

MARC O. DE GIROLAMI

The Catholic University of America, Columbus School of Law
degirolami@cua.edu

ACADEMIC APPOINTMENTS

THE CATHOLIC UNIVERSITY OF AMERICA, COLUMBUS SCHOOL OF LAW
St. John Henry Newman Professor of Law
Co-Director, Center for Law & the Human Person

ST. JOHN'S UNIVERSITY SCHOOL OF LAW
Cary Fields Professor of Law, 2009-2023
Co-Director, Mattone Center for Law and Religion

PRINCETON UNIVERSITY
Visiting Professor, Department of Politics, Spring 2023
Visiting Fellow, James Madison Program, Spring 2019

UNIVERSITY OF NOTRE DAME SCHOOL OF LAW
Visiting Professor of Law, Spring 2020

THE CATHOLIC UNIVERSITY OF AMERICA, COLUMBUS SCHOOL OF LAW
Visiting Assistant Professor and Scholar in Residence, 2008-09

COLUMBIA LAW SCHOOL
Associate-in-Law, 2007-08

PUBLICATIONS

BOOKS

WE MEAN WHAT WE DO: THE NEW CONSTITUTIONAL TRADITIONALISM, Cambridge University Press (under contract).

THE TRAGEDY OF RELIGIOUS FREEDOM, Harvard University Press (2013).

Reviewed in *Commentary*; *Journal of Church and State*; *Law and Politics Book Review*; *Journal of Religion and Human Rights*; *Choice*; *Politics and Religion*; *The University Bookman*; *Review of Politics*
Featured on National Public Radio and The Liberty Fund

ARTICLES, ESSAYS, & BOOK CHAPTERS (*peer refereed)

**The Death and New Life of Law and Religion*, 13 OXFORD JOURNAL OF LAW & RELIGION -- (2024).

Traditionalism Rising, 24 JOURNAL OF CONTEMPORARY LEGAL ISSUES 9 (2023).
Response by Professor Andrew Koppelman.

Establishment as Tradition, 133 YALE LAW JOURNAL FORUM 372 (2023).

Public-Private Drift and the Shattering Polity, 68 THE AMERICAN JOURNAL OF JURISPRUDENCE 119 (2023).

Mysterizing Religion, 98 NOTRE DAME LAW REVIEW REFLECTION S108 (2023).

The New Disestablishments, 33 GEORGE MASON U. CIVIL RIGHTS JOURNAL 31 (2022).

Establishment's Political Priority to Free Exercise, 97 NOTRE DAME LAW REVIEW 715 (2022).

The End of the Affair, 66 THE AMERICAN JOURNAL OF JURISPRUDENCE 409 (2021) (review essay of JOEL HARRISON, POST-LIBERAL RELIGIOUS LIBERTY: FORMING COMMUNITIES OF CHARITY (2020)).

**Reconstructing Malice in the Law of Punitive Damages*, 14 JOURNAL OF TORT LAW 193 (2021).

First Amendment Traditionalism, 97 WASHINGTON UNIVERSITY LAW REVIEW 1653 (2020).

The Traditions of American Constitutional Law, 95 NOTRE DAME LAW REVIEW 1123 (2020).

The Two Separations, in THE CAMBRIDGE COMPANION TO THE FIRST AMENDMENT AND RELIGIOUS LIBERTY (Michael Breidenbach & Owen Anderson, eds.), Cambridge University Press (2020).

The Sickness Unto Death of the First Amendment, 42 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 751 (2019).

Reprinted in FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed.), Thompson Reuters (2019-20).

On the Uses of Anti-Christian Identity Politics, in RELIGIOUS FREEDOM, LGBT RIGHTS, AND THE PROSPECTS FOR COMMON GROUND (William Eskridge & Robin Fretwell Wilson, eds.), Cambridge University Press (2018).

Religious Accommodation, Religious Tradition, and Political Polarization, 20 LEWIS & CLARK LAW REVIEW 1127 (2017).

Substantial Burdens Imply Central Beliefs, 2016 ILLINOIS LAW REVIEW ONLINE 19.

Virtue, Freedom, and the First Amendment, 91 NOTRE DAME LAW REVIEW 1465 (2016).

Reprinted in FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed.), Thompson Reuters (2017-18).

