Times v. Sullivan* Symposium, University of Alabama School of Law, February 2014.

“Divided by Law: The Sit-Ins and the Role of the Courts in the Civil Rights Movement,” Association of American Law Schools Annual Meeting, New York City, January 2014 (AALS Scholarly Paper Prize Winner Presentation).

“The Sit-Ins: Protest, Law, and Social Change,” Faculty Workshop, Marquette University Law School, October 2013.

“Explaining the Baseball Revolution,” Faculty Workshop, Chicago-Kent College of Law, April 2013.

“Defending the Right to Discriminate: The Libertarian Challenge to the Civil Rights Movement,” Association of American Law Schools Annual Meeting, New Orleans, January 2013.

- “Why Broccoli? Limiting Principles and Popular Constitutionalism in the Health Care Case,” Chicago Junior Faculty Workshop, Loyola University Chicago, School of Law, November 2012.
- “Beyond the Opinion: Why Do Supreme Court Justices Talk to the Public?” Symposium on the Supreme Court and the American Public, Chicago-Kent College of Law, November 2012.
- “Broccoli, Liberty, and the Constitutional Challenge to Health Care,” Constitution Day Lecture, September 2012, University of Wisconsin, Oshkosh.
- “Divided by Law: The Sit-Ins, Legal Uncertainty, and the Role of the Courts in the Civil Rights Movement”
Junior Faculty Forum, Harvard Law School, June 2012 (selected paper).
Legal History Workshop, University of Michigan Law School, February 2012.
American Bar Foundation Research Seminar, November 2010.
- “The Tea Party and the Constitution”
Constitutional Law Colloquium, Loyola University Chicago School of Law, October 2011.
Faculty Workshop, Chicago-Kent College of Law, March 2011.
Chicago Bar Association, Committee on Civil Rights and Constitutional Law, February 2011.
Conference on Popular Constitutionalism and the Use of History in Constitutional Argument, Byron R. White Center for the Study of American Constitutional Law, University of Colorado, January 2011.
Midwest Law & Society Retreat, University of Wisconsin, Madison, October 2010.
- “The United States and the Making of the Iraqi Constitution of 2005,” The Dartmouth/Middle East Connection: A Symposium in Honor of Professor Gene R. Garthwaite, Dartmouth College, April 2011.
- “The Rise of the Majoritarians”
Constitutional Law Colloquium, Loyola University Chicago School of Law, November 2010.
University of Illinois & Chicago-Kent Faculty Forum, Chicago, November 2010.
Junior Faculty Workshop, Washington University School of Law, St. Louis, December 2010.
- “The Cold War Origins of the Civil Rights-Civil Liberties Divide,” San Francisco Rights Conference, September 2010.
- “Conceptions of Law in the Civil Rights Movement,” Law As ... Theory and Method in Legal History Conference, University of California, Irvine, School of Law, April 2010.
- “Governing Baseball: A History of the Relationship between Government and Major League Baseball,” Chicago Seminar on Sport and Culture, Newberry Library, May 2009.
- “The Sit-ins and the State Action Doctrine”

Legal History Colloquium, Harvard Law School, February 2009.
Faculty Workshop, UCLA School of Law, January 2009.
Faculty Workshop, Duke Law School, January 2009.
Faculty Workshop, Cornell Law School, December 2008.
Faculty Workshop, University of Chicago Law School, December 2008.
Faculty Workshop, University of California, Irvine School of Law, December 2008.
Faculty Workshop, Chicago-Kent College of Law, November 2008.
Annual Meeting of the American Society of Legal History, Ottawa, Canada, November 2008.

“Explaining Massive Resistance: The Debate over Law and Social Change, 1954-1964”
Legal History Forum, Yale Law School, October 2008.
Legal History Workshop, University of Illinois College of Law, October 2008.
American Bar Foundation Research Seminar, April 2008.

“Hugo Black’s Civil Rights Movement,” Conference in Honor of Morton Horowitz, Harvard Law School, September 2008.

“Divided by Law: The Sit-Ins, the NAACP, and the Role of the Courts in the Civil Rights Movement,” Midwest Law and Society Retreat, University of Wisconsin, Madison, September 2008.

“The Sit-ins and the Failed State Action Revolution,” Law and Humanities Junior Scholar Workshop, University of California, Los Angeles, June 2008 (selected paper).

“The Civil Rights Act of 1964 and Congressional Interpretation of the Fourteenth Amendment,” Policy History Conference, St. Louis, May 2008.

“Lawyers and the Fight for Civil Rights in Chicago,” invited lecture sponsored by the Institute for Law and the Humanities and the Black Law Students Association, Chicago-Kent College of Law, February 2008.

