

David E. Landau  
Mason Ladd Professor & Associate Dean for International Programs  
Florida State University College of Law  
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## **Academic Experience**

Florida State University College of Law  
Mason Ladd Professor, December 2014-present  
Professor, Aug. 2019-present  
Associate Professor (with tenure), Aug. 2015-Aug. 2019  
Assistant Professor, July 2010-Aug. 2015

Associate Dean for International Programs, Apr. 2012-present: lead and counsel students in the College of Law's LL.M. program in American Law for Foreign Lawyers and Certificate Program in International Law

Courses Taught: Constitutional Law I, Comparative Constitutional Law, Public International Law, Civil Procedure, Conflict of Laws, International Litigation & Arbitration

Florida State University, University Graduate Teaching Award, 2x: 2012-2013; 2019-2020

Visiting Professor (short courses): Central European University, Budapest, Hungary (June 2016; May 2017; April-May 2018); ICESI University, Cali, Colombia (Sept. 2016); EAFIT University, Medellin, Colombia (Feb. 2017; Feb. 2018); European University Institute, Florence, Italy (June 2018); IDC Herzliya, Israel (May-June 2019).

Founding Editor for the Blog of the International Journal of Constitutional Law (ICONnect, [www.iconnectblog.com](http://www.iconnectblog.com)), July 2012-present (with Tom Ginsburg & Richard Albert)

Consultant for the Truth and Reconciliation Commission of Honduras, January-March 2011  
Researched and produced report on constitutional issues surrounding the June 2009 removal of President Jose Manuel Zelaya Rosales from power (with Profs. Noah Feldman & Brian Sheppard)

Climenko Fellow & Lecturer on Law, Harvard Law School, 2007-2009.

## **Education**

Harvard University, Ph.D., Political Science, 2015  
Subfields: comparative politics; comparative judicial politics  
Dissertation: "Beyond Judicial Independence: The Construction of Judicial Power on the Colombian Constitutional Court."

Harvard Law School, J.D., 2004

Magna cum laude; Sears Prize, 2002, for placing in the top 2 of a 1L class of 550.  
Harvard Law Review, Note Editor

Harvard University, A.B., 2001, Social Studies

Summa cum laude; Phi Beta Kappa (junior year)

## **Books**

COMPARATIVE CONSTITUTION MAKING (edited volume, with Hanna Lerner) (Edward Elgar Press, 2019).

THE EVOLUTION OF THE SEPARATION OF POWERS (edited volume, with David Bilchitz) (Edward Elgar Press, 2018).

COLOMBIAN CONSTITUTIONAL LAW: LEADING CASES (with Manuel Jose Cepeda) (Oxford University Press, 2017).

DERECHOS SOCIALES Y LIMITES A LA REFORMA CONSTITUCIONAL: LA INFLUENCIA DE LA JURISPRUDENCIA DE LA CORTE CONSTITUCIONAL COLOMBIANA EN EL DERECHO COMPARADO (University Externado de Colombia Press, 2015) (Spanish translations of *Abusive Constitutionalism*, *Political Institutions and Judicial Role in Comparative Constitutional Law*, *The Reality of Social Rights Enforcement*, and *The Promise of A Minimum Core Approach: The Colombian Model for Judicial Review of Austerity Measures*).

COMPARATIVE CONSTITUTIONAL LAW (with Mila Versteeg, Tom Ginsburg, and Sujit Choudhry) (Oxford University Press, textbook under contract).

ABUSIVE CONSTITUTIONAL BORROWING (with Rosalind Dixon) (Oxford University Press, monograph under contract).

## **Articles & Essays**

*The Uses and Abuses of Presidential Impeachment*, 88 U. CHICAGO L. REV. \_\_ (with Tom Ginsburg and Aziz Huq) (forthcoming 2020).

*The Causes and Consequences of a Judicialized Peace Process in Colombia*, 18 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW \_\_ (forthcoming 2020) (peer reviewed symposium piece).

*Personalism and the Trajectories of Populist Constitutionalism*, 16 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE \_\_ (forthcoming 2020).

*Federalism for the Worst Case*, 105 IOWA L. REV. 1187 (with Hannah Wiseman and Samuel Wiseman) (2020).

*Abusive Judicial Review: Courts Against Democracy*, 53 U.C. DAVIS L. REV. 1313 (with Rosalind Dixon) (forthcoming 2020).

*Constitutional End-Games: Making Presidential Term Limits Stick*, 71 HASTINGS L.J. 359 (with Rosalind Dixon) (2020).

*Choosing Between Simple and Complex Remedies in Socioeconomic Rights Cases*, 69 U. TORONTO L.J. 105 (2019) (peer reviewed symposium piece).

*From an Unconstitutional Constitutional Amendment to an Unconstitutional Constitution? Lessons from Honduras*, 8 GLOBAL CONSTITUTIONALISM 40 (with Yaniv Roznai and Rosalind Dixon) (2019) (peer reviewed symposium piece).

*Presidential Term Limits in Latin America: Transnational Constitutional Dialogue as a Double-Edged Sword*, 12 LAW & ETHICS OF HUMAN RIGHTS 225 (2018) (peer reviewed symposium piece).

*Constitutional Design, International Law and Vulnerable Insiders: The Victims of Internal Armed Conflict in Colombia*, 57 VIRGINIA JOURNAL OF INTERNATIONAL LAW 679 (2018) (invited symposium piece).

*Tiered Constitutional Design*, 86 GEORGE WASHINGTON LAW REVIEW 438 (2018) (with Rosalind Dixon).

