

RUSSELL A. MILLER

Washington & Lee University School of Law
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PROFESSIONAL EXPERIENCE

ASSOCIATE PROFESSOR OF LAW, WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW,
July 2008 to present.

- ▶ Tenure awarded 2008.
- ▶ *Honors/Awards:* 2008/2009 Ethan Allen Faculty Fellow; 2009/2010 Fulbright Senior Research Fellow
- ▶ *Courses taught:* Constitutional Law; Comparative Constitutional Law; Introduction to American Law Introduction to American Law; Public International Law; Transnational Law Seminar.
- ▶ *Service:* Faculty Appointments Committee (2008-2009); Law Center Committee (2008-2009; 2011-2012); Transnational Law Institute Board of Advisers (2008-2012); Clerkship Committee (2010-2012); Independent Study Committee (2010-2011); German Law Journal Adviser (2008-2012); Chair, Tenure Committee (2011-2012).

VISITING PROFESSOR OF LAW, JUSTUS LIEBIG UNIVERSITY, Giesen, Germany, May 2011.

- ▶ *Course taught:* Comparative Constitutional Law Seminar.

VISITING ASSOCIATE PROFESSOR OF LAW, WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, July 2007 to May 2008.

- ▶ *Courses taught:* Constitutional Law; Constitutional Criminal Procedure; Comparative Law Seminar.

ASSOCIATE PROFESSOR OF LAW, UNIVERSITY OF IDAHO COLLEGE OF LAW, July 2002 to July 2008.

- ▶ Tenure awarded 2007.
- ▶ *Honors/Awards:* 2007 Alumni Award of Excellence; 2005/2006 Alan G. Shepard Endowed Professorship; 2005 University of Idaho Faculty Service Award (student elected).
- ▶ *Courses taught:* Constitutional Law; Comparative Law Journal Seminar – *German Law Journal*; Criminal Procedure; Conflict of Laws; Civil Procedure; Public International Law.

- ▶ *Faculty service:* Faculty Supervisor – Student Editorial Board, *German Law Journal*, 2002-2007; Curriculum Committee, 2006-2007; University President’s Athletics Advisory Council, 2004-2007; Faculty Secretary, 2002-2003; Faculty International Law Committee, 2002-2007 (Chair 2003-2007); Chief Justice College of Law Honor Court (2005-2006); Faculty Supervisor – International Law Moot Court Team, 2003-2005;

FULBRIGHT SENIOR RESEARCH FELLOW – MAX PLANCK INSTITUTE FOR COMPARATIVE PUBLIC LAW AND PUBLIC INTERNATIONAL LAW, Heidelberg, Germany, 2009-2010.

VISITING RESEARCH FELLOW, MAX-PLANCK-INSTITUTE FOR COMPARATIVE PUBLIC LAW AND PUBLIC INTERNATIONAL LAW, Heidelberg, Germany. July 2001 to July 2002; Summer 2003; Winter 2004; Summer 2005; Summer 2007; Summer 2011. Independent research at think-tank with global influence, leading to articles on comparative and international law; invited lectures; participation in weekly briefings on developments in comparative and international law.

LAW CLERK, JUSTICE RENATE JAEGER, GERMAN FEDERAL CONSTITUTIONAL COURT, Karlsruhe, Germany. September 2000 to December 2001. First non-German to serve as a Law Clerk at the German Federal Constitutional Court. Researched comparative constitutional law topics relevant to cases before the Court, focusing especially on comparative research of American constitutional jurisprudence. Attended oral arguments. Participated in in-chambers discussions of pending cases. Edited English-language translations of the Constitutional Court’s decisions.

LAW CLERK, JUDGE ROBERT H. WHALEY, U.S. DISTRICT COURT, E.D.WASH., Spokane, WA. October 1995 to September 1996. Researched and wrote bench memoranda. Drafted orders and opinions. Assisted in courtroom proceedings. Exposure to a wide range of federal practice areas, styles and strategies.

OTHER PROFESSIONAL EXPERIENCE:

- ▶ Staff Attorney, Tennessee Post-Conviction Defender’s Office, Nashville, TN. September 1996 to May 1999.
- ▶ Staff Attorney, Arizona Capital Representation Project, Tempe, AZ. August 1994 to September 1995.

PROFESSIONAL MEMBERSHIPS & SERVICE:

- ▶ Robert Bosch Fellowship Alumni Association Board of Directors (Elected) – 2010-2012; Fellowship Selection Committee 2011; Director, Ad Hoc Working Group on the Future of the Fellowship (2011).
- ▶ Executive Committee Comparative Law Section (Elected) – Association of American Law Schools – 2004-2008; Chair 2009-2010 term.
- ▶ Associate Member American Society of Comparative Law (Elected) – 2003-2012.
- ▶ Executive Committee International Law Section (Elected) – Association of American Law Schools – 2004-2005.

