

JONATHAN ERIC GIENAPP

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ACADEMIC APPOINTMENTS

STANFORD UNIVERSITY, Palo Alto, CA

Associate Professor of Law, 2024-
Associate Professor of History, 2022-
Assistant Professor of History, 2015-2022

UNIVERSITY OF MISSISSIPPI, Oxford, MS

Assistant Professor of History, 2013-2015

EDUCATION

JOHNS HOPKINS UNIVERSITY, Baltimore, MD

Ph.D. History, 2013
M.A. History, 2009

HARVARD UNIVERSITY, Cambridge, MA

A.B. History, 2006

SCHOLARSHIP

BOOKS

The Second Creation: Fixing the American Constitution in the Founding Era (Cambridge, MA: Harvard University Press, Belknap, 2018)

Prizes and Accolades

Winner, 2017 Thomas J. Wilson Memorial Prize, Harvard University Press
Winner, 2019 Best Book in American Political Thought Award, Organized Section in American Political Thought, American Political Science Association
Finalist, 2019 Frederick Jackson Turner Award, Organization of American Historians
A Choice Outstanding Academic Title, 2019
A Spectator USA Book of the Year, 2018

Symposiums

Symposium at *Balkanization*, October 15-31, 2018

balkin.blogspot.com/2018/11/balkanization-symposium-on-jonathan.html
balkin.blogspot.com/2019/06/the-significance-of-gienapps-second.html

2019 Publius Symposium, Constitutional Law Center and Stanford Center for Law and History,
Stanford Law School

Against Constitutional Originalism: A Historical Critique (New Haven, CT: Yale University Press,
2024)

ARTICLES AND BOOK CHAPTERS

“Removal and the Changing Debate over Executive Power at the Founding,” *American Journal of Legal History* 63 (September 2023): 229-250

“Representing the Nation: Gouverneur Morris’s Nationalist Constitutionalism,” *Georgetown Journal of Law & Public Policy* 21 (Winter 2023): 67-102

“Democratic Culture and Democratic Shocks: The Limits of Constitutional Cycles,” *Missouri Law Review* 86 (Spring 2021): 501-516

“Written Constitutionalism, Past and Present,” *Law and History Review* 39 (May 2021): 321-360

Selected by *Jotwell* as one of the best works of recent scholarship in constitutional law:

conlaw.jotwell.com/the-construction-of-an-originalist-constitution/

“National Power and the Presidency: Rival Forms of Federalist Constitutionalism at the Founding,” in *Political Thought and the Origins of the American Presidency*, ed. Ben Lowe (Gainesville: University Press of Florida, 2021), 127-164

“In Search of Nationhood at the Founding,” *Fordham Law Review* 89 (April 2021): 1783-1813

“Foreword: Symposium: The Federalist Constitution,” *Fordham Law Review* 89 (April 2021): 1669-1675 (with David S. Schwartz, John Mikhail, and Richard Primus)

“Beyond Republicanism, Back to Constitutionalism: *The Creation of the American Republic at Fifty*,” *New England Quarterly* 93 (June 2020): 275-308

“The Myth of the Constitutional Given: Enumeration and National Power at the Founding,” *American University Law Review Forum* 69 (2020): 183-211

“The Foreign Founding: Rights, Fixity, and the Original Constitution,” *Texas Law Review Online* 97 (2019): 115-137

“How to Maintain a Constitution: The Virginia and Kentucky Resolutions and James Madison’s Struggle with the Problem of Constitutional Maintenance,” in *Nullification and Secession in Modern Constitutional Thought*, ed. Sanford Levinson (Lawrence: University Press of Kansas, 2016), 53-90

“Historicism and Holism: Failures of Originalist Translation,” *Fordham Law Review* 84 (December 2015): 935-956

“Making Constitutional Meaning: The Removal Debate and the Birth of Constitutional Essentialism,” *Journal of the Early Republic* 35 (Fall 2015): 375-418

“Using Beard to Overcome Beardianism: Charles Beard’s Forgotten Historicism and the Ideas-Interest Dichotomy,” *Constitutional Commentary* 29 (Summer 2014): 367-381

ARTICLES FORTHCOMING

“History, Law, and Constitutional Rupture” to appear in a symposium to be published in the *Boston University Law Review* (2024)

“The Constitution in Context, Once Again” to be published in the *Journal of American Constitutional History* (2024)

“Creating U.S. Constitutional Exceptionalism: Judicial Review and Written Constitutionalism at the American Founding,” to appear in an edited volume to be published by Oxford University Press (2025)

“Law in the Early American Republic,” to appear in a symposium “The Contexts of Law in the Early American Republic” to be published in the *Journal of the Early Republic* (2025)

ESSAYS

“Inheriting the Constitution,” *Balkinization*, symposium on Alison L. LaCroix, *The Interbellum Constitution: Union, Commerce, and Slavery in the Age of Federalisms*, July 24, 2024, balkin.blogspot.com/2024/07/inheriting-constitution.html

“James Wilson: Scottish Immigrant, Pennsylvania Statesman, Signer of the Declaration, and Framers of the Constitution,” *History Now: The Journal* 64 (Fall 2022), gilderlehrman.org/history-resources/essays/james-wilson-scottish-immigrant-pennsylvania-statesman-signer-declaration

“Ideas without Authors: The Founding and the Founders,” *Balkinization*, LevinsonFest 2022 symposium, May 18, 2022, balkin.blogspot.com/2022/05/ideas-without-authors-founding-and.html

“Constitutional Conflict (Almost) All the Way Down,” *Balkinization*, symposium on Gerald Leonard and Saul Cornell, *The Partisan Republic: Democracy, Exclusion, and the Fall of the Founders’ Constitution, 1780s-1830s*, May 3, 2020, balkin.blogspot.com/2020/05/constitutional-conflict-almost-all-way.html

