

SHERIF GIRGIS
1118 Eck Hall of Law, Notre Dame, IN 46556
574.631.7834 | sgirgis2@nd.edu

ACADEMIC APPOINTMENTS

Harvard Law School, William J. Friedman and Alicia Townsend Friedman Visiting Professor of Law, spring 2026

Notre Dame Law School, Professor of Law, 2025–present

Associate Professor of Law, 2021–2025

Courses Taught: Constitutional Law II (rights), Jurisprudence, Criminal Law

American Academy of Sciences & Letters, Elected Member, 2025–present

EDUCATION

Princeton University, Ph.D. (philosophy), expected 2026

Yale Law School, J.D., 2016

Yale Law Journal, Editor

Felix S. Cohen Prize for best paper in legal philosophy, 2013

University of Oxford, B.Phil. (philosophy), 2010

Rhodes Scholarship

Princeton University, A.B. (philosophy), 2008

Phi Beta Kappa, *summa cum laude*

Class of 1869 and McCosh Prizes for best thesis in ethics and best thesis in philosophy

CLERKSHIPS & LEGAL PRACTICE

Jones Day, Associate in Issues & Appeals Practice Group, Washington, D.C., 2020–21

Supreme Court of the United States, Law Clerk to Justice Samuel A. Alito, Jr., 2018–19

U.S. Court of Appeals for the D.C. Circuit, Law Clerk to Judge Thomas B. Griffith, 2016–17

LAW JOURNAL PUBLICATIONS

The Point of Constitutional Theory, 114 CAL. L. REV. (forthcoming 2026) (Jorde Symposium)

Originalism's Difference?, 77 FLA. L. REV. (forthcoming 2025) (invited Dunwoody Lecture)

Abuses of History in Constitutional Interpretation, 173 U. PENN. L. REV. 1995 (2025) (Symposium on JACK BALKIN, MEMORY AND AUTHORITY: THE USES OF HISTORY IN CONSTITUTIONAL INTERPRETATION (2024))

Unfinished Liberties, Inevitable Balancing, 125 COLUM. L. REV. 531 (2025)

Originalism's Age of Ironies, 138 HARV. L. REV. F. 1 (2024)

Living Traditionalism, 98 N.Y.U. L. REV. 1477 (2023) (quoted and cited in *United States v. Rahimi*, 144 S. Ct. 1889, 1916 n.4, 1918 (2024) (Kavanaugh, J., concurring))

Defining "Substantial Burdens" on Religion and Other Liberties, 108 VA. L. REV. 1759 (2022)

Fragility, Not Superiority? Assessing the Fairness of Special Religious Protections, 171 U. PENN. L. REV. 147 (2022)

Misreading and Transforming Casey for Dobbs, 20 GEO. J. L. & PUB. POL'Y 331 (2022)

Update: Why the Equal-Protection Case for Abortion Rights Rises or Falls with Roe's Rationale, 17 HARV. J.L. & PUB. POL'Y PER CURIAM 1 (2022)

Nervous Victors, Illiberal Measures: A Response to Douglas NeJaime and Reva Siegel, 125 YALE L.J. F. 399 (2016)

Windsor: Lochnerizing on Marriage?, 64 CASE W. RES. L. REV. 971 (2014)

The Mens Rea of Accomplice Liability: Supporting Intentions, 123 YALE L.J. 460 (2013) (Note)

How the Law School Can Succeed—An Invitation, 37 HARV. J.L. & PUB. POL'Y 187 (2013)

What Is Marriage?, with R. P. George & R. T. Anderson, 34 HARV. J.L. & PUB. POL'Y 245 (2010) (revised and expanded into WHAT IS MARRIAGE? MAN AND WOMAN: A DEFENSE (2012), cited in dissent in *United States v. Windsor*, 570 U.S. 744 (2013))

CASEBOOKS

CHOPER, DORF, FALLON, GIRGIS, & SCHAUER, CONSTITUTIONAL LAW: CASES, COMMENTS, AND QUESTIONS (15th ed. forthcoming 2027)

GIRGIS, SCHAUER, & CHOPER, THE FIRST AMENDMENT: CASES, COMMENTS, QUESTIONS (9th ed. forthcoming 2027)

OTHER WRITINGS IN LAW & LEGAL THEORY

Two Obstacles to (Merely) Chipping Away at Roe in Dobbs (Aug. 19, 2021) (unpublished manuscript), <https://ssrn.com/abstract=3907787> (cited in partial dissent in *Memphis Center for Reproductive Health v. Slatery*, 14 F.4th 409 (2021))