EDUCATION

LL.M. – JOHANN WOLFGANG GOETHE UNIVERSITY LAW SCHOOL, Frankfurt am Main, Germany, *summa cum laude*, June 2002.

- ▶ University of Frankfurt Jessup Moot Court Team (Public International Law)
- ▶ Master's Thesis: *The Last Victim of the Cold War: Self-Determination Rights in International Law and the Death of Democracy* (Supervisor Prof. Dr. Michael Bothe)

J.D. / M.A. ENGLISH LITERATURE – DUKE UNIVERSITY SCHOOL OF LAW/GRADUATE SCHOOL – DEPARTMENT OF ENGLISH, Durham, N.C. June 1994.

- ▶ Director, Duke University Prisoner Rights Project
- ▶ Co-Chair, Frontiers of Legal Thought Conference 1994
- ▶ English Literature Master's Project: *Original Sin and the Division of Labor: Marx in Milton's Paradise* (Supervisors Professor Stanley Fish and Professor Fred Jameson)

B.A. ENGLISH LITERATURE – WASHINGTON STATE UNIVERSITY, Pullman, WA., *cum laude* in English with Honors Program Certificate, June 1991.

- ▶ Phi Beta Kappa
- ▶ Varsity Football, 1990 First-Team Academic All-PAC10

SCHOLARSHIP

BOOKS

- ▶ Author

Global Legal Traditions: Comparative Law in the 21st Century (with Abdullahi Ahmed An-Na'im, Michael J. Bazylar and Peter K. Yu) (forthcoming 2012), Lexis/Nexis (New York).

The Constitutional Jurisprudence of the Federal Republic of Germany (with Donald Kommers) – Third Edition (forthcoming 2012), Duke University Press (Durham, N.C./London).

▶ Editor/Contributing Editor

Comparative Law as Transnational Law: A Decade of the German Law Journal (with Peer C. Zumbansen) (2011), Oxford University Press (Oxford/New York).

US National Security, Intelligence and Democracy: From the Church Committee to the War on Terror (2008), Routledge (London).

Progress in International Organization (with Rebecca Bratspies) (2008), Martinus Nijhoff Press (Leiden).

Annual of German & European Law 2004/2005 (with Peer Zumbansen) (Volume II/III, 2007), Berghahn Books (Oxford/New York).

Transboundary Harm in International Law: Lessons from the Trail Smelter Arbitration (with Rebecca Bratspies) (2006), Cambridge University Press (Cambridge/New York).

Annual of German & European Law 2003 (with Peer Zumbansen) (Volume I, 2005), Berghahn Books (Oxford/New York).

ARTICLES/CHAPTERS/STUDY AIDES/ESSAYS/REVIEWS

▶ Articles

Balancing Security and Liberty in Germany, 4 JOURNAL OF NATIONAL SECURITY LAW & POLICY 369 (2010).

Germany's Basic Law and the Use of Force, 17 INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 197 (2010).

Collective Discursive Democracy and International Law Personality for Transnational Enterprises, 2 PROCEEDINGS OF THE EUROPEAN SOCIETY OF INTERNATIONAL LAW 267 (2010).

Clinton, Ginsburg and Centrist Federalism, 85 INDIANA LAW JOURNAL 225 (2010).

In a Dissenting Voice: Justice Ginsburg's Federalism, 43 NEW ENGLAND LAW REVIEW 771 (2009).

Das Bundesverfassungsgericht: Procedure, Practice and Policy of the German Federal Constitutional Court (with Donald P. Kommers), 3 JOURNAL OF COMPARATIVE LAW 194 (2009).

Collective Deliberative Democracy as an Indigenous Right to Self-Determination, 31 AMERICAN INDIAN LAW REVIEW 341 (2007).

A Shared Constitutionalism: Stem Cells and the Case for Transatlanticism, 22 JOURNAL OF CONTEMPORARY HEALTH LAW AND POLICY 476 (2006).

Before the Law: Military Investigations and Evidence at the Iraqi Special Tribunal, 13 MICHIGAN STATE UNIVERSITY JOURNAL OF INTERNATIONAL LAW 107 (2005).

Lords of Democracy: The Judicialization of “Pure Politics” in the United States and Germany, 60 WASHINGTON & LEE LAW REVIEW 587 (2004).

Self-Determination in International Law and the Demise of Democracy?, 41 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 601 (2003).

Domesticating International Criminal Law: The German High Courts and Bosnian War Crimes (with Cristina Hoss), 44 GERMAN YEARBOOK OF INTERNATIONAL LAW 576 (2002).