“The Founding and the Origins of Our Constitutionalism,” *Balkinization*, symposium on *The Second Creation: Fixing the American Constitution in the Founding Era*, October 29, 30, and 31, 2018, balkin.blogspot.com/2018/11/balkinization-symposium-on-jonathan.html

“Knowing How vs. Knowing That: Navigating the Past,” *Process: A Blog for American History*, Organization of American Historians, April 4, 2017, processhistory.org/gienapp-knowing-how/

“Constitutional Originalism and History,” *Process: A Blog for American History*, Organization of American Historians, March 20, 2017, processhistory.org/originalism-history/
Reprinted, *The Circuit Rider: The Journal of the Seventh Circuit Bar Association* 22 (April 2017): 9-16

OP-EDS

“Originalism is the rage, but Constitution’s authors had something else in mind,” *Boston Globe*, October 20, 2018, bostonglobe.com/ideas/2018/10/20/originalism-all-rage-but-constitution-authors-had-something-else-mind/KDd7xjIf7laJ5AuzmRuysO/story.html

BOOK REVIEWS

“Notes on the State of the Constitution,” review of *Madison’s Hand: Revising the Constitutional Convention*, by Mary Sarah Bilder, *William and Mary Quarterly* 74 (January 2017): 145-153

AMICUS BRIEFS: SUPREME COURT OF THE UNITED STATES

Signatory

Trump v. U.S. (2024)

U.S. v. Rahimi (2023)

Moore v. Harper (2023)

NYSRPA v. Bruen (2022)

Rucho v. Common Cause (2019)

Gill v. Whitford (2018)

BOOKS IN-PROGRESS

“We the People of the United States: The Struggle over Popular Sovereignty and Nationhood”

ARTICLES IN-PROGRESS

“The People of the United States: The Lost Constitution of National Popular Sovereignty”

“A Tale of Two Originalisms”

“What Pragmatism Can Teach Us about the Constitution”

“The Social Practices of Justification: Pragmatist Philosophy and the History of Ideas”

PRESENTATIONS

INVITED TALKS AND SEMINAR PAPERS

“History v. Originalism,” Lofgren Lecture in Constitutionalism to be delivered at Claremont McKenna College, Claremont, CA, September 17, 2024

“Against Constitutional Originalism: A Historical Critique,” Constitution Day lecture to be delivered at Sam Houston State University, Houston, TX, September 13, 2024

“The People of the United States: The Lost Constitution of National Popular Sovereignty,” to be presented at University of Pennsylvania Legal History Workshop, University of Pennsylvania Carey Law School, Philadelphia, PA, September 12, 2024

“Against Constitutional Originalism: A Historical Critique,” to be presented at NYU Law Legal History Colloquium, New York University School of Law, New York, NY, September 11, 2024

“Against Constitutional Originalism: A Historical Critique,” to be presented at Fordham Law School, New York, NY, September 10, 2024

“Against Constitutional Originalism: A Historical Critique,” to be presented at NYU Law Constitutional Law Colloquium, New York University School of Law, New York, NY, September 9, 2024

“We the People: Then and Now,” delivered at the United States Marine Corps 9th Marine Corps Recruiting District Career Recruiter Conference, Minneapolis, MN, May 22, 2024

“The Crisis of History in U.S. Constitutional Interpretation,” keynote delivered at “American Constitutionalism in Crisis?” Bissell-Heyd Symposium, Centre for the Study of the United States, University of Toronto, Toronto, ON, May 10, 2024

“Constitutional Originalism and History,” delivered at Stanford’s Distinguished Careers Institute Faculty Fellow Dialogue, Stanford University, Stanford, CA, April 10, 2024

“The People of the United States: The Lost Constitution of National Popular Sovereignty,” presented at the Political Theory Workshop, Stanford University, Stanford, CA, January 26, 2024

“History and Originalism,” delivered at Stanford Law School, Stanford, CA, September 27, 2023

“The People of the United States: The Lost Constitution of National Popular Sovereignty,” J. Rufus Fears Lecture on Patti and Roger Clapp Constitution Day delivered at the Institute for the American Constitutional Heritage, University of Oklahoma, Norman, OK, September 20, 2023