The Bloating of the Constitution: Equality and the US Establishment Clause, in THE SOCIAL EQUALITY OF RELIGION OR BELIEF (Alan Carling, ed.), Palgrave Macmillan (2016).

Free Exercise by Moonlight, 53 SAN DIEGO LAW REVIEW 105 (2016).

Quoted in *Vlaming v. West Point School Board*, --- S.E.2d --- (Va. 2023).

Constitutional Contraction: Religion and the Roberts Court, 26 STANFORD LAW & POLICY REVIEW 385 (2015).

Translated into Italian and reprinted in *La Corte Roberts e la Tutela Della Libertà Religiosa Negli Stati Uniti* (Pasquale Annicchino, ed.), EUI Press (2017).

Judge Posner, Judge Wilkinson, and Judicial Critique of Constitutional Theory (with Kevin C. Walsh), 90 NOTRE DAME LAW REVIEW 633 (2014).

James Fitzjames Stephen: The Punishment Jurist, in FOUNDATIONAL TEXTS IN MODERN CRIMINAL LAW (Markus Dubber, ed.), Oxford University Press (2014).

**Against Theories of Punishment: The Thought of Sir James Fitzjames Stephen*, 9 OHIO STATE JOURNAL OF CRIMINAL LAW 699 (2012).

Responses by Judge Richard A. Posner and Professor Chad Flanders.

The Choice of Evils and the Collisions of Theory, in RETRIBUTIVISM: ESSAYS ON THEORY AND POLICY (Mark D. White, ed.), Oxford University Press (2011).

**The Vanity of Dogmatizing*, 27 CONSTITUTIONAL COMMENTARY 201 (2010).

**The Excitement of Interdictory Ideas: A Response to Professor Anders Walker*, 8 OHIO STATE JOURNAL OF CRIMINAL LAW 155 (2010).

**No Tears for Creon*, 15 LEGAL THEORY 245 (2009).

Culpability in Creating the Choice of Evils, 60 ALABAMA LAW REVIEW 597 (2009).

The Problem of Religious Learning, 49 BOSTON COLLEGE LAW REVIEW 1213 (2008).

Faith in the Rule of Law, 82 ST. JOHN'S LAW REVIEW 573 (2008).

Recoiling from Religion, 43 SAN DIEGO LAW REVIEW 619 (2006).

The New Religious Prisons and Their Retributivist Commitments, 59 ARKANSAS LAW REVIEW 1 (2006).

Congressional Threats of Removal Against Federal Judges, 10 TEXAS JOURNAL ON CIVIL LIBERTIES & CIVIL RIGHTS 111 (2005).

WORKING PAPERS & PROJECTS

The Very Idea of Tradition in the Law

We Mean What We Do: The New Constitutional Traditionalism (book project)

The Common Law, the Catholic Tradition, and the Criminal Law (with John Stinneford)

AWARDS, HONORS, AND GRANTS

Establishment as Tradition, selected as one of the ten best papers of the year by Professor Lawrence Solum at Legal Theory January 2024.

Traditionalism Rising, selected as one of the ten best papers of the year by Professor Lawrence Solum at Legal Theory Blog, January 2023.

Establishment's Political Priority to Free Exercise, selected paper at the National Conference of Constitutional Law Scholars, William H. Rehnquist Center, University of Arizona Law School, March 2021.

Research Fellow, The Nootbaar Institute on Law, Religion, and Ethics, Pepperdine University.

Dedication by the St. John's Law Review, Volume 93:3 (2019).

The Tradition Project, Part I ("Tradition in Law and Politics") Project co-leader (with Mark L. Movsesian), The Lynde & Harry Bradley Foundation, \$100,000 grant, 2015-2016.

The Tradition Project, Part II ("Tradition, Culture, and Citizenship"), Project co-leader (with Mark L. Movsesian), The Achelis and Bodman Foundation, \$50,000 grant, 2016-2018.

Professor of the Year (St. John's) (by student vote), 2018; 1L Teacher of the Year, 2012, 2013 (by student vote)

Dean's Award for Outstanding Scholarship (St. John's): 2021, 2019, 2014, 2013

Dean's Teaching Award (St. John's): 2018 (Torts); 2012 (Constitutional Law)

Dean's Award for Outstanding Service (St. John's): 2017

OCCASIONAL PIECES

Law and Christendom (reviewing THE OXFORD HANDBOOK OF CHRISTIANITY AND LAW, John Witte, Jr. & Rafael Domingo, eds. (2023)), LAW & LIBERTY (forthcoming).