▶ Book Chapters

Introduction – Comparative Law as Transnational Law: A Decade of the German Law Journal (with Peer Zumbansen), in COMPARATIVE LAW AS TRANSNATIONAL LAW 3 (Russell Miller & Peer Zumbansen eds., 2011).

The Day the Earth Stood Still?—Reading Jürgen Habermas’s Essay “February 15” Against Ian McEwan’s Novel Saturday, in COMPARATIVE LAW AS TRANSNATIONAL LAW 433 (Russell Miller & Peer Zumbansen eds., 2011) (reprinted from 10 GERMAN LAW JOURNAL 81 (2009))

Das Bundesverfassungsgericht: Procedure, Practice and Policy of the German Federal Constitutional Court (with Donald P. Kommers), in CONSTITUTIONAL COURTS – A COMPARATIVE STUDY 102 (Andrew Harding & Peter Leyland eds., 2009).

Hamdan v. Rumsfeld, in MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW (online) (Rüdiger Wolfrum ed., 2nd ed. 2008).

Trail Smelter Arbitration, in MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW (online) (Rüdiger Wolfrum ed., 2nd ed. 2008).

Introduction: U.S. National Security, Intelligence and Democracy: From the Church Committee to the War on Terror, in US NATIONAL SECURITY, INTELLIGENCE AND DEMOCRACY: THE LEGACY OF THE CHURCH COMMITTEE 229 (Russell Miller ed., 2008).

Comparative Law and Germany’s Militant Democracy, in US NATIONAL SECURITY, INTELLIGENCE AND DEMOCRACY: THE LEGACY OF THE CHURCH COMMITTEE 229 (Russell Miller ed., 2008).

Progress in International Law – An Explanation of the Project (with Rebecca Bratspies), in PROGRESS IN INTERNATIONAL LAW 381 (Russell Miller and Rebecca Bratspies eds., 2008).

Paradoxes of Personality: Transnational Corporations, Non-Governmental Organizations and Human Rights in International Law, in PROGRESS IN INTERNATIONAL LAW 381 (Russell Miller and Rebecca Bratspies eds., 2008).

Introduction – The Trail Smelter Arbitration and Transboundary Harm (with Rebecca Bratspies), in TRANSBOUNDARY HARM IN INTERNATIONAL LAW: LESSONS FROM THE TRAIL SMELTER ARBITRATION 167 (Rebecca Bratspies and Russell Miller eds., 2006).

Surprising Parallels Between Trail Smelter and the Global Climate Change Regime, in TRANSBOUNDARY HARM IN INTERNATIONAL LAW: LESSONS FROM THE TRAIL SMELTER ARBITRATION 167 (Rebecca Bratspies and Russell Miller eds., 2006).

▶ Reviews

Review of Tom Farer’s *Confronting Global Terrorism and American Neoconservatives: The Framework of a Grand Strategy*, 103 AMERICAN JOURNAL OF INTERNATIONAL LAW 796 (2009).

Review of Charlotte Ku and Harold Jacobson (eds.), *Democratic Accountability and the Use of Force in International Law*, 101 AMERICAN JOURNAL OF INTERNATIONAL LAW 980 (2007).

A Bridge Over Troubled Water? Review of Ralf Rogowski and Thomas Gawron (eds.), *Constitutional Courts in Comparison: The U.S. Supreme Court and the German Federal Constitutional Court*, 2 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 568 (2004).

▶ Essays/Editorials/Notes

Germany – Yes You Can. ATLANTIC COMMUNITY OPINION, June 23, 2010, available at http://www.atlantic-community.org/index/articles/view/Germany_-_Yes_You_Can.

German Justice Differs for a Reason [op-ed], THE ROANOKE TIMES (Feb. 14, 2010).

The German Law Journal as “Lived” Comparative Law, 10 GERMAN LAW JOURNAL 1309 (2009).

The Basic Law and the Use of Force – Remarks on the 60th Anniversary of the Bonner Grundgesetz, in THE 60TH ANNIVERSARY OF THE GERMAN FEDERAL REPUBLIC – AICGS GERMAN-AMERICAN ISSUES SERIES 21 (Jackson Janes ed., 2009).

Germany's 1968 and the Law (with John LaMont, Peggy Fiebig, Sarah Mielke, Christopher Fields, Caitlin O'Donnell, Alexandre Rourk, Ronald Bruckmann, Katherine Bagley, Rick Hallenback), 10 GERMAN LAW JOURNAL 223 (2009).

Justice Ginsburg's Centrist Role [op-ed], THE ROANOKE TIMES (April 1, 2009).

The Day the Earth Stood Still? Reading Jürgen Habermas' Essay "February 15" Against Ian McEwan's Novel Saturday, 10 GERMAN LAW JOURNAL 81 (2009).

