

BRIAN K. PINAIRE

brianpinaire@gmail.com

www.brianpinaire.com

EDUCATION

- PhD, political science, Rutgers University, New Brunswick, NJ (1997–2003)
- BA, politics (with honors), Whitman College, Walla Walla, WA (1993–1997)

EXPERIENCE

- Author, editor, and consultant (2014–present)
- Associate Professor (with tenure), Political Science, Lehigh University (2009–2013)
- Assistant Professor, Political Science, Lehigh University (2003–2009)
- Instructor, English (The Writing Program), Rutgers University (2000–2002)
- Teaching Assistant, Political Science, Rutgers University (1998–2000)

PUBLICATIONS

Books

- *The War of Independence Way* (BrandyLane Publishers, 2024)
- *This Is Not Your Father's Fatherhood* (Moonshot Books, 2017)
- *The Constitution of Electoral Speech Law* (Stanford University Press, 2008)

Articles, Entries, & Reviews

- “Why I Need You to Move to Fargo as Soon as Possible, Preferably by the Weekend,” *The Haven* (October 12, 2020)
- “Security Report: American Food & Drug—Day No. 69 of the Pandemic,” *How Pants Work* (May 22, 2020)
- “You Know the Type,” *The Haven* (February 20, 2020)
- “I Plan to Do Great Work Today,” *Points in Case* (November 9, 2018)

- “Seeking Technical Mechanics Project Facilitator for Flow-Management Optimalization, Back-End Concordance Manifestations, and Other Things Too,” *McSweeney’s* (July 9, 2018)
- “Please Allow 21 Business Days for Us to Disregard Your Request to Unsubscribe,” *Points in Case* (May 21, 2018)
- “TRUMP: *The Art of the Deal*, with a new Introduction by the author,” *The Haven* (May 10, 2018)
- “An Immodest Response: @JonathanSwift Replies to Critics of His ‘A Modest Proposal,’ ” *The Satirist* (March 13, 2018)
- “The First Father’s Day for Adam, Father of All Mankind,” *Janice Magazine* (August 4, 2017)
- “Just Let Us Pump Our Own Gas Already,” *The Oregonian* (July 16, 2017)
- “President Trump’s Father’s Day Schedule,” *Huffington Post* (June 7, 2017)
- “World’s Best Dad!,” *Huffington Post* (June 16, 2016)
- “Why Hillary Clinton Should Recruit David Petraeus for Vice President,” *Huffington Post* (May 23, 2016)
- “President Trump’s Cabinet,” *Huffington Post* (April 23, 2016)
- “The Black Lives Matter Movement Shouldn’t Have Protested Bernie Sanders’s Speech,” *Huffington Post* (August 10, 2015)
- Review: *The Tough Luck Constitution*, Andrew Koppelman (New York: Oxford University Press, 2013); *Choice* (November 2013)
- “Is There a Text in This Class?,” *The Journal of Irreproducible Results* 52:1 (Fall 2013)
- “Q & A with Brian Pinaire: The Supreme Court’s Same-Sex Marriage Rulings,” *Lehigh University* (June 28, 2013)
- “Judicial Modesty Rules in Fisher’s Affirmative Action Challenge,” *The Morning Call* (Allentown, Pa) (June 26, 2013)
- “Just a Little off the Top, Please,” *Huffington Post* (June 26, 2013)
- “Graduation Day,” *Huffington Post* (May 8, 2013)
- Review: *An Introduction to Political Crime*, Jeffrey Ian Ross (Bristol: The Policy Press, 2012); *Law & Politics Book Review*, 22:12 (December 2012), pp. 582–85