Something Other Than Originalism Explains This Supreme Court, THE NEW YORK TIMES, March 29, 2024.

Anchors Aweigh (reviewing HADLEY ARKES, MERE NATURAL LAW: ORIGINALISM AND THE ANCHORING TRUTHS OF THE CONSTITUTION (2023)), FIRST THINGS, December 2023.

Sul Rapporto Tra Originalismo e Tradizionalismo, 1.2022 PERCORSI COSTITUZIONALI 291 (2022), reviewing GIUSEPPE PORTONERA, ANTONIN SCALIA (2022) (in Italian).

American Millstone (reviewing JOHN LAWRENCE HILL, THE PROPHET OF MODERN CONSTITUTIONAL LIBERALISM: JOHN STUART MILL AND THE SUPREME COURT (2020)), LAW & LIBERTY, March 5, 2021.

Amy Coney Barrett and Originalism, FIRST THINGS, October 12, 2020.

Integrating Originalism and Stare Decisis, LAW AND LIBERTY, September 1, 2020 (invited responses from Professors Randy Barnett, Jesse Merriam, and Ilan Wurman).

Wanted: A Republican Judiciary (reviewing GREG WEINER, THE POLITICAL CONSTITUTION: THE CASE AGAINST JUDICIAL SUPREMACY (2019)), LAW AND LIBERTY, January 13, 2020.

Notes on a New Fusion, LAW AND LIBERTY, July 19, 2019 (invited response to Jesse Merriam, *Is Legal Conservatism as Accomplished as It Thinks It Is?*).

Cross Purposes, PUBLIC DISCOURSE, June 25, 2019.

Jurisprudence as an Expression of Character (reviewing RICHARD BROOKHISER, JOHN MARSHALL: THE MAN WHO MADE THE SUPREME COURT (2018)), LAW AND LIBERTY, January 28, 2019.

2018 Supreme Court Roundup: Kennedy's Last Term, FIRST THINGS, October 2018 (with Kevin C. Walsh).

Conservatives, Don't Put Too Much Hope in the Next Justice, THE NEW YORK TIMES, July 2, 2018 (with Kevin C. Walsh).

The Long Tail of Legal Liberalism (reviewing PATRICK J. DENEEN, WHY LIBERALISM FAILED (2018)), LAW AND LIBERTY, February 7, 2018.

2017 Supreme Court Roundup: A Less Corrupt Term, FIRST THINGS, October 2017 (with Kevin C. Walsh).

Fake Law, THE WEEKLY STANDARD, May 15, 2017.

The Limits of Phenomenological and Experiential Ecumenism, 32 JOURNAL OF LAW AND RELIGION 501 (2017) (symposium on KATHLEEN A. BRADY, THE DISTINCTIVENESS OF RELIGION IN AMERICAN LAW: RETHINKING RELIGION CLAUSE JURISPRUDENCE (2015)).

Entries for Justice David Josiah Brewer and Justice Antonin Scalia, in ENCYCLOPEDIA OF CHRISTIANITY IN THE UNITED STATES (George Thomas Kurian and Mark Lamport, eds.), Rowman & Littlefield (2017).

The Unforgettable Fire: Tradition and the Shape of the Law, LAW AND LIBERTY, August 2016 (invited responses from Professors David Bernstein, Sanford Levinson, and James Stoner).

On Expressivism and Retributivism in Wolterstorff's 'The Mighty and the Almighty,' 4 JOURNAL OF ANALYTIC THEOLOGY 395 (2016).

What is a "Substantial Burden" on Religious Exercise—Or Is It Best Not to Ask?, LAW AND LIBERTY, April 20, 2016.

The Optimist: For Scalia, Textualism Was a Matter of Trust, COMMONWEAL, Feb. 23, 2016.

Classical Liberalism: Teaching Its Own Undoing, LAW AND LIBERTY, Jan. 6, 2016 (invited response to Richard A. Epstein, *Freedom of Association and Antidiscrimination Law: An Imperfect Reconciliation*).

The Empty Bromide of Religious Neutrality, LAW AND LIBERTY, July 24, 2015.

