JEDEDIAH PURDY

Professor of Law Duke University School of Law Towerview Road and Science Drive Durham, NC 27708 **Telephone:** (919) 613-7077

E-mail: purdy@law.duke.edu

EDUCATION

- J.D., Yale Law School, 2001
- B.A., *summa cum laude* in Social Studies Harvard College, 1997

EMPLOYMENT AND FELLOWSHIPS

- Visiting Professor, Tel Aviv University Law School (short course), spring 2012
- Visiting Professor, Virginia Law School (short course), spring 2012
- Archibald Cox Visiting Professor, Harvard Law School, spring 2010
- Visiting Professor, Yale Law School, 2008-09
- Associate Professor of Law, Duke Law School, 2007-09
- Assistant Professor of Law, Duke Law School, 2004-2007
- Visiting Assistant Professor, Harvard Law School, Spring 2007
- Fellow, Safra Center for Ethics, Kennedy School of Government, Harvard University, 2006-07
- Fellow, Berkman Center for Internet and Society, Harvard Law School, 2004
- Law Clerk, Hon. Pierre N. Leval, Second Circuit Court of Appeal, 2002-2003
- Fellow, New America Foundation, 2001-2002
- Summer Associate, Paul, Weiss, Rifkind, Wharton, and Garrison, 2002
- Summer Associate, Natural Resources Defense Council, 2000
- Writing Fellow, American Prospect, 1997-1998

BOOKS

- The American Environmental Imagination (under contract, Harvard University Press)
- The Meaning of Property: Freedom, Community, and the Legal Imagination (2010) (Yale University Press)
- A Tolerable Anarchy: Rebels, Reactionaries, and the Making of American Freedom (2009) (Knopf)
- Democratic Vistas: Reflections on the Life of American Democracy (editor) (2004) (Yale University Press)
- Being America: Liberty, Commerce, and Violence in an American World (2003) (Knopf)
- For Common Things: Irony, Trust, and Commitment in America Today (1999) (Knopf)

ARTICLES, BOOK CHAPTERS, REVIEWS, AND ESSAYS

- "Our Place in the World: A New Relationship for Environmental Law and Ethics," accepted for publication by the *Duke Law Journal*
- "The Liberty of Free Riders: Mill's 'Harm Principle' and the Minimum Care Provision" (with Neil S. Siegel), accepted for publication in the *American Journal of Law & Medicine*
- "American Natures: The Shape of Conflict in Environmental Law," accepted for publication by the *Harvard Environmental Law Review*
- "A Foxy Hedgehog: The Consistent Perceptions of Carol Rose," 19 William & Mary Bill of Rights Journal (2010)
- "The Politics of Nature: Environmental Law, Democracy, and Climate Change," 119 *Yale Law Journal* 1122 (2010)
- •"What Has to Change for Forests to Be Saved? A Precedent from U.S. History," *Duke Journal of Comparative and International Law* (2009)
- "Some Questions about the Social Obligation Norm in Property," *Cornell Law Review* (2009)
- "Corn Futures: Consumer Politics, Health, and Climate Change" (with James Salzman), *Environmental Law Reporter* (2008)
- "Presidential Popular Constitutionalism," Fordham Law Review (2009)
- "Climate Change and the Limits of the Possible," *Duke Environmental Law and Policy Forum* (2008)
- "Presidential Language and the Constitutional Community," chapter in *Law and Democracy in the Empire of Force* (James B. White and H. Jefferson Powell, eds.) (U. Mich. Press, 2009)
- "The Private-Law Origins of Sovereign Power: Trusteeship, Agency, and Wardship" (with Kimberly Fielding), 70 *Law & Contemporary Problems* 137 (2007)
- "People as Resources: Recruitment and Reciprocity in the Freedom-Promoting Approach to Property," 56 *Duke Law Journal* 1047 (2007)
- "Property and Empire: Conquest, Expropriation, and the Law of Colonialism," 75 George Washington Law Review 1701 (2007)
- "The New Biopolitics: Demography, Autonomy, and Nationhood," 2006 Brigham Young University Law Review 889 (2006)
- "The Promise (and Limits) of Neuroeconomics," 58 *Alabama Law Review* 1 (2006)
- "Completing the Civilizing Argument" (Comment on Carol Rose's 2005 Childress Lecture), 50 *St. Louis University Law Review* 735 (2006)
- "The American Transformation of Waste Doctrine: A Pluralist Interpretation," 91 *Cornell Law Review* 563 (2006)
- "The Limits of Courage and Principle" (review of Michael Ignatieff's *The Lesser Evil: Political Ethics in an Age of Terror*), 104 *Michigan Law Review* 1501 (2006)
- "A Freedom-Promoting Approach to Property: A Revived Tradition for

New Debates," 72 University of Chicago Law Review1237 (2005).