Memorial: David Currie and German Constitutional Law, 9 GERMAN LAW JOURNAL 2080 (2008)

Remember Promises of Humility [op-ed], RICHMOND TIMES DISPATCH (December 26, 2008).

The Laws of Others: A Jurisprudential Reflection on The Lives of Others (with Kristen Hutchens, Jessica Nelson, Elizabeth Plachta, Jonathan Rosamond, Nick Scannavino, Vimi Shad), 9 GERMAN LAW JOURNAL 951 (2008).

International Law Protects Native American Interests [op-ed], SEATTLE POST INTELLIGENCER (April 11, 2006).

Supreme Court Needn't Reflect Majority Rule [op-ed], SPOKESMAN REVIEW (September 18, 2005).

Founders Set Up Supreme Court to Make Its Own Mandate [op-ed], IDAHO STATESMAN (September 17, 2005).

The Law was Never Our Own: The Robert Bosch Foundation Fellowship, the German Law Journal and the Meaning of Comparative Law (with Peer Zumbansen), in BUILDING A NEW TRANSATLANTIC GENERATION – ESSAYS BY BOSCH ALUMNI 144 (R. Stefan Szwed ed. 2004).

The Jurisprudence of Dignity – Shared Transatlantic Values, 4 GERMAN LAW JOURNAL No. 9 (1 September 2003).

Much Ado, But Nothing: California's New World War II Slave Labor Statute of Limitations and Its Place in the Increasingly Futile Effort to Obtain Compensation From American Courts, NS-FORCED LABOR: REMEMBRANCE AND RESPONSIBILITY 201 (Peer Zumbansen ed., 2002) (reprinted from 23 WHITTIER LAW REVIEW 121 (2001-2002)).

Constitutional Court Upholds Lifetime Partnership Act, (with Dr. Volker Roeben) 3 GERMAN LAW JOURNAL No. 8 (1 August 2002).

Dodging the Draft: Federal Constitutional Court Evades Review of Germany's Military Service Law, 3 GERMAN LAW JOURNAL No. 5 (1 May 2002).

Constitutional Standards, Working Time and Pharmacy Opening Hours: The FCC's Message to Managers and Law Makers, 3 GERMAN LAW JOURNAL No. 3 (1 March 2002).

The Constitutional Court's "Traditional Slaughter" Decision: The Muslims' Freedom of Faith and Germany's Freedom of Conscience, 3 GERMAN LAW JOURNAL No. 2 (1 February 2002).

Rejecting Radbruch: The European Court of Human Rights and the Crimes of the East German Leadership, 14 LEIDEN JOURNAL OF INTERNATIONAL LAW 653 (2001).

Wider Radbruch: Der Europäische Gerichtshof für Menschenrechte und die Verbrechen der Staatsführung der DDR, 34 KRITISCHE JUSTIZ 1 (2001).

Domesticating International Criminal Law: Germany's Proposed Völkerstrafgesetzbuch (International Law Criminal Code), 2 GERMAN LAW JOURNAL No. 10 (15 June 2001).

The New Rule 28 and the Post-Conviction Procedure Act: A Tangled Knot (Part II), FOR THE DEFENSE – TENNESSEE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS (April 1997).

The New Rule 28 and the Post-Conviction Procedure Act: A Tangled Knot (Part I), FOR THE DEFENSE – TENNESSEE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS (February 1997).

Time Bandits: Exploring the Boundaries of the 1995 Post-Conviction Statute's One-Year Statute of Limitations, FOR THE DEFENSE – TENNESSEE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS (December 1996).

EDITORSHIPS

German Law Journal (Co-Editor-in-Chief and Co-Founder, with Peer Zumbansen), www.germanlawjournal.com. Monthly, English-language coverage of developments in German Law, including its nexus with European Law and International Law. Now in its twelfth year of publication, the *Journal* has over 10,000 no-fee subscribers from over 50 countries and has published articles and essays from the leading scholars and jurists in German Law, Comparative Law, European Law and International Law. Responsibilities extend across the whole spectrum of the project, and include, *inter alia*: content selection and editing, including organization of special issues; management of an international Board of Peer-Review Editors; organization of annual meeting of the Board of Peer-Review

Editors; supervision of staff of Student Editors; fund raising; maintenance of the *Journal's* business affairs.

SYMPOSIA / PROGRAMS ORGANIZED

German Law in Context: The Image of the Immigrant in German Law & Culture, Fall Semester 2011, Lexington and Charlottesville, Virginia. Semester-long interdisciplinary research program in conjunction with fall 2011 Transnational Law Seminar. Featuring guest lectures (UVA Professor Laura Heins; UW Madison Professor Venkat Mani; University Frankfurt Professor Rainer Nickel) and a two-part film series. The proceedings of the program will be published in a special issue of the *German Law Journal*.