Pantagruel Comes for the Establishment Clause, LAW AND LIBERTY, December 12, 2014.

American Religious Freedom: The Revised Story (reviewing STEVEN D. SMITH, THE RISE AND DECLINE OF AMERICAN RELIGIOUS FREEDOM (2014)), THE UNIVERSITY BOOKMAN, July 21, 2014.

The Deeper Meaning in Hobby Lobby, LAW AND LIBERTY, July 1, 2014.

Seeking Guidance? New Legal Challenges to Legislative Prayer, COMMONWEAL, January 17, 2014.

Legalese, COMMONWEAL (reviewing ANTONIN SCALIA & BRYAN A. GARNER, *READING LAW: THE INTERPRETATION OF LEGAL TEXTS* (2012)), November 4, 2013.

Why Standing Matters: Same-Sex Marriage & the Role of Courts, COMMONWEAL, July 23, 2013.

Book Review, STEPHEN V. MONSMA, *PLURALISM AND FREEDOM: FAITH BASED ORGANIZATIONS IN A DEMOCRATIC SOCIETY* (2012), 55 *JOURNAL OF CHURCH AND STATE* 578 (2013).

Astral Appetites, THE NEW REPUBLIC, (reviewing J. HARVIE WILKINSON III, *COSMIC CONSTITUTIONAL THEORY: WHY AMERICANS ARE LOSING THEIR INALIENABLE RIGHT TO SELF-GOVERNANCE* (2012)), September 5, 2012.

The School Question, THE NEW REPUBLIC, (reviewing STEVEN K. GREEN, *THE BIBLE, THE SCHOOL, AND THE CONSTITUTION: THE CLASH THAT SHAPED MODERN CHURCH-STATE DOCTRINE* (2012)), July 2, 2012.

True Religion, THE NEW REPUBLIC, (reviewing PAUL HORWITZ, *THE AGNOSTIC AGE: LAW, RELIGION, AND THE CONSTITUTION* (2011)), July 11, 2011.

James Fitzjames Stephen's "Liberty, Equality, Fraternity," *JOURNAL OF CHRISTIAN LEGAL THOUGHT*, Volume 1, Number 1 (2011).

The Handmaid of Politics, 26 *J. L. & RELIGION* 101 (2010-2011) (reviewing STEVEN H. SHIFFRIN, *THE RELIGIOUS LEFT AND CHURCH-STATE RELATIONS* (2009)).

Co-founder (with Mark L. Movsesian) *Law and Religion Forum*, (blog of the Center for Law and Religion).

Member of *Mirror of Justice* (blog of Catholic legal thought).

SELECTED PRESENTATIONS & CONFERENCES

The Very Idea of Tradition in the Law

Conference, "St. John Henry Newman, Tradition, and Law," Center for Law and the Human Person, The Catholic University of America, Columbus School of Law, October 2024.

Lecture, Università Cattolica del Sacro Cuore, Milan, Italy, November 2024.

WE MEAN WHAT WE DO: THE NEW CONSTITUTIONAL TRADITIONALISM

Roundtable, Notre Dame Program on Church, State, and Society, Galway, Ireland, October 2024.

Conference, "Kennedy v. Bremerton School District: The Court's New Religion Clause Jurisprudence"

St. John's Journal of Catholic Legal Studies, April 2024.

Conference, “Examining the Limits of Religious Liberty in the Roberts Court”
Annual Symposium on Religious Liberty, University of Pennsylvania Federalist Society,
March 2024.

“The Constitutional Craft-Traditionalist”
Conference, “History, Tradition, and Analogical Reasoning,” Notre Dame Law School and
Duke University Center for Firearms Law, November 2023.

Law and Religion Junior Faculty Conference (distinguished scholar commenting on paper)
Notre Dame Law School, Chicago campus, October 2023.

The Death and New Life of Law and Religion

Nootbaar Fellows Conference, Pepperdine Law School, January 2024.

Murphy Institute for Catholic Thought, Law, and Public Policy, University of St. Thomas
School of Law, October 2023.

Conference, “Protecting Religious Liberty in a Rapidly Evolving Society,” Notre Dame Religious
Liberty Summit, London, July 2023.

Yale Law School Federalist Society, February 2023.

