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EDUCATION

YALE LAW SCHOOL, New Haven, CT.
J.D., June 1993.
YALE LAW JOURNAL, Articles Editor.
JOURNAL OF LAW AND THE HUMANITIES, Editor, 1990-91.
JEROME N. FRANK LEGAL SERVICES ORGANIZATION, Spring & Fall 1991.

COLUMBIA COLLEGE, Columbia University, New York, NY.
A.B., major in mathematics, minor in psychology, May 1989.
Summa Cum Laude; Phi Beta Kappa.
John Cirigliano Scholarship, '87-88 & '88-89.

GUTENBERG-GYMNASIUM, Wiesbaden, Germany.
Abitur (German baccalaureate), major in mathematics and physics, Sept. 1982 - June 1985.

PAST
EMPLOYMENT

UNIVERSITY OF MICHIGAN LAW SCHOOL, Ann Arbor, Michigan.
ASSISTANT PROFESSOR OF LAW. July 1999 - August 2004.

OFFICE OF LEGAL COUNSEL, United States Department of Justice, Washington, D.C.
ATTORNEY ADVISOR, December 1996 - February 1998, July 1998 - July, 1999.
Assisted in advising the executive branch on questions of statutory and constitutional law.
Assignments in areas regarding federal courts, federalism, foreign affairs powers, free speech, separation of powers, sovereign immunity, treaty obligations.

JUDGE PETER JANN, Court of Justice of the European Communities, Luxembourg.
JUDICIAL FELLOW, March 1998 - July 1998.
Areas of research included legal basis for harmonization measures, free movement of goods and persons, citizenship, public procurement, and comparative federalism.

CHAIRMAN ROBERT PITOFSKY, Federal Trade Commission, Washington, DC.
ATTORNEY ADVISOR TO THE CHAIRMAN, August 1995 - December 1996.
Reviewed and coordinated selected agency activity in antitrust and consumer protection law.
Managed and provided technical assistance in competition law to the Republic of Moldova.
Co-editor and contributing author, *Anticipating the 21st Century: Competition Policy in the New High-Tech Global Marketplace* (FTC Report, 1996).

JUSTICE DAVID H. SOUTER, United States Supreme Court.

LAW CLERK, July 1994 B July 1995.

JUDGE PATRICIA M. WALD, United States Court of Appeals for the D.C. Circuit.
LAW CLERK, August 1993 - July 1994.

PUBLICATIONS

Constitutional Heterarchy: The Centrality of Conflict in the United States and Europe, in Jeff Dunoff and Joel Trachtman, eds., *RULING THE WORLD? CONSTITUTIONALISM, INTERNATIONAL LAW, AND GLOBAL GOVERNMENT* (Cambridge Univ. Press, forthcoming).

Zur Theorie und Praxis des Föderalismus: Subsidiarität, Integration, und der sanfte europäische Verfassungswandel, in Christian Joerges, Matthias Mahlmann, and Ulrich K. Preuß (Eds.), "Schmerzliche Erfahrungen" der Vergangenheit und der Prozess der Konstitutionalisierung Europas (VS Verlag, forthcoming 2008).

Constitutionalism and Pluralism in Marbury and Van Gend, in Miguel Poiars Maduro and Loïc Azoulay, *THE PAST AND THE FUTURE OF EU LAW: REVISITING THE CLASSICS ON THE 50TH ANNIVERSARY OF THE ROME TREATY*, (Oxford, Hart Publishing, forthcoming 2008).

The Principle of Subsidiarity in Comparative Perspective, in Vikram Amar and Mark Tushnet, *Comparative Constitutional Law Reader* (forthcoming) (casebook-style chapter).

Comparative Federalism and the Role of the Judiciary, in *THE OXFORD HANDBOOK OF LAW AND POLITICS* (Keith Whittington, Daniel Kelemen, and Gregory Caldeira, eds., Oxford Univ. Press, forthcoming, 2008).

THE CONSTITUTIONAL CHALLENGE IN EUROPE AND AMERICA: PEOPLE, POWER, AND POLITICS (Cambridge University Press, forthcoming) (with Miguel Poiars Maduro).

Desperately Seeking Europe: On Comparative Methodology and the Conception of Rights, 5 *INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW* 166 (2007).

Of Grace and Dignity in Law: A Tribute to Friedrich Schiller, in *FRIEDRICH SCHILLER UND DER WEG IN DIE MODERNE* (Walter Hinderer, ed., Königshausen & Neumann: Würzburg, 2006).

The Bride of Messina: Constitutionalism and Democracy in Europe, 30 *EUROPEAN LAW REVIEW* 775 (2005).