A Philosophy of Civil Rights and Liberties, with Robert P. George, in CAMBRIDGE COMPANION TO THE PHILOSOPHY OF LAW (John Tasioulas ed., Cambridge University Press, 2020)

Dissenting Opinion, with Robert P. George, in WHAT OBERGEFELL V. HODGES SHOULD HAVE SAID (Jack Balkin ed., Yale University Press, forthcoming 2020)

DEBATING RELIGIOUS LIBERTY AND DISCRIMINATION, point/counterpoint with Ryan T. Anderson & John Corvino (Oxford University Press, 2017) (Reviewed in *Notre Dame Phil. Review* (Sept. 1, 2018); *Cleveland State Law Review* (67:141-172); *Faith & Philosophy* (35:491-497); *Journal of Law & Religion* (32:369-373))

Review: American Constitutionalism, Marriage, and the Family, 6 AM. POL. THOUGHT 681 (2017)

PUBLICATIONS IN PHILOSOPHY

Religious Exemptions, with Ryan T. Anderson, in ETHICS, LEFT AND RIGHT: THE MORAL ISSUES THAT DIVIDE US (Bob Fischer ed., Oxford University Press, 2020)

The Wrongfulness of Any Intent to Kill, 19 NAT'L CATH. BIOETH. Q. 221 (2019)

Subjectivity Without Subjectivism: A Defense of Objectivity in Ethics, in SUBJECTIVITY: ANCIENT AND MODERN (R.J. Snell and Steven McGuire eds., Rowman & Littlefield, 2016)

Whose Justice? Which Diversity? in JUSTICE THROUGH DIVERSITY?: A PHILOSOPHICAL AND THEOLOGICAL DEBATE (ed. Michael J. Sweeney, Rowman & Littlefield, 2016)

Equality and Moral Worth in Natural-Law Ethics and Beyond, 59 AM. J. JURIS. 143 (2014)

Making Sense of Marriage, in CONTEMPORARY DEBATES IN APPLIED ETHICS, 2ND ED. (eds. Andrew I. Cohen and Christopher Heath Wellman, Wiley-Blackwell, 2013)

SELECT CONFERENCES & PRESENTATIONS

- 2026 Edwin Meese III Originalism Lecture* (invited), Heritage Foundation, Washington, D.C., March 2026
- 2026 National Conference of Constitutional Law Scholars* (invited distinguished commentator), Rehnquist Center, University of Arizona James E. Rogers College of Law, March 2026
- 2026 Jorde Symposium* (invited commentator), Brennan Center for Justice, NYU School of Law, February 2026
- Fixing History and Tradition* (presenter), Public Law Workshop, Harvard Law School, February 2026
- Fixing History and Tradition* (speaker), Notre Dame Law School Faculty Colloquium, December 2025
- Fixing History and Tradition* (speaker), Fordham Law School Faculty Colloquium, November 2025
- Levels of Generality in Constitutional Law* (presenter), Oxford-Notre Dame Public Law Theory Workshop, London, UK, October 2025
- History, Tradition, and Levels of Generality* (presenter), Law & Philosophy Workshop, Harvard Law School, October 2025
- 2025 Dunwoody Lecture: Originalism's Difference?* (invited), *Florida Law Review*, University of Florida Levin College of Law, April 2025
- Balancing Constitutional Liberties (Workshop Speaker Selected from Pool of Submissions)*. Originalism Works-in-Progress Conference, Center for the Study of Constitutional Originalism, University of San Diego School of Law, February 2025
- Symposium on JACK BALKIN, MEMORY AND AUTHORITY: THE USES OF HISTORY IN CONSTITUTIONAL INTERPRETATION (2024)* (Speaker). *University of Pennsylvania Law Review*, University of Pennsylvania, November 2024
- Parity and Incommensurability of Values (Speaker)*, Natural Law Theory and Analytic Thomism: Sources and Future Directions, Politics Department, Princeton University, November 2024
- Balancing Constitutional Liberties (Workshop Speaker)*. Legal Theory Workshop, University of Virginia School of Law, November 2024
- Models of Constraint (Symposium Speaker)*, Symposium on TIMOTHY ENDICOTT, ET AL. (eds.), PHILOSOPHICAL FOUNDATIONS OF PRECEDENT (2023), University of Notre Dame, October 2024
- Balancing Constitutional Liberties (Colloquium Speaker)*. BYU Law School, October 2024
- Balancing Constitutional Liberties (Workshop Speaker)*. Public Law Workshop, University of Chicago Law School, October 2024
- Artistic Expression and the First Amendment (Guest Lecturer)*. Seminar of Profs. Michael Dorf and Nelson Tebbe, Cornell Law School, September 2024
- The Doors Dobbs Opened (Panelist)*. Judicial Conference of the U.S. Court of Appeals for the Ninth Circuit, July 2024
- Living Traditionalism (Colloquium Speaker)*. Center for the Study of Constitutional Originalism, University of San Diego School of Law, April 2024
- Balancing Constitutional Liberties (Colloquium Presentation)*. Nootbaar Fellows Workshop, Pepperdine Caruso School of Law (virtual), April 2024
- Constitutions, Elections, and Procedure: (How) Can We Change How We Separate Powers?* National Student Symposium, Federalist Society, Harvard Law School, March 2024
- Artistic Expression, Antidiscrimination, and the First Amendment (Guest Lecturer)*. Sexuality, Gender, and the Law Seminar of Prof. Bill Eskridge and Christopher Riano, Yale Law School, March 2024