“Civil Disobedience and the Constitution: The Case of the Sit-ins,” Chicago Legal History Seminar, American Bar Foundation, November 2007.

“The Sit-Ins, the NAACP, and the Role of the Constitution in the Civil Rights Movement,” American Society of Legal History Annual Meeting, Tempe, Arizona, October 2007.

“Popular Constitutionalism from the Bottom Up: The Student Sit-In Movement and the State Action Doctrine,” Northeast Regional Law and Society Meeting, Amherst, Massachusetts, May 2007.

“The Rise of the Supreme Court,” One Day University, Hartford, Connecticut, December 2006 and Newton, Massachusetts, May 2007.

“The 1950 Segregation Decisions and the Turn to the Courts,” Miller Center of Public Affairs Fellows Conference, University of Virginia, May 2004.

“The Making of *Brown v. Board of Education*,” invited lecture, Carleton College, Northfield, Minnesota, April 2004.

- “*Brown v. Board of Education* in Historical Context,” invited lecture, Miller Center of Public Affairs, University of Virginia, April 2004.
- “*Brown v. Board of Education* and the Civil Rights Movement,” Annual Meeting of the Organization of American Historians, Boston, March 2004.
- “A Reexamination of the Origins of *Brown v. Board of Education*,” The Unfinished Business of *Brown v. Board of Education*, Hood College, Frederick, Maryland, March 2004.
- “The Role of History in *Brown v. Board of Education*,” Annual Meeting of the American Society of Legal History, Washington, D.C., November 2003.
- “The Rise of Racial Liberalism in Postwar America,” History of American Civilization Dissertation Colloquium, Harvard University, May 2003.
- “*Brown v. Board of Education*: An Historical Interpretation,” Nelson A. Rockefeller Center Law and Society Faculty Workshop, Dartmouth College, April 2003.
- “Judge Waring’s Battle with Southern Liberalism,” Citadel Conference on the Civil Rights Movement, Charleston, South Carolina, March 2003.
- “Anticommunism, Civil Rights, and the NAACP in Early Postwar America,” Annual Meeting of the American Historical Association, Chicago, January 2003.
- “J. Waties Waring and the Making of Liberal Jurisprudence in Postwar America,” writing workshop sponsored by the Institute for Southern Studies, Columbia, South Carolina, June 2002.
- “Historians, the Courts, and the Battle Against Segregated Education,” History of Activism, History as Activism, Graduate Student Conference, Columbia University, April 2002.
- “Psychological Explanations of Racism in *Brown v. Board of Education*,” Annual Meeting of the American Studies Association, Washington, D.C., November 2001.
- “The Multiple Psychologies of *Brown v. Board of Education*,” Situating the Psychological in American History & Culture, Graduate Student Conference, Yale University, May 2000.

FELLOWSHIPS & PRIZES

Finalist, Langum Prize in American Legal History, 2019.

American Society for Legal History Surrency Prize, 2016 (awarded annually for the best article published in *Law and History Review*).

Association of American Law Schools Scholarly Paper Prize, 2014.

McFarland-SABR Baseball Research Award, 2014.

Selected Paper, Stanford/Yale/Harvard Junior Faculty Forum, 2012.

Selected Paper, Law and Humanities Junior Scholar Workshop, 2008.

Cromwell Fellowship, American Society for Legal History, 2007.

Harvard Law School Summer Academic Fellowship, 2007.

Miller Center of Public Affairs Fellowship, University of Virginia, 2003-2004.

Whiting Fellowship in the Humanities, Harvard University, 2003-2004 (declined).

Harry S. Truman Library Institute Dissertation Year Fellowship, 2003-2004 (declined).

Center for American Political Studies Dissertation Fellowship, Harvard University, 2001-2002.

Term-Time Research Fellowship, Harvard University Graduate Society, Fall 2001.

Jacob K. Javits Fellowship, 1997-1998 (declined).

Phi Beta Kappa honor society, Dartmouth College, 1996.

Reichard Award for the outstanding senior honors thesis in the History Department, Dartmouth College, 1996.

Morton Prize for the outstanding essay on European history, Dartmouth College, 1995.

Class of 1948 Scholar-Athlete, Dartmouth College, 1996.

RESEARCH GRANTS

Mark DeWolfe Howe Fund Research Grant, Harvard Law School, 2002 and 2005.

Littleton-Griswold Research Grant, American Historical Association, 2002.

Harry S. Truman Library Institute Research Grant, 2002.

Research and Travel Grant, Charles Warren Center for Studies in American History, Harvard University, 2001, 2002, 2004.

Research and Travel Grant, History of American Civilization Program, Harvard University, 2001 and 2004.

TEACHING EXPERIENCE

Chicago-Kent College of Law, Chicago, Ill.