“Notes on a New Humanism in Legal Education,”

Conference, “Law and the Human Person,” Center for Law and the Human Person, The
Catholic University of America, Columbus School of Law, March 2023.

Traditionalism Rising

Panel, “The Role of Tradition in Constitutional Law” (with Profs. Kevin Walsh and Ernest
Young), Project on Constitutional Originalism and the Catholic Intellectual Tradition,
Catholic University of America, Columbus School of Law, March 2023.

NYU Law School Federalist Society, March 2023.

Panel, “*Dobbs* and *Bruen*: History, Tradition, and Originalism in the Supreme Court” (with
Profs. Larry Solum and Randy Barnett), Georgetown University Law Center, November
2022.

Conference, “Modern Conservative Political Philosophy,” Institute for Law and Philosophy
& Institute for Law and Religion, University of San Diego School of Law, September 2022.

Mysterizing Religion

Conference, Nootbaar Fellows Conference, Pepperdine Law School, February 2023.

Conference, “Catholic Schools and Religious Liberty: A Global Perspective,” Notre Dame
Global Gateway, Rome, Italy, December 2022.

Conference, “Unconstitutional Conditions and Religious Liberty,” Notre Dame Law School,
October 2022.

Respondent, “Dignitatis Humanae: Navigating the Legacy of Vatican II” (with Profs. Francis Beckwith and J. Budziszewski), Annual Conference of American Academy of Catholic Scholars and Artists, Naples, FL, January 2023.

Panelist, “2022 Supreme Court Update Series: Law and Religion,” University of Houston Law Center, October 2022.

Conference, “Liberalism’s Limits: Religious Exemption and Hate Speech,” (co-organizer), Libera Università Maria SS. Assunta, Rome, Italy, July 2022.

Public-Private Drift and the Shattering Polity

Conference, “Private Law and Practical Reason,” Notre Dame Program on Private Law, Galway, Ireland, May 2022.

The New Disestablishments

Conference, “Beyond ‘Defensive Crouch’ Religious Freedom: Religious Institutional Freedom as a Religious and Social Good,” Liberty and Law Center, George Mason School of Law, March 2022.

The Common Law, the Catholic Tradition, and the Criminal Law

Conference, “Catholic Perspectives on Criminal Justice Reform,” Center for the Study of Liberal Democracy, University of Wisconsin, February 2022.

Establishment’s Political Priority to Free Exercise

Pontifical John Paul II Institute for Studies on Marriage and Family, The Catholic University of America, September 2021.

National Conference of Constitutional Law Scholars, William H. Rehnquist Center, University of Arizona Law School, March 2021.

Nootbaar Fellows Workshop, Pepperdine Law School, March 2021.

Conference, “Stare Decisis, Justice, and the Rule of Law”

Panelist, Global Summit, International Conference on The Future of Constitutionalism, January 2021.

Conference, “Originalism and Its Discontents”

Panelist, Federalist Society Conference, January 2021.

Reconstructing Malice in the Law of Punitive Damages

Notre Dame Law School Faculty Workshop, April 2020.

First Amendment Traditionalism

Roundtable on “Constitutionalism, Sovereignty, and Peoples,” Notre Dame Program on Constitutional Structure, London, February 2020.

Symposium on The Religion Clauses, Washington University School of Law, January 2020.

Respondent, KEITH E. WHITTINGTON, *REPUGNANT LAWS: JUDICIAL REVIEW OF ACTS OF CONGRESS FROM THE FOUNDING TO THE PRESENT* (2019), James Madison Program, Princeton University, November 14, 2019.

Lecture, “The Supreme Court’s New Traditionalism,” Skidmore College, September 19, 2019.

The Traditions of American Constitutional Law

Visiting Fellow Presentation, James Madison Program, Princeton University, April 2019.

Hertog Foundation, Washington, DC, July 2019.

The Tradition Project, Part III: “Tradition and the Global Clash of Values”

St. John’s Center for Law and Religion (jointly with the McCullen Center for Law, Religion, and Public Policy and LUMSA University), Rome, Italy, December 2018.

“Higher Purposes of Free Speech,” Conference, “Higher Powers,” Notre Dame Center for Ethics and Culture, November 2018.

Constitution Day Discussion, The King’s College, New York (with David Tubbs), September 2018.