American Perspectives on German Constitutional Law – A Dialogue, April 17, 2011, German Historical Institute, Washington, DC. Roundtable program featuring American and German scholars discussing three recent decisions of the German Federal Constitutional Court. Co-sponsored by the German Law Journal, German Historical Institute, American Institute for Contemporary German Studies, and the German Federal Constitutional Court.

German Law in Context: From Post-War Rubble to Sozialstaat, Fall Semester 2010, Lexington, Virginia and Washington, DC. Semester-long interdisciplinary research program in conjunction with fall 2010 Transnational Law Seminar. Featuring guest lectures (W&L German Professor Roger Crockett, Historian/Journalist Giles McDonogh, W&L History Professor William Patch, and University of Göttingen Law Professor Frank Schorkopf) and a four-part film series. The program concluded with a student/faculty roundtable featuring a keynote address (Journalist Christian Bommarius) and the presentation of W&L student and faculty research. The roundtable (December 3, 2010) was hosted and sponsored by the Washington office of the German political foundation The Friedrich Ebert Stiftung. The proceedings of the program will be published as a special issue of the *German Law Journal*.

Transforming National Security Law: Comparative Perspectives, January 9, 2010, New Orleans, LA. Panel at the Association of American Law Schools Annual Meeting, featuring presentations and responsive commentary from six scholars.

Transnationalizing Legal Culture: A 10th Anniversary Symposium of the German Law Journal, July 2-3, 2009, Free University, Berlin, Germany. Two day symposium marking the *German Law Journal's* 10th anniversary featuring keynote remarks from the German Minister of Justice, a Justice of the German Federal Constitutional Court and diplomats. Panel presentations from more than 15 scholars.

Germany's 1968 and the Law – A Student/Faculty Roundtable, December 4, 2008 – Lexington, Virginia.

Free Trade or Fair? The Softwood Lumber Dispute and Beyond, March 1-3, 2007 – Coeur d'Alene, Idaho. Three day symposium featuring keynote addresses from U.S. Senator Larry Craig and Professor Frank Garcia. Panel presentations from more than twenty international scholars and practitioners surveying the field of international law relating to trade and development, with a panel dedicated to the U.S.-Canadian softwood lumber dispute.

National Security and the Constitution – 2006 University of Idaho College of Law Bellwood Memorial Program, October 11-12, 2006, Moscow, Idaho. Two day major academic event featuring scholarly paper presentations and keynote dialogue with former Senators Gary Hart and Alan Simpson. Highlighting the legacy of Idaho Senator Frank Church in the field of national security and the relevance of his work for the contemporary debate over security and constitutional government.

Indigenous Peoples in International Law: Lands, Liberties, Legacies, March 16-18, 2006 – Coeur d'Alene, Idaho. Three day symposium featuring keynote address from Professor James Anaya and panel presentations from more than twenty international scholars and practitioners surveying the field of indigenous peoples' rights in international law.

Federalism Theories and Developments, July 22, 2005 – Max Planck Institute for Research on Collective Goods, Bonn, Germany. Forum discussion featuring presentations from four international scholars and a keynote address from a Justice of the German Federal Constitutional Court. The proceedings will be published by *German Law Journal*.

Progress in International Organization, March 3-5, 2005 – Coeur d'Alene, Idaho. Three day symposium featuring keynote addresses from Professors Barry Carter, Jordan Paust and Abraham Sofaer, and panel presentations from more than twenty international scholars surveying the current state of international law. The proceedings will be published by Martinus Nijhoff Press.

Post Conflict Justice: From Malmédy to Halabja, March 18-20, 2004 – Coeur d'Alene, Idaho (Co-Organized with Professor Rebecca Bratspies, MSU-Detroit College of Law). Three day symposium featuring keynote address from the Hon. Pierre-Richard Prosper, U.S. Ambassador for War Crimes Issues, dedicated lecture and panel presentations from more than twenty international scholars with expertise in International Law, Political Science and Sociology. The proceedings have been published in a symposium issue of the *Michigan State University – DCL Journal of International Law* (Vol. 13, 2005).

The New Transatlantic Tensions and the Kagan Phenomenon, August 1, 2003 – Max Planck Institute for Comparative Public and International Law, Heidelberg, Germany. Forum discussion featuring presentations from five international scholars. The

proceedings were published in a special issue of *German Law Journal* (4 GERMAN LAW JOURNAL No. 9 (1 September 2003)).

Transboundary Harms in the 21st Century: Lessons from the Trail Smelter Arbitration, March 20-23, 2003 – Coeur d'Alene, Idaho (Co-Organized with Professor Rebecca Bratspies). Three day symposium featuring a keynote address from Professor and former ILC Chair Stephen McCaffrey and panel presentations from more than twenty international scholars with expertise in International Law, History and Environmental Science. The proceedings will be published by Cambridge University Press.