- "The Ethics of Empire, Again," 93 California Law Review 1773 (2005)
- "A World of Passions: How to Think About Globalization Now," *Indiana Journal of Global Legal Studies* (Summer 2004)
- "Liberal Empire: Assessing the Arguments," *Ethics and International Affairs* Vol. 17, No. 2 (2003); *reprinted* in *Global Institutions and Responsibilities* (Christian Barry and Thomas Pogge, eds.) (Blackwell Press 2005)
- "The Values of the Market" (book review), *Ethics and International Affairs* Vol. 16, No. 2 (2002)

COURSES

- Constitutional Law, Duke Law School, Spring & Fall 2011
- The Conversation of Law & History (with Laura Edwards, Duke History Department), 2011-12
- Faces of the Law (with Dean David Levi, Duke Law School, and Richard Brodhead, President of Duke University), fall 2011
- The Occupy Movement (with Michael Hardt, Duke Literature Department), Franklin Humanities Institute working group, Spring 2012
- Natural Resources Law and Policy, Yale Law School, fall 2008, Harvard, Spring 2010, Duke, Fall 2010
- Sources of Environmental Law, Yale Law School, spring 2009, Harvard, Spring 2010
- Climate Change and the Law, Duke Law School, 2007-08
- Property, Duke Law School, spring 2005 and 2006, fall 2007 and 2009, Yale Law School, spring 2009
- Property and Constitutional Order, Duke Law School, fall 2005 and 2007, Harvard Law School, spring 2007
- Environmental Ethics, Duke Law School Readings in Ethics, 2007-08
- Worlds Without Law, Duke Law School Readings in Ethics, 2005-06
- Law in an Unjust World, Duke Law School Readings in Ethics, 2004-05
- Environmental Law: History, Politics, Culture, Yale Law School and School of Forestry, spring 2000
- Environmental Politics and Policy, Century Foundation Summer Institute, Williams College, summer 1999

LECTURES AND PRESENTATIONS

- "Environmental Law & Ethics, Virginia Law School faculty workshop, March 2012
- "Environmental Law and Ethics," Berkeley Law School faculty workshop, March 2012
- Presenter, Plenary Panel on Food and Fuel, Duke/UNC Shared Tables conference on food studies, February 2012.
- "Understanding the Occupy Movement," Duke Law School (ACLU-sponsored lecture), February 2012
- "Food and Land in American Environmental Thought" (guest lecture in university-wide course on food and culture), February 2012
- "American Natures," Cornell Law School faculty workshop, November 2011 (canceled

because of weather)

- "American Natures," UCLA seminar on environmental scholarship (Ann Carlson, instructor), October 2011
- Presenter, New Directions in Environmental Law, Yale Law School, April 2011
- Presenter, discussion of Hanoch Dagan's <u>Property: Values and Institutions</u>, Association for Law, Property, and Society, March 2011
- Presenter, Women's, Feminist, and Gender History (UNC/Duke working group), "Feminist Pedagogy in Legal Education," March 2011
- Presenter, White Center Annual Conference on Constitutional Law, Colorado Law School and Univ. of Denver Law School, January 2011
- "American Natures," Georgetown Law Center Faculty Workshop, October 2010
- "American Natures," UCLA Law School Faculty Workshop, October 2010
- Presenter, Brigham-Kanner Property Rights Conference (in honor of Carol M. Rose), William & Mary Law School, September 2010
- Co-organizer and Presenter, New Thinking on Climate Change, CU Boulder, August 2010
- "What Are the Norms Underlying the Financial Crisis?" Lunchtime (plenary speaker) address, AALS mid-year section on Property, June 2010
- "The Politics of Nature," Columbia Law School Legal Theory Workshop, April 2010
- "The Politics of Nature," Harvard Law School Faculty Workshop, March 2010
- Presenter, New Thinking on Climate Change, CU Boulder, June 2009
- Presenter, Property Works in Progress, CU Boulder, August 2009
- Plenary Panel, Hofstra Law School conference on climate, March 2009
- Presenter, Brown University Political Theory Workshop, April 2009
- "The Politics of Nature," Yale Law School Faculty Workshop, March 2009
- "American Earth: Environmental Public Language," University of Connecticut Law School faculty workshop, winter 2009
- "American Forest Conservation and Global Forests," Duke Law School symposium on "Local Property and Global Justice," winter 2009
- "The First Public Domain," Opposites of Property conference, Duke Law School, winter 2009
- "Property as a Liberal Integrating Institution," University of Virginia faculty workshop, fall 2008
- "Robert Cover's *Nomos and Narrative*," Colorado University faculty workshop summer series, Summer 2008
- "Climate Change: Political Limits and Possibilities," Duke Environmental Law and Policy Forum on Climate Change, Fall 2007
- "Endogenous Preferences, Institutional Design, and Freedom," Duke Law Faculty Workshop, Fall 2007
- "Contexts, Choices, and Values: Freedom and Institutional Design," UC Hastings Law School, April 18, 2007
- "Some Chords of Freedom," Conference on "Law and Democracy in the Empire of Force," University of Michigan Law School, April 13, 2007
- "Property and Empire: Rereading *Johnson v. M"intosh*, Harvard Law School History Colloquium, April 12, 2007
- "American Freedoms: Presentation of a manuscript in progress," New