*Populist Constitutions*, 85 U. CHI. L. REV. 521 (2018) (invited symposium piece).

*Substitute and Complement Theories of Judicial Review*, 92 INDIANA LAW JOURNAL 1283 (2017).

*Democratic Erosion and Constitution-Making Moments: The Role of International Law*, 3 U.C. IRVINE INT'L L.J. 87 (2017) (invited symposium piece).

*Political Support and Structural Constitutional Law*, 67 ALABAMA LAW REVIEW 1069 (2016).

*Selective Entrenchment in State Constitutional Law: Lessons from Comparative Experience*, 69 ARK. L. REV. 425 (invited symposium piece) (2016).

*Constraining Constitutional Change*, 50 WAKE FOREST L. REV. 859 (2015) (invited symposium piece) (with Rosalind Dixon).

Reviewed by Michael Coenen on the constitutional law section of JOTWELL (Journal of Things we Like (Lots)), Oct. 26, 2015, at <http://conlaw.jotwell.com/can-abusive-constitutionalism-be-checked/>

*Transnational Constitutionalism and a Limited Doctrine of Unconstitutional Constitutional Amendment*, 13 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 606 (2015) (peer-reviewed symposium piece) (with Rosalind Dixon).

Translated into Russian in 2 *Stavnitel'noe konstitutsionno obozrenie* (Comparative Constitutional Review) 32 (2016).

Reviewed by Hoi Kong on the international law section of JOTWELL (Journal of Things we Like (Lots)), Aug. 18, 2016, at <https://intl.jotwell.com/understanding-unconstitutional-amendments-reflections-on-comparative-constitutional-doctrine-and-method/>.

Response to the piece by Sujit Choudhry at 15 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 826 (2017) and rejoinder by David Landau and Rosalind Dixon at 15 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 833 (2017).

*Aggressive Weak-Form Review*, 5 CONSTITUTIONAL COURT REVIEW 244 (2014) (invited symposium piece).

*A Dynamic Theory of Judicial Role*, 55 BOSTON COLLEGE LAW REVIEW 1501 (2014).  
Selected for presentation at the Harvard/Yale/Stanford Junior Faculty Forum, June 28, 2014

*Abusive Constitutionalism*, 47 U.C. DAVIS LAW REVIEW 189 (2013).  
Excerpted in VICKI JACKSON & MARK TUSHNET, COMPARATIVE CONSTITUTIONAL LAW (3d ed. 2014).

Cited in by the Supreme Court of Israel in H CJ 8260/16, Ramat Gan Academic Center of Law and Business v. Knesset (Sept. 6, 2017) (Isr.).

*Constitution-Making Gone Wrong*, 64 ALABAMA LAW REVIEW 923 (2013).  
Reprinted in CONSTITUTION MAKING (Edward Elgar) (Tom Ginsburg & Sujit Choudhry, eds., 2015).

*The Reality of Social Rights Enforcement*, 53 HARVARD INTERNATIONAL LAW JOURNAL 189 (2012).

Response from Mark Tushnet available at:

[http://www.harvardilj.org/2012/04/online\\_53\\_tushnet/](http://www.harvardilj.org/2012/04/online_53_tushnet/)

Sur-reply by author available at: <http://opiniojuris.org/2012/03/19/hilj-landau-responds-to-tushnet-2/>.

Reprinted in ECONOMIC, SOCIAL AND CULTURAL RIGHTS AS HUMAN RIGHTS 139 (Edward Elgar) (Olivier De Schutter, ed., 2013).

*The Importance of Constitution-Making*, 89 DENVER LAW REVIEW 611 (2012) (invited symposium piece).

*Political Institutions and Judicial Role in Comparative Constitutional Law*, 51 HARVARD INTERNATIONAL LAW JOURNAL 319 (2010).

Translated into Spanish in 13 REVISTA DE ECONOMIA INSTITUCIONAL 13 (2011) (Universidad Externado, Bogota, Colombia).

Excerpted in VICKI JACKSON & MARK TUSHNET, COMPARATIVE CONSTITUTIONAL LAW (3d ed., forthcoming 2014).

*The Two Discourses in Colombian Constitutional Jurisprudence: A New Approach to Modeling Judicial Behavior in Latin America*, 3 *GEORGE WASHINGTON INTERNATIONAL LAW REVIEW* 687 (2005).

*Publicity Rights as Property Rights*, 23 *CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL* 71 (2005) (with David Westfall).

Case Comment, Civil Procedure – Forum Non Conveniens – Fifth Circuit Holds Mexico to be an Adequate Alternative Forum Despite its \$2500 Cap on Damages for a Child’s Death – *Gonzalez v. Chrysler Corp.*, 301 F.3d 377 (5th Cir. 2002), 116 *Harvard Law Review* 1905 (2003).

## **Book Chapters**

*Courts and Constitution Making: A Contextual Approach*, in *REDRAFTING CONSTITUTIONS IN DEMOCRATIC ORDERS: THEORETICAL AND COMPARATIVE PERSPECTIVES* \_\_ (Gabriel Negretto, ed., Cambridge University Press, forthcoming 2020).

*Justice Cepeda’s Institution-Building on the Colombian Constitutional Court: A Fusion of the Political and the Legal*, in *TOWERING JUSTICES* \_\_ (Rehan Abeyratne & Iddo Porat, eds., Cambridge University Press, forthcoming 2020).

*Socioeconomic Rights in Latin America: Closing the Gap Between the Ideal and the Real*, in *COLLECTED COURSES OF THE ACADEMY OF EUROPEAN LAW: HUMAN RIGHTS AND DISTRIBUTIVE JUSTICE* \_\_ (Oxford University Press, forthcoming 2020).