Professor of Law

2014 –

Associate Professor of Law

2014 – 2017

Assistant Professor of Law

2009 – 2014

Visiting Associate Professor of Law

2008 – 2009

John W. Rowe Excellence in Teaching Award, Illinois Tech, 2023.

Chicago-Kent College of Law Excellence in Teaching Award, 2011.

Courses taught:

Constitutional Law
 Supreme Court Review
 Constitutional History of the United States
 Comparative Constitutional Law
 Making Chicago: Law, Politics, and Urban Planning in the Second City
 Civil Rights History: From the Civil War to the Civil Rights Movement
 Baseball, Law, and American Society
 The Constitutional Challenge to the Affordable Care Act

Dartmouth College, Hanover, N.H.

Visiting Assistant Professor of History 2004 – 2007

Visiting Instructor in History 2002 – 2004

Courses taught:

Constitutional History of the United States
 United States History Since 1877
 Baseball in American Society, 1840-Present

Harvard University, Cambridge, Mass.

Teaching Fellow in the Core Program 2005

Teaching Assistant for American Constitutional History 2005

Teaching Fellow in Government 2005

Teaching Assistant for American Democracy

Teaching Fellow in History 2000 –

2006

Head Tutor for Major Themes in American Historical Writing.

Teaching Assistant for:

Crime and Criminal Justice in the U.S., 1776-2000

The United States since World War II

Baseball and American Society, 1840-Present

Senior thesis advisor.

Certificates of Teaching Distinction, 2000, 2001, 2005.

Phillips Academy, Andover, Mass.

Instructor in History and Social Sciences 1997 – 1998

Teaching Fellow in History and Social Sciences 1996 – 1997

Taught United States History, Twentieth Century World History,
 Introduction to Social Science, Political Science, and International
 Relations.

PROFESSIONAL SERVICE

LAW & SOCIAL INQUIRY

Editor, 2013 – present.
Associate Editor, 2009 – 2013.

Institute on the Supreme Court of the United States (ISCOTUS), Chicago-Kent College of Law
Co-Director, 2016 – present.
Director, 2014 – 2016.

American Society for Legal History

Faculty Leader, Wallace Johnson Program for First Book Authors, 2023 – present.
Willard Hurst Memorial Fund Committee, 2022 – present.
Co-Chair, Local Arrangements Committee for the 2022 Annual Meeting.
Chair, Hurst Institute Selection Committee, 2020 – 21.
Board of Directors, 2016 – 2019.
Faculty Leader, Student Research Colloquium, 2016 and 2017.

Organizer, U.S. Legal History Roundtable, American Bar Foundation, 2013 – present.

Organizer, American Bar Foundation Legal History Seminar, 2013 – 2014, 2017 – present.

Board of Editors, JOURNAL OF AMERICAN CONSTITUTIONAL HISTORY, 2022 – present.

Faculty Participant, Early Career and Graduate Student Workshop, Law and Society Association
Annual Meeting, San Juan, Puerto Rico, June 2023.

Panelist, Publishing in Socio-Legal Friendly Journals, Law and Society Association Annual
Meeting, San Juan, Puerto Rico, June 2023.

Panel Chair, Addressing Inequality Issues in the Peer-Reviewed Publishing World, Law and
Society Association Annual Meeting, San Juan, Puerto Rico, June 2023.

Speaker, Jack Spratt Coffeehouse Sit-in Commemoration, DuSable Black History Museum,
Chicago (online event), May 2023.

Commentator, Book Manuscript Workshop on Randall Kennedy, From Protest to Law:
Triumphs and Defeats in Struggles for Racial Justice, 1950-1970, Georgia State University
College of Law, May 2023.

Commentator, U.S. Legal History Roundtable, American Bar Foundation, May 2023.

Commentator, Program in Race, Law & History Seminar, University of Michigan, May 2022.

Commentator, Chicago Junior Faculty Workshop, Loyola University Chicago, School of Law,
October 2021.

Panelist, Sports Law in the Supreme Court, Chicago Bar Association, Sports Law Committee,
May 2021.