- “Office Hours,” *Huffington Post* (November 29, 2012)
- “Law & Order: The Politics of Crime and Punishment,” *Choice* 49 (November 2012), pp. 407–20
- “Manifesto of the Common Sense Party,” *Huffington Post* (September 10, 2012)
- “GOP Conventioneering,” *Huffington Post* (August 23, 2012)
- Review: *The Oxford Handbook of Juvenile Crime and Juvenile Justice*, Barry Feld and Donna Bishop, ed. (New York: Oxford University Press, 2012); *Choice* (July 2012)
- “The Attraction of Distraction,” *Huffington Post* (June 14, 2012)
- “‘Philadelphia Lawyers’: Policing the Law in Pennsylvania,” *Journal of the Professional Lawyer* (American Bar Association) (2012), pp. 137–79 (with Milton Heumann and Christian Scarlett)
- “Who Let (the) Dog Out?,” *Criminal Law Bulletin* 47:6 (November–December 2011), pp. 1169–85
- Review: *Habeas Corpus in America: The Politics of Individual Rights*, Justin Wert (Lawrence: University Press of Kansas, 2011); *Choice* (October 2011)
- “Democracy Is Missing from the Constitution,” *The Morning Call* (Allentown, Pa) (September 17, 2011)
- Review: *Congress Shall Make No Law: The First Amendment, Unprotected Expression, and the U.S. Supreme Court*, David M. O’Brien (New York: Rowman & Littlefield, 2011); *Law & Politics Book Review*, 21:7 (July 2011), pp. 416–20
- “Not Guilty Does Not Mean Innocent,” *Philadelphia Inquirer* (July 7, 2011), A15
- “Learning Involves More Than Filling in the Blanks,” *The Morning Call* (Allentown, Pa) (May 27, 2011)
- Review: *The Cycle of Juvenile Justice*, 2nd ed., Thomas Bernard and Megan Kurlychek (New York: Oxford University Press, 2010); *Choice* (May 2011)
- Review: *The American Supreme Court*, 5th ed., by Robert McCloskey; revised by Sanford Levinson (Chicago: University of Chicago Press, 2010); *Choice* (January 2011)
- Review: *Freeing Speech: The Constitutional War Over National Security*, by John Denver (New York: NYU Press, 2010); *Law & Politics Book Review*, 20:8 (August 2010), pp. 356–61

- “How Will Kagan Decide Cases? It’s Unknown, Just like with Other Nominees,” *The Patriot-News* (Harrisburg, Pa) (July 20, 2010)
- “Have You Heard About the Political Candidate Who Said . . . ?”, *The Morning Call* (Allentown, Pa) (June 18, 2010), 21
- “Sestak’s Best Non-Supporter,” *Philadelphia Inquirer* (June 3, 2010), p. A13 (with Frank Davis)
- “Bad Medicine: On Disciplining Physician Felons,” *The Cardozo Journal of Conflict Resolution* 11:1 (Fall 2009), pp. 133–80 (with Milton Heumann and Simon Burger)
- Review: *The Supreme Court on Trial: How the American Justice System Sacrifices Innocent Defendants*, by George C. Thomas, III (Ann Arbor: University of Michigan Press, 2008); *Choice* (October 2009)
- Review: *Ellery’s Protest: How One Young Man Defied Tradition and Sparked the Battle over School Prayer*, by Stephen D. Solomon (Ann Arbor: University of Michigan Press, 2009-paperback edition); *Law & Politics Book Review*, 19:6 (June 2009), pp. 355–59
- Review: *Speech out of Doors*, by Timothy Zick (New York: Cambridge University Press, 2008); *Perspectives on Politics* 7:2 (June 2009), pp. 418–20
- Review: *The Perils of Federalism: Race, Poverty, and the Politics of Crime Control*, by Lisa L. Miller (New York: Oxford University Press, 2008); *Choice* (May 2009)
- Review: *Equality and Liberty in the Golden Age of State Constitutional Law*, Jeffrey M. Shaman (New York: Oxford University Press, 2008); *Choice* (December 2008)
- “Actively Learning Public Law,” *Law & Courts* 18:3 (Summer 2008), pp. 31–42
- Review: *Doing Justice to Mercy: Religion, Law, and Criminal Justice*, ed. Jonathan Rothchild, Matthew Myer Boulton, and Kevin Jung (Charlottesville: University of Virginia Press, 2007); *Law & Politics Book Review*, 18:6 (June 2008), pp. 517–22
- “Prescribing Justice: The Law and Politics of Discipline for Physician Felony Offenders,” *Boston University Public Interest Law Journal* 17:1 (December 2007), pp. 1–38 (with Milton Heumann and Jennifer Lerman)
- “Elections.” In: David S. Clark, ed., *Encyclopedia of Law and Society: American and Global Perspectives* (New York: Sage, 2007)
- “The Essential Kafka: Definition, Distention, and Dilution in Legal Rhetoric,” *University of Louisville Law Review* 46:1 (2007), pp. 115–58
- “Abrams v. United States,” “Buckley v. Valeo,” “Jury Nullification,” “Kyllo v. United States,” “Marketplace of Ideas Theory,” “Profiling,” & “West Virginia Board

