

**Benjamin Eidelson**  
Harvard Law School  
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## **Employment**

Harvard Law School

Assistant Professor of Law, July 2019–

Jenner & Block LLP

Associate (Appellate and Supreme Court Practice), 2015–2016, 2017–2019

Supreme Court of the United States

Law Clerk to Justice Elena Kagan, 2016–2017

U.S. Court of Appeals for the D.C. Circuit

Law Clerk to Chief Judge Merrick B. Garland, 2014–2015

## **Education**

Yale Law School, J.D. (2014)

*Yale Law Journal*, Editor-in-Chief

Supreme Court Advocacy Clinic, Student Director

Felix S. Cohen Prize for Best Paper in Philosophy of Law

Colby Townsend Prize For Best Paper By A Second-Year Student

Michael Egger Prize For Best Student Note On Current Social Problems

Judge William Miller Prize For Best Paper Concerning the Bill of Rights

**University of Oxford**, D.Phil. (2011) and B.Phil. (2010), Philosophy

Rhodes Scholarship

Gilbert Ryle Prize

Dissertation: *What Is Discrimination and When Is It Wrong?*

Committee: John Broome and Cecile Fabre (supervisors); John Gardner and  
Kasper Lippert-Rasmussen (examiners)

B.Phil. Subjects: Moral Philosophy; Philosophy of Law; Wittgenstein

**Yale College**, B.A., *summa cum laude* (2008)

Departmental Distinction in Philosophy and in Political Science

Alpheus Henry Snow Prize

Hart Lyman Prize

E. Frances Riggs Memorial Prize  
J. Edward Meeker Prize  
Phi Beta Kappa

## **Publications**

*Respect, Individualism, and Colorblindness*, 129 YALE L.J. \_\_\_\_ (forthcoming 2020)

[\*Book Review: Discrimination as Stigma\*](#), 128 ETHICS 678 (2018)

[DISCRIMINATION AND DISRESPECT](#) (Oxford University Press 2015)

Reviewed in *Ethical Theory and Moral Practice* ([20:451-54](#)); *Ethics* ([128:240-45](#));  
*Australasian Journal of Philosophy* ([95:622](#)); and *Political Studies Review* ([15:616](#))

[\*Treating People as Individuals\*](#), in PHILOSOPHICAL FOUNDATIONS OF DISCRIMINATION LAW  
(Oxford University Press 2013, Deborah Hellman and Sophia Moreau eds.)

[\*The Majoritarian Filibuster\*](#), 122 YALE L.J. 980 (2013) (Note)

[\*Kidney Allocation and the Limits of the Age Discrimination Act\*](#), 122 YALE L.J. 1635  
(2013) (Comment)

[\*A Penumbra Overlooked: The Free Exercise Clause and Lawrence v. Texas\*](#), 30 HARV. J.  
L. & GENDER 203 (2007) (Note)

## **Presentations**

“Respect, Individualism, and Colorblindness” (scheduled November 2019)  
University of Toronto, Symposium on Discrimination and Subordination

“Discrimination” (2018)  
Cornell Law School  
Invited guest lecturer for day of Professor Andrei Marmor’s seminar discussing “Treating  
People as Individuals”

“The Supreme Court’s 2016 Term” (2017)  
Harvard Law School  
Invited co-teacher for one day of weeklong seminar with Justice Elena Kagan

“Discrimination Theory” (2017)

University of Virginia School of Law

Invited guest lecturer for day of Professor Deborah Hellman’s seminar discussing  
*Discrimination and Disrespect*

“Theory of Indirect Discrimination Workshop” (2016)

University of Oxford, Law Faculty

Invited discussant for paper on racial profiling

“What Is Indirect Discrimination?” (2011)

University of Oxford, Jurisprudence Discussion Group

Presented in-progress version of chapter 2 of *Discrimination and Disrespect*

“Profiles and Suspect Descriptions” (2011)

University of Oxford, Applied Ethics Discussion Group

Presented in-progress version of chapter 6 of *Discrimination and Disrespect*

### **Academic Service**

Peer reviewer for Oxford University Press, Routledge, *Ethics, Legal Theory, Public Affairs Quarterly, Analysis, and Modern Law Review*.

### **Bar Admissions**

Supreme Court of the United States (2019)

U.S. Court of Appeals for the Second Circuit (2018)

U.S. Court of Appeals for the Fifth Circuit (2018)

U.S. Court of Appeals for the Seventh Circuit (2018)

U.S. Court of Appeals for the D.C. Circuit (2015)

U.S. District Court for the District of Columbia (2017)

District of Columbia (2016)

Maryland (2014)