The Bride of Messina or European Democracy and the Limits of Liberal Intergovernmentalism, in Weiler and Eisgruber, eds., *Altneuland: The EU Constitution in a Contextual Perspective*, Jean Monnet Working Paper 5/04, <http://www.jeanmonnetprogram.org/papers/04/040501-20.html>.

Of Power and Responsibility: The Political Morality of Federal Systems, 90 *VIRGINIA LAW REVIEW* 732 (2004).

Making It Our Own: A trans-European Proposal on amending the draft Constitutional Treaty for the European Union, (with Miguel Maduro, Paul Margette, Kalypso Nicolaidis, Jo Shaw, et al.), available at <http://www.fedtrust.co.uk/default.asp?pageid=173&mpageid=67&groupid=6> (Federal Trust, EU Constitution Project) and at www.eucentre.org (Michigan Paper Series) (Nov. 2003 & May 2004).

From Competence to Power: Bureaucracy, Democracy, and The Future of Europe, Paper 7/2003, Jurist EU Editorial Series: Thinking Outside the Box, www.fd.unl.pt/je/edit_pap.htm

Gerichtliche Zusammenarbeit im föderalen System der USA: Ein rechtsvergleichender Beitrag zur Diskussion über die Gerichtsreform in der Europäischen Union, 66 RABELS ZEITSCHRIFT FÜR AUSLÄNDISCHES UND INTERNATIONALES PRIVATRECHT 216 (2002).

The Foreign Affairs of Federal Systems: A National Perspective on the Benefits of State Participation, 46 VILLANOVA LAW REVIEW 1015 (Symposium Issue, 2001).

State Autonomy in Germany and the United States, 574 THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE 158 (March 2001) (with Roderick M. Hills, Jr.).

Excerpted in AMERICAN INTERGOVERNMENTAL RELATIONS: FOUNDATIONS, PERSPECTIVES, AND ISSUES 152-162 (Laurence J. O'Toole Jr., Ed., Washington, D.C.: CQ Press, 4th Ed. 2007).

Excerpted in NORMAN DORSEN ET AL., COMPARATIVE CONSTITUTIONALISM: CASES AND MATERIALS 367-369 (2003).

Comparative Federalism and the Issue of Commandeering, in THE FEDERAL VISION: LEGITIMACY AND LEVELS OF GOVERNANCE IN THE US AND THE EU 213 (Kalypso Nicolaidis and Robert Howse, eds., Oxford: Oxford University Press, 2001).

Excerpted in PAUL STEPHAN ET AL., THE LAW AND ECONOMICS OF THE EUROPEAN UNION 254-257 (2003).

Commercial Speech, Professional Speech, and the Constitutional Status of Social Institutions, 147 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 771 (1999).

**WORKS
IN PROGRESS**

“Conflict as Order in Constitutional Law”

“Legal Unification in 20 Federal Systems” (empirical / analytic survey conducted under auspices of International Academy of Comparative Law) (with Mathias Reimann)

“Man Against Three-Headed Dragon: Targeted Sanctions and the International Legal Order” (with Eric Stein)

“Subsidiarity and Integration: Three Principles of Federalism in the United States and Europe”

PRESENTATIONS

“Conflict as Order in Constitutional Law,” Comparative Constitutional Law Roundtable, George Washington University Law School, March 7, 2008.

“Constitutional Heterarchy: Conflict as Order in the United States and the European Union,” Fifty Years of European Community Law, Fordham Center on European Union Law, February 29-March 1, 2008.

“Comparative Federalism and the Role of the Judiciary,” Compact Seminar, College of Europe, Bruges, February 8-9, 2008.

“Subsidiarity, Integration, and Constitutional Change in Europe,” London School of Economics, Law Department and European Institute, November 5, 2007.

“Maintaining Legal Uniformity in Civil and Common Law Systems: Courts, Cases, and the Legal Profession,” Joint Workshop on The Case Reference System in the Jiangsu Province, The Jiangsu High Court, Renmin University Law School, The Yale China Center, Nanjing and Suzyou, China, July 20-23, 2007.

Chair and Discussant for separate panels on federalism, security policy, and democracy, EUSA Biennial Meeting, Montreal, May 18-19, 2007.

“Judicial Borrowing: International and Comparative Law as Non-binding Tools of Constitutional Adjudication,” 15th Annual International Judicial Conference, Ann Arbor, May 17, 2007.

“Federalism and Constitutional Interpretation,” Federalist Society, University of Michigan Law School, March 26, 2007.

“Subsidiarity and Integration: Three Principles of Federalism,” Fawley Lunch Series, University of Michigan Law School, March 21, 2007.