America Foundation, January 2007

- "Private-Law Concepts in the Theory of Sovereignty," University of North Carolina Law School, March 2006
- "Reign of Witches? Constitutionalism and the Politics of Fear," Yale Club of New York City, January 2006
- "American Culture and World Politics," SAIS Conference on Trans-Atlantic Relations, Austin, TX, November 2005
- "People as Property: On Being a Resource and a Person," faculty workshop, University of Georgia Law School, November 2005
- Panelist, "The Future of the Supreme Court," Sanford Institute of Public Policy, Duke University, October 2005
- Respondent, Carol Rose's "Privatization The Road to Democracy?" St. Louis University Law School, September 2005.
- "Is There a Moral Center in America?" New America Foundation annual conference, Berkeley, CA, June 2005
- "People as Resources, People as Ends: Recruitment and the Law of Property," Future of Political Economy Seminar, United Nations Development Program, New York City, June 2005
- "Why We Get the Politics We Get," New America Foundation/*Atlantic Monthly* forum on "The Real State of the Union," Washington, DC, February 2005
- Panelist, "What the Election Meant," Sarah Lawrence College, February 2005
- Introducer and moderator, premiere of Gore Vidal's *On the March to the Sea*, Reynolds Theater, Duke University, February 2005
- Panelist, "What Will the Election Mean?" Fuqua School of Business, Duke University, October 2004
- "Modern Values in Postmodern Conditions," German Marshall Fund/Bertelsmann Foundation Conference on Trans-Atlantic Relations, Tremezzo, Italy, October 2004
- "A Freedom-Oriented Approach to Property," Future of Political Economy Working Group, Barnard College, Columbia University, October 2004
- "Why America Must Not Fail (and How It Might)," American Studies Program, Bonn University, Bonn, Germany, June 2004
- "Being New York," keynote address, Biennale Bonn cultural festival, Bonn, Germany, June 2004
- "The Social Evaluation of Technology: The Standpoint of Freedom," Berkman Center on Internet and Society, Harvard University, May 2004
- "Social Interventions into Human Nature: The Case of Property," Future of Political Economy Working Group, Barnard College, Columbia University, March 2004
- Comment, Noah Feldman's "Nation-Building: Objectives," Conference on Justice After War, Carnegie Council on Ethics and International Affairs, New York, April 2004
- "Being America: How U.S. Foreign Policy and Consumer Culture Affect

Other Societies," New America Foundation, Washington, D.C., March 2003

- Panelist, "Is There a Trans-Atlantic Divide?" Aspen Institute, Berlin, Germany, November 2002
- Panelist, "Where Is America Going?" Bucerius Law School and *Die Zeit*, Hamburg, Germany, November 2002
- Panelist, "Globalization and Justice," American Public Health Association, Philadelphia, November 2002
- "Why We Need Politics," commencement address, La Sierra University, Riverside, CA, June 2001
- "Irony and Politics," Emory University Center on Ethics, February 2001.
- "Burke, Tocqueville, Emerson, and Democracy," Emory University Center on Ethics, February 2001

ESSAYS AND REVIEWS

- Various essays in *The Huffington Post*, available at http://www.huffingtonpost.com/jedediah-purdy
- "Two American Populisms," The American Review, spring 2012
- "The Roberts Court v. America," *Democracy*, winter 2012
- "A Tolerable Anarchy: The Playlist," *Drunken Boat* 13 (March 2011)
- "The Coast of Utopia" (review of William Goetzmann's *Beyond the Revolution*), *New York Times Book Review* (Feb. 22, 2009)
- "Community in Barack Obama's America," Democracy, fall 2008
- "Making the Personal Political," *The Guardian* (March 22, 2008)
- "What Realignment Sounds Like," The Guardian (Jan. 30, 2008)
- "Sweet Spot," The Guardian (Jan. 7, 2008)
- "Will the Real Candidate Please Stand up?" *The Guardian* (Dec. 11, 2007)
- "Intellectual Climate Change" *The Guardian* (Nov. 20, 2007)
- "Drowning in Lawyers," *The Guardian* (Oct. 30, 2007)
- "Can't Talk the Talk," The Guardian (Oct. 25, 2007)
- "The New Open Society," review of Yochai Benkler's Wealth of Networks and Cass Sunstein's Infotopia, The American Prospect, October 2006
- "September 11, Five Years After," Die Zeit, September 2006
- "A Legacy of Wasted Chances," *The Charleston (WV) Gazette*, September 2006
- "The New Biopolitics," *Democracy*, Summer 2006
- "Democracy and Disaster," Die Zeit, September 2005
- "A Way in the World," Duke Alumni Magazine, Spring 2005
- "Neoliberalism at Home," La Vanguardia, January 2005
- "Where Do Progressives Go Now?" The Principles Project, January 2005
- "Democrats After the Election," Die Welt, November 2004
- "American Eating, American Politics," Die Zeit, October 2004
- "Questions for President Bush" (contributor), New York Times op-ed page, October 8, 2004
- "Democratic Conscience, Democratic Sense," *La Vanguardia*, October 2004

