

REBECCA ERNST ZIETLOW
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EDUCATION

- YALE LAW SCHOOL** **J.D. 1990**
Yale Journal of Law and Liberation. Founding member and articles editor.
Steering committee, 1989-1990.
- FULBRIGHT SCHOLAR** **1986-1987**
Salvador, Bahia, Brazil. Researched the cultural impact of political reforms.
- BARNARD COLLEGE OF COLUMBIA UNIVERSITY** **B.A. 1985**
Summa Cum Laude
Phi Beta Kappa Early Election, November 1984
Major Political Science

LEGAL **EMPLOYMENT**

- THE UNIVERSITY OF TOLEDO COLLEGE OF LAW** **Aug. 1995**
Toledo, Ohio **- Present**
Charles W. Fornoff Professor of Law and Values, 2003-present
Professor of Law since 2002
University of Toledo Outstanding Faculty Research Award, 2012
University of Toledo Law Alumni Outstanding Faculty Award, 2012
Eastman and Smith Faculty Achievement Award, 2013
- THE UNIVERSITY OF IOWA COLLEGE OF LAW**
Spring 2011
Visiting Professor of Law
- LEGAL ASSISTANCE FOUNDATION OF CHICAGO** **Sept. 1991**
Chicago, Illinois **- July 1995**
Neighborhood legal services attorney. Represented individual clients and worked on impact litigation in state and federal court, and before administrative agencies.
- THE HONORABLE JOHN F. GRADY** **Sept. 1990**
United States District Court **- Aug. 1991**
Northern District of Illinois
Chicago, Illinois
Judicial clerk.

BOOKS AND BOOK CHAPTERS

THE FORGOTTEN EMANCIPATOR: JAMES MITCHELL ASHLEY AND THE IDEOLOGICAL ORIGINS OF RECONSTRUCTION (Cambridge University Press) (Forthcoming)

The Other Citizenship Clause, in “THE GREATEST AND THE GRANDEST ACT:” THE CIVIL RIGHTS ACT OF 1866 FROM RECONSTRUCTION TO TODAY, Christian Samito, Ed. (Southern Illinois University Press) (Forthcoming)

“Fourteenth Amendment: Citizenship Clause,” and “Federal Powers, Civil Rights” in ENCYCLOPEDIA OF AMERICAN GOVERNANCE (Cengage Learning, Inc.) (Forthcoming)

The Auto-Lite Strike and the Fight Against “Wage Slavery” (with James Gray Pope), 38 U. TOL. L. REV. 839 (2007), *reprinted in* AMERICAN LABOR STRUGGLES AND LAW HISTORIES, Kenneth M. Casebeer, ed. (Carolina Academic Press 2011)

The Promise of Congressional Enforcement, in, THE PROMISES OF LIBERTY: THIRTEENTH AMENDMENT ABOLITIONISM AND CONTEMPORARY CONTEXT, Alexander Tthesis, Ed. (Columbia University Press 2010)

ENFORCING EQUALITY: CONGRESS, THE CONSTITUTION, AND THE PROTECTION OF INDIVIDUAL RIGHTS (New York University Press 2006)

State Sovereignty and States' Rights, in THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES (2d Ed., 2005)

ARTICLES

Rights of Belonging for Women, 1 INDIANA JOURNAL OF LAW & SOCIAL EQUALITY 64 (2013)

James Ashley's Thirteenth Amendment, 112 COLUMBIA LAW REVIEW 1697 (2012)

The Ideological Origins of the Thirteenth Amendment, 49 HOUSTON LAW REVIEW 393 (2012)

Popular Originalism? The Tea Party and Constitutional Theory, 63 FLORIDA LAW REVIEW 483 (2012)

The Political Thirteenth Amendment, 71 MARYLAND LAW REVIEW 283 (2011)

Democratic Constitutionalism and the Affordable Care Act, 72 OHIO STATE LAW JOURNAL 1367 (2011)

Free at Last! Anti-Subordination and the Thirteenth Amendment, 90 BOSTON UNIVERSITY LAW REVIEW 255 (2010)

The Rights of Citizenship: Two Framers, Two Amendments, 11 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 1269 (2009)

The Judicial Restraint of the Warren Court (and Why it Matters), 69 OHIO STATE LAW JOURNAL 255 (2008)

