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ACADEMIC APPOINTMENTS

Associate Professor of Law, Washington University of St. Louis School of Law

FALL 2020-

RESEARCH AREAS

The American Presidency
Constitutional Law
Comparative Constitutional Law
American Legal History
Legal Philosophy

Administrative Law
National Security Law
Public International Law
Immigration Law

EDUCATION

Yale Law School (J.D. 2016)

Latino Law Students Association (LLSA)
Global Constitutionalism Seminar, Managing Editor
Veterans Legal Services Clinic

Yale University (Ph.D. Political Science 2016)

Dissertation: "The President in His Labyrinth: Checks and Balances in the New Pan-American Presidentialism" (Committee: Bruce Ackerman, Stephen Skowronek, Paulina Ochoa-Espejo)
Fields of Certification: American Politics, Comparative Politics, Political Philosophy & Theory

Yale College (Comparative Literature B.A.; East Asian Studies B.A. 2007)

SCHOLARSHIP

Disagreement and Historical Argument – or How Not to Think About Removal (with Noah A. Rosenblum and Jane Manners), MICH. J. OF L. REFORM (forthcoming 2025)

[Separation-of-Powers Lochnerism](#), 94 FORDHAM L. REV. (forthcoming 2025)

[Taking Legality Seriously: What the Major Questions Doctrine Is — And Isn't](#) (with Ofra Bloch), 94 GEO.

WASH. L. REV. (forthcoming 2026)

[A Regime of Statutes: Building the Modern President in Gilded Age America](#), 4 J. OF AM. CONST. HIST. 737 (November 2024)

[No higher law: The Uruguayan plebiscite of 1980 as a failed constituent moment](#), INT. J. OF CON. L. (2024)

[Ninguna ley superior: El plebiscito uruguayo de 1980 como constituyente fallido](#) (No higher law: The Uruguayan Plebiscite of 1980 as a failed constituent moment) (in Spanish), 21 INT. J. OF CON. L. 1428 (Dec. 2023)

[Becoming the Administrator-in-Chief: Myers and the Progressive Presidency](#) (w/ Noah A. Rosenblum), 123 COLUM. L. REV. 2153 (2023)

[Removal Rehashed](#) (a response to Professors Saikrishna Prakash and Aditya Bamzai's "The Executive Power of Removal") (with Noah A. Rosenblum), 136 HARV. L. REV. F. 404 (2023)

[Courts and Constitutions](#), in A POLITICAL SCIENCE EXPERIMENT – TEXTBOOK (Andrew Rudalevige & Joshua Tucker eds.) (2022)

Collins v. Yellen and *U.S. v. Arthrex* on the Separation of Powers, in [SCOTUS 2021: MAJOR DECISIONS AND DEVELOPMENTS OF THE SUPREME COURT](#) (Routledge) (2022)

[La Suiza de América: Direct democracy, anti-presidentialism, and constitutional entrenchment in Uruguay's Constitution of 1918](#), 19 INT. J. OF CON. LAW 997 (September 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)

COMMENTARY • BOOK REVIEWS • SOLICITED CONTRIBUTIONS

Essay: The Removal Power Temptation, Symposium – The Future of Agency Independence, MICHIGAN J. L. REFORM (forthcoming 2025)

“The Presidential System,” in THE OXFORD HANDBOOK OF THE BRAZILIAN CONSTITUTION (Emilio Peluso Neder Mayer et al eds., forthcoming 2025).

Federalism and Dynamics of Constitutional Change, Edward Elgar Handbook on Constitutional Change (forthcoming 2025)

[Revisiting America's Guardrails](#), 70 DRAKE L. REV. 577 (2022-2023)

[Unresponsive Judicial Review: How Formalism on the American Bench Thwarts Democracy Defense](#), a Response to Rosalind Dixon's *Responsive Judicial Review*, 34 NATL. L. SCH. OF INDIA REV. 44 (2022)

[Defending the Defenders: Why Bureaucratic Independence is a Necessary Supplement to Judicial Defense of Democracy](#), a Response to David Driesen's *The Specter of Dictatorship*, 72 SYR. L. REV. 1497 (2022)

[Symposium Introduction: Peter M. Shane, *Democracy's Chief Executive: Interpreting the Constitution and Defining the Future of the Presidency*](#), YALE J. REG. NOTICE & COMMENT BLOG (October 24, 2022)

[All Roads Lead to the White House](#), Symposium on Wiliam Novak's *New Democracy: The Creation of the Modern American State*, YALE J. REG. NOTICE & COMMENT BLOG (July 20, 2022)

[Response: Up From Originalism](#), *Rethinking Law* (Forum on Joseph Fishkin and William E. Forbath's “Make Progressive Politics Constitutional Again”) BOSTON REVIEW (June 23, 2022)

[On Parasitic Growths and America's Rigid Constitution](#), BALKINIZATION (Roundtable on Constitutional Faith and Veneration) (June 9. 2022)

