

JOSHUA BRAVER

975 Bascom Mall • Madison, WI 53703 • joshua.braver@law.wisc.edu

APPOINTMENTS

University of Wisconsin Law School, Fall 2020-Present
Assistant Professor of Law

Harvard Law School, 2018-2020
Climenko Fellow

Tufts University, 2017-2018
Jonathon M. Tisch Postdoctoral Fellow, Civic Studies

EDUCATION

Yale Graduate School of Arts and Science
Ph.D. in Political Science, 2017

Yale Law School

J.D., June 2011

Activities: Submissions Editor, *Yale Law and Policy Review*
Finalist, Yale Moot Court Competition
Finalist, Yale Mock Trial Competition
Teaching Assistant, Constitutional Law with Professor Akhil Reed Amar

University of California, Berkeley

B.A., Political Science, June 2006

Honors: Valedictorian of the 2006 Political Science Class
Phi Beta Kappa

TEACHING AND RESEARCH INTERESTS

Primary: U.S. and Comparative Constitutional Law, Jurisprudence, Legislation and Administrative Law

Secondary: International Business Transactions, Alternative Dispute Resolution, Contracts, Torts, Labor Law

PUBLICATIONS AND WORKS IN PROGRESS

Court-Packing: An American Tradition, 61 BOSTON COLLEGE LAW REVIEW 2747 (2020)

WE, THE MEDIATED PEOPLE: POPULIST CONSTITUTION-MAKING IN CONTEMPORARY SOUTH AMERICA (book project, under contract with Oxford University Press)

Election Rules and Constitutional Assemblies in THE FOUNDATIONS AND TRADITIONS OF CONSTITUTIONAL AMENDMENT (Richard Albert & Xenophon Contiades, eds., Hart Publishing, 2017)

THE U.S. CONSTITUTION AND COMPARATIVE CONSTITUTIONAL LAW: TEXT, CASES, AND MATERIALS with Steven Calabresi and Bradley Silverman, Foundation Press (2016) (available at <https://www.amazon.com/U-S-Constitution-Comparative-Constitutional-Law/dp/1628101903>)

Hannah Arendt in Venezuela: Hugo Chávez Battles the Supreme Court over the Creation of the 1999 Venezuelan Constitution, 14 INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 555 (2016) (available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2998103)

Election Rules and Revolutionary Breaks and the Creation of the 1999 Venezuelan Constitution in THE FOUNDATIONS AND TRADITIONS OF CONSTITUTIONAL AMENDMENT (Richard Albert & Xenophon Contiades, eds., Hart Publishing, 2017)

Exporting Counter Interpretation: Redeeming the U.S. Constitution in the UK, 47 GEORGETOWN JOURNAL OF INTERNATIONAL LAW 867 (2016) (available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2654038)

OTHER

Digging your own Grave in the 1860 and the 2020 Election, ILLINOIS LAW REVIEW (forthcoming symposium on Biden's first 100 days)

Suing Trump over the Capitol Riot: A Preliminary Assessment, LAWFARE, Feb. 26, 2021 (with Scott R. Anderson and Alan Z. Rozenstein)

The Myth of Recurrent Court-Packing, THE CONSTITUTIONALIST, Nov. 30, 2020

What's the Rush, Why Revolutionaries Love Speed, BALKINIZATION BLOG, Jan. 15, 2020 (symposium on Gary Jeffrey Jacobsohn & Yaniv Roznai, CONSTITUTIONAL REVOLUTION)

Extended Book Review Essay, *Critiquing Trade from Within* 23 JOURNAL OF INTERNATIONAL ECONOMIC LAW 771 (2020) (reviewing Frank Garcia, CONSENT AND TRADE)

Putting "Abusive Constitutionalism" in Perspective, INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW BLOG, with response by David Landau, July 28, 2018

New York Isn't Ready for a Constitutional Convention, DISSENT, Nov. 6, 2017

Extended Book Review Essay, *Undemocratic Deliberation*, 35 LEGAL STUDIES 720 (2015) (reviewing CONSTITUTIONAL COURTS AND DELIBERATIVE DEMOCRACY (2013))

Counter-Interpretation, Constitutional Design, and the Right to Family Life, UK CONSTITUTIONAL LAW BLOG, Jan. 6, 2014

What House of Cards Gets Wrong, POLITICO, Sept. 20, 2013

SELECTED TEACHING EXPERIENCE

HARVARD LAW SCHOOL, CAMBRIDGE, MA. Fall 2018-Present
Instructor, Legal Research and Writing

YALE LAW SCHOOL, New Haven, CT. Fall 2015
Guest lecturer, Comparative Constitutional Law

With Professor Steven Calabresi and Akhil Reed Amar, co-led two sessions on positive rights and constitution-making using chapters I authored in a comparative constitutional law casebook.

PROF. ALEC STONE SWEET, YALE UNIVERSITY, New Haven, CT. Spring 2014
Teaching Assistant, Law and Globalization

Led discussion sections. Prepared and reviewed student assignments.

PROF. AKHIL REED AMAR, YALE UNIVERSITY, New Haven, CT. Spring 2011
Teaching Assistant, Constitutional Law

Led discussion sections. Prepared and reviewed student assignments.