Congressional Enforcement of the Rights of Citizenship, 56 DRAKE LAW REVIEW 1015 (2008)

The New Parity Debate: Congress and Rights of Belonging, 73 UNIVERSITY OF CINCINNATI LAW REVIEW 1347 (2005) (with Denise C. Morgan)

To Secure These Rights: Congress, Courts and the 1964 Civil Rights Act, 57 RUTGERS LAW REVIEW 945 (2005)

Juriscentrism and the Original Meaning of Section Five, 13 TEMPLE POLITICAL AND CIVIL RIGHTS LAW REVIEW 485 (2004)

Congressional Enforcement of Civil Rights and Bingham's Theory of Citizenship, 36 AKRON LAW REVIEW 717 (2003)

Federalism's Paradox: The Spending Power and Waiver of Sovereign Immunity, 37 WAKE FOREST LAW REVIEW 141 (2002)

Belonging, Protection and Equality: The Neglected Citizenship Clause and the Limits of Federalism, 62 UNIVERSITY OF PITTSBURGH LAW REVIEW 281 (2000)

Beyond the Pronoun: Toward an Anti-Subordinating Method Of Process, 10 TEXAS JOURNAL OF WOMEN AND THE LAW 1 (2000)

Exploring a Substantive Approach to Equal Justice Under Law, 28 NEW MEXICO LAW REVIEW 411 (1998)

Writing Scholarship While You Practice Law, 3 MICHIGAN JOURNAL OF RACE AND THE LAW 589 (1998); reprinted in 5 MICHIGAN JOURNAL OF RACE AND THE LAW 767 (2000) and 7 MICHIGAN JOURNAL OF RACE AND THE LAW 511 (2002)

Giving Substance to Process: Countering the Due Process Counterrevolution, 75 DENVER UNIVERSITY LAW REVIEW 9 (1997)

Two Wrongs Don't Add Up To Rights: The Importance of Preserving Due Process In Light Of Recent Welfare Reform Measures 45 AMERICAN UNIVERSITY LAW REVIEW 1111 (1996)

BOOK REVIEWS

Review of Justin Buckley Dyer, SLAVERY, ABORTION, AND THE POLITICS OF CONSTITUTIONAL MEANING, JOURNAL OF AMERICAN HISTORY (2014)

Review of Gerard Magliocca, AMERICAN FOUNDING SON: JOHN BINGHAM AND THE INVENTION OF THE FOURTEENTH AMENDMENT, LAW AND HISTORY REVIEW (2014)

Review of Justin Wert, HABEAS CORPUS IN AMERICA: THE POLITICS OF INDIVIDUAL RIGHTS, AMERICAN HISTORICAL REVIEW (2011)

Patterns of Inequality – Paradigms for Equality (Review of GENDER EQUALITY: DIMENSIONS OF WOMEN’S EQUAL CITIZENSHIP, Edited by Linda McClain and Joanna Grossman; Ayelet Schachar, THE BIRTHRIGHT LOTTERY: CITIZENSHIP AND GLOBAL INEQUALITY and Deborah Hellman, WHEN IS DISCRIMINATION WRONG?), 45 TULSA LAW REVIEW 863 (2010)

Belonging and Empowerment: A New “Civil Rights” Paradigm Based on Lessons of the Past (Review of THE LOST PROMISE OF CIVIL RIGHTS by Risa Goluboff), 25 CONSTITUTIONAL COMMENTARY 353 (2009)

ON-LINE PUBLICATION

Guest blogger, *Balkinization*, 2012

Regular Blogger, Essentially Contested America,
<http://www.essentiallycontestedamerica.org/> 2008-2010

From Dreams to Laws: The Legacy of Dr. King, Jurist Legal News and Research, January 21, 2008,
<http://jurist.law.pitt.edu/forumy/2008/01/from-dreams-to-laws-legacy-of-dr-king.php>

PRESENTATIONS

Presented *A Positive Right to Free Labor* at the Law and Society Annual Meeting, May 2014

Presented *A Positive Right to Free Labor* at the Work and Vulnerabilities Conference at Emory University School of Law, April 2014

Presented *James Ashley’s Thirteenth Amendment* at the Annual Meeting of the Midwest Political Science Association, April 2014

