

TABATHA ARIANNE ABU EL-HAJ

Associate Professor of Law
Thomas R. Kline School of Law
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ACADEMIC APPOINTMENTS

THOMAS R. KLINE SCHOOL OF LAW, DREXEL UNIVERSITY, Philadelphia, PA

Associate Professor of Law (2012–present)

Assistant Professor of Law (2009–2012)

Areas of Teaching and Expertise:, Constitutional Law, First Amendment, Administrative Law, Legislation and Regulation, Law of Democracy.

Haverford College, Haverford, PA

Associate Visiting Professor, Politics Department (Spring 2018)

NEW YORK UNIVERSITY SCHOOL OF LAW, Furman Fellow (Spring 2005, 2008–2009)

GEORGETOWN UNIVERSITY LAW CENTER, Future Law Professor Fellow (2006–2008)

EDUCATION

NEW YORK UNIVERSITY, New York, N.Y.

Ph.D. in Law and Society, September 2008

Dissertation: *Changing the People: Transformations in American Democracy (1880-1930)* (Committee: Lewis Kornhauser, William Forbath, Richard Pildes)

Honors: Henry Mitchell MacCracken Fellowship (competitive selection)

GEORGETOWN UNIVERSITY LAW CENTER, Washington, D.C.

LL.M. in the Graduate Fellowship Program for Future Law Professors, February 2008

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, N.Y.

J.D., *magna cum laude*, January 2004

Honors: *Order of the Coif*

Haverford College, Haverford, PA

B.A. in Philosophy, *magna cum laude*, May 1994

Honors: *Phi Beta Kappa* (junior year) and Departmental Honors in Philosophy

JUDICIAL CLERKSHIP

THE HONORABLE HARRY T. EDWARDS, United States Court of Appeals for the D.C. Circuit, Washington, D.C. (2005-2006)

PUBLICATIONS

Networking the Party: First Amendment Rights & the Pursuit of Responsive Party Government, 118 COLUM. L. REV. (forthcoming 2018).

Public Unions Under First Amendment Fire, 95 WASH. U. L. REV. (forthcoming 2018).

“Live Free or Die”—Liberty and the First Amendment, 78 OHIO ST. L.J. 917 (2017).

Beyond Campaign Finance Reform, 57 B.C. L. REV. 1127 (2016).

Wholly Native to the First Amendment: The Positive Liberty of Self-Government, 164 U. PA. L. REV. ONLINE 1 (2016).

Defining Peaceably: Policing the Line Between Constitutionally Protected Protest and Unlawful Assembly, 80 MO. L. REV. 961 (2015).

All Assemble: Order and Disorder in Law, Politics and Culture, 16 U. PA. J. CONST. L. 949 (2014).

Friends, Associates and Associations: Theoretically and Empirically Grounding the Freedom of Association, 56 ARIZ. L. REV. 53 (2014).

Linking the Questions: Judicial Supremacy as a Matter of Constitutional Interpretation, 89 WASH. U. L. REV. 1309 (2012).

Changing the People: Legal Regulation and American Democracy, 86 NYU L. REV. 1 (2011).

Reviewed by Roman Hoyos, *On Becoming Relevant: The Role of Legal History in Legal Scholarship* (at Jotwell).

The Neglected Right of Assembly, 56 UCLA L. REV. 543 (2009).

Reprinted in part in *FREEDOM OF ASSEMBLY AND PETITION: ITS CONSTITUTIONAL HISTORY AND THE CONTEMPORARY DEBATE* (Margaret M. Russell, ed. 2010).

WORKS IN PROGRESS

Counterbalancing Elite Interests: Revitalizing Civic Associations Through Law.

Defining Nonviolence as a Matter of Law and Politics.

CONFERENCES & WORKSHOPS

March 2018 Invited Paper, *Networking the Party: First Amendment Rights & the Pursuit of Responsive Party Government*, Inaugural National Conference of Constitutional Law Scholars, William H. Rehnquist Center on the Constitutional Structures of Government, University of Arizona James E. Rogers College of Law.

January 2018 *Public Unions Under First Amendment Fire*, Washington University Law Review Symposium: “The Roberts Court’s First Amendment.”

- October 2017 Author-Meets-Readers, Edward Foley's *Ballot Battles: The History of Disputed Elections in the United States*, American Society for Legal History, Annual Meeting, Las Vegas, Nevada.
- October 2017 *Networking the Party: First Amendment Rights & the Pursuit of Responsive Party Government*, Faculty Workshop, Rutgers School of Law—Camden.
- August 2017 Commentator, *Competing Theories of Nonviolent Politics* (Karuna Mantena), American Society for Political and Legal Philosophy (NOMOS), Annual Symposium: Protest and Dissent, Aug. 31, 2017, American Political Science Association, San Francisco.
- Special Roundtable: "The Future of Money in Politics Research," co-sponsored by Demos and the APSA Class and Inequality Section.
- April 2017 Invited Paper, "Live Free or Die"—*Liberty and the First Amendment*, Freedom of Expression Scholars Conference (Fifth Annual), The Information Society Project, Yale Law School.
- April 2017 *Counterbalancing Elite Interests: Law and the Revitalization of Civic Associations*, Public Law Workshop, Columbia School of Law.
- November 2016 "Live Free or Die"—*Liberty and the First Amendment*, Ohio State Law Journal Symposium: "The Expanding First Amendment."
- November 2016 *Beyond Campaign Finance Reform*, Haverford College (invited guest of President's Office)
- November 2016 *Party Animals: Donkeys vs. Elephants: Is it Time to "Break Up" with America's Two-Party System?* Pennoni Honors College, Drexel University.
- June 2016 *The Political Value of Cash: Hard to Prove, Harder to Solve*, "Purchasing Power? The Next Generation of Research on Money and Politics," Ford Foundation Convening, New York City.
- May 2016 *Money in Politics Legal Convening*, Co-sponsored by Demos and University of Pennsylvania Law School (invited facilitator).
- May 2016 Discussant, *Government Employee Speech vs. Government Employee Religion: A Comparison* (Caroline Mala Corbin), Freedom of Expression Scholars Conference (Fourth Annual), The Information Society Project, Yale Law School.
- April 2016 *Party by Association: Reevaluating the First Amendment Interests of Political Parties in the Context of Campaign Finance*, "Money and the First Amendment," Keller Center for the Study of the First Amendment and the Byron R. White Center for the Study of American Constitutional Law, University of Colorado, Boulder Law School.
- February 2016 *Voting Rights*, Stanford Law Review Symposium: "The Law of Democracy" (invited discussant).