LECTURES / PRESENTATIONS / TESTIMONY

“Literature as Dignity.” Symposium – Transatlantic Perspectives on Human Dignity, *Wissenschaftskolleg zu Berlin*, Berlin, Germany, November 16-17, 2011.

“Trail Smelter: Critical Reflections on the Origin of International Environmental Law.” International Environmental Law Seminar – Guest Lecture, Lexington, VA, November 1, 2011.

Invited Testimony – Hearing – The Future of German Legal Education, *Wissenschaftsrat* (German National Science Council), Munich, Germany, October 13-14, 2011.

“Europe’s Human Rights Regime and Rising Powers.” Symposium – Rising Powers and International Human Rights Law: A Transatlantic Challenge, Atlantic Council/Chatham House, Washington, DC, October 24-25, 2011.

“European Court of Human Rights and European Anti-Terror Efforts.” Roundtable – Counterterrorism and European Institutions, Brookings Institution/National Counterterrorism Center, Washington, DC, September 20, 2011.

“The Euro Crisis – The German Constitutional Court’s *Euro Rescue Package Case*.” Washington & Lee School of Law Panel, Lexington, VA, September 12, 2011.

“Contextualizing Comparative Constitutional Law.” Faculty Colloquium – Faculty of Law, Justus Liebig University, Gießen, Germany, May 18, 2011.

“Comparison Across Disciplines – Theoretical and Methodological Lessons for Comparative Law.” Guest Lecture – University of Virginia Graduate Seminar – Comparative and Transnational Studies, Charlottesville, VA, March 16, 2011.

“The *Trümmerzeit* and *Sozialstaat* in the German *Länder*.” German Law in Context: From Post-War Rubble to *Sozialstaat* – Student Faculty Roundtable, Friedrich Ebert Stiftung & German Law Journal, Washington, DC, December 3, 2010.

“Justice Ginsburg’s Comparative Law and the VMI Case.” Washington & Lee School of Law Panel – Exploring the Origins of Gender Integration at the Virginia Military Institute, Lexington, VA, November 1, 2010.

“Adventures in German Legal Translation.” German Section Session – American Translators Association Annual Conference, Denver, CO, October 28, 2010.

“Contending Legal Traditions in German Law.” Pre-Conference Seminar – American Translators Association Annual Conference, Denver, CO, October 27, 2010.

“Paul Berman in the Kingdom of Burgundy.” Law Beyond Borders: Jurisprudence for a Hybrid World – Book Roundtable, Temple University Beasley School of Law, Philadelphia, PA, October 8, 2010.

“Security by Another Name? Constitutional Differences in U.S. and German National Security Policy and Jurisprudence.” University of Leipzig Fulbright Lecture Series, Leipzig, Germany, July 1, 2010.

“Vicki Jackson’s Comparative Law – Comments on the Book *Constitutional Engagement in a Transnational Era* (OUP 2010).” Research Presentations, Max Planck Institute for Comparative Public Law and Public International Law, Heidelberg, Germany, May 30, 2010.

“Vicki Jackson’s Comparative Law – Comments on the Book *Constitutional Engagement in a Transnational Era* (OUP 2010).” Fourth Workshop on Comparative Constitutional Methodology – University of Vienna Law Faculty, Vienna, Austria, May 9, 2010.

“Charting a New ‘Contextual’ Course in American Comparative Law Education.” Garcia-Pelayo Fellowship Program Research Seminar, Center for Political and Constitutional Studies, Madrid, Spain, April 27, 2010.

“The Obama Administration and the States: A Progressive Federalism?” German-American Lawyers’ Association Section Groups Meeting – Section on Constitutional Law, Frankfurt, Germany, April 24, 2010.

“Introduction to American Federalism.” Research Group on Diversity in Law, Max Planck Institute for Comparative Public Law and Public International Law, Heidelberg, Germany, April 22, 2010.

“Balancing Security and Liberty in Germany.” Section on Comparative Law – Panel, Association of American Law Schools Annual Meeting, New Orleans, LA, January 8, 2010.

“Charting a New ‘Contextual’ Course in American Comparative Law Education.” Max Planck Debating Series, Max Planck Institute for Comparative Public Law and Public International Law, Heidelberg, Germany, December 15, 2009.

“Preemption and Federalism Politics in the U.S.” Research Presentations, Max Planck Institute for Comparative Public Law and Public International Law, Heidelberg, Germany, November 30, 2009.

“The German Law Journal as ‘Lived’ Comparative Law.” Transnationalizing Legal Culture: A 10th Anniversary *Festakt* and Symposium of the *German Law Journal*, Federal Ministry of Justice/Free University, Berlin, Germany, July 2-3, 2009.