“The Union at 50: On Constitutionalism and Democracy in Europe,” Treaty of Rome Seminar Lecture Series, Europa Institute, University of Edinburgh, March 8th, 2007.

“Comparative Federalism and the Role of the Judiciary,” Lecture to joint session of the Legal Theory Research Group and the International Law Forum, University of Edinburgh, March 6th, 2007.

“Subsidiarity and Integration: Three Principles of Federalism in the United States and Europe,” European Studies Centre, St. Antony’s College, University of Oxford, March 5, 2007.

Moderated, “Intelligence Gathering and Human Rights,” Intelligence Gathering and International Law, Michigan Journal of International Law Symposium, Ann Arbor, February 10, 2007.

“Zur Langfristigen Geschichtswirklichkeit und der Theorie des Föderalismus in Europa,” Kommentar, “Der Europäische Föderalismus-Streit: Eine Unionsverfassung jenseits von Bundesstaat und Staatenbund?,” “Bittere Erfahrungen” der Vergangenheit und der Prozess der Konstitutionalisierung Europas, Arbeitskreis Europäische Integration, Berlin, October 20-21, 2006.

Panel Chair, “Federalism and the Great Lakes,” The Great Lakes: Reflecting the Landscape of Environmental Law, Michigan Journal of Law Reform Symposium, Ann Arbor, September 29, 2006.

“When May the President Violate a Federal Statute? - Reflections on Executive Power and the Eavesdropping Program,” What Limits Should there be on Intelligence-Gathering (Domestic and Foreign) During an Age of International Terrorism?, President’s Initiative on Ethics in Public Life, University of Michigan, March 13, 2006.

“Functional Federalism and the Judiciary,” Lecture Series in Seminar on Advanced Issues in European Union Law, Inter-University Center, Dubrovnik, February 26th to March 5th, 2006.

“Designing Federal Systems,” Practical Federalism in Iraq, Seminar for Iraqi Leaders and Members of Parliament, The International Institute of Higher Studies in Criminal Sciences (ISISC), Siracusa,

Italy, November 12-13, 2005.

“Comparative Constitutionalism and the European Constitutional Adventure – Are there Lessons to Be Learned?,” Multiple Sovereignties: Federalism In The 21st Century, American Society for Comparative Law, Annual Meeting, University of Hawaii, October 28, 2005.

Moderator, “The ECJ’s Tax Decisions,” Comparative Fiscal Federalism: Comparing the European Court of Justice and the U.S. Supreme Court’s Tax Jurisprudence, University of Michigan Law School, October 21, 2005.

“Of Grace and Dignity in Law,” Friedrich Schiller and the Path to Modernity, International Interdisciplinary Conference, Princeton University, October 14, 2005.

“The Judicial Role in Democratic Elections,” Comments on Conference Panel, Protecting the Vote: Judicial Supervision of the Electoral Process, 13th International Judicial Conference, Kyiv, Ukraine, May 25-27, 2005.

Panel Chair, “Multilevel Party Competition,” Research Conference: New Challenges for Political Parties and Representation, Institute for Social Research, The University of Michigan, Ann Arbor, May 6-7, 2005.

“The Constitutional Challenge in Europe and America: People, Power, Politics,” Ninth Biennial European Union Studies Association International Conference, Austin, Texas, April 2, 2005.

“Lawyer, Judges, Politician, and Citizens: In Defense of European Constitutionalism,” Ninth Biennial European Union Studies Association International Conference, Austin, Texas, April 1, 2005.

“The Bride of Messina or European Democracy and the Limits of Liberal Intergovernmentalism,” University of Michigan Law School Governance Workshop, March 16, 2005

“Intergovernmentalism and Constitutionalism in European Integration,” Lecture in Seminar on Advanced Issues of European Law, Inter-University Center, Dubrovnik, February 26-March 6, 2005.

“Federalism: Three Variations on a Theme,” Lecture Series in Seminar on Advanced Issues of European Law, Inter-University Center, Dubrovnik, February 26-March 6, 2005.

ABeyond Competences: Comparative Federalism and the Duty of Cooperation,@ Towards a European Constitution: from the Convention the IGC and Beyond, The Federal Trust for Education and Research, Goodenough College, London, July 1-2, 2004.

Faculty Lecture (in German), ADemokratischer Konflikt als Kerngedanke des Föderalismus: Ein Kritischer Beitrag zur >Bundestreue= in Deutschland, der EU und den USA,@ University of Zürich, Law Institute, June 15, 2004.