*Constitutional Backsliding and its Responses in Colombia*, in *CONSTITUTIONALISM IN CONTEXT* \_\_ (Cambridge University Press) (David Law, ed., Cambridge University Press, forthcoming 2020).

*Term Limits and the Unconstitutional Constitutional Amendment Doctrine: Lessons from Latin America* (coauthored with Rosalind Dixon and Yaniv Roznai), in *THE POLITICS OF PRESIDENTIAL TERM LIMITS* 53 (Alex Baturo & Robert Elgie, eds., Oxford University Press, 2019).

*Introduction to Comparative Constitution Making: The State of the Field* (coauthored with Hanna Lerner), in *COMPARATIVE CONSTITUTION-MAKING 1* (Hanna Lerner & David Landau, eds., Edward Elgar Press, 2019).

*Constituent Power and Constitution-Making in Latin America*, in *COMPARATIVE CONSTITUTION-MAKING* 567 (Hanna Lerner & David Landau, eds., Edward Elgar Press, 2019).

*Constitutional Non-Transformation? Socioeconomic Rights beyond the Poor* (coauthored with Rosalind Dixon), in *THE FUTURE OF SOCIAL AND ECONOMIC RIGHTS* 110 (Katharine G. Young, ed., Cambridge University Press, 2019).

*Constitution-Making and Authoritarianism in Venezuela: The First Time as Tragedy, the Second as Farce*, in CONSTITUTIONAL DEMOCRACY IN CRISIS? 161 (Mark Tushnet, Sandy Levinson, and Mark Graber, eds., Oxford University Press, 2018).

*Courts and Support Structures: Beyond the Classic Narrative*, in COMPARATIVE JUDICIAL REVIEW 226 (Edward Elgar Press) (Erin F. Delaney & Rosalind Dixon, eds., Edward Elgar Press, 2018).

*Socioeconomic Rights and Majoritarian Courts in Latin America*, in CONSTITUTIONALISM IN THE AMERICAS 188 (Colin Crawford & Daniel Bonilla Maldonado, eds., 2018).

*Introduction: The Evolution of the Separation of Powers in the Global South and Global North* (coauthored with David Bilchitz), in THE EVOLUTION OF THE SEPARATION OF POWERS 1 (David Bilchitz & David Landau, eds.) (Edward Elgar Press, 2018).

*Institutional Failure and Intertemporal Theories of Judicial Role in the Global South*, in THE EVOLUTION OF THE SEPARATION OF POWERS 31 (David Bilchitz & David Landau, eds.) (Edward Elgar Press, 2018).

*South African Social Rights Jurisprudence and the Global Canon: A Revisionist View*, in CONSTITUTIONAL TRIUMPHS, CONSTITUTIONAL DISAPPOINTMENTS: A CRITICAL ASSESSMENT OF THE 1996 SOUTH AFRICAN CONSTITUTION'S LOCAL AND INTERNATIONAL INFLUENCE 406 (Theunis Roux and Rosalind Dixon, eds.) (Cambridge University Press 2018).

*Legal Pragmatism and Comparative Constitutional Law*, in COMPARATIVE CONSTITUTIONAL THEORY 208 (Gary Jacobsohn and Miguel Schor, eds., 2018).  
Reviewed on JOTWELL by Mark Kende at <https://conlaw.jotwell.com/pragmatist-constitutionalism-in-comparative-perspective/>.

*Judicial Role and the Limits of Constitutional Convergence in Latin America*, in COMPARATIVE CONSTITUTIONAL LAW IN LATIN AMERICA 217 (Edward Elgar Press, Tom Ginsburg & Rosalind Dixon, eds., 2017).

*Constitutional Endurance and Democracy: Judging Constitutional Performance* (with Rosalind Dixon), in ASSESSING CONSTITUTIONAL PERFORMANCE 268 (Tom Ginsburg & Aziz Huq, eds., Cambridge University Press, 2016)

*The Promise of A Minimum Core Approach: The Colombian Model for Judicial Review of Austerity Measures*, in ECONOMIC AND SOCIAL RIGHTS AFTER THE GLOBAL FINANCIAL CRISIS 267 (Aoife Nolan, ed., Cambridge University Press, 2014).

## **Book Reviews**

*Book Review Essay: New Directions in the Comparative Law and Politics of Judicial Review* (review of Theunis Roux, *The Politico-Legal Dynamics of Judicial Review: A Comparative*

Analysis and David M. Brinks & Abby Blass, *The DNA of Constitutional Justice in Latin America*, 55 TULSA L. REV. \_\_ (forthcoming 2020).

*Book Review: Fragile Democracies: Contested Power in the Age of Constitutional Courts* (by Samuel Issacharoff), 13 INT'L J. CONST. L. 1082 (2015)

*Book Review: Cultures of Legality: Judicialization and Political Activism in Latin America* (by Javier A. Couso, Alexandra Huneeus, & Rachel Sieder), 46 LAW & SOCIETY REVIEW 205 (2012).

### **Encyclopedia Entries**

Entries on “Social Rights,” “Colombian Constitutional Court,” “Decision T-025 (2004) (Colombia),” “Decision T-426 (1992) (Colombia),” Max Planck Encyclopedia of Comparative Constitutional Law (2017).