- Organizer, Symposium to Commemorate the Bicentennial of the Federal District Court in Chicago, Chicago-Kent College of Law, October 2019.
- Author of “Tips on Publishing in a Peer-Reviewed Journal” and “How to Write a Great Peer Review,” Cambridge Core Blog, 2019.
- Speaker, American Bar Association Federal Institute for Teachers, Northern District Illinois District Court, Chicago, July 2019.
- Panelist, How to Write and Receive Peer Reviews, Law and Society Association Annual Meeting, Washington, D.C., June 2019.
- Panelist, Celebrating Law & Social Inquiry, Law and Society Association Annual Meeting, Washington, D.C., June 2019.
- Panelist, Law and Society Publishing at the Crossroads Roundtable, Law and Society Association Annual Meeting, Toronto, June 2018.
- Chair/Discussant, Discourse and Strategy in Judicial Decision Making, Law and Society Association Annual Meeting, Toronto, June 2018.
- Guest Blogger, Legal History Blog, November – December 2012 and May 2018.
- Panelist, Meet the Journal Editors Roundtable, Midwest Political Science Association Annual Meeting, Chicago, April 2018.
- Co-Organizer, Symposium on the Supreme Court and American Politics, Chicago-Kent College of Law, October 2017.
- Panelist, Supreme Court Hot Topics Panel, Harvard Law Society of Illinois, Chicago, August 2017.
- Ph.D. Dissertation Committee Member for Amanda Hughett, Duke University, Department of History, 2017.
- Invited Participant, Law and Litigation in Equality Movements Workshop, University of Wisconsin Law School, April 2017.
- Commentator, Author-Meets-Reader Session on Risa Goluboff, *Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s*, Legal History Section Panel, Association of American Law Schools Annual Meeting, San Francisco, January 2017.
- Commentator, “Legal History, Its Publics, and the Institutions that Connect Them,” American Society for Legal History Annual Meeting, Toronto, October 2016.

Commentator on “A Textualist Theory of the Fourteenth Amendment,” Federalist Society, Northwestern Law School, September 2016.

Commentator, Author Meets Reader Session on Amanda Hollis-Brusky, *Ideas With Consequences: The Federalist Society and the Conservative Counterrevolution*, Law and Society Association Annual Meeting, New Orleans, June 2016.

Commentator, Race, Law, and the Making of the Modern American State, Law and Society Association Annual Meeting, New Orleans, June 2016.

Co-Organizer, “How Law Works” Conference, University of Chicago Law School, Oct. 2015.

Co-Organizer, American Bar Foundation/Illinois Legal History Seminar, 2010 – 2013.

Jotwell

Legal History Contributing Editor, 2016 – present.

Legal History Section Editor, 2010 – 2016.

Co-Organizer, Symposium on “The Supreme Court and the American Public,” Chicago-Kent, November 2012.

Lecturer on U.S. Constitutional Law, Winter Conference for Judicial Officers, Indiana Judicial Center, December 2011 and December 2015.

Commentator, “‘We Must First Take Account’: A Conference on Race, Law, and History in the Americas,” University of Michigan Law School, April 2011.

Judge, “We the People” Civics Competition National Finals, Washington, D.C., 2008, 2010.

Executive Articles Editor, *Harvard Civil Rights-Civil Liberties Law Review*, 2006-2007.

Manuscript Reviewer: *Law and History Review*, *Journal of American History*, *Stanford Law Review*, Oxford University Press, University of Chicago Press, Routledge, Yale University Press, Palgrave, University of Michigan Press, University of California Press.

Prize Committees:

Chicago-Kent College of Law Roy C. Palmer Civil Liberties Prize Committee, 2009 – present.

Willard Hurst Award Committee, Law and Society Association, 2014, 2016 (chair), 2023.

Cromwell Dissertation Prize Advisory Committee, American Society for Legal History, 2014-2016 (chair, 2015).

Scholarly Paper Prize Committee, Association of American Law Schools, 2015.

Kathryn T. Preyer Memorial Committee, American Society for Legal History, 2011 – 2013.

Institute for Law & Humanities Paper Prize Committee, Chicago-Kent College of Law,
2008-2010.

Chicago-Kent Faculty Service:

Visiting Assistant Professor Hiring Committee, 2014 – 2015, 2017 – 2021, 2022 – 2023
(chair).
Academic Unit Committee on Appointments and Retention, 2017 – 2019, 2022–23.
Associate Dean for Faculty Development, 2016 – 2021.
Speakers Committee, 2011 – 2018, 2020 – 2023.
Faculty Hiring Committee, 2012 – 2014, 2015 – 2018, 2019–2020 (co-chair).
Promotion and Tenure Committee (chair), 2017 – 2022.
Campus Committee on Promotion and Tenure, 2017 – present, 2021–2022 (chair).
Faculty Advisor to the Chicago-Kent Chapter of the Federalist Society, 2016 – present.
Academic Unit Committee on Appointments and Retention, 2017 – 2019.
Dean Search Committee (chair), 2018 – 2019.
Strategic Planning Committee, 2016 – 2017.
Curriculum Committee, 2010 – 2012.
Law Review Committee, 2009 – 2010.

American Bar Foundation Faculty Service:

Policy Committee, 2020 – 2021, 2021 – 2022 (alternate), 2022 – 2023.
Appointments Committee (co-chair), 2021–2022.
Law & Social Inquiry, 2009 – present.
Research Committee, 2020 – 2021.