PROFESSIONAL EXPERIENCE

Department of Justice, Office of Legal Policy, Washington, DC July-August 2010
Intern. Analyzed constitutionality of regulations and feasibility of pending legislation. Authored memo on the power of the Attorney General. Vetted judicial nominees.

Cahill, Gordon, & Reindel LLP, New York, NY June-July 2010
Summer Associate. Prepared notes for interviews in white collar investigation. Reviewed regulations governing discovery with federal agencies.

Campaign Legal Center, Washington, DC Summer 2009
Intern. Researched and drafted amicus briefs concerning campaign finance and standing rules.

Department of Homeless Services Legal Affairs, New York, NY 2006-2007
Urban Fellow. Represented the agency at administrative law hearings. Drafted internal agency memos and policies concerning a wide variety of issues, such as search and seizure and funding streams in city shelters. Participated in fellowship activities, including weekly seminars.

PROFESSIONAL SERVICE

Trainer and Practitioner, Harvard Mediation Project, 2017-Present

Rapporteur, American Society of Comparative Law Committee on the Integration of Law and Social Science, 2016

Representative, Yale Graduate Student Assembly, 2013-2014

Member, Yale Graduate Student Assembly Dean's Committee on Student Grievances, 2013-2014

Director, Yale Colloquium on Representative Government, 2012-2013

FELLOWSHIPS AND AFFILIATIONS

MacMillan Center Dissertation Grant, 2016

Latin American Travel Grant, Council for Latin American Studies, 2015

Director, Yale Colloquium on Representative Government, 2011-2014

Tinker Research Grant, Council for Latin American and Iberian Studies, 2014

Pre-Dissertation Grant, Macmillan Center for International and Area Studies, 2012

UK Popular Sovereignty Network Grant, 2012

SELECTED PRESENTATIONS AND MEDIA APPEARANCES

Supreme Court Packing and Reforms: Proposals and Prospects, Committee for Justice, February 2021

The Politics and History of Court-Packing: A Debate with Dan McLaughlin, Dallas and Austin Chapter of the Federalist Society, December 2020.

Is Court-Packing Legitimate: A debate with Thomas Keck, The Constitutionalist, October 2020

Pumping the Brakes on Packing the Court, 8 O'Clock Buzz, Wort 89.9, October 2020

The Myth of Recurrent Court-Packing

- Global Summit Conference, January 2020
- American Political Science Association Conference, September 2020
- University of Richmond Law School, Junior Faculty Forum, May 2019
- University of Michigan Law School, Junior Scholars Conference, April 2019

Extraordinary Adaptation as Constituent Power

- University of Valencia Conference, Constitutional Change and Constituent Power, December 2020

Popular Constitution-Making,

- University of Valencia Conference,
- University of Texas at Austin Law School, Constitutional Studies Luncheon, April 2019
- Harvard Law School, *Constitution-Making Class* taught by Lawrence Lessig, October '19

2018

Judicial Review of Constitutional Assemblies, UCLA Law School, *Annual Works-in-Progress Comparative Law Workshop*, February 2017

Conflicts between Governments and Constitutional Assemblies

-Yale Law School, ACS Progressive Scholars Workshop, September 2016

-American Political Science Association Conference, September 2016

Shifting the Median Voter, American Society of Comparative Law Committee on Law and Social Sciences, University of Chicago, May 2016

Conflicts between the Government and the Constituent Assembly in South America

-Future of Democracy Conference, National Museum of Iceland, May 2016

-Yale Law School, Human Rights Workshop, October 2015

Exporting U.S. Counter-Interpretation to the UK, Workshop on Comparative Constitutional Law, University of Milan Department of National and Supranational Law, May 2015

Counter-Interpretation and Constitutional Supremacy, I-CONNECT BLOG VIDEO INTERVIEW, Jan. 23, 2015

Hannah Arendt in Venezuela: The Battle between Hugo Chávez and the Supreme Court over the Creation of the 1999 Constitution

-Workshop on Comparative Constitutional Amendment, Boston College Law School, May 2015

-Plenary Panel, Younger Comparative Constitutionalist Conference, Florida State University, April 2015

LANGUAGES

Spanish

REFERENCES

Prof. Martha Minow

Harvard Law School

617-495-4276

minow@law.harvard.edu

Prof. Akhil Reed Amar

Yale Law School

203-432-4838

akhil.amar@yale.edu

Prof. Steven G. Calabresi

Northwestern Law School

312-503-7012

s-calabresi@law.northwestern.edu

Sandy Levinson

University of Texas Law School

512-232-1351

slevinson@law.utexas.edu

Prof. Richard Albert

UT Austin Law School

617-552-3930

richard.albert@law.texas.edu

Prof. Bryan Garsten

Yale Department of Political Science
203-436-3696
bryan.garsten@yale.edu

Prof Michael Klarman
Harvard Law School
617-496-2050
mklarman@law.harvard.edu

Prof. Bruce Ackerman
Yale Law School
203-432-0065
bruce.ackerman@yale.edu

Prof. Vicki C. Jackson
Harvard Law School
617-496-0555
vjackson@law.harvard.edu

Prof. Robert Post
Yale Law School
203-432-4946
robert.post@yale.edu

Prof. Frank Garcia
Boston College Law School
617-552-6372
frank.garcia@bc.edu

Prof. Andrew Arato
New School for Social Research
212-229-5737
arato@newschool.edu