- of Education v. Barnette.” In: Paul Finkelman, ed., *The Encyclopedia of American Civil Liberties* (New York: Routledge, 2006), pp. 13–14, 193–194, 869–870, 899–900, 961–963, 1236–1238, & 1775–1776
- “Barred from the Bar: The Process, Politics, and Policy Implications of Discipline for Attorney Felony Offenders,” *Virginia Journal of Social Policy & the Law* 13:2 (Winter 2006), pp. 290–330 (with Milton Heumann and Jennifer Lerman)
 - Review: *Contested Words: Legal Restrictions on Freedom of Speech in Liberal Democracies*, Ian Cram (London: Ashgate, 2006); *Law & Politics Book Review* 16:12 (December 2006), pp. 970–974
 - “Abrams v. United States,” “Anonymous Political Speech,” “Board of Regents of the University of Wisconsin v. Southworth,” & “New York Times Co. v. Sullivan.” In: David Schultz, ed., *Encyclopedia of the Supreme Court* (New York: Facts on File, Inc., 2005), pp. 4, 17, 42–43, & 313
 - “Internet Conspiracies: Where the Absence of Evidence Is Confirmation of the Claim,” *Skeptical Magazine* 12:1 (Fall 2005), p. 26
 - Review: *Speak No Evil*, Jon B. Gould (Chicago: University of Chicago Press, 2005); *Law & Politics Book Review* 15:9 (September 2005), pp. 857–62
 - “Strange Brew: Method and Form in Electoral Speech Jurisprudence,” *Southern California Interdisciplinary Law Journal* 14:2 (2005), pp. 271–312
 - Review: *The Right to Vote: Rights and Liberties Under the Law*, Donald Grier Stephenson, Jr. (Santa Barbara, CA: ABC-CLIO, Inc, 2004); *Law & Politics Book Review* 15:2 (February 2005), pp. 99–102
 - “Beyond the Sentence: Public Perceptions of Collateral Consequences for Felony Offenders,” *Criminal Law Bulletin* 41:1 (January/February 2005), pp. 24–46 (with Milton Heumann and Thomas Clark)
 - Review: *Perilous Times: Free Speech in Wartime*, Geoffrey Stone (New York: W.W. Norton & Co., 2004); *Law & Politics Book Review* 14:11 (November 2004), pp. 896–99
 - Review: *The American Jury System*, Randolph Jonakit (New Haven: Yale University Press, 2003); *Law & Politics Book Review* 14:6 (June 2004), pp. 389–92
 - “Austin v. Michigan Chamber of Commerce,” “Burson v. Freeman,” “Colorado Republican Federal Campaign Committee v. Federal Election Commission,” “Federal Election Commission v. Colorado Republican Federal Campaign Committee,” “First National Bank of Boston v. Bellotti,” & “Members of City Council of Los Angeles v. Taxpayers for Vincent.” In: David Schultz & John R. Vile, eds., *Encyclopedia of Civil Liberties in America* (New York: M.E. Sharpe, Inc., 2004), pp. 57–58, 130, 200–201, 363, 381–382, & 613–614

- “Barred from the Vote: Public Attitudes Toward the Disenfranchisement of Felons,” *Fordham Urban Law Journal* 30 (July 2003), pp. 1519–1550 (with Milton Heumann and Laura Bilotta)
- “The Prosecutor.” In: Kermit Hall, ed., *The Oxford Companion to American Law* (New York: Oxford University Press, 2002), pp. 675–677 (with Milton Heumann)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Political Speech in the Electoral Process,” *Journal of Law & Politics* 17:3 (Summer 2001), pp. 489–551