Panel Participant, The Domestic Legal Effect of International Law in Europe and the United States, European Journal of International Law Symposium, Europe and International Law, May 16-17, 2004, Villa La Pietra, Florence.

AInterpreting Federalism in Europe and the United States,@ The US and EU in Comparative Perspective, Center for European Studies, New York University, New York, May 4-5, 2004.

A Liberal Intergovernmentalism and Democracy in Europe: A Reply to Andrew Moravcsik, @
Alteneuland: The Constitution of Europe in an American Perspective, New York
University-Princeton University Joint Colloquium, New York and Princeton, April 28-29, 2004.

Panel Moderator and Commentator, The Creation of Supra-National Sovereignty, Michigan Journal
of International Law 25th Anniversary Symposium, Diversity or Cacophony?: New Sources
of Norms in International Law, March 19-20, 2004.

Lecture Series, A Democratic Engagement in Federal Systems, @ Inter-University Center, Dubrovnik,
March 2-6, 2004.

A Of Power and Responsibility in Federal Systems, @ Faculty Workshop, University of Illinois Law
School, February 3, 2004.

Guest Lecture, "Comparative Federalism," University of Zürich, Law Institute, Public Law Seminar,
June 19, 2003.

Panel Moderator and Commentator, Global Justice: Judicial Review on the International Scene,
Michigan Law Review Symposium, Judging Judicial Review, *Marbury* in the Modern Era,
February 7-8, 2003.

A Why Democracy, and Not Efficiency, Lies at the Core of Transnational Market Regulation, @
Workshop on Regulating Transnational Markets, New York University, September 19-20, 2002.

A Rechtsvergleichende Betrachtungen zur gerichtlichen Zusammenarbeit in der EU und in den
USA, @ Symposium on Jurisdictional Reform in the European Union, 75th Anniversary of the Max
Planck Institute for Foreign Private and Private International Law, Hamburg, Germany, September
17-18, 2001.

A Fidelity to the Union in U.S. Constitutional Law, @ Faculty Colloquium, University of Colorado,
Boulder, Colorado, November 18, 2001.

A The Duty to Cooperate in Federal Systems, @ Workshop on Multilevel Constitutionalism,
Universidade Nova de Lisboa, Portugal, June 18-19, 2001, and December 7-8, 2001.

Panel Presentation, A Reflections on Comparative Federalism, @ European Community Studies
Association, Seventh Biennial International Conference, Madison, Wisconsin, June 1, 2001.

Guest Lecturer, University of Zagreb, Croatia, March 11-16, 2001.

Department of Political Science, A Intergovernmental Relations in the European Union,
Germany, and the United States @

Department of Law, A The Relationship between Supranational and National Law in the
European Union @

Workshop Participant, Comments on European Constitutionalism, European University Institute,
Florence, Italy, March 9, 2001.

A A Comparative Examination of the >One-Voice= Doctrine, @ Federalism and Foreign Affairs, New
Voices on the New Federalism, Villanova University School of Law, October 28, 2000.

∆The Irony of Privacy∆ (concluding remarks), Privacy in the System of Free Expression, Northwestern University Center for the Advanced Study of Free Expression, April 7, 2000.

∆Haider and the Limits of European Integration,∆ Austria Black & Blue, Center for European Studies, University of Michigan, April 5, 2000.

TEACHING AREAS European Union Law, U.S. Constitutional Law, Comparative Federalism, Transnational Law, Comparative Public Law and Legal Theory, Comparative Constitutional Law

VISITING PROFESSORSHIPS Visiting Professor, College of Europe, Bruges. (2008 & 2009).
Visiting Professor, University of Zürich. (2004) (in German).

OTHER POSITIONS Advisory Editorial Board Member, Cambridge University Press: Cambridge Studies in European Law and Policy.
Founding Director (2000-2001), European Union Center at the University of Michigan.
Advisory Board Member, European Union Center at the University of Michigan (since 2002).
Advisory Board Member, Center for European Studies, University of Michigan (since 1999).
Steering Committee Member, EUC and CES (since 2002).
European Union Studies Association, Program Committee Member (2007 Biennial Meeting).
Co-Director and Lecturer, Annual Dubrovnik Seminar, ∆Advanced Issues of EU Law,∆ Inter-University Center, Dubrovnik (since 2003).
Editorial Board Member, Croatian Yearbook of European Law and Policy.
Co-Director, International Law Workshop, University of Michigan Law School (since 1999).
Visiting Scholar, Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany, April/May, 2001.
Alexander von Humboldt Foundation, Bundeskanzler Scholarship Award Designee 1997-98.

LANGUAGES English (native), German (native), French (fluent), Italian (basic), Hebrew (basic).