Presented *Congress and Rights of Belonging* on the Constitutional Law panel at the AALS Annual Meeting, January 2014

Presented *Is There a Constitutional Right to Organize?* At the Loyola University Constitutional Law Colloquium, November 2013

Participant, Call to Action Film Series, Panel on *Slavery by Another Name*, IU McKinney School of Law, October 2013

Presented *Is There a Constitutional Right to Organize?* at the Labor and Employment Law Colloquium, September 2013

Presented *Is There a Constitutional Right to Organize?* at the Work and Vulnerabilities Conference at Emory University School of Law, April 2013

Presented *James Ashley, the Thirteenth Amendment, and Anti-Slavery Constitutionalism* at the Loyola University Constitutional Law Colloquium, November 2012

Presented *Is There a Constitutional Right to Organize?* at the Class Crits V Workshop, Madison, Wisconsin, November 2012

Presented *Theorizing Economic Rights for Women* at the Third Annual Center for Race, Gender and Social Justice Conference, University of Cincinnati College of Law, October 2012

Presented *Rights of Belonging: An Alternative to Identity Based Equality Rights* at “Vulnerabilities and Identities: An Uncomfortable Conversation,” Emory University School of Law, September 2012

Presented *Democratic Constitutionalism and the Affordable Care Act and Popular Originalism? The Tea Party and Constitutional Theory* at the Annual Meeting of the Midwest Political Science Association, April 2012

Presented *Theorizing Economic Rights for Women*, at “*Whither Social Equality?*,” a conference celebrating the inauguration of the INDIANA JOURNAL OF LAW AND SOCIAL EQUALITY, March 2012

Presented *Democratic Constitutionalism and the Affordable Care Act, at Whose Constitution? Popular Constitutionalism and the 2012 Election*, Roger Williams University School of Law, February 2012

Presented *James Ashley’s Thirteenth Amendment*, at the COLUMBIA LAW REVIEW Symposium on the Thirteenth Amendment, January 2012

Presented *Originalism and Popular Constitutionalism: What the Tea Party Can Teach Us About Constitutional Theory* at the Loyola Constitutional Law Colloquium, October 2011

Presented *Theorizing Economic Rights for Women* at the AALS Workshop on Women Rethinking Equality, June 2011

Presented *Contextualizing the Thirteenth Amendment: James Ashley and Antislavery Constitutionalism* at the University of Iowa faculty workshop, April, 2011

Presented *Progressive Popular Constitutionalism and the 2010 Patient Protection and Affordable Care Act* at the Ohio State University College of Law Symposium on Reflections on Progressive Constitutionalism: Theory, Practice and Critique, April 2011

Presented *Congress, the Constitution and the Protection of Individual Rights*, Drake University Law School Distinguished Constitutional Law Series, April 2011

Presented *Contextualizing the Thirteenth Amendment: James Ashley and Antislavery Constitutionalism* at the Constitutional Law Colloquium, University of Maryland College of Law, February 2011

Presented *Democracy, the Constitution and the Court* at the Loyola Constitutional Law Colloquium, November 2010

Presented *Free at Last! Anti-Subordination and the Thirteenth Amendment* at the Annual Labor and Employment Colloquium, September 2010

Presented *Thoughts on Originalism and Popular Constitutionalism* at the Annual Law and Society Annual Meeting, May 2010

Presented *Congressional Enforcement of the Privileges and Immunities of Citizenship* at the Annual Meeting of the Law and Society Association, May 2009

Presented *James Ashley and the Thirteenth Amendment* at the Annual Meeting of the Law and Society Association, May 2009

Presented *The Promise of Congressional Enforcement at Slavery, Abolition, and Human Rights: Interdisciplinary Perspectives on the Thirteenth Amendment*, at the University of Chicago, April 2009

Moderator, *The Privileges and Immunities of Citizenship* at the American Constitution Society Second Founding Conference, University of Pennsylvania Law School, November 2008

Presented *The Roberts Court: Present and Future* at the Annual Convention of the National Association for the Advancement of Colored People, July 2008

Presented *The Promise of Congressional Enforcement of Section Two of the Thirteenth Amendment* at the Annual Meeting of the Law and Society Association, May 2008