HONORS & AWARDS

- *Frank Hook Endowed Assistant Professorship* (awarded annually to outstanding junior faculty members throughout the university), Lehigh University (2007–2009)
- *Dorothy L. Stabler Award for Excellence in Teaching* (awarded to those who have demonstrated “mastery of their field and superior ability in communicating it to others, as well as an exceptional talent for encouraging students to want to understand alternatives and to make choices”), Lehigh University (2007)
- *APSA & Pi Sigma Alpha National Political Science Honor Society Award* (awarded for “Outstanding Teaching in Political Science”), American Political Science Association (2007)
- *Albert C. and Mae S. Svoboda Research Prize* (awarded annually for the best journal submission by a graduate student), Rutgers University (2002)
- *Graduate Student Teaching Award* (university-wide recognition awarded annually to selected individuals for outstanding teaching), Rutgers University (2001)
- *Richard Fluno Award* (awarded for the best senior thesis), Whitman College (1997)
- *Outstanding Junior Politics Major* (awarded to the best declared major), Whitman College (1996)

RESEARCH FUNDING

Research Grants (competitive):

- *Franz & Class of 1968 Fellowship* (\$4,000), Lehigh University (2007)
- *Franz & Class of 1968 Fellowship* (\$4,500), Lehigh University (2006)
- *Franz & Class of 1968 Fellowship* (\$4,000), Lehigh University (2005)

- *Faculty Research Grant*, Office of Research and Sponsored Programs (\$1,500), Lehigh University (2005)
- *Franz & Class of 1968 Fellowship* (\$4,000), Lehigh University (2004)
- *Faculty Research Grant*, Office of Research and Sponsored Programs (\$995), Lehigh University (2004)
- *Franz & Class of 1968 Fellowship* (\$4,000), Lehigh University (2003)
- *Graduate School Fellowship* (\$13,000), Rutgers University (2002–03)
- *Kneller Fund Research Grant* (\$500) (with Milton Heumann), Rutgers University (2002)
- *Kneller Fund Research Grant* (\$750) (with Milton Heumann), Rutgers University (2001)

Research Grants (non-competitive):

- *Frank Hook Professorship Research Grant* (\$8,000), Lehigh University (2007–2009)
- *Alice Evangelides Memorial Fund Research Grant* (\$1,000), Rutgers University (2001)
- *Dissertation Research Travel Support* (\$300), Associate Dean of Academic Affairs, The Graduate School, Rutgers University (2001)

Training Grants (non-competitive):

- *Program and Travel Support* (for attendance at the Consortium for Qualitative Research Methods, Arizona State University) (\$750), Department of Political Science, Rutgers University (2003)

Travel Grants (non-competitive):

- *President & Provost-funded Travel Support* (varying amounts), Lehigh University (2004–2011)

PRESENTATIONS

Invited

- “Law School—Now or Never?,” *Lawyers Without Borders*, Lehigh University (2011)
- “Philadelphia Lawyers,” *Research Symposium*, Department of Political Science, Lehigh University (2011)
- “The Judiciary and Ballot Initiatives,” *The Election of 2010: A Post-Mortem*, Department of Political Science, Lehigh University (2010)

- “Engaging Students,” *Teacher Development Program for Graduate Students*, Lehigh University (2009)
- “On the Arts & Sciences at Lehigh,” *Office of Admissions Presentation to High School Guidance Counselors*, Lehigh University (2005)
- “Why Voting Matters,” *Presidential Candidates Panel*, Lehigh University (2004)
- “Same Sex Marriage and the Constitution,” *Same Sex Marriage Panel*, Lehigh University (2004)
- “Debating the Presidential Debate,” Lehigh University (2004)
- Moderator: “USA PATRIOT Act Forum,” Palisades High School (2004)
- Moderator: “Open Political Debate,” Lehigh University (2004)
- “A Seat at the Table? Public Opinion and Voting Rights for Felony Offenders,” *Beyond the Sentence Symposium*, Fordham University Law School (2003)
- “Criminal Justice Cultures,” *Consortium for Qualitative Research*, Arizona State University (2003)
- “The Supreme Court and Freedom of Speech in the Electoral Process,” *Dean’s Advisory Council*, Rutgers University (2002)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Freedom of Speech in the Electoral Process,” DePaul University (2002)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Freedom of Speech in the Electoral Process,” University of Delaware (2002)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Freedom of Speech in the Electoral Process,” Lehigh University (2002)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Freedom of Speech in the Electoral Process,” University of Minnesota (2002)
- “Public Attitudes, Public Policy, and Felony Disenfranchisement,” *National Symposium on Felony Disenfranchisement*, Washington, D.C. (2002)
- “Social Science Teaching Assistants Answer Your Questions,” *New Teaching Assistant Orientation*, Rutgers University (2001)
- “Multiple Conceptions of Speech in Campaigns and Elections,” *Public Law Workshop*, Rutgers University (2001)