- “We the People: Then and Now,” delivered at the United States Marine Corps Strategy Conference, Stanford University, Stanford, CA, September 13, 2023
- “The Founders and the Enduring Constitution,” delivered at the Jack Miller Center For Teaching America’s Founding Principles and History 2023 Summer Institute, “The Idea of Founding in America and the West,” Philadelphia, PA, July 19, 2023
- “The People of the United States: The Lost Constitution of National Popular Sovereignty,” presented at the Harvard Political Theory Colloquium, Harvard University, Cambridge, MA, April 20, 2023
- “The Meaning of the United States: Debating Union Before the Constitution,” presented at Yale Legal History Forum, Yale Law School, New Haven, CT, April 18, 2023
- “The People of the United States: The Lost Constitution of National Popular Sovereignty,” delivered at the Idaho Society of Fellows, University of Idaho, Moscow, ID, April 22, 2022
- “The Second Creation: Fixing the American Constitution in the Founding Era,” delivered at the Kinder Forum, Kinder Institute on Constitutional Democracy, University of Missouri, Columbia, MO, April 13, 2022 (via Zoom)
- “History vs. Originalism,” delivered at the George and Ann Richards Civil War Era Center, Penn State University, University Park, PA, March 16, 2022 (via Zoom)
- “The People of the United States: The Lost Constitution of Nation Popular Sovereignty,” presented at the American Founding Group at the University of Georgia, Athens, GA, March 4, 2022 (via Zoom)
- “The U.S. Constitution by Analogy,” delivered at the Constitutional Law Center Bradley Fellowship Program, Stanford Law School, Stanford, CA, February 28, 2022
- “The People of the United States: The Constitution, Popular Sovereignty, and the Nation,” presented at the Yale Early American History Workshop, Yale University, New Haven, CT, November 17, 2021 (via Zoom)
- “The Second Creation: Fixing the American Constitution in the Founding Era,” delivered at Constitution 101, James Madison’s Montpelier, Montpelier Station, VA, March 21, 2021 (via Zoom)
- “The Problem of Constitutional Silence: The Removal Debate” and “The Constitution and the Powers of the Nation: The Bank Debate,” delivered at the Center for the Study of the American Constitution’s Saturday Seminar, Madison, Wisconsin, March 13, 2021 (via Zoom)
- “The Lost Constitution: How a Transformative Vision of Sovereignty and National Power was Embedded in the American Constitution, and then Forgotten,” presented at the U.S. History Workshop, History Department, Stanford University, Stanford, CA, February 17, 2021 (via Zoom)
- “The Lost Constitution: How a Transformative Vision of Sovereignty and National Power was Embedded in the American Constitution, and then Forgotten,” presented at the Davis Center for Historical Studies, Princeton University, Princeton, NJ, October 9, 2020 (via Zoom)
- “The Lost Constitution: The Rise and Fall of James Wilson’s and Gouverneur Morris’s Constitutionalism at the Founding,” presented at the Faculty Legal Theory Workshop, Fordham University School of Law, New York, NY, March 4, 2020
- “The Lost Constitution: The Success and Failure of James Wilson and Gouverneur Morris,” James E. Fleming and Linda C. McClain Constitution Day Lecture delivered at the Kinder Institute on Constitutional Democracy, University of Missouri, Columbia, MO, September 20, 2019
- “The Second Creation: Fixing the American Constitution in the Founding Era,” delivered at the American Studies Program, Stanford University, Stanford, CA, May 6, 2019

- “The Second Creation: Fixing the American Constitution in the Founding Era,” delivered at “A Company of Authors,” Stanford Humanities Center, Stanford University, Stanford, CA, April 27, 2019
- “The Unknown Story of American Constitutional Creation,” Pi Sigma Alpha Spring Speaker Lecture, delivered at California State University, Chico, Chico, CA, April 25, 2019
- “The Original Lost Constitution: The Success and Failure of James Wilson and Gouverneur Morris,” presented at the University of Virginia Legal History Workshop, University of Virginia School of Law, Charlottesville, VA, March 19, 2019
- “The Second Creation: Fixing the American Constitution in the Founding Era,” delivered at University of Richmond School of Law, Richmond, VA, March 18, 2019
- “The Unknown Story of American Constitutional Creation,” undergraduate lunch talk delivered in the Stanford University History Department, Stanford University, Stanford, CA, March 5, 2019
- “How the Founders Made the Constitution Their Valentine,” delivered at the Kinder Institute on Constitutional Democracy, University of Missouri, Columbia, Columbia, MO, February 14, 2019
- “Turning the Constitution into a Text: The Emergence of an American Written Constitutional Consciousness,” presented at the History Department Seminar, Johns Hopkins University, Baltimore, MD, March 6, 2017
- “Turning the Constitution into a Text: The Emergence of an American Written Constitutional Consciousness,” delivered at the Seminar on Enlightenment and Revolution, Stanford University, Stanford, CA, November 17, 2016
- “The Uncertain Original Constitution: The Removal Debate and the Making of Early Constitutional Meaning,” delivered at the Constitutional Studies Luncheon, University of Texas at Austin School of Law, Austin, TX, April 19, 2016
- “Inventing the Fixed Constitution: Language, Justification, and Constitutional Interpretation at the American Founding,” delivered at Constitutional Conversations, Constitutional Law Center, Stanford Law School, Stanford, CA, January 12, 2016
- “How to Maintain a Constitution: The Virginia and Kentucky Resolutions and James Madison’s Struggle with the Problem of Constitutional Maintenance,” presented at the *Montpelier Roundtable on James Madison and the American Constitution*, Roger H. Smith Center for the Constitution at James Madison’s Montpelier, Montpelier Station, VA, May 27, 2015
- “How to Maintain a Constitution: The Virginia and Kentucky Resolutions and James Madison’s Struggle with the Problem of Constitutional Maintenance,” presented at the *University of Mississippi History Department Colloquium*, University of Mississippi, University, MS, December 3, 2014
- “Originalism and the American Constitution: History and Interpretation,” delivered at *Johns Hopkins Alumni Weekend 2013*, Johns Hopkins University, Baltimore, MD, April 26, 2013

CONFERENCE PAPERS

- “The Constitution in Context, Once Again,” delivered at “The Second Founding?: The Significance of Reconstruction in Constitutional History, Law, and Politics,” Tulane Law School, New Orleans, LA, March 16, 2024
- “The Endless American Founding,” delivered at “Civics, Patriotism, and America’s Prospects,” School of Civic and Economic Thought and Leadership, Arizona State University, Tempe, AZ, February 24, 2024