Presented *The Disaggregation of Race and Class in United States Civil Rights Law* at the Annual Meeting of the Law and Society Association, May 2008

Presented *Congressional Enforcement of the Privileges or Immunities of Citizenship*, Drake Constitutional Law Center Symposium, “*The Forgotten Constitutional Amendments*,” April 2008

Invited participant, University of Maryland Constitutional Law Symposium, March 2008

Co-Organizer and Plenary Panelist, *Gender and Class, Voices from the Collective*, AALS 2008 Annual Meeting Program (Co-Sponsored by the AALS Sections on Women in Legal Education, Aging and the Law, Family and Juvenile Law, Law and Economics, Minority Groups, Poverty Law and Socio-Economics)

Presented *The Judicial Restraint of the Warren Court* at the Midwest Political Science Association Annual Meeting, April 2007 (paper nominated for the Pi Sigma Alpha and Lucius Barker awards)

Presented *Denise Morgan and Rights of Belonging*, AALS Annual Meeting, January 2007

Presented *Belonging and Social Citizenship: The New Deal and the Wagner Act* at the First Annual Labor and Employment Colloquium, October 2006

Presented *The Auto-Lite Strikers and the Wagner Act* at *A New Birth of Freedom: The Thirteenth Amendment – Past, Present and Future*, University of Toledo College of Law, October 2006

Presented *Belonging and Social Citizenship: The New Deal and the Wagner Act*, at the Annual Meeting of the Law and Society Association, May 2006

Presented *Enforcing Equality: Letting Politics Make Law*, at the Annual Meeting of the Law and Society Association, May 2006

Presented *Enforcing Equality: Congress, the Constitution and the Protection of Individual Rights* at the University of Cincinnati College of Law, March 2006

Presented *To Secure These Rights: Congress, Courts and the 1964 Civil Rights Act*, at the Ohio Legal Scholarship Workshop, Ohio State University, April 2005

Presented *To Secure These Rights: Congress, Courts and the 1964 Civil Rights Act* at the Faculty Scholarship Workshop at the Rutgers-Camden School of Law, January 2005

Presented *The Legacy of Griswold*, Toledo Women's Bar Association, January 2005

Presented *To Secure These Rights: Congress, Courts and the 1964 Civil Rights Act* at the Salmon P. Chase School of Law Faculty Scholarship Workshop, September 2004

Presented *To Secure These Rights: Congress, Courts and the 1964 Civil Rights Act* at the Annual Meeting of the Law and Society Association, May 2004

Presented *Juriscentrism and the Original Meaning of Congress' Rights-generating Power* at the January 2004 meeting of the Ohio Legal Scholarship Workshop

Presented *Juriscentrism and the Original Meaning of Congress' Rights-generating Power* at *Symposium, Vision and Revision: the Fourteenth Amendment*, Temple University Law School, November 2003

Moderator and panelist, "Celebrating the 50th Anniversary: The Meaning and Legacy of *Brown v. Board of Education*," University of Toledo College of Law, October 2003

Presented *The Courts and Workers: The Most Dangerous Branch?* at the Annual Meeting of the Law and Society Association, May 2003

Presented *Cities and Rights of Belonging* at the LatCrit VIII Conference, April 2003

Presented *Civil Rights and John Bingham's Theory of Citizenship* at the *Symposium on John Bingham and the Meaning of the Fourteenth Amendment*, University of Akron School of Law, October 2002

Presented *The New Parity Debate: Congress and Rights of Belonging* at the Annual Meeting of the Law and Society Association, May 2002

Presented *Beyond the Pronoun: Toward an Anti-Subordinating Method Of Process* at the Annual Meeting of the Law and Society Association, May 2000

Moderator, *Rebuilding Sisterhood: An Examination of Today's Reality, Tomorrow's Promise*, Joint Program of Sections on Minority Groups and Women in Legal Education, AALS Annual Meeting, January, 1999

Presented *Telling Women's Stories Through a Feminist Method of Process* at the Feminism and Legal Theory Workshop - Discrimination and Inequality, at Columbia University Law School, Fall 1998

INSTRUCTION

Constitutional Law I, Constitutional Law II, Federal Courts, Constitutional Litigation, Civil Procedure, Gender and the Law, Sex Discrimination, Clinical (1995-1998)