- Recent Constitutional Cases in Family Law (Guest Lecturer)*. Advanced Family Law Seminar of Prof. Marc Spindelman, Moritz College of Law, Ohio State University, March 2024
- Select Issues in Jurisprudence: A Seven-Seminar Series (Lecturer)*. Scalia Law School, Fall 2023
- History, Tradition, and Analogical Reasoning: Notre Dame Law Review & Duke Center for Firearms Law Symposium (Moderator)*. Notre Dame Law School, November 2023
- A Conversation with Justice Elena Kagan (Interviewer)*. Notre Dame Law School, September 2023
- Living Traditionalism (Colloquium Speaker)*. Legal Theory Workshop, Yale Law School, September 2023
- The Supreme Court's Traditionalism Turn: Antonin Scalia Constitution Day Lecture*. James Madison Program, Princeton University, September 2023
- Salmon P. Chase Distinguished Colloquium (Participant)*. Georgetown Center for the Constitution, Georgetown University Law Center, September 2023
- Current Issues in Law, Faith, and Religion (Colloquium Speaker)*. Pepperdine Caruso School of Law, August 2023
- The Modern History of Originalism (Panelist)*. National Constitution Center (virtual), August 2023
- Freedom, Equality, Religion (Panelist)*. Nuffield College, University of Oxford, June 2023
- Text and (What Kind of) History? (Panelist)*. Constitutional Law Center, Stanford Law School, May 2023
- The Age of Roe: The Past, Present, and Future of Abortion in America (Panelist)*. Harvard Radcliffe Institute, Harvard University, January 2023
- Dobbs, Roe, Casey, and the Rule of Law (Panelist)*. National Lawyers Convention, Federalist Society, November 2022
- American Culture on Appeal: 303 Creative v. Elenis (Panelist, with David Cole and Kristen Waggoner)*. Alliance Defending Freedom, National Archives Building, October 2022
- Constitutional Law After Dobbs: Constitution Day Lecture*. Calvin University, September 2022
- Natural Law and Original Meaning (Panelist)*. Catholic Law School Project on Constitutional Originalism and the Catholic Intellectual Tradition, September 2022
- Fragility, Not Superiority? Assessing the Fairness of Special Religious Protections (Colloquium Presentation)*. Nootbaar Workshop, Pepperdine Caruso School of Law (virtual), August 2022
- Beyond Roe and Dobbs: Understanding the New Reproductive Rights Landscape (Panelist, with Prof. Melissa Murray) and Is the Weakest Branch Becoming the Most Dangerous (Panelist, with Prof. Melissa Murray and Neal Katyal)*. Aspen Institute Ideas Festival, June 2022
- Defining "Substantial Burdens" on Religion and Other Liberties (Workshop Presentation)*. Yale Law School Free Exercise Clinic Speaker Series, April 2022
- Justice and Redemption*. Conference on Wrongdoing and Redemption, Notre Dame Law School, September 2019
- Annual Conference on Themes in Neo-Classical Natural Law Theories (Presenter)*. Politics Department, Princeton University: Fall 2018; Fall 2017; Spring 2015; Spring 2012; Fall 2010
- The Nature and Scope of Human Rights*. Vita Institute, University of Notre Dame, June 2018
- Conference on Law, Religion, and Complicity (Panel Chair)*. University Center for Human Values, Princeton University, May 2018
- Symposium on Civil Liberties (Panelist)*. Center for the Study of Institutions and Innovation, University of Wisconsin-Stout, April 2018

Symposium on Publication of DEBATING RELIGIOUS LIBERTY AND DISCRIMINATION (*Discussant*).