- “Against Constitutional Originalism,” delivered as part of “The Uses and Misuses of History: The Roberts Court and Its Constitutional Revolution” at the 2024 Association of American Law Schools Annual Meeting, Washington, D.C., January 6, 2024
- “Speaking with the Constitutional Past,” delivered at “Text and (What Kind of) History?” Stanford Constitutional Law Center, Stanford Law School, Stanford, CA, May 19, 2023
- “History of Law, History for Law,” delivered at the 2022 American Society for Legal History Annual Meeting, Chicago, IL, November 11, 2022
- “Ideas without Authors: The Founding and the Founders,” delivered at LevinsonFest 2022, Constitutional Studies Program, University of Texas at Austin School of Law, Austin, TX, April 20, 2022 (via Zoom)
- “Representing the Nation: Gouverneur Morris’s Nationalist Constitutionalism,” delivered at the Eighth Annual Salmon P. Chase Distinguished Faculty Colloquium, Georgetown Center for the Constitution, Georgetown University Law Center, Washington, D.C., December 3, 2021
- “The People of the United States: The Constitution, Popular Sovereignty, and the Nation,” to be delivered at Constitutions and Their Creation in the Age of Washington, Fred W. Smith National Library for the Study of George Washington, Mount Vernon, VA, November 19, 2021
- “Democratic Culture and Democratic Shocks: The Limits of Cycles,” delivered at “A New Hope? An Interdisciplinary Reflection on the Constitution, Politics, and Polarization in Jack Balkin’s *The Cycles of Constitutional Time*,” University of Missouri Law School, Columbia, MO, November 13, 2020 (via Zoom)
- “In Search of Nationhood: Theories of Federal Union at the Founding,” delivered at “Symposium: The Federalist Constitution,” Fordham University School of Law, New York, NY, October 2, 2020 (via Zoom)
- “National Power and the Presidency: Rival Forms of Federalist Constitutionalism at the Founding,” delivered at the 2019 University of Wisconsin Discussion Group on Constitutionalism, University of Wisconsin Law School, Madison, WI, October 19, 2019
- “The Original Lost Constitution: Drafting the Expansion of Power at the Constitutional Convention,” delivered at the 2019 Alan B. and Charna Larkin Symposium on the American Presidency, Florida Atlantic University, Boca Raton, FL, February 21, 2019
- “Originalism’s Unfounded Original Constitution,” delivered at 2018 American Society for Legal History Annual Meeting, Houston, TX, November 10, 2018
- “Imagining the Archival Constitution,” delivered at the 2018 Society of Historians of the Early American Republic Annual Meeting, Cleveland, OH, July 20, 2018
- “Historical Knowhow and the Original Meaning of the Constitution,” delivered at Historical Semantics and Legal Interpretation, Neubauer Collegium, University of Chicago Law School, Chicago, IL, April 14, 2018
- “Revising the Original Constitution” delivered at Madison’s Notes and the Future of Originalism, New Horizons in Madison Scholarship, Roger H. Smith Center for the Constitution at James Madison’s Montpelier, Montpelier Station, VA, December 9, 2017
- “Turning the Constitution into a Text: Rethinking the Origins of Written Constitutionalism in the United States,” delivered at the 2017 American Society for Legal History Annual Meeting, Las Vegas, NV, October 27, 2017

- “The Dynamic Uncertainty of Early American Constitutionalism: Rethinking the Turn to Written Constitutions, 1776-1788” submitted to Understanding Constitutional Change: The State of the Field, Tulane University Law School, New Orleans, LA, October 13, 2017 (submitted but could not deliver)
- “The Necessity of Intellectual History for Constitutional Originalism,” delivered at the 2016 Society for U.S. Intellectual History Annual Conference, Stanford University, Stanford, CA, October 14, 2016
- “Textual Leadership: Constitutional Interpretation and the Jay Treaty Debate,” delivered at the 2016 Organization of American Historians Annual Meeting, Providence, RI, April 9, 2016
- “Finance and the Legacy of the Revolution: The Bank Debate and the Rules of Constitutional Interpretation,” delivered at the 2014 Consortium on the Revolutionary Era, 1750-1850 Annual Conference, University of Mississippi, University, MS, February 21, 2014
- “Charles Beard’s Forgotten Historicism,” delivered at 100 Years of Charles Beard’s An Economic Interpretation of the Constitution of the United States, University of Virginia School of Law, Charlottesville, VA, October 24, 2013
- “The Removal Debate of 1789 and the Justificatory Transformation of the American Constitution,” delivered at the 2013 Omohundro Institute of Early American History and Culture Nineteenth Annual Conference, Johns Hopkins University, Baltimore, MD, June 14, 2013

COMMENTS

- Commentator on Dan Edelstein, “The Last of the Polybians,” Political Theory Workshop, Stanford University, Stanford, CA, December 1, 2023
- Commentator on Keith Whittington, “A Typology of Constitutional Crises,” “Challenges in American Institutions,” Hoover Institution, Stanford University, Stanford, CA, May 4, 2023
- “A People Armed: Firearms in Antebellum America,” panel commentator at the 2022 Society of Historians of the Early American Republic Annual Meeting, New Orleans, LA, July 22, 2022
- “The First Congress and Executive Power,” panel commentator at “Histories of Presidential Power,” Stanford Constitutional Law Center, Stanford Law School, Stanford, CA, May 20, 2022
- “Transatlantic Constitutions: Exploring American Legal Thought in the Eighteenth Century,” panel commentator at the 2021 American Society for Legal History Annual Meeting, New Orleans, LA, November 6, 2021 (and chair)
- Commentator on William Michael Treanor, “Framer’s Intent: Gouverneur Morris, the Committee of Style, and the Creation of the Federalist Constitution,” Tenth Annual Hugh & Hazel Darling Foundation Originalism Works-in-Progress Conference, University of San Diego Law School, San Diego, CA, February 23, 2019
- “Authority and the Legitimacy of Violence in Eighteenth-Century America,” panel commentator at the 2014 Omohundro Institute of Early American History and Culture Annual Conference, Dalhousie University and Saint Mary’s University, Halifax, Nova Scotia, June 14, 2014
- “Searching for American Republicanism,” panel commentator at the 2014 Consortium on the Revolutionary Era, 1750-1850 Annual Conference, University of Mississippi, University, MS, February 22, 2014