PROFESSIONAL SERVICE

Member, Planning Committee for AALS Workshop on Forty Years of Equality, 2014-2015
Secretary, AALS Section on Constitutional Law, 2014-2015
Secretary, AALS Section on Women in Legal Education, 2014-2015
Treasurer, AALS Section on Constitutional Law, 2013-2014
Treasurer, AALS Section on Women in Legal Education, 2013-2014
Chair, Mid-Year Meeting Program Committee, AALS Section on Women in Legal Education, 2012-2013 (proposal accepted)
Member, Executive Committee, AALS Section on Constitutional Law, 2012-present
Co-author, Brief of Amicus Curiae Thirteenth Amendment Scholars in Support of Plaintiffs-Appellees and Affirmance, *United States v. Hatch*, Tenth Circuit Court of Appeals, August, 2012
Co-author, Brief of Committee of Law Professor and Constitutional Historians as Amicus Curiae in Support of Plaintiffs-Appellants, *Coalition to Defend Affirmative Action v. Board of Regents*, Sixth Circuit Court of Appeals, October 2011
Reviewer, Routledge Press
Reviewer, New York University Press, Ohio University Press
Reviewer, Journal of American History
Trainer, Committee on Regional Training, Federal Litigation Training, Toledo, Ohio, June 2006, October 2002
Assisted Office of Senator Edward Kennedy on the nomination of Jeffrey Sutton to the Sixth Circuit Court of Appeals, Winter 2003
Assisted counsel in preparing Supreme Court briefs for *Cutter v. Wilkinson*, 543 U.S. 1185 (2005)
Co-Chair, Legal Assistance and Education Centers Committee, Ohio Women Education and Legal Assistance Coalition, 1999-2001
Board Member, American Civil Liberties Union of Northwest Ohio, 1997 – 2001
Volunteer, Ohio Legal Assistance Foundation SSI Kids Disability Project, 1998-99

COLLEGE AND UNIVERSITY SERVICE

Service to the College of Law

Chair, Strategic Planning Committee, 2013 - present
Faculty Committee on Retention, Promotion and Renewal, 2011- 2013
Organized *Ex parte Young: The Font of Federal Civil Rights Enforcement*,
University of Toledo Law Review Symposium, March 2009
Chair, Curriculum Committee, 2008-2010
Advisor, Toledo Law Review, 2006 – 2011, Fall 2013
Advisor, Constitutional Law Moot Court Team, 2008-2009, 2010-present
Appointments Committee, 2001-2005, 2006-2007 (Chair, 2002-03, 2003-04,
2004-05)
Organized *A New Birth of Freedom: The Thirteenth Amendment – Past, Present
and Future*, University of Toledo Law Review Symposium, October 2006
Organized panels for Symposium on the 50th Anniversary of *Brown v. Board of
Education*, University of Toledo College of Law, October 2003
ABA-AALS Self-Study Committee, 1998-2000
Admissions Committee, 1996-97, 1998-99, 1999-2000, 2000-01, 2008-09
Minority and Gender Affairs Committee, 1999- 2013
Academic Appeals Committee 1997-98, 1998-99, 2002-03
Dean Search Committee, 1998-99, 2005-2006
Curriculum Committee, 1997-98
Faculty Advisor, American Constitution Society, 2002-present
Faculty Advisor, Women's Law Student Association, 1996-2008
Faculty Advisor to Law Review Note Writers, 1996- present
Co-organizer, Ohio Clinician's Conference, June 1997
Women and Minority Affairs Committee, 1995-96, 1996-97
Externship Review Committee, 1996-97
Clinical Staff Attorney Search Committee, Fall 1996, Fall 1998
Law Career Services Search Committee, Spring 1997
Produced and Edited Newsletter for Legal Institute on the Great Lakes, Fall 1996
Placement Committee, 1995-96

Service to the University of Toledo

Cartwright Award Committee, 2013- present
Outstanding Faculty Research Award Selection Committee, 2013- present
Co-Chair, Sexual Harassment Task Force, 2009 - 2012
Committee on Gender Equity in Athletics, 2002 - 2010
Member, Women Studies Advisory Board, January 1997 – 1999
Participant in Law and Social Thought Working Group, 2000 - 2008