### **Op-Eds**

“Op-ed: Impeachment has Rebooted Other Democracies Stuck in Corruption and Gridlock,” L.A. TIMES, Dec. 15, 2019 (with Tom Ginsburg and Aziz Huq), available at <https://www.latimes.com/opinion/story/2019-12-15/impeachment-democracy-presidents-donald-trump>

“Op-ed: Fixing Latin America’s ‘Strong-Man’ Problem,” INT’L N.Y. TIMES, Dec. 17, 2015 (with Brian Sheppard and Rosalind Dixon), available at <http://www.nytimes.com/2015/12/18/opinion/how-to-fix-latin-americas-strongman-problem.html>.

“Op-ed: Why Honduras’s Judiciary is its Most Dangerous Branch,” INT’L N.Y. TIMES, June 26, 2015 (with Brian Sheppard), available at [http://www.nytimes.com/2015/06/26/opinion/why-hondurass-judiciary-is-its-most-dangerous-branch.html?\\_r=0](http://www.nytimes.com/2015/06/26/opinion/why-hondurass-judiciary-is-its-most-dangerous-branch.html?_r=0).

“Op-ed: Egypt’s Constitutional Crisis,” L.A. TIMES, Aug. 8, 2013 (with Jill Goldenziel), available at <http://www.latimes.com/news/opinion/opinionla/la-oe-landau-egypt-constitution-20130808,0,2851442.story>.

“Op-ed: Fixing Honduras,” L.A. TIMES, June 7, 2011 (with Noah Feldman & Brian Sheppard), available at <http://articles.latimes.com/2011/jun/07/opinion/la-oe-landau-honduras-20110607>.

### **Reports & Governmental Consulting**

Consultant, United Nations Development Project (UNDP), Project on Constitutional Bills of Rights, December 2017

Report to the Commission on Truth and Reconciliation of Honduras: Constitutional Issues, Commission on Truth and Reconciliation of Honduras, March 2011 (with Noah Feldman, Brian Sheppard, & Leonidas Rosa Suazo) (available in both English and Spanish).

## **Other Teaching Activities**

Faculty Advisor: Journal of Transnational Law and Policy (JTLP), 2012-present; International Law Students Association (ILSA), 2012-present; American Constitution Society, 2017-present

Law Review Papers Supervised: Aaron Gott (2011); Parker Jordan (2011); Adam Kramarow (2011); Curtis Filaroski (2012); Daniel Gaffney (2012); Alison Hofheimer (2012); Kristen Rowland (2013); Mason Maney (2014); Ashley Houlihan (2014); Joseph Hart (2014); Kaitlyn Cawley (2015); Michael Piccolo (2015); Michael Hoffman (2016); Megan Bradley (2016); Hannah Rodgers (2017); Caroline Poor (2017); Jeffrey Grosholz (2017); Christina Behan (2018); Matthew Henderson (2019); Markus Dangl (2019); Kassie Satterly (2019); Alex Clise (2020)

Supervised Research Internship: Mario Perez, fall 2012

Directed Independent Study: Margaret Spicer, spring 2014; Christina Draguta, spring 2016; Katheryn Goulfine, fall 2017; Alex Reyes, spring 2020

Senior Honors Thesis supervisor: Courtney Saunders, French Jurisprudence in the International Criminal Court, Department of International Affairs, 2018-2019

Master's Examination Committee: Nathalie Labao, International Affairs, April 2015

Ph.D. Dissertation Chair: Michael Cruz Rodriguez, Universidad Nacional de Colombia (Bogota), Department of Law (completed 2018)

Ph.D. Dissertation Examiner: SM Atia Naznin, Forced Slum Evictions in Bangladesh: The Role of Structural Injunction as an Appropriate Judicial Remedy, Macquarie University (Sydney, Australia), Department of Law (2019)

Coach for the Jessup Public International Moot Court Team, 2011-2013

## **External Professional Service**

ICON-S Council, July 2019-present

Scientific Advisory Board, International Journal of Constitutional Law (I-CON), January 2013-present.

Advisory Board, Max Planck Encyclopedia of Comparative Constitutional Law (MPECCoL), February 2016-present.

Associate Editor, The Rule of Law in Context Book Series, Hart Publishing, Mar. 2018-present

Chair, Program Committee, 4th Annual Younger Comparativists Committee (YCC) Conference, Florida State University College of Law, Tallahassee, FL, April 16-17, 2015.



Board Member, Younger Comparativists Committee (YCC), American Society of Comparative Law (ASCL), Oct. 2015-Oct. 2017.

Scholarship Advisory Group (SAG), Younger Comparativists Committee (YCC), American Society of Comparative Law (ASCL), March 2011-Sept. 2015. Chair, March 2013-Sept. 2015.

Manuscript Reviewer or Referee, Journals: American Political Science Review; American Journal of Comparative Law; Law & Society Review; Democratization; Global Constitutionalism; South African Journal on Human Rights; Kyklos; Israel Law Review; Política y gobierno (Mexico); Constitutional Studies; International Journal of Constitutional Law; Journal of Comparative Politics; European Journal of Comparative Law and Governance, Oxford Journal of Legal Studies

Manuscript Reviewer or Referee, Books: Cambridge University Press; Oxford University Press; Edward Elgar Publishing, Springer

### **Internal Professional Service**

Florida State University, University Teaching Award Committee, January 2016-April 2018

Florida State University College of Law, Appointments Committee, 2014-2015; Admissions Committee, 2011-2012, 2015-2016, 2016-2017; 2017-2018; 2019; Curriculum Committee, 2015-2016; 2017-2018; 2019; Clerkship Committee, 2017-2018

Florida State University, Faculty Grievance Committee, 2011-2017

### **External Conferences and Presentations**

Speaker, Reflections on a Distinguished Career: Mark Tushnet's Contributions to Comparative Law, Association of American Law Schools (AALS) Annual Meeting, Washington, DC, Jan. 5, 2020.