ROUNDTABLES AND SYMPOSIUMS

- “Presidential Immunity in Historical Perspective,” Invited Roundtable: “The Legal History of the Present,” to be held at the 2024 American Society for Legal History Annual Meeting, San Francisco, CA, October 26, 2024
- “The Uses and Misuses of History: The Roberts Court and Its Constitutional Revolution: Part 1” at the 2024 Association of American Law Schools Annual Meeting, Washington, D.C., January 6, 2024 (session dedicated to my forthcoming book, *Against Constitutional Originalism: A Historical Critique*)
- “Judging the Early Republic: Today’s Supreme Court and the Responsibilities of Historians,” 2023 Society of Historians of the Early American Republic Annual Meeting, Philadelphia, PA, July 15, 2023 (moderator)
- “How Has and How Should the Supreme Court Use Text and History?: Theory, Techniques, and Problems,” “Text and (What Kind of) History?” Stanford Constitutional Law Center, Stanford Law School, Stanford, CA, May 19, 2023
- “Constitutional Memory and Historical Authority in *Dobbs* and Beyond,” 2022 American Society for Legal History Annual Meeting, Chicago, IL, November 11, 2022
- “Public Memory and Public Monuments,” LevinsonFest 2022, Constitutional Studies Program, University of Texas at Austin School of Law, Austin, TX, April 20, 2022 (via Zoom)
- “Originalism is Impossible,” American Constitution Society Chapter, University of Pennsylvania Law School, March 23, 2022 (via Zoom)
- “Originalism Across Legal Traditions: An Interdisciplinary Conversation,” Early Modern Studies Institute and Gould Center for Law, History, and Culture, University of Southern California, Los Angeles, CA, May 25, 2021 (via Zoom) (co-convener and moderator)
- “Honoring Bernard Bailyn: A Master Historian, An Inspiring Teacher,” Massachusetts Historical Society, Boston, MA, May 4, 2021 (via Zoom)
- “*The Second Creation: Fixing the American Constitution in the Founding Era*,” 2019 Publius Symposium, Constitutional Law Center, Stanford Law School, Stanford, CA, April 22, 2019 (featured speaker)
- “*Madison’s Hand: Revising the Constitutional Convention*, Roundtable Discussion with Mary Sarah Bilder,” 2017 Publius Symposium, Constitutional Law Center, Stanford Law School, Stanford, CA, January 10, 2017 (commentator)
- “The Presidential Election of 2016: Historical Reflections on Electoral Politics, Race, Gender, and Immigration,” Stanford University History Department, Stanford, CA, January 25, 2017
- “Roundtable: What is the Age of Revolutions?” 2014 Consortium on the Revolutionary Era, 1750-1850 Annual Conference, University of Mississippi, Oxford, MS, February 21, 2014

CONVERSATIONS, TOWN HALLS, AND DEBATES

- “For or Against Constitutional Originalism?: A Debate,” to be conducted with Stephen Sachs, National Constitution Center, Philadelphia, PA, October 8, 2024 (via Zoom)
- “Originalism and the Supreme Court,” to be a Brennan Center Live, Brennan Center for Justice, New York, New York, October 2, 2024 (via Zoom)
- “The Supreme Court’s Text and History,” Salon with Michael McConnell, Zephyr Institute, Palo Alto, CA, April 17, 2024

- “Scholar Exchange: The Constitutional Convention,” National Constitution Center, Philadelphia, PA, September 18, 2023 (via Zoom)
- “Unlocking Constitution Meaning: James Wilson as the Key,” James Wilson Institute on Natural Rights and the American Founding, February 8, 2023 (via Zoom)
- “Touchstones of Democracy: The U.S. Founding and Constitutional Culture,” University of Virginia, Karsh Institute of Democracy, February 1, 2023 (via Zoom)
- “The Founders’ Library: Intellectual Sources of the Constitution,” National Constitution Center, Philadelphia, PA, May 20, 2021 (via Zoom)

CHAired AND MODERATED PANELS

- “Judging the Early Republic: Today’s Supreme Court and the Responsibilities of Historians,” 2023 Society of Historians of the Early American Republic Annual Meeting, Philadelphia, PA, July 15, 2023
- “Originalism,” part of ““The Origins and Afterlives of the American Founding: A Conference in Honor of Jack Rakove,” Stanford Humanities Center, Stanford, CA, February 25, 2023
- “Transformations of Democracy Workshop,” Stanford University, Stanford, CA, May 27, 2022
- “The Missouri Crisis and Constitutional Democracy,” part of “A Fire Bell in the Past: The Missouri Crisis at 200,” Kinder Institute on Constitutional Democracy, University of Missouri, Columbia, Columbia, MO, February 16, 2019
- “The Historical Scope of the Second Amendment,” part of “*Heller* at 10: A Symposium on the Last—and Next—Decade of the Modern Second Amendment,” Giffords Law Center to Prevent Gun Violence, University of California, Hastings College of Law, San Francisco, CA, January 18, 2019
- “Equality: The History of an Idea,” History of Political Thought Workshop, Stanford University, Stanford, CA, May 11, 2018

CONFERENCES ORGANIZED

- “The Origins and Afterlives of the American Founding: A Conference in Honor of Jack Rakove,” Stanford Humanities Center, Stanford, CA, February 24-25, 2023

WORKSHOPS

- Manuscript Workshop on Aaron Hall, “The Founding Rules: Slavery and the Creation of American Constitutionalism, 1789-1889,” University of Minnesota, Minneapolis, MN, May 24, 2023
- Manuscript Workshop on Alison L. LaCroix, “The Interbellum Constitution: Union, Commerce, and Slavery in the Age of Federalisms,” Chicago-Kent College of Law, September 23, 2022 (via Zoom)
- “The Short Good Friday: Considering *Against Constitutional Originalism: A Historical Critique*,” Kinder Institute on Constitutional Democracy, University of Missouri and Henry Salvatori Center for the Study of Individual Freedom in the Modern World, Claremont-McKenna College, Columbia, MO, April 15, 2022
- “Originalism and History: An Interdisciplinary Discussion,” Northwestern Pritzker School of Law, Evanston, IL, October 3-4, 2019
- Jack Miller Center For Teaching America’s Founding Principles and History 2014 Summer Institute, “Science, Enterprise, and Law in the Making of the Modern Commercial Republic,” in partnership with the University of California, Los Angeles, invited fellow, Pasadena, CA, June 30-July 11, 2014