[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)

WORKS IN PROGRESS • DRAFTS

“Putting the Presidency Back in the Debate on Presidential Removal”

“The Imperial(ist) President: American Empire and Experiments in Presidential Administration” (w/ Noah A. Rosenblum)

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

“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”](#) (draft)

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

PRESENTATIONS (SELECTED)

Taking Legality Seriously: What The Major Questions Doctrine Is – and Isn’t, Yale Law School Conference on Politics and Law in the Administrative State – New Haven, CT JUNE 2025

Chief Justice Taft’s Last Laugh, Fordham Law Conference on Presidential Power – New York, NY JUNE 2025

Separation of Powers Lochnerism, Law & Society Association Annual Meeting – Chicago, IL MAY 2025

Separation of Powers Lochnerism, FSU Constitutional Law Colloquium – Tallahassee, FL NOV 2024

Presidential Removal and the Future of Agency Independence, Michigan Law School Symposium - The Future of Agency Independence NOV 2024

Administrative Reform in the Gilded Age, American Society for Legal History, Philadelphia, PA OCT 2024

Presidential Power, the Administrative State, & American Democracy, Center for Effective Government, University of Chicago JUL 2024

Montesquieu and Democratic Backsliding, Rule of Law Roundtable, Stanford Law School JUN 2024

The Long 1920s, Symposium on Robert Post’s *The Taft Court*, NYU School of Law APR 2024

All Roads Lead to the White House: Building a Regime of Statutes in Gilded Age America, Vanderbilt Law MAR 2024

Populism and Technocracy in the Administrative State, Schmooze 2024, U. Maryland Carey School of Law FEB 2024

Section 3, Insurrection, and the 2024 Election: The Law, University of Minnesota Law School ([link](#)) NOV 2023

New Directions in Public Law, University of Chicago Law School OCT 2023

Imperial(ist) Presidency, Law & Society Association (San Juan, Puerto Rico) JUN 2023

All Roads Lead to the White House: How the Modern President “Solved” the Separation of Powers, Natl. Conf. of Constitutional Law Scholars, University of Arizona College of Law (Tucson, Arizona) MAR 2023

Symposium on the Unitary Executive, Fordham Law School (New York, New York) FEB 2023

<i>Does the U.S. Constitution Have an “Unamendable Core?”</i> , AALS Annual Meeting (San Diego)	JAN 2023
<i>Misreading the Record: The Use (and Abuse) of History in Recent Federal Court Cases about the Administrative State</i> , AALS Annual Meeting (San Diego)	JAN 2023
<i>Power in the Administrative State</i> , Virtual Workshop Series in Public Law	NOV 2022
<i>Is the U.S. Constitution Democratic?</i> 2022 Con Law Schmooze, University of Wisconsin Law School	OCT 2022
<i>(How) Can Courts Strengthen Their Power In the Face of Democratic Decline?</i> , International Society of Public Law (ICON-S) Annual Conference (Wroclaw, Poland)	JUL 2022
<i>Towards a new separation of powers? Institutional flexibility and rigidity in international and domestic public law</i> International Society of Public Law, ICON-S Annual Conference (Wroclaw, Poland)	JUL 2022
<i>The Social Determinants and Effects of Constitutional Amendments</i> , Law & Society Association Annual Meeting (Lisbon, Portugal)	JUL 2022
<i>The Specter of Dictatorship: Judicial Enabling of Presidential Power</i> , Law & Society Association Annual Meeting (Lisbon, Portugal)	JUL 2022
<i>LevinsonFest 2022: Roundtable on Constitutional Faith and Veneration</i> , University of Texas School of Law	MAY 2022
Symposium, <i>Responsive Judicial Review: Democracy and Dysfunction in the Modern Age</i> by Prof. Rosalind Dixon National Law School of India	APR 2022
<i>The Origins of the Administrator-In-Chief: Myers and the Progressive Presidency</i> (w/ Noah A. Rosenblum) National Conference of Constitutional Law Scholars, University of Arizona College of Law	FEB 2022
<i>Executive Authoritarianism</i> , A Celebration of Professor David Driesen’s “The Specter of Dictatorship,” Syracuse Law School	NOV 2021
<i>The Origins of the Administrator-In-Chief: Myers and the Progressive Presidency</i> , Yale Law School Administrative Law New Scholarship Roundtable	SEP 2021
<i>The Constitution and Democratic Erosion</i> , Drake Law School 2022 Constitutional Law Symposium (link)	APR 2021

OTHER MEDIA (SELECTED)

Can Biden Win? A Look at the Democratic Party & the Upcoming Election, The Don Lemon Show (link)	JUL 5, 2024
Election 2024: Should Donald Trump Appear on the 2024 Ballot?, KQED Forum, NPR (link)	JAN 10, 2024
Episode 107: Professor Andrea Katz, <i>Supreme Myths</i> , Professor Eric Segall (link)	NOV 10, 2023

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

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)

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