- "Kerry's Dilemma," La Vanguardia, October 2004
- "A Vote for Kerry Is a Vote for the American Dream," *Charleston Gazette*, October 2004
- "Freedom's Next Fight," review of Lawrence Lessig's *Free Culture*, *American Prospect*, June 2004
- "Suspicious Minds," The Atlantic Monthly, February 2003
- "The Young American," Esquire, December 2002
- "Civilization of Violence?" Die Zeit, August 2002
- "The Pure Heart," Die Zeit, February 2002
- "The Way We Say Goodnight," Shout, September 2001
- "After Innocence," Die Zeit, September 2001
- "The Universal Nation," Prospect (U.K.), October 2001
- "Gary Condit's Strong, Silent Act," *New York Times* op-ed page, August 26, 2001
- "Us and Them," Die Zeit, August 2001
- "So Sue Me" (review of Philip K. Howard's Lost Art of Drawing the Line) New York Times Book Review, April 22, 2001
- "Once Again, America Needs to Believe in Its Courts," *New York Times* op-ed page, November 26, 2000
- "America's Crisis of Legitimacy," Die Zeit, November 2000
- "How to Go to the Polls Twice," *New York Times* op-ed page, November 3, 2000
- "Planet Bush, Planet Gore," American Prospect, November 2000
- "The Dilemma of Irony," Die Zeit, August 2000
- "The Politics of Adulthood," New York Times op-ed page, August 9, 2000
- "Shades of Green," American Prospect, January 2000
- "After Apathy," American Prospect, December 1999
- "The New Culture of Rural America," *American Prospect*, December 1999
- "A Holiday that Plays to Our Strengths," *New York Times* op-ed page, November 25, 1999
- "If Only Wishing Made It So," American Prospect, May 1999
- "From Purity to Politics," American Prospect, January 1999
- "The Rape of the Appalachians," American Prospect, November 1998
- "The Age of Irony," American Prospect, July 1998
- "Wendell Berry: An Appreciation," Boston Book Review, July 1998
- "Dolly and Madison," American Prospect, May 1998
- "The God of the Digerati," American Prospect, March 1998
- "The Chicago Acid Bath," American Prospect, January 1998
- "The Libertarian Conceit," American Prospect, November 1997

HONORS

- Duke Bar Association (student government) distinguished teaching award, 2008.
- Hoopes Prize, Alexis de Tocqueville Prize, and prize for outstanding thesis in social sciences for *Essays in Flesh and Bone: Montaigne*

and Liberal Moral Consciousness, 1997

- Junior Phi Beta Kappa, Harvard College, 1996
- Harry S. Truman scholarship, 1996
- Detur Prize (top 3% of first-year class, Harvard College), 1994

PROFESSIONAL ACTIVITIES AND ASSOCIATIONS

- Member, New York Bar
- Contributing Editor, The American Prospect
- Reviewer, Yale University Press, Harvard University Press

SUBSTANTIAL INSTITUTIONAL SERVICE

• Member, Entry-level appointments committee, Duke Law School, 2009-10, 2010-11

MEDIA APPEARANCES

- Appeared on *Morning Edition*, *The Connection*, *Talk of the Nation*, *The Diane Rehm Show*, and as a commentator on *Morning Edition*, among others.
- Profiled in *New York Times Magazine*, *Washington Post* Style Section, *Boston Globe*, *Time*, *Salon*, and *Glamour*, among others.
- Books reviewed in *New York Times Book Review*, *Washington Post*, *Los Angeles Times*, *New York Review of Books*, *Foreign Affairs*, and *Harper's*, among others.
- Designated one of *Esquire*'s "Best and Brightest Young Americans" (2003) and a "hipster celebrity" by *Harper's* (2006). (*Harper's* was being a little ironic.)