“The German Constitutional Court’s ‘Eastern Sympathies’ in Reunification Cases.” 25th Anniversary Symposium – Robert Bosch Stiftung/Robert Bosch Foundation Alumni Association, Washington, DC, June 20, 2009.

“The Basic Law and the Use of Force – Remarks on the 60th Anniversary of the Bonner Grundgesetz.” American Institute for Contemporary German Studies – Program Celebrating the 60th Anniversary of the Federal Republic of Germany: Its Founding Pillars Today, Carnegie Endowment for International Peace, Washington, DC, May 18, 2009.

“Germany’s Militant Democracy and the War on Terror.” Indiana University Bloomington – Maurer School of Law, April 9, 2009.

“German Reunification and Decommissioning Communist Legacy.” Gonzaga Journal of International Law Symposium – Legal Issues in Post-Communist Countries, Spokane, Washington, March 20, 2009.

“In a Dissenting Voice: Justice Ginsburg’s Federalism.” New England Law Review Symposium – The Legacy of Justice Ruth Bader Ginsburg, Boston, Massachusetts, March 12, 2009.

“Collective Discursive Democracy and International Law Personality for Transnational Enterprises.” European Society of International Law Biennial Meeting, Heidelberg Germany, September 4, 2008.

“A Survey of German Federalism.” Southeastern Association of Law Schools Annual Meeting – Panel on Comparative Federalism, Palm Beach, Florida, July 30, 2008.

“Manley O. Hudson and the Progress Narrative in International Law.” American Society of International Law Annual Meeting – Book Launch Panel: The Politics of Progress in International Law, Washington, DC, April 12, 2008.

“Germany’s Militant Democracy and the War on Terror.” Duke University School of Law – Global Law Workshop. Durham, North Carolina, February 29, 2008.

Discussant – “Is Climate Change an ‘International’ Legal Problem?” Washington University Law School Roundtable in Public International Law, Human Rights and Legal Theory. St. Louis, Missouri, January 17-19, 2008.

“Militant Democracy, American Constitutionalism and the War on Terror.” University of Idaho College of Law Bellwood Program – National Security and the Constitution. Moscow, Idaho, October 11, 2006.

Session Chair – “Law and Peoples’ Rights.” Asian Studies on the Pacific Coast – Annual Conference. Washington State University. Pullman, Washington, June 17, 2006.

“International Law for Red America.” Washington State University Honors College. Pullman, Washington, March 23, 2006.

“Corporate Deliberative Democracy as an Indigenous Right to Self-Determination.” Symposium – Indigenous Peoples in International Law: Lands, Liberties and Legacies. University of Idaho College of Law, Coeur d’Alene, Idaho, March 16-18, 2006.

“The Role of ‘Outsiders’ in U.S. Supreme Court Appointments.” York University, Osgoode Hall Law School, 1st Constitutional Law Roundtable – Constitutional Courts: Appointment, Diversity and Impact. Toronto, Canada, February 8, 2006.

“The Undiscovered Justice: Justice Ruth Bader Ginsburg and President Clinton’s ‘New Democratic’ Centrism.” Hofstra University Cultural Center, 11th Presidential Conference – William Jefferson Clinton – The ‘New Democrat’ From Hope. Hempstead, New York, November 10-12, 2005.

“Supreme Court Appointments and Majority Rule.” University of Idaho Bureau of Public Affairs Research, Panel: Supreme Court Appointment of Judge John Roberts, Moscow, Idaho, September 8, 2005.

“Paradox of Personality: Non-State Actors in International Law.” Symposium – Progress In International Organization, University of Idaho College of Law, Coeur d’Alene, Idaho, March 3-5, 2005.

“The Sociology of Federalism.” German Law Journal – Annual Workshop – German Federalism, Bonn, Germany, July, 2005.

“The Trial of Saddam Hussein.” Washington State University Sociology Department Invited Lecture, Washington State University, Pullman, Washington, April 15, 2005.

“The Sociology of Federalism.” German Federal Constitutional Court, December 16, 2004.

“Comment – Beyond Jurisdiction, Towards Transnational Justice.” Second Annual *German Law Journal* Forum, Duke University School of Law, October 29, 2004.

“A Shared Constitutionalism: Stem Cells and the Case for Transatlanticism.” The Stem Cell Debate in the U.S. and Germany, Catholic University of America Columbus School of Law, October 4-5, 2004.

“Before the Law: Military Investigations and Evidence at the Iraqi Special Tribunal.” University of Idaho Interdisciplinary Colloquium, April, 2004.

“Before the Law: Military Investigations and Evidence at the Iraqi Special Tribunal.” Symposium – Post-Conflict Justice: From Malmédy to Halabja, University of Idaho College of Law, Coeur d’Alene, Idaho, March 18-20, 2004.

