

# ANDREA SCOSERIA KATZ

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ssrn: [https://papers.ssrn.com/sol3/cf\\_dev/AbsByAuth.cfm?per\\_id=1696463](https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1696463)

## ACADEMIC APPOINTMENTS

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Associate Professor of Law, Washington University of St. Louis School of Law FALL 2020-

## RESEARCH AREAS

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The American Presidency

Constitutional Law

Comparative Constitutional Law

American Legal History

Legal Philosophy

Administrative Law

National Security Law

Public International Law

Immigration Law

## EDUCATION

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J.D. Yale Law School 2013-16

Latino Law Students Association (LLSA)

Global Constitutionalism Seminar, Managing Editor

Veterans Legal Services Clinic

Ph.D. Political Science, Yale University 2008-16

M.Phil. 2011

M.A. 2009

*Dissertation*: “The President in His Labyrinth: Checks and Balances in the New Pan-American Presidentialism” (Chair: Bruce Ackerman)

*Fields of Certification*: American Politics, Comparative Politics, Political Philosophy & Theory

B.A. Comparative Literature; B.A. East Asian Studies, Yale College 2003-07

## SCHOLARSHIP

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“*Collins v. Mnuchin* and *U.S. v. Arbrex, Inc.* on the Unitary Executive” in *SCOTUS 2021* (Routledge Press) (forthcoming fall 2021)

“La Suiza de América”: Constitutional Entrenchment and Direct Democracy in Uruguay’s Constitution of 1918, Symposium, *INT. J. OF CON. LAW* (forthcoming Summer 2021)

Courts and Constitutions, in *A POLITICAL SCIENCE EXPERIMENT – TEXTBOOK* (Andrew Rudalevige & Joshua Tucker eds.) (forthcoming Summer 2021)

[The Lost Promise of Progressive Formalism](#), 99 *TEX. L. REV.* 4 (Mar 2021)

[Taming the Prince: Bringing Presidential Emergency Powers Under Law in Colombia](#), *INT. J. OF CON. LAW* (18 Dec. 2020)

*Special Mention*, ICON-S Conference Best Paper Award 2021

[Why Write? The Desuetude of Article V and the Democratic Costs of Informal Amendment](#), 30 *IND. INT’L & COMP. L. REV.* 355 (2020)

[Making Brazil Work? Brazilian Coalitional Presidentialism at 30 and its Post-Lava Jato Prospects](#), in *THE BRAZILIAN CONSTITUTION TURNS 30: A GLOBAL PERSPECTIVE* (special edition of *REVISTA DE INVESTIGAÇÕES CONSTITUCIONAIS*) (Mariana Velasco-Rivera, Sofia Ranchordas, and Richard Albert eds., summer 2019)

[‘Fraternité’ in the Jurisprudence of Strasbourg](#), in LE DÉFI DE LA FRATERNITÉ 153-172 (Marie-Jo Thiel and Marc Feix eds., 2018) (with Paulo Pinto de Albuquerque)

[Is Religion a Threat to Human Rights? Or Is It the Other Way Around? Defending Individual Autonomy in the ECtHR’s Jurisprudence on Freedom of Religion](#), in RELIGION AND INTERNATIONAL LAW 277-293 (Robert Uerpmann-Witzack et al. eds., 2018) (with Paulo Pinto de Albuquerque)

“[The Progressive Presidency and the Shaping of the Modern Executive](#)” (APSA 2011 Annual Meeting Paper)

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#### WORKS IN PROGRESS

“The Progressives and the Presidency: Theories of Executive Power in *Myers v. U.S.*”

“[The President in His Labyrinth: Checks and Balances in the New Pan-American Presidentialism](#)” (*dissertation manuscript under revision for publication*)

“Presidentialism for Cynics: Rethinking Forms and Norms in a Partisan Age” (paper presented at conference, “Amending America’s Unwritten Constitution,” Boston College Law School, May 16-17, 2019)

“[The Militarization of Immigration Law: How America’s War on Terror Became a War on the Undocumented](#)” (working paper)

“Due Process Under Duress: Criminal Procedure in the U.S., France, Italy, and the UK in an Age of Terrorism” (working draft)

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#### COMMENTARY • BOOK REVIEWS

[Impeachment, RIP](#), *Washington Monthly* (Feb. 17, 2021)

Symposium, The Legacies of Trumpism and Constitutional Democracy, Pt. I: [Can It Happen—Is it Happening Here?](#), I•CONnect (Jan. 20, 2021)

Guest Blogger, I•CONnect JAN. 2020-JAN. 2021

[The Curious Conservatism of Constitutional Amendment Politics in the United States](#) (Dec. 23, 2020)

[Election Anxiety: The Other Global Pandemic](#) (Oct. 21, 2020)

[Going It Alone: The Constitutionality, Feasibility, and Ulterior Motivation of Donald Trump’s COVID-19 Relief Orders](#) (Aug. 12, 2020)

[The Increasingly Thankless Task of Judicial Deference: A Conservative Court Struggles with Audacity and Incompetence in the Trump Administration](#) (June 24, 2020)

[Lies in the Time of Corona: Attempts to Inoculate Truth from a Pandemic](#) (Apr. 29, 2020)

[Crying Wolf: The Emergency Comes Before the Supreme Court](#) (Feb. 26, 2020)

[Is Constitutional Democracy in Crisis? Well, That Depends on How You Define “Constitutional,” “Democracy,” and “Crisis.”](#) [Review: CONSTITUTIONAL DEMOCRACY IN CRISIS? (Mark A. Graber et al., eds.)], I•CONnect (Aug. 6, 2019)

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#### CLERKSHIPS • OTHER ACADEMIC AFFILIATIONS

Fellow, NYU School of Law, Golieb Fellowship in Legal History 2019-20

Clerk, U.S. District Court of Massachusetts, Springfield, MA, 2017-19  
Judge Michael A. Ponsor, Senior District Judge

Clerk, European Court of Human Rights, Strasbourg, France 2016-17  
Judge András Sajó, Vice-President of the Court

Visiting Researcher, University of São Paulo (USP) and Rio de Janeiro State University (UERJ), Brazil 2014

Visiting Scholar in International Relations, University of Tokyo 2008  
Joseph A. Fox Fellowship

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#### OTHER

**Professional Affiliations:** American Society for Legal History (ASLH), Law & Society Association (LSA), International Association of Comparative Law (IACL), American Political Science Association (APSA)

**Languages:** Spanish (native), French (professional), Portuguese (professional), Japanese (advanced), Italian (reading)