“Thinking the Revolution: American Political Thought, 1763-1789,” Folger Institute at the Shakespeare Library Seminar, Professor Eric Nelson, admitted participant, Washington, D.C., May 17-June 15, 2012

SEMINAR LEADER

“The Founders and the Enduring Constitution,” Jack Miller Center For Teaching America’s Founding Principles and History 2023 Summer Institute, “The Idea of Founding in America and the West,” Philadelphia, PA, July 19, 2023

“Originalism and the U.S. Constitution,” Semper Curious Seminar, January 26, 2023 (via Zoom)

GUEST SPEAKER IN COURSES

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in Trenton Cole Jones’s Graduate Course, Purdue University, April 12, 2021 (via Zoom)

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in John Mikhail’s Institute for Constitutional History Course, “The Creation of the Constitution,” Georgetown University Law Center, April 2, 2020 (via Zoom)

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in Saul Cornell and Jed Shugerman’s Course, “Constitutional History Workshop,” Fordham University School of Law, New York, NY, March 4, 2020

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in Randy Barnett’s Course, “Recent Books on the Constitution,” Georgetown University Law Center, Washington, D.C., October 29, 2019

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in Ian Beamish’s Graduate Course, “How Historians Write History,” University of Louisiana, Lafayette, (via Skype), October 14, 2019

The Second Creation: Fixing the American Constitution in the Founding Era, discussed in Philip Morgan’s and Francois Furstenberg’s Graduate Course, “Readings in Atlantic History,” Johns Hopkins University, (via Skype), November 27, 2018

Discussant in Annette Gordon-Reed and Peter Onuf’s Institute for Constitutional History Course, “The Constitutional History of Anglo-American Empire,” Stanford Law School, Stanford, CA, July 11, 2018

Draft chapters of “The Second Creation: Fixing the American Constitution in the Founding Era” and “Constitutional Originalism and History” and “Knowing How vs. Knowing That: Navigating the Past,” discussed in William Michael Treanor and John Mikhail’s Course, “The Drafting and Ratification of the Constitution,” Georgetown University Law Center, Washington, D.C., March 19, 2018

GUEST LECTURES

“Why Do We Have the Electoral College?,” delivered in “The History of 2023,” Stanford Continuing Studies, Stanford University, Stanford, CA, March 13, 2024 (via Zoom)

“Constitutional Originalism and the U.S. Supreme Court: The Rise of the Conservative Legal Movement,” delivered in “The History of 2022,” Stanford University, Stanford, CA, November 15, 2022

- “Electing the U.S. President: The Electoral College,” delivered in “The History of 2021,” Stanford University, Stanford, CA, October 12, 2021
- “The Original United States Constitution,” delivered at 2018 Junior Statesmen Summer Program, Junior State of America, Stanford University, Stanford, CA, July 23, 2018
- “Affairs of Honor: The Codes of Early American Politics,” delivered in “*Hamilton: An American Musical*,” Stanford University, Stanford, CA, May 7, 2018
- “Ratifying the Constitution: Federalists, Anti-Federalists, and the Legacy of the American Revolution,” delivered in Professor Katherine Grandjean’s Undergraduate Course, “Pursuits of Happiness: America in the Age of Revolution,” Wellesley College, Wellesley, MA, April 9, 2013

PUBLIC LECTURES

- “How Did Originalism Develop in the American Legal System?,” delivered at the Vi at Palo Alto, Palo Alto, CA, June 17, 2024
- “How We Got the Electoral College,” delivered at the Vi at Palo Alto, Palo Alto, CA, May 2, 2022
- “All This Over Taxes? The Deeper Ideological Origins of the American Revolution,” delivered to the Silicon Valley Sons of the American Revolution, Palo Alto, CA, September 24, 2016

INTERVIEWS AND PODCASTS

- Riches and Power*, “The Constitution,” Discussing: *The Second Creation: Fixing the American Constitution in the Founding Era*, October 4, 2023
- NPR’s *All Things Considered*, “The Constitution was built to allow for the few to hold so much power,” September 25, 2022
- We the People* Podcast, National Constitution Center, “The Intellectual Inspirations Behind the Constitution,” September 8, 2022
- Talking Legal History* Podcast, Discussing: History and Constitutional Originalism, June 13, 2022
- Law’s Dimensions*, Discussing: *The Second Creation: Fixing the American Constitution in the Founding Era*, October 31, 2021
- Writ Large*, “The Constitution of the United States,” 2021
- The Age of Jackson* Podcast, Discussing: *The Second Creation: Fixing the American Constitution in the Founding Era*, 2020
- New Books in History* Podcast, Discussing: *The Second Creation: Fixing the American Constitution in the Founding Era*, July 10, 2019
- Your Weekly Constitutional*, “Madison’s Notes,” October 28, 2018

PROJECTS

- National Constitution Center’s *Founders’ Library*, co-selected documents for the Founding Era, 1750-1790 (2022), constitutioncenter.org/the-constitution/historic-document-library

HONORS, AWARDS, PRIZES

PROFESSIONAL

Organization of American Historians Distinguished Lecturer (2023-26)

SCHOLARSHIP

Winner: 2019 Best Book in American Political Thought Award, Organized Section in American Political Thought, American Political Science Association

Finalist: 2019 Frederick Jackson Turner Prize, Organization of American Historians

Winner: 2017 Thomas J. Wilson Memorial Prize, Harvard University Press

Nominated: 54th Annual Allan Nevins Dissertation Prize (2014)

TEACHING

Nominated: Phi Beta Kappa Teaching Prize, Stanford University (2022)