“The Land of the Living and the Land of the Dead: The Transatlantic Sociology of the Death Penalty.” Washington State University Sociology Department Invited Lecture, Washington State University, Pullman, Washington, March 1, 2004.

“The Constitutional Implications of Germany’s Post-September 11th Security Efforts.” German Exchange Alumni Conference: Common Global Responsibility, Georgetown University, Washington, DC, November 7, 2003.

“America’s Deepening Commitment to International Law.” Martin Institute United Nations Lectures, University of Idaho, Moscow, Idaho, October 29, 2003.

“The Shared Transatlantic Jurisprudence of Dignity.” First Annual German Law Journal Forum, August 1, 2003, Max Planck Institute for Comparative Public Law and Public International Law, Heidelberg, Germany.

“Missing the Point: The Supreme Court Disappointingly Neglects the ‘Discrimination Question’ in *Grutter v. Bollinger* – Its Recent Affirmative Action Decision.” Max Planck Institute for Comparative and International Law, July 14, 2003.

“Rediscovering the Heart of Modern Death Penalty Litigation.” Opening Remarks, Tennessee Association of Criminal Defense Lawyers Death Penalty Training Seminar, Nashville, Tennessee, April 25-26, 2003.

“Lords of Democracy: Judicialization of the Law of Democracy in Germany and the United States.” Visiting Lecture, Notre Dame Law School, April 2, 2003.

“Does Global Warming Transcend Boundaries or do Boundaries Confine Global Warming: Kyoto and the Lessons of Trail Smelter.” Symposium – Transboundary Harms in the 21st Century, University of Idaho College of Law, Coeur d’Alene, Idaho, March 20-23, 2003.

“An Introduction to the Trail Smelter Arbitration: International Law in Our Backyard.” Special Lecture with Professor Rebecca Bratspies, University of Idaho College of Law, Moscow, Idaho, February 26, 2003.

“Constitutional War Powers.” Law by Day / Jazz by Night Diversity Recruitment Lecture, University of Idaho College of Law, Moscow, Idaho, February 21, 2003.

“The Whirlpool and the Rock: A Survey of Modern Death Penalty Jurisprudence.” Amnesty International – University of Idaho Chapter, Death Penalty Lecture Series, University of Idaho College of Law, November 20, 2002.

“Enemy Combatants, Guantanamo and the Geneva Conventions.” Panel – Perspectives on September 11th, University of Idaho College of Law, Moscow, Idaho, September 11, 2002.

“Lords of Democracy: Judicial Politics and Visions of Democracy in the United States and Germany.” Transatlantic Studies Conference, University of Dundee West Park Conference Center, Dundee, Scotland, July 8-11, 2002.

“Lords of Democracy: Judicial Politics and Visions of Democracy in Germany, the U.S. and the E.U.” Fifth Workshop on New Scholarship in International Public and Private Law, European University Institute, Florence, Italy, May 18-19, 2002.

“The Culture of American Law Suits: The US as Foreign Law or Foreign Values.” 10th Austrian Judges’ Weekend – Justice and the Foreign, Tirol, Austria, October 12-14, 2001.

“An Introduction to the German Federal Constitutional Court.” In conjunction with the visit to the German Federal Constitutional Court of the Clark University European Studies Program, Karlsruhe, Germany, May 28, 2001.

“The Memory of Globalization: The European Court for Human Rights and Egon Krenz.” Third Workshop on New Scholarship in International Public and Private Law, Johann Wolfgang Goethe-University, Frankfurt am Main, Germany, April 19-20, 2001.

“Vaclav Havel vs. Jörg Haider: The Crisis in the European Court of Human Rights – The Crisis in Europe.” European Court of Human Rights, Strasbourg, France March 6, 2000.

“Zwischen Whirlpool und Stein: Die Geschichte der Todesstrafenjurisprudenz der

Vereinigten Staaten” (“Between the Whirlpool and the Rock: The History of American Death Penalty Jurisprudence”). German Federal Constitutional Court, Karlsruhe, Germany, December 14, 1999.

“Habeas is Dead. Long Live State Post-Conviction! (What *Hamlet* Teaches Us About The Current State of Collateral Litigation).” Shelby County-National Bar Association Training Seminar, Murder IV, Memphis, TN., October 29, 1998.

“Challenging Aggravating Circumstances.” Tennessee Association of Criminal Defense Lawyers training conference: Defending Your Clients in Death Penalty Cases, Nashville, TN., December 12-13, 1997.

“Practical Applications of Judicial Notice,” Gonzaga University Law School, Course in Evidence. Spokane, WA. Spring 1996.

BAR ADMISSION Arizona, May 1995.

LANGUAGES English; German