Speaker, Authors Meet Readers: Constitutional Amendments: Making, Breaking, and Changing Constitutions by Richard Albert, Association of American Law Schools (AALS) Annual Meeting, Washington, DC, Jan. 2, 2020.

"Abusive Judicial Review," Colloquium on Comparative Constitutional Law and Politics, University of Texas at Austin School of Law, Nov. 12, 2019.

Presenter, Plenary Panel on Public Law and Social Change, ICON-S Colombia Second Annual Meeting, Universidad de Caldas, Manizales, Colombia, Oct. 25, 2019.

"Abusive Judicial Review," American Society of Comparative Law (ASCL) Annual Meeting, Hot Topics Panel, University of Missouri School of Law, Columbia, Missouri, Oct. 18, 2019.

“Choosing Between Simple and Complex Remedies in Socioeconomic Rights Cases,” ICON-S Mexican Chapter Annual Conference, ITAM University, Mexico City, Mexico, Sept. 26, 2019.

“Designing a Judiciary,” Conference on Judicial Independence, Tribunal Constitucional de Chile, Santiago, Chile, Aug. 9, 2019.

“Abusive Judicial Review,” Faculty Workshop, Universidad de Desarrollo, Santiago, Chile, Aug. 8, 2019.

Chair, Plenary Panel on Public Law, Democratic Backsliding and the Erosion of Liberal Democracy, Annual Meeting of the International Association of Public Law (ICON-S), Pontificia Universidad Catolica de Chile, Santiago, Chile, July 3, 2019.

“Abusive Judicial Review: Courts Against Democracy,” Annual Meeting of the International Association of Public Law (ICON-S), Pontificia Universidad Catolica de Chile, Santiago, Chile, July 3, 2019.

“The Colombian Model of Structural Socioeconomic Rights Remedies: Lessons from and for Comparative Experience,” Annual Meeting of the International Association of Public Law (ICON-S), Pontificia Universidad Catolica de Chile, Santiago, Chile, July 1, 2019.

“Abusive Judicial Review: Courts Against Democracy,” Public Law and Human Rights Research Workshop, The Hebrew University of Jerusalem Faculty of Law, May 29, 2019.

“Abusive Judicial Review: Courts Against Democracy,” 6<sup>th</sup> Annual Symposium on Constitutional Agendas, IDC Herliyza, Harry Radzyner Law School, May 27, 2019.

“The Uses and Abuses of the Unconstitutional Constitutional Amendments Doctrine in Latin America,” Limits on Constitutional Change Symposium – Saviors to or Opponents of Democracy? IDC Herliyza Harry Radzyner Law School, May 23, 2019.

Participant, Workshop on Effective Governance and Constitutionalism, Harvard Law School, May 2-3, 2019.

“Federalism for the Worst Case,” University of Illinois Constitutional Law Colloquium, Apr. 22, 2019.

“Abusive Judicial Review and the Distortion of Human Rights Norms,” Panel on The Foundations of Human Rights: Law and Constitutions, Human Rights and the Politics of Solidarity: An International Conference in Honor of the Late Wiktor Osiatynski, University of Connecticut, Human Rights Institute, Apr. 4, 2019.

“Beyond Experimentalism in the Enforcement of Social Rights,” 13th Conference of the Constitutional Jurisdiction (Constitutional Court of Colombia): The Constitutional Court in Global Perspective, Bogota, Colombia, Jan. 24, 2019.

“Judicial Review of Peace: The Colombian Constitutional Court and the Colombian Peace Process,” Conference on Peace Processes, Federalism and Constitution-Making: Comparative Perspectives on the Complexities of Conflict Resolution and Maintenance, University of New South Wales, Sydney, Australia, Dec. 6, 2018.

Opening Conference, “La ruptura del principio de separación de poderes en el Estado constitucional contemporáneo,” XIX Jornadas de Derecho Constitucional: ¿El Estado constitucional en jaque? Universidad Externado de Colombia, Bogota, Colombia, Oct. 17, 2018.

Two Track, One Track, No Track: Varying Paths to Enforcing Socioeconomic Rights, Remedies for Violation of Human Rights Symposium, University of Toronto Faculty of Law, Toronto, Canada, Sept. 28, 2018.

Panelist, Book Roundtable on *The Adventures of the Constituent Power: Beyond Revolutions?* (by Andrew Arato), American Political Science Association Annual Meeting, Boston, MA, Sept. 2, 2018.

“Abusive Judicial Review” (with Rosalind Dixon), Panel on Courts as Democracy Builders in Comparative Perspective, Annual Meeting of the International Association of Public Law (ICON-S), Hong Kong, China, June 27, 2018

“Constitution-Making and Authoritarianism in Venezuela: The First Time as Tragedy, the Second as Farce,” Panel on Democracy in Crisis II, Annual Meeting of the International Association of Public Law (ICON-S), Hong Kong, China, June 26, 2018

Panelist, Book Roundtable on *The Alchemists: Questioning our Faith on Courts as Democracy Builders* (by Tom Daly), Annual Meeting of the International Association of Public Law (ICON-S), Hong Kong, China, June 26, 2018

“Constitutional Backsliding: Colombia,” Panel on Constitutionalism in Context, Annual Meeting of the International Association of Public Law (ICON-S), Hong Kong, China, June 25, 2018

Discussant, “Classification Confusion” & “Teaching Islamic Law in a Positivist Environment,” 5<sup>th</sup> Annual Montpelier Roundtable on Comparative Constitutional Law, James Madison’s Montpelier, VA, Oct. 21, 2017.

