

Brief CV of Scott Douglas Gerber

Scott Douglas Gerber is Professor of Law at Ohio Northern University and an associated scholar at Brown University's Political Theory Project. He received both his Ph.D. and J.D. from the University of Virginia, and his B.A. from the College of William and Mary. He clerked for U.S. District Judge Ernest C. Torres of the District of Rhode Island and practiced with the Boston-based law firm Bingham, Dana & Gould. He is a member of the Massachusetts, Colorado, and Virginia bars, as well as the U.S. Supreme Court bar. He is the 2002, 2009, 2011, and 2012 winner of the Fowler V. Harper Award for excellence in legal scholarship and the 2004, 2013, and 2016 recipient of the Daniel S. Guy Award for excellence in legal journalism. He also received a special commendation from the *Ohio Northern University Law Review* and held the Ella & Ernest Fisher Chair in Law at Ohio Northern University from 2008-10. He has served on the Ohio Advisory Committee of the U.S. Commission on Civil Rights since 2008 and was appointed to the Association of American Law Schools Committee to Review Scholarly Papers for the 2018 Annual Meeting. He teaches constitutional law and American legal history. He also has taught contracts, judicial decision-making, and remedies. StateStats.org named him one of the top law professors in Ohio. He was a visiting professor at Brown University's Political Theory Project during the 2018-19 academic year and he won the 2020 Christopher Collier Prize from the Connecticut Supreme Court Historical Society.

Professor Gerber has published five academic books, forty-four articles, thirty-four book reviews, eighty op-eds, and twenty-six sundry pieces. He has made approximately one hundred presentations, including at Harvard Law School, Princeton University, Stanford Law School, Columbia Law School, University of Chicago Law School, University of Virginia School of Law, University of Pennsylvania Law School, and Brown University. He is widely regarded as the nation's leading authority on the jurisprudence of Clarence Thomas. His 1999 book, *First Principles: The Jurisprudence of Clarence Thomas*, was reissued in an expanded edition by NYU Press in 2002, and is frequently cited by scholars and the media, including in book reviews in the *New York Times*, the *Yale Law Journal*, and the *Harvard Law Review*. Professor Gerber has discussed the book several times on C-SPAN's "America & the Courts." He likewise is a well respected authority on the Declaration of Independence, and has published two books on the subject, *To Secure These Rights: The Declaration of Independence and Constitutional Interpretation* (NYU Press, 1995) and *The Declaration of Independence: Origins and Impact* (Congressional Quarterly Press, 2002). His edited collection, *Seriatim: The Supreme Court Before John Marshall* (NYU Press, 1998), was called by the *Supreme Court Historical Society Quarterly* "a wonderful book . . . destined to be a staple source for the Court's first decade." His 1997 article with Keeok Park, "The Quixotic Search for Consensus on the U.S. Supreme Court: A Cross-Judicial Empirical Analysis of the Rehnquist Court Justices," was the first applied example of the "new institutionalism" to appear in the *American Political Science Review*, the nation's foremost political science journal. His op-eds have been published by *USA Today*, the *Wall Street Journal*, the *Washington Post*, the *Los Angeles Times*, *CNN.com*, and the *Huffington Post*, among other media outlets. His law review articles have appeared in, among other journals, the *American Journal of Legal History*, *Fordham Law Review*, *Harvard Journal of Law & Public Policy*, *North Carolina Law Review*, *Vanderbilt Law Review*, and *Yale Law Journal* (pocket part). He also has published four novels, *The Ivory Tower* (University Press of the South, 2002), *The Law Clerk* (Kent State University Press, 2007), *Mr. Justice* (Sunbury Press, 2011), and *The Art of the Law* (Anaphora Literary Press, 2018).

Professor Gerber spent the 2009-10 academic year on sabbatical at Brown University's Political Theory Project, where he completed *A Distinct Judicial Power: The Origins of an Independent Judiciary, 1606-1787* (Oxford University Press, 2011). That book was the subject of a symposium at Harvard Law School. The *Journal of American History* said about the book that "Anyone doing research on early American constitutionalism will undoubtedly be directed to this book, for both content and argument. . . . To say that [it] is an example for all to follow is an understatement." His current book project is about law and religion in colonial America.

Professor Gerber's references include Richard Epstein (NYU), Sanford Levinson (Texas), Paul Marcus (William and Mary), Stephen Presser (Northwestern), Larry Sabato (Virginia), John Tomasi (Brown), and Gordon Wood (Brown).