Politics Department, Princeton University, May 2018

What Are Natural Rights? (*Panelist*). Tocqueville Forum, hosted at New York University, April 2017

The Challenges of Public Accommodations (*Panelist*). Conference on Faith, Sexuality, and the Meaning of Freedom, Yale Law School, January 2017

What Obergefell Should Have Said (*Panelist*). Yale Law School, April 2016

Proportionality in Legal Analysis. Legal Theory Seminar, Yale Law School, April 2016

Symposium on Marriage in a Liberal Democracy (*Keynote with Elizabeth Brake*). Philosophy Department, California State University Sacramento, April 2016

Workshop on Antidiscrimination Law (*Discussant*). Center for Values and Social Policy, Philosophy Department, University of Colorado Boulder, October 2015

Religious Liberty and Free Speech. Center for Values and Social Policy, Philosophy Department, University of Colorado Boulder, October 2015

Subjectivity Without Subjectivism: A Defense of Objectivity in Ethics. Conference on Subjectivity: Ancient and Modern, Eastern University, September 2014

Equality in Neo-Aristotelian Thought. Conference on the Scholarship of John Finnis, Politics Department, Princeton University, March 2014

Rival Theories of Embodiment and Marriage (*Keynote Address*). Center for Ethics and Culture, University of Notre Dame, November 2013

The Supreme Court's Treatment of Same-Sex Marriage in United States v. Windsor and Hollingsworth v. Perry: Analysis and Implications (*Panelist*). *Case Western Reserve Law Review* Symposium, Case Western Reserve Law School, October 2013

Accomplice Liability. YALE LAW JOURNAL Workshop Series, Yale Law School, April 2013

Rawlsian Liberalism (*Visiting Lecturer*). Social and Political Philosophy (Prof. Nathan Schlueter), Hillsdale College, February 2013

The Case for Religious Freedom. Conference on Freedoms of Religion and Conscience, Witherspoon Institute, hosted at Princeton Theological Seminary, May 2011

Human Equality: Its Meaning and Basis. Symposium: Equality, Freedom of Conscience, and the Common Good, London, U.K., March 2011

The Case for Inclusive Legal Positivism. Oxford Jurisprudence Discussion Group, University of Oxford, January 2010

ACADEMIC CONFERENCES & WORKSHOPS ORGANIZED AND OTHER SERVICE

Appointments Subcommittee, Notre Dame Law School, 2025–present

Chair-Elect, American Association of Law Schools – Law & Religion Section, 2025–26

Program Committee Chair, American Association of Law Schools – Law & Religion Section, 2024–25

Faculty Advisor, Middle Eastern Law Students Association, Notre Dame Law School, 2023–present

Member, Notre Dame Law School Human Rights Program Admissions Committee, 2023–24

Coordinator, Notre Dame Academy (Faculty Roundtable), Notre Dame Law School, 2023–present

Organizer, Retirement Conference on the Work of Professor Gerard V. Bradley, Notre Dame Law School, August 2024 (proceedings to be published in AM. J. JURIS.)

Member, Clerkship Committee, Notre Dame Law School, 2021–23

Conference on the Jurisprudence of Justice Samuel Alito (Co-organizer). Princeton University James Madison Program in American Ideals and Institutions & American Enterprise Institute, March 2022 (proceedings published in HARV. J.L. & PUB. POL'Y)

Co-organizer, 2022 Notre Dame Religious Liberty Summit, Fall 2021

Co-organizer, Law, Politics, Revelation in the Work of John Finnis, Notre Dame Law School, Fall 2021

Referee, JOURNAL OF LAW AND RELIGION; AMERICAN JOURNAL OF LAW AND MEDICINE; AMERICAN CATHOLIC PHILOSOPHICAL QUARTERLY; AMERICAN JOURNAL OF JURISPRUDENCE

Coordinator, Monthly Princeton Workshops in Normative Philosophy. Philosophy Department, Princeton University, 2014–15

Organizer, Annual Conference on Themes in Neo-Classical Natural Law Theories. Politics Department, Princeton University: Fall 2018; Fall 2017; Fall 2015; Spring 2012; Spring 2010

Co-organizer, Social Ontology Conference. Philosophy Department, Princeton University, April 2015

Blind Reviewer, Princeton-Michigan Metaethics Workshop. Princeton University, August 2014

BAR MEMBERSHIP

District of Columbia