“Formal Constitutional Change and Democratic Erosion,” Roundtable on Authoritarian Constitutionalism, Princeton University, University Center for Human Values, Oct. 13, 2017.

Closing Address, “The Efficacy and Impact of Judicial Decisions,” 12th Conference of the Constitutional Jurisdiction (Constitutional Court of Colombia): Balance of 25 Years of Jurisprudence, San Juan de Pasto, Colombia, Sept. 30, 2017.

Commentator, Conference on Constitutions, Human Rights, and Economic Inequality, University of New South Wales, Sydney, Australia, Aug. 10, 2017.

“Tiered Constitutional Design,” Brown Bag Talk, University of Melbourne Law School, Aug. 8, 2017.

“Doctrinal Capture and the Unconstitutional Constitutional Amendment Doctrine,” Comparative Constitutional Law Work in Progress Roundtable, Gilbert & Tobin Center, University of New South Wales, Sydney, Australia, Aug. 7, 2017.

“Constitutional Non-Transformation? Socioeconomic Rights beyond the Poor,” Panel on Constitutionalism or Dead Letter? The Curious Case of the Constitutional Court of Colombia, Annual Meeting of the International Association of Public Law (ICON-S), Copenhagen, Denmark, July 7, 2017.

“Tiering Constitutional Amendment” (w/ Rosalind Dixon), Panel on Courts, Constitutions, and Democratic Hedging, Annual Meeting of the International Association of Public Law (ICON-S), Copenhagen, Denmark, July 6, 2017.

Discussant, Panel on High Courts and Executive Leadership in Latin America: An Ambivalent Relationship, Annual Meeting of the International Association of Public Law (ICON-S), Copenhagen, Denmark, July 6, 2017.

Discussant, Panel on Constitutional Actors and Constitutional Change: Comparative Perspectives, Annual Meeting of the International Association of Public Law (ICON-S), Copenhagen, Denmark, July 5, 2017.

Discussant, Panel on Judicial Review in Colombia: The Peace Process and Beyond, International Meeting on Law & Society, Mexico City, Mexico, June 23, 2017.

“Democratic Erosion and Constitution-Making Moments: The Role of International Law,” Panel on Constitution-Making as Transnational Legal Order I, International Meeting on Law & Society, Mexico City, Mexico, June 22, 2017.

Discussant, Panel on Constitutional Amendment and Democracy, International Meeting on Law & Society, Mexico City, Mexico, June 20, 2017.

“Why Constitutionalism? Formal Constitutional Change and Democratic Erosion,” U. Chicago Law Review Symposium, May 12, 2017.

Commentator, Panel on Financial Crises: Economic Constraints and Consequences, Economic Constitutionalism Workshop, Columbia law School, Apr. 28, 2017.

“Formal Constitutional Change and Democratic Erosion,” U. Maryland Con Law Schmooze, Baltimore, Maryland, Mar. 3, 2017.

“Las contribuciones de la Corte Constitucional de Colombia al derecho constitucional comparado,” Annual inaugural lecture for the law faculty, EAFIT University, Medellin, Colombia, Feb. 10, 2017.

“Structure and the Limits of Transnational Dialogue: The Example of Term Limits in Latin America,” Conference on Global Constitutionalism, Clough Center for the Study of Constitutional Democracy, Boston College Law School, Dec. 2, 2016.

“Courts and Support Structures: Rethinking the Standard Narrative,” Conference on Comparative Judicial Review, Northwestern University School of Law, Chicago, IL, Oct 8, 2016.

“Conferencia Central: Corte Constitucional en el derecho comparado: control de reforma constitucional y DESC,” 25 Anos de la Constitucion de Colombia, ICESI University, Cali, Colombia, Sept. 22, 2016.

“IDPs vs. Refugees: Insiders and Outsiders in Colombian Constitutional Law,” The External Dimensions of Constitutions, Lauterpacht Centre for International Law, University of Cambridge, Cambridge, UK, Sept. 16, 2016.

“Democratic Erosion and Constitution-Making Moments: The Role of International Law,” Constitution-Making as Transnational Practice ABF-UCI Symposium, University of California Irvine School of Law, Irvine, CA, Sept. 9, 2016.

“Courts and Democratic Constitution-Making,” Symposium on Constitution-Making in Democratic Constitutional Orders, CIDE, Mexico City, Mexico, Aug. 11, 2016.

“The Substitute and Complement Theories of Judicial Review,” International Society of Public Law (ICON-S) 2016 Conference, Humboldt University, Berlin, Germany, June 19, 2016.

“The Substitute and Complement Theories of Judicial Review,” Law and Society Association Annual Meeting, New Orleans, LA, June 2, 2016.

“Constitution-Making in Latin America,” Latin American Studies Association (LASA) Annual Meeting, New York, NY, May 30, 2016.

Commentator, Panel on “Superior Courts and LGBTI Rights in Latin America: Reaching the Limits of Litigation?” Latin American Studies Association (LASA) Annual Meeting, New York, NY, May 28, 2016.

“The South African Model for the Enforcement of Social Rights,” Symposium: Constitutional Triumphs, Constitutional Disappointments: A Critical Assessment of the 1996 South African Constitution’s Local and International Influence, University of New South Wales, Sydney, Australia, Apr. 28, 2016.

“Social Rights Beyond Social Transformation,” Symposium on the Future of Economic and Social Rights, Clough Center for the Study of Constitutional Democracy, Boston College Law School, Newton, MA, Apr. 19, 2016.