- “Freedom of Speech,” *Women’s Symposium*, Hadassah, Rutgers University (1999)
- “The 1st Amendment,” *Women’s Symposium*, Hadassah, Rutgers University (1999)
- Discussant: “Media Framing of the McDonald’s Case,” Michael McCann, *Emerging Trends*, Rutgers University (1999)

Refereed

- Discussant: “The American Carceral State,” *Annual Meeting of the New England Political Science Association*, Portland, Maine (2013)
- “Bounty Hunters: Pursuing Justice?,” *Annual Meeting of the New England Political Science Association*, Portland, Maine (2013)
- “Punitive Policies and American Politics,” *Annual Meeting of the Southern Political Science Association*, New Orleans, Louisiana (2011)
- “Discipline and Punish? (Self-) Policing the Profession of Law,” *Annual Meeting of the Southern Political Science Association*, New Orleans, Louisiana (2011)
- “Who Let (the) Dog Out?: The Origins of Bounty Hunting,” *Annual Meeting of the Western Political Science Association*, San Francisco, California (2010)
- “A Bitter Pill to Swallow: On Disciplining Physician Felons,” *Annual Meeting of the Law & Society Association*, Denver, Colorado (2009)
- “Outlawry: Origins, Development, Vestiges,” *Annual Meeting of the Law & Society Association*, Montreal, Canada (2008)
- “Can We Talk?: Seeking Engagement in Adversarial Settings,” *Annual Meeting of the American Political Science Association*, Philadelphia, PA (2006)
- “Professional Punishment: Issues and Implications of Discipline for Attorney Felony Offenders in New Jersey,” *Annual Meeting of the Northeastern Political Science Association*, Philadelphia, PA (2005)
- Discussant: “Democracy, Constitutionalism, and Administration,” *Annual Meeting of the Northeastern Political Science Association*, Philadelphia, PA (2005)
- “Invocations of Kafka in American Law: An Empirical Examination,” *Annual Meeting of the American Political Science Association*, Washington, D.C. (2005)
- Organizer and Chair: “Punishment in a Democracy,” *Annual Meeting of the Law & Society Association*, Las Vegas, NV (2005)

- “Barred from the Bar: The Process and Politics of Attorney Disciplinary Actions,” *Annual Meeting of the Law & Society Association*, Las Vegas, NV (2005)
- “The Focus Group Method: Observation—Interaction—Deliberation,” *Annual Meeting of the Law & Society Association*, Chicago, IL (2004)
- Organizer and Chair: “Interpretivism in Sociolegal Research: Prospects and Problems,” *Annual Meeting of the Law & Society Association*, Chicago, IL (2004)
- “Justice Discussed: Conceptions of Crime and Punishment in America,” *Annual Meeting of the Western Political Science Association*, Portland, OR (2004)
- “Beyond the Sentence: Public Perceptions of Collateral Consequences for Felony Offenders,” *Annual Meeting of the Northeastern Political Science Association*, Philadelphia, PA (2003)
- “The Supreme Court and the Evaluation of Electoral Speech Laws,” *Annual Meeting of the Northeastern Political Science Association*, Providence, RI (2002)
- “Barred from the Vote: Public Attitudes Toward the Disenfranchisement of Felons,” *Annual Meeting of the Northeastern Political Science Association*, Philadelphia, PA (2001)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Conceptions of Political Speech in the Electoral Process,” *Annual Meeting of the New England Political Science Association*, Portsmouth, NH (2001)
- “A Funny Thing Happened on the Way to the Market: The Supreme Court and Conceptions of Political Speech in the Electoral Process,” *Annual Meeting of the Western Political Science Association*, Las Vegas, NV (2001)

REFERENCES

Milton J. Heumann, PhD
Rutgers University
848.932.9265

Richard K. Matthews, PhD
Lehigh University
610.758.3339

Saladin Ambar, PhD
Eagleton Institute of Politics
Rutgers University
848.932.6778