Nominated: Excellence in Teaching Award, Phi Beta Kappa Northern California Association (2020)

Winner: Dean's Award for Distinguished Teaching in the School of Humanities and Sciences in the area of First Years of Teaching, Stanford University (2018-19)

Nominated: Phi Beta Kappa Teaching Prize, Stanford University (2019)

Finalist: Zanvyl Krieger School of Arts and Sciences Excellence in Teaching Award, Johns Hopkins University (2010)

Nominated: Zanvyl Krieger School of Arts and Sciences Excellence in Teaching Award, Johns Hopkins University (2008)

FELLOWSHIPS

Civics Faculty Fellow, Research Fellow, Hoover Institution, Stanford University (2024-25)

Stanford Teagle Fellowship in Liberal Education (2022-23)

William H. and Frances Green Faculty Fellow, Stanford University School of Humanities and Sciences (2019-2020)

University of Mississippi College of Liberal Arts Summer Research Grant (2015) (declined)

University of Mississippi College of Liberal Arts Summer Research Grant (2014)

Johns Hopkins University Dean's Teaching Fellowship (2012-2013)

TEACHING

STANFORD UNIVERSITY

HIS 50A/150A: Colonial and Revolutionary America (Fall 2015, Fall 2016, Fall 2017, Fall 2018, Fall 2020, Fall 2022, Fall 2024)

HIS 61N: The Worlds of Thomas Jefferson (Winter 2017, Winter 2018, Winter 2022, Winter 2023, Winter 2025)

HIS 200A: Doing Legal History (with Professor Rowan Dorin) (Winter 2019, Winter 2021, Winter 2024)

HIS 252/352: Originalism and the American Constitution: History and Interpretation (Winter 2016, Fall 2018, Fall 2021, Fall 2023, Fall 2024)

HIS 253F/353F: Thinking the American Revolution (Winter 2017, Winter 2021, Winter 2023, Winter 2025)
HIS 254E/354E: The Rise of American Democracy (Winter 2019, Fall 2021, Winter 2024)
HIS 257/357: Was the American Revolution a Social Revolution? (Autumn 2015, Winter 2018)
HIS 351A: Graduate Core in American History, Part I: Readings in Early America (Fall 2017, Fall 2023)
HIS 351B: Graduate Core in American History, Part II: Readings in Early America (Fall 2016, Fall 2020, Fall 2022)

UNIVERSITY OF MISSISSIPPI

HIS 105: The United States to 1877 (Fall 2013, Fall 2014)
HIS 302: America in the Age of Revolution, 1740-1789 (Fall 2013, Spring 2015)
HIS 400: The American Constitution and Its Original Meaning (Spring 2014)
HIS 400: Launching the American Republic, 1789-1800 (Spring 2015)
HIS 605: Readings in Revolutionary American History (Spring 2014)
HIS 605: Readings in American Intellectual History through the Civil War (Fall 2014)

JOHNS HOPKINS UNIVERSITY

HIS 391: Originalism and the American Constitution: History and Interpretation (Fall 2012)

ADVISING

STANFORD UNIVERSITY

Ph.D. Students

Primary Advisor

Benjamin Halom

Jennifer Depew (co-advisor with Professor Jennifer Burns)

Tanner Allread (co-advisor with Professor Kathryn Olivarius)

Carolyn Zola (co-advisor with Professor Estelle Freedman) (Ph.D., 2024)

Dissertation: "Public Women: Urban Provisioners in Nineteenth-Century America"

Charlotte Hull (Ph.D., 2022)

Dissertation: "Connecting California: Agents of U.S. Imperial Expansion, 1783-1848"

Committee Member

Emily Greenfield, History

Aaron Spikol, Political Science

Arjun Ramamurti, Government (Harvard University)

Henry Ishitani, History (Yale University)

Austin Steelman, History (Ph.D., 2024)

Dissertation: "Paper Gods: The Bible, the Constitution, and the Evangelical Revolt Against Modernity, 1923-1986"

External Chair

Daniel Gullotta, Religious Studies (Ph.D., 2023)

Dissertation: “To Make a Christian of Andrew Jackson: Religious Politics at the Rise of American Democracy”

Graduate Comprehensive Exams

Marina Del Cassio, minor field: Early American History and Legal History (Spring 2025)

Jennifer Depew, minor field: Early American History (Fall 2024)

Olavos Passos de Souza, minor field: Early U.S. State-Making and Governance (Spring 2023)

Aliyah Dunn-Salahuddin, minor field: Early American History (Spring 2022)

Tanner Allread, minor field: Early American History (Spring 2022)

Magdalene Zier, minor field: Early American History (Spring 2022)

Austin Clements, minor field: Early American History (Fall 2021)

Austin Steelman, minor field: Early American History (Spring 2021)

Emily Greenfield, minor field: Early American History (Spring 2021)

Vannessa Velez, minor field: Early American History (Spring 2020)

Theresa Iker, minor field: Early American History (Spring 2019)

Carolyn Zola, minor field: Early American History (Winter 2019)

Charlotte Hull, minor field: Early American History (Winter 2019)

Paul Nauert, minor field: Early American History (Fall 2018)

Vivian Yan, minor field: Early American History (Spring 2018)

Justine Modica, minor field: Early American History (Spring 2018)

Alastair Su, minor field: Early American History (Winter 2018)

Master of Liberal Arts Theses

Primary Advisor

Tony Gallagher (2017-2018)

Undergraduate Honors Theses

Primary Advisor

Alexa Kupor (2024-25)

Novia Liu (2024-25)

Eric Areklett (2023-24)

Baird Johnson (2023-24)

Elizabeth Spaeth (2021-22)

Arjan Walia (2021-22)

Elizabeth Lindqwister (2020-21)

Cass Plowman (2020-21)

Malachi Dray (2018-2019)