The Sickness Unto Death of the First Amendment

Panel on “Free Exercise of Religion and Freedom of Speech,” AALS Section on Law and Religion, New Orleans, January 2019.

“Religion and the Administrative State,” Center for the Study of the Administrative State, George Mason University School of Law, March & September 2018.

Lecture, “First Amendment Developments in the Supreme Court’s Recent Cases,” Loyola University Maryland, September 13, 2018.

Conference, “Through Every Human Heart,” Notre Dame Center for Ethics and Culture (roundtable participant), November 2017.

The Tradition Project, Part II: “Tradition, Culture, and Citizenship”

St. John’s Center for Law and Religion, New York, November 2017.

“Tradition and Traditionalisms Compared”: A Joint Program of the Tradition Project and the Post-Secular Conflicts Project, Trento, Italy, June 2017.

Roundtable, *Pagans and Christians in the City* by Steven D. Smith, Notre Dame Law School, March 2017.

On Article XI of the Treaty of Tripoli and the Uses of Christian Nationalism

Conference on “Faith, Sexuality, and the Meaning of Freedom,” Yale Law School, January 2017.

The Tradition Project, Part I: “Tradition in Law and Politics”

St. John’s Center for Law and Religion, New York, October 2016.

Landmark Supreme Court Cases: Employment Division v. Smith

Hertog Foundation, Washington, DC, July 2016 (with Adam White).

Religious Accommodation, Religious Tradition, and Political Polarization

Notre Dame Law School Faculty Workshop, April 2016.

St. John's Law School Faculty Workshop, April 2016.

Virtue, Freedom, and the First Amendment

Conference on "Religious Liberty and the Free Society: Celebrating the 50th Anniversary of *Dignitatis Humanae*," Notre Dame Law School, November 2015.

Conference on "Catholic Legal Theory: Aspirations, Challenges, and Hopes," Villanova Law School, April 2015.

Free Exercise by Moonlight

Institute for Law and Religion, University of San Diego School of Law, March 2015.

Constitutional Contraction: Religion and the Roberts Court

European University Institute (by Skype), Robert Schuman Centre for Advanced Studies, Florence, Italy, October 2014.

"Libertas Project," Villanova Law School, Workshop on Religious Freedom (co-moderator), July 2014, July 2015.

"International Religious Freedom and the Global Clash of Values" (conference co-organizer), Libera Università Maria SS. Assunta, Rome, Italy, June 2014.

Roundtable, *The Mighty and the Almighty* by Nicholas Wolterstorff, Notre Dame Law School, March 2014.

Lumen Christi Conference on Christian Legal Thought (conference co-organizer with Zachary Calo), New York, January 2014.

"The Politics of Religious Freedom: Contested Norms and Local Practices" (panelist), Northwestern University, October 2013.

"Morality and the Criminal Law" (panelist), Southeastern Association of Law Schools Conference, Palm Beach, FL, August 2013.

Annual Law and Religion Roundtable, Stanford Law School, June 2013.

"Colloquium: Thomas More on Ethics, Law, and Liberty" (participant), University of St. Thomas School of Law, Minneapolis, MN, June 2013.

Judge Posner, Judge Wilkinson, and Judicial Critique of Constitutional Theory

"Religion, Democracy, and Equality," William & Mary Law School, August 2013.
St. John's University School of Law, March 2013.

New York City Junior Faculty Colloquium, Fordham Law School, December 2012.

The Punishment Jurist

Conference on “Foundations of Modern Criminal Law,” University of Toronto Faculty of Law, November 2012.

Pace University School of Law Faculty Workshop, October 2012.

“Catholic Perspectives on Religious Liberty” (panelist), Georgetown University Law Center, The Berkley Center for Religion, Peace, and World Affairs, September 2012.

“State-Sponsored Religious Displays in the U.S. and Europe” (conference co-organizer and panelist), Libera Università Maria SS. Assunta, Rome, Italy, June 2012.

“The HHS Contraception Mandate and Religious Institutions” (panelist), Yale Law School, April 2012.

“On the Present Condition of Punishment Theory,” Talk at University of St. Thomas School of Law (with United States District Judge Richard J. Sullivan), April 2012.

“The Retributivist Tradition and its Future” (conference organizer and panelist), St. John’s University School of Law, November 2011.