- February 2016 “‘Wholly Foreign to the First Amendment’?: Political Inequality Forty Years After *Buckley v. Valeo*,” University of Pennsylvania Law School.
- May 2015 Plenary Paper, *Having a Different Conversation about Money and Politics*, Freedom of Expression Scholars Conference (Third Annual), The Information Society Project, Yale Law School.
- April 2015 *Having a Different Conversation about Money and Politics*, Faculty Workshop, Villanova University School of Law.
- February 2015 *Protesting – Responsive and Responsible Expression*, University of Missouri Law Review Symposium: “Policing, Protesting and Perceptions: A Critical Examination of the Events in Ferguson.”
- February 2015 “The Police, The People and Legal Reform,” Africana Studies Program, Drexel University.
- June 2014 Expert Testimony, “Roundtable on Freedom of Peaceable Assembly: Challenges and Good Practice,” Office for Democratic Institutions and Human Rights, Organization for Security and Co-operation in Europe, George Washington University Law School.
- May 2014 Discussant, *Re-Assembling Labor* (Marion Crain and John Inazu), Freedom of Expression Scholars Conference (Second Annual), The Information Society Project, Yale Law School.
- January 2014 “Freedom of Assembly and Religious Liberty,” Liberty Fund Colloquium, Federalist Society, Dallas, Texas.
- May 2013 “Governing Protest,” Law and Society Association Meeting (invited roundtable participant).
- Chair, “History of Libel and Privacy in American Law,” Law and Society Association Meeting.
- Chair, “Between Policy and Jurisprudence: The Elements of Judicial Reasoning,” Law and Society Association Meeting.
- May 2013 Invited Paper, *Friend Me: Linking the Freedom of Association to the Social Sciences*, First Freedom of Expression Scholars Conference, The Information Society Project, Yale Law School.
- April 2013 *Friend Me: Linking the Freedom of Association to the Social Sciences*, Faculty Workshop, Loyola Law School, Los Angeles.
- February 2013 *Friend Me: Linking the Freedom of Association to the Social Sciences*, Faculty Workshop, Washington College of Law, American University.
- March 2012 *Occupying Public Space: Reclaiming the Constitutional Right to Assemble*, Left Forum Conference, Pace University (invited panelist).

- February 2012 *Friend Me: Linking the First Amendment to the Social Sciences*, Faculty Workshop, Rutgers School of Law—Camden.
- February 2012 *Friend Me: Linking the First Amendment to the Social Sciences*, Faculty Workshop, Suffolk University Law School.
- October 2010 “*Citizens United* and the Changing Political Role of the Corporation,” The Wharton School, University of Pennsylvania.
- September 2010 Constitution Day Symposium, Villanova University School of Law (invited discussant).
- April 2009 Invited Paper, *The Neglected Right of Assembly*, Fourth Annual Constitutional Theory Conference, USC Gould School of Law.

PUBLICATIONS FOR PUBLIC AUDIENCE

Just Show Up, DEMOCRACY: A JOURNAL OF IDEAS (Jan. 31, 2017) (with David Cohen).

The RNC Will Be a First Amendment Disaster, SLATE MAGAZINE (July 15, 2016).

Inconvenient Protests Are the Price of Liberty, PHILADELPHIA INQUIRER (July 14, 2016).

Roberts’ Court on Path to Do Still More Damage to Our Democracy, THE HILL, CONGRESS BLOG (Jan. 12, 2016).

Withdrawal of McConnell’s Campaign Finance Rider Only Short-Term Reprieve, THE HILL, CONGRESS BLOG (Dec. 18, 2015).

By Undermining Unions, The Roberts Court Will Do Still More Damage to Our Democracy, BALKINIZATION.COM (Dec. 15, 2015).

Fundamental Right to Disrupt, PHILADELPHIA INQUIRER (Aug. 28, 2014).

BOOK REVIEWS AND EARLIER WORKS

Book Review: The Making of Tocqueville’s America: Law and Association in the Early United States, 103 AM. J. LEGAL HIST. 749 (2016).

Book Review: The Calligraphic State: Conceptualizing the Study of Society Through Law, 16 INT’L J. SEMIOTICS L. 443 (2003).

Armed Conflict: The Protection of Children Under International Law, 5 INT’L J. CHILD. RTS. 1(1997) (with Carolyn Hamilton).

PROFESSIONAL SERVICE

SCHOLARS STRATEGY NETWORK

Tabatha Abu El-Haj

Member 2016-to present

NATIONAL LAWYERS GUILD

Member 2011-to present