Gabriela Romero (2018-2019); American Studies
Zachary Brown (2017-2018)
Sarah Wishingrad (2017-2018)
Constance Owl (2017-2018); CSRE, Native American Studies (Senior Research Paper)
Patrick O'Hare (2016-2017)

Second Reader

Marlane Bosler (2023-24); American Studies
Valentine Janigian (2020-21); American Studies
Indy Sobol (2020-21)
Ella Bunnell (2018-2019); American Studies
Charlotte Reed (2017-2018); African and African-American Studies
Emily Frantz (2015-2016)
Michael "Henry" Ishitani (2015-2016)

Undergraduate Advisees

Nina Burik (Class of 2026)
Nghia Duc Do (Class of 2026)
Ruosong Gao (Class of 2026)
Kastella Nguyen (Class of 2026)
Sachin Singh (Class of 2026)
Roisin Willis (Class of 2026)
Novia Liu (Class of 2025)
Jessica Susanto (Class of 2025)
Eric Areklett (Class of 2024)
Diego Leibman Galvez (Class of 2024)
Mark Huerta (Class of 2024)
Baird Johnson (Class of 2024)
Sabian Jesus Polanco (Class of 2024)
Parker Amoroso (Class of 2023)
Jayden Lim (Class of 2023)
Andrew Matejka (Class of 2023)
Julia Milani (Class of 2023)
Stephen Sills (Class of 2023)
Jevan Yu (Class of 2023)
Isaac Harris (Class of 2022)
Sam Segal (Class of 2022)
Elizabeth Spaeth (Class of 2022)
Matthew Dardet (Class of 2021)

King Jemison (Class of 2021)
Elizabeth Lindqwister (Class of 2021)
Cass Plowman (Class of 2021)
Indy Sobol (Class of 2021)
Sophia Susac (Class of 2021)
Valentine Janigian (Class of 2021); American Studies
Josh Adamson (Class of 2020)
Alex Friedman (Class of 2020)
David Snyder (Class of 2020)
Griffin Bovée (Class of 2019)
Malachi Dray (Class of 2019)
John Brooks Hamby (Class of 2019)
Aron Ramirez (Class of 2019)
Lena Zlock (Class of 2019)
Nicholas Burns (Class of 2018)
Heath Rojas (Class of 2018)

UNIVERSITY OF MISSISSIPPI

Graduate Comprehensive Exams

Nicholas Mosvick, minor field: American Legal History to 1877 (Summer 2015)
John Lindbeck, major field: United States to 1877 (Spring 2015)
Thomas Robinson, major field: United States to 1877 (Spring 2014)
Andrew Davis, major field: United States to 1877 (Spring 2014)

SERVICE

HISTORICAL PROFESSION

Scholarly Referee

Journals

American Historical Review ▪ *William and Mary Quarterly* ▪ *Journal of the Early Republic* ▪
American Political Thought ▪ *New England Quarterly* ▪ *Yale Law Journal* ▪ *Journal of American
Constitutional History* ▪ *American Journal of Legal History*

Presses

Yale University Press ▪ Oxford University Press

Tenure and Promotion

Georgetown University Law Center ▪ Boston University Law School

Senior Editorial Advisor

Journal of American Constitutional History (2022-)

Editorial Boards

Journal of American Constitutional History (2022-)
Journal of the Early Republic (2022-25)
JER Editorial Board Ad Hoc Committee (2022-23)
American Political Thought (2019-22)

Academic Organizations

Society for Historians of the Early American Republic
Program Committee (2025)
American Society for Legal History
Graduate Student Outreach Committee (2019-21)
Chair, Student Survey Subcommittee (2020)

Historical and Legal Organizations

National Constitution Center
Advisory Board for New Gallery on the Founding Era (2024)
Brennan Center for Justice
Historians Council on the Constitution (2023-)
Thomas Jefferson Foundation
Semiquincentennial Advisory Committee (2023-26)

STANFORD UNIVERSITY

Department

Leadership

Director of Undergraduate Studies (2022-23)

Committee Chair

Undergraduate Studies Committee (2022-23)
U.S. Field Graduate Admissions (2017-18; 2020-22)

Search Committees

COLLEGE-History, Lecturer (2022-23)
Impacts of Race in America, Tenured Track Faculty (2020-21)
Native American History, Tenured-Tenured Track Faculty (2016-17)

Tenure and Promotion Committees

Tenure Committee (2023-24)

Department Committees

Diversity, Equity, and Inclusion Committee (2024-25)
Sources and Methods Syllabus Committee (2022-23)
Undergraduate Studies Committee (2015-16; 2022-23)
Policy Committee (2016-19; 2021-23)
Graduate Admissions Committee (2017-18; 2020-22)
Graduate Studies Committee (2018-19)

Coordinator

Faculty Coordinator, U.S. History Workshop (2017-2019; 2020-23)

Co-coordinator, Historical Conversations (2017-18)

History and Law Track Coordinator for Undergraduate Major (2016-19)

University

Faculty Senate (2023-26)

Standing Committees of the Academic Council

Committee on Graduate Studies (2023-26)

Stanford Civics Initiative, Faculty Steering Committee

Faculty Coordinator, History of Political Thought Workshop, Geballe Research Workshop of the Stanford Humanities Center (2017-19; 2020-22)

UNIVERSITY OF MISSISSIPPI

Undergraduate Committee (2014-15)

Planning and Assessment Committee (2014-15)

Organizer, *Consortium on the Revolutionary Era, 1750-1850, 44th Annual Conference*, University of Mississippi, Oxford, MS (February 20-22, 2014)

ACADEMIC MEMBERSHIPS

American Historical Association

Organization of American Historians

Society for Historians of the Early American Republic

Omohundro Institute of Early American History and Culture

American Society for Legal History

Society for U.S. Intellectual History

Association of American Law Schools

LANGUAGES

Spanish (reading knowledge)

REFERENCES

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