

Conor Clarke

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[Faculty Website](#) • [SSRN](#) • [Google Scholar](#)

Current Appointment

2023 - **Washington University in St. Louis**
Associate Professor of Law

Education

2015 **Yale Law School**
Winter Prize in Law & Economics
Articles & Essays Editor, YALE LAW JOURNAL

2011 **The London School of Economics**
M.Res, Quantitative Methods in Political Science
Marshall Scholar

2010 **The University of Birmingham (UK)**
M.Sc, Economics
Marshall Scholar

2008 **Amherst College**
B.A., Interdisciplinary Studies
Summa Cum Laude & Phi Beta Kappa with distinction

Experience

2017-19 **Office of Legal Counsel, U.S. Department of Justice**
2020-23 Attorney-Adviser (Washington, DC)

2019 **U.S. District Court for the Eastern District of California**
Law Clerk to Jeremy D. Peterson (Yosemite National Park, CA)

2017 **U.S. Court of Appeals for the Ninth Circuit**
Law Clerk to Alex Kozinski (Pasadena, CA)

Writing

I. In Progress

The Tools of Executive Constitutionalism (with Dan Epps)

Inequality and the Corporate Sector (with Wojciech Kopczuk)

II. Published & Forthcoming

[Special-Purpose Governments](#)

92 U. CHI. L. REV. __ (forthcoming 2024) (with Henry Hansmann)

[The Debt Limit](#)

101 WASH. U. L. REV. __ (forthcoming 2024)

[Moore: The Overlooked Excise Power](#)

181 TAX NOTES 1759 (2023)

112 TAX NOTES INT'L 1345 (2023)

[No New Tax Cuts? Examining the Rescue Plan's New State Tax Limits](#)

103 TAX NOTES STATE 1361 (2022) (with Edward Fox)

U. Mich. Law & Econ Research Paper No. 22-017

[Does Law and Economics Help Decide Cases?](#)

48 EUR. J. L. & ECON. 89 (2019) (with Alex Kozinski)

[Business Income and Business Taxation in the United States Since the 1950s](#)

31 TAX POL'Y & ECONOMY 121 (2017) (with Wojciech Kopczuk)

NBER Working Paper No. 22778

[What are Tax Havens and Why are They Bad?](#)

95 TEX. L. REV. 59 (2016) (review essay)

[New Research on the Stubborn Persistence of Tax Expenditures](#)

150 TAX NOTES 1462 (2016)

[Perceptions of Tax Expenditures and Direct Outlays: A Survey Experiment](#)

124 YALE L.J. 1252 (2015) (with Edward Fox) (note)

[The Uneasy Case Against Auer and Seminole Rock](#)

33 YALE L. & POL'Y REV. 175 (2015) (essay)

[*Is the Foreign Intelligence Surveillance Court Really a Rubber Stamp?*](#)

66 STAN. L. REV. ONLINE 125 (2014)

[*Merging and Dissolving Special Districts*](#)

31 YALE J. ON REG. 493 (2014) (comment)

[*Beyond Discretion: Prosecution, the Logic of Sovereignty, and the Limits of Law*](#)

33 LAW & SOC. INQUIRY 387 (2008) (with Austin Sarat)

III. Editing & Works in Collection

We Are All Tax Historians Now, in “The Biggest Implications of Moore,”

181 TAX NOTES 2147 (2023)

Why the Supreme Court Might Not Overrule Seminole Rock, in REFLECTIONS ON SEMINOLE ROCK: THE PAST, PRESENT, AND FUTURE OF DEFERENCE TO AGENCY REGULATORY INTERPRETATIONS (2016 Symposium)

CREATIVE CAPITALISM: A CONVERSATION WITH BILL GATES, WARREN BUFFETT, AND OTHER ECONOMIC LEADERS (Simon & Schuster 2009) (edited with Michael Kinsley)

Complexity, Contingency, and Change in Law’s Knowledge Practices, in HOW LAW KNOWS (Stanford 2006) (with Austin Sarat, Lawrence Douglas & Martha Umphrey)

IV. Popular & Short Writing (since 2023)

[*What Issues are Fair Game in Moore v. United States?*](#)

YALE J. REG. ONLINE (Dec. 16, 2023)

[*The Supreme Court Takes On Yet Another Made-Up Controversy*](#)

THE ATLANTIC (Dec. 4, 2023)

[*Why the Debt Limit Is \(Still, Really\) Constitutional*](#)

THE VOLOKH CONSPIRACY (May 30, 2023)

[*Why The Statutory Debt-Limit Gimmicks Don’t Work*](#)

THE VOLOKH CONSPIRACY (May 26, 2023)

[*What Exactly Is a “Default”?*](#)

THE VOLOKH CONSPIRACY (May 25, 2023)

[*There Is No Constitutional End Run Around the Debt Ceiling*](#)

THE ATLANTIC (May 24, 2023)

[*Why Do We Have a Debt Limit?*](#)

THE VOLOKH CONSPIRACY (May 24, 2023)

[*The Phony Debt-Ceiling 'Calamity'*](#)

THE WALL STREET JOURNAL (May 22, 2023) (with Kristin Shapiro)

Teaching

Federal Income Taxation

Administrative Law

Tax Policy

Professional Memberships

National Tax Association

American Law and Economics Association

Connecticut Bar Association (active)

Last updated March 8, 2024