“Selective Entrenchment in Constitutional Design,” University of Arkansas Symposium on State Constitutional Change, Fayetteville, Arkansas, Jan. 22, 2016.

Commentator, “Constitutional Archetypes,” University of Washington Trans-Pacific Comparative Public Law Roundtable, Seattle, WA, Jan. 15, 2016.

“Constitution-Making in Latin America,” Conference on Processes of Constitutional Construction in Latin America, Ministry of the General Secretary of the Chilean Presidency, IDEA International, and the University of Chile, Santiago, Chile, Oct. 21, 2015.

“Social Rights in Latin America,” Colloquium on Contemporary Constitutional Debate, Juriquilla, Santiago de Querétaro, Mexico, Oct. 10, 2015.

“Constraining Constitutional Change,” American Political Science Association Annual Meeting, San Francisco, CA, Sept. 4, 2015.

“Judicial Role and Enduring Divergence in Latin American Constitutional Law,” Workshop on Comparative Constitutional Law in Latin America, Gilbert & Tobin Centre of Public Law, University of New South Wales, Sydney, Australia, Aug. 3, 2015.

“A Weak Vision of Structural Constitutional Law,” International Society of Public Law (ICON-S) 2015 Conference, NYU Law School, New York, NY, July 3, 2015

“Inter-temporal Theories of Judicial Role,” Roundtable of the International Association of Constitutional Law, The “New” Separation of Powers: Can the Doctrine Evolve to Meet the C21 Context?, Johannesburg, South Africa, May 28, 2015

“Abusive Constitutionalism in Latin America,” Turan Gunes Conference on Comparative Constitutional Law, Koc University Law School, Istanbul, Turkey, May 7, 2015

“Constraining Constitutional Change,” G+T Public Law Centre Public Law Roundtable, University of New South Wales Faculty of Law, Sydney, Australia, Dec. 10, 2014

Commentator, “Constitutions Un-entrenched: Toward an Alternative Theory of Constitutional Design,” University of Washington Trans-Pacific Comparative Public Law Roundtable, Seattle, WA, Dec. 5, 2014

“Socioeconomic Rights,” Workshop on the Judiciary and Constitutional Transition, International Institute of Democracy and Electoral Assistance (IDEA) and International Development Law Organization (IDLO), The Hague, Netherlands, Nov. 14-15, 2014

“Constraining Constitutional Change,” Symposium on Constitution-Making and Constitutional Change, Clough Center for the Study of Constitutional Democracy, Clough Center for the Study of Constitutional Democracy, Boston College Law School, Oct. 31, 2014

“Abusive Constitutionalism in the Ecuadorian Context,” Universidad de Especialidades Espiritu Santo (UEES), Guayaquil, Ecuador, Sept. 26, 2014

“Improving Judicial Remedies for Social Rights,” Yale Law School Human Rights Workshop, New Haven, CT, Sept. 15, 2014

“The Success and Failure of the New Constitutionalism,” Universidad de los Andes, Bogota, Colombia, Aug. 22, 2014.

“A Dynamic Theory of Judicial Role,” Harvard/Yale/Stanford Junior Faculty Forum, Stanford, CA, June 28, 2014

“The Spread of a Thick Conception of Equality in Latin America,” AALS Workshop on Transnational Equality, Washington, DC, June 24, 2014

Commentator, “Religion, Human Rights and Constitution-Writing in Brazil (by Rodrigo Vitorino Souza Alves), Workshop on Constitution Writing, Religion, and Human Rights, Center for Interdisciplinary Research (ZIF), Bielefeld, Germany, June 6, 2014

“Defenses Against Court-Packing and Court-Curbing in Colombia,” Latin American Studies Association Annual Meeting, Chicago, IL, May 24, 2014

“A Dynamic Theory of Judicial Role,” American Society of Comparative Law, Younger Comparativists Committee Annual Meeting, Lewis & Clark Law School, Portland, OR, April 5, 2014

“Democracy and a Limited Doctrine of Unconstitutional Constitutional Amendment” (with Rosalind Dixon), Symposium on Comparative Constitutional Change: New Perspectives on Formal and Informal Amendment, Association of American Law Schools (AALS) Annual Meeting, New York, NY, Jan. 5, 2014

“Courts in New Democracies,” Bridge Program: Constitution-Making in Egypt and the Middle East: A Stalled Arab Spring or a Pathway to Democracy?, Association of American Law Schools (AALS) Annual Meeting, New York, NY, Jan. 3, 2014

“Superficial Convergence,” University of Washington Roundtable on Comparative Constitutional Law, Seattle, WA, Dec. 6, 2013

“Superficial Convergence,” 1<sup>st</sup> Annual Montpelier Roundtable on Comparative Constitutional Law (University of Virginia/Washington & Lee Universities), James Madison’s Montpelier, VA, Oct. 18, 2013

“Abusive Constitutionalism,” Invited Presentation, Center for Constitutional Democracy, University of Indiana Maurer School of Law, Bloomington, Indiana, Sept. 13, 2013

“Abusive Constitutionalism,” International Symposium on Constitutional Rights, Macquarie University, Sydney, Australia, Aug. 23, 2013

Commentator, Unconstitutional Constitutional Amendments in the Case Study of Colombia: An Analysis of the Justification and Meaning of the Constitutional Replacement Doctrine (by Carlos Bernal), University of New South Wales, Sydney, Australia, Aug. 21, 2013

“Abusive Constitutionalism,” Southeast Law Scholars Conference, Palm Beach, FL, Aug. 9, 2013.