Against Theories of Punishment: The Thought of Sir James Fitzjames Stephen

Criminal Theory Colloquium, New York University School of Law, April 2011.

AALS Conference, Panel on Jurisprudence: The Choice of Evils, San Francisco, January 2011.

“Religious Legal Theory Conference: Religion in Law and Law in Religion” (conference co-organizer and panel moderator), Center for Law and Religion, St. John’s University School of Law, November 2010.

The Tragedy of Religious Freedom

Stanford Constitutional Law Center, Stanford Law School, November 2013.

Law and Religion Colloquium, BYU Law School, January 2013.

Conference on Religious Legal Theory, Pepperdine University School of Law, February 2012.

Annual Law and Religion Roundtable, Northwestern University School of Law, June 2011.

St. John’s University School of Law Faculty Scholarship Workshop, February 2011.

Annual Law and Religion Roundtable, Brooklyn Law School, June 2010.

Conference on Christian Realism and Public Life, Terrence J. Murphy Institute, University of St. Thomas School of Law, November 2009.

Conference on Religious Legal Theory, Seton Hall University School of Law, November 2009.

Associates in Law Workshop, Columbia Law School, November 2009.

“Laïcité in Comparative Perspective” (panel moderator), Center for Law and Religion, St. John’s University School of Law, Paris, France, June 2010.

“Areas in Need of Constitutional Criteria: The Eighth Amendment, The Establishment Clause, and the Foreign Commerce Clause” (panelist), Law, Culture, and the Humanities Conference, Brown University, March 2010.

The Choice of Evils and the Collisions of Theory

Faculty Workshop, Pace University School of Law, September 2009.

“Choice and Chance in Criminal Law” (chair and panelist), Law and Society Association Conference, Denver, CO, May 2009.

The Problem of Religious Learning

Columbia Law School, February 2008.

Faith in the Rule of Law

Columbia Law School, September 2007.

EDUCATION

Columbia Law School, J.S.D., LL.M.

- Doctoral Dissertation: *Tragic Historicism: A Theory of Religious Liberty*.
- Walter Gellhorn Prize

Boston University School of Law, J.D.

Harvard University, M.A., Romance Languages and Literature

- Master’s Thesis: *Machiavelli and Machiavellianism*
- ABD

Duke University, B.A.

PROFESSIONAL ACTIVITIES AND SERVICE

Referee:

Harvard University Press
 Oxford University Press
 University of Notre Dame Press
 Palgrave Macmillan
 New York University Press
 Journal of Church and State
 The New Criminal Law Review
 Yale Law Journal

Stanford Law Review
Oxford Journal of Legal Studies
Columbia Law Review
American Journal of Jurisprudence

Promotion and Tenure Reviews:

Joel Nichols, University of St. Thomas School of Law
Stephanie Barclay, University of Notre Dame Law School
Mark Rienzi, Catholic University of America, Columbus School of Law
John Infranca, Suffolk University Law School

Teaching:

Constitutional Law I and II
Criminal Law
Torts
Professional Responsibility
First Amendment: The Religion Clauses
Freedom of Speech and Freedom of Inquiry (undergraduate course at Princeton)
Jurisprudence, Justice, and Politics
Constitutional Theory
Colloquium in Law and Religion
Catholic Social Thought and the Law

AALS Section on Law and Religion (Chair, 2015)

Princeton University

Pre-Law Society Faculty Advisory Board

St. John's University School of Law

Co-Director, Center for Law and Religion
Associate Academic Dean, 2016-2017
Associate Dean for Faculty Scholarship, 2014-2016
Advisor, Journal of Catholic Legal Studies
Research Fellow, Vincentian Center, St. John's University

LAW PRACTICE

Middlesex District Attorney's Office, Cambridge, MA

Special Assistant District Attorney, 2007-2008
Assistant District Attorney, 2005-2007

Honorable Jerome Farris, United States Court of Appeals for the Ninth Circuit

Law Clerk, 2004-2005

Honorable William E. Smith, United States District Court, District of Rhode Island

Law Clerk, 2003-2004

Sullivan & Worcester LLP, Boston, MA

Associate, 2001-2003

Honorable Robert W. Lovegreen, United States District Court, District of Rhode Island
Law Clerk, 2000-2001

LANGUAGES

Fluency in Italian; reading competence in French, Spanish, and Latin