“Social Rights in Latin America,” Invited Presentation, ICESI, Cali, Colombia, Aug. 5, 2013.

“The Symbolic and the Material in the Enforcement of Social Rights: A Reply to Brian Ray,” 5<sup>th</sup> Annual Constitutional Court Review Symposium, Johannesburg, South Africa, July 11, 2013 (via skype).

Commentator, “The Politics of Euro Constitutionalism in the ‘New’ Member States (by Jan Komarek), Collège de France, Paris, France, June 26, 2013.

“Abusive Constitutionalism,” American Society of Comparative Law, Younger Comparativists Committee Annual Meeting, University of Indiana Robert H. McKinney School of Law, Indianapolis, Indiana, April 19, 2013.

“Improving Remedies for Social Rights,” Annual Meeting of the International Association of Constitutional Law, Rio de Janeiro, Brazil, April 16, 2013

“Abusive Constitutionalism,” Faculty Workshop Series, University of Wisconsin Law School, March 15, 2013.

Commentator, “A Monitoring Mechanism for Constitutional Decisions in Costa Rica” (by Jeffrey Staton & Varun Gauri), Comparative Constitutional Law Roundtable, George Washington University, March 1, 2013

“Revisiting the Value of the Small-N Case Study in Comparative Constitutional Law,” Roundtable on Methodology in Comparative Constitutional Law, Columbia Law School, Feb. 22, 2013.

“Social Rights Enforcement in Latin America,” Universidad Externado, Bogota, Colombia, June 15, 2012

“Constitution-Making Gone Wrong,” American Society of Comparative Law, New Frontiers in Comparative Law Conference, George Washington University, April 20, 2012

“Constitution-Making Gone Wrong,” Comparative Constitutional Law Roundtable, George Washington University, March 2, 2012



“Grootboom and the One-Case (Or Country?) Canon on Social Rights,” University of Maryland Con Law Schmooze, Feb. 24, 2012.

“The Honduras Coup and the Truth and Reconciliation Commission,” Law and Development Seminar, Harvard Law School, October 20, 2011 (with Noah Feldman).

"The Reality of Social Rights Enforcement," Pontifica Universidad Javeriana, Bogota, Colombia, Aug. 12, 2011.

"The Reality of Social Rights Enforcement in Colombia," Harvard-MIT Club of Bogota, Bogota, Colombia, June 22, 2011.

"The Reality of Social Rights Enforcement," Law & Society Annual Meeting, San Francisco, CA, June 2, 2011.

“Report to the Commission on Truth and Reconciliation of Honduras: Constitutional Issues,” Antigua Guatemala, Guatemala, March 26, 2011.

“The Reality of Social Rights Enforcement,” Invited Talk, David Rockefeller Center on Latin American Studies, Harvard University, March 22, 2011.

"Political Institutions and Judicial Role: An Approach in Context, the Case of the Colombian Constitutional Court," Universidad Javeriana, Bogota, Colombia, April 27, 2010.

“One Sided Constitutionalism,” American Political Science Association, Theme Panel: How Constitutions Work – Developmental Approaches to Constitutional Function, Toronto, Canada, Sept. 3, 2009.

“Political Institutions and Judicial Role in Comparative Constitutional Law,” Law and Society Conference, Denver, CO, May 30, 2009.

Discussant, Panel on Judicial Design, University of Texas Law School Conference on Constitutional Design, Austin, TX, January 30, 2009.

“Courts and Party Systems in Colombia and Mexico,” Northeast Law & Society Conference, Amherst, MA, November 1, 2008

“Constitutional Jurisprudence in a World of Weak Legislatures,” University of Michigan and University of Illinois, Comparative Law Work in Progress Workshop, Ann Arbor, MI, May 15, 2008.

### **Internal Presentations**

“A Dynamic Theory of Judicial Role,” FSU College of Law Internal Enrichment Series, June 2014

“Superficial Convergence,” FSU College of Law Internal Enrichment Series, June 2013

Speaker at the American Constitution Society Supreme Court Preview, *Kiobel v. Royal Dutch Petroleum Co.*, FSU College of Law, October 2012

“Constitution-Making Gone Wrong,” FSU College of Law Internal Enrichment Series, May 2012

Speaker at the American Constitutional Society Supreme Court Preview, *Zivotofsky v. Clinton*, FSU College of Law, October 2011

“The Reality of Social Rights Enforcement,” FSU College of Law Internal Enrichment Series, May 2011

### **Prior Teaching Experience**

“Seminar: Latin American Public Law,” Harvard Law School, spring 2009 (designed syllabus and taught course to 20 law students)

Teaching Fellow, “Constitutional Design,” Prof. Cindy Skach, Harvard College, spring 2008 (core curriculum)

First-Year-Legal-Research-and-Writing, Harvard Law School, fall 2007-spring 2009

### **Other Work Experience**

Law Clerk, Hon. Sandra L. Lynch, United States Court of Appeals for the First Circuit, 2004-2005

Law Clerk Intern, Judge William G. Young, United States District Court for the District of Massachusetts, summer 2002

### **Grants & Fellowships**

First-Year Assistant Professor Grant, Florida State University, Summer 2011

Humane Studies Fellowship, 2009-2010

Weatherhead Center Mid-Dissertation Grant, 2009-2010

Harvard University, Department of Government Summer Research Grant, 2008 & 2009

David Rockefeller Center for Latin American Studies, Summer Research Travel Grants, 2006 (Mexico), 2007 (Chile), 2009 (Colombia)

Presidential Scholar, Harvard University, Graduate School of Arts and Sciences, 2005-2010.

