

## **MATTHEW J. LINDSAY**

University of Baltimore School of Law  
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### **ACADEMIC AND LEGAL POSITIONS**

#### **University of Baltimore School of Law, Baltimore, MD**

*Professor of Law* (2024–present); *Associate Professor of Law* (2015–2023); *Assistant Professor of Law* (2009–2015): Courses taught: Constitutional Law; Torts; American Legal History; Liberty, Equality and Citizenship in U.S. History (seminar); Introduction to Lawyering Skills; Special Topics in Applied Feminism (co-taught)

*Founding Director of the Part-Time Evening Flex J.D. Program*: Oversee faculty development of distance education (DE) courses; coordinate collaboration between instructional designers and Law faculty; ensure that DE courses are educationally robust and foster regular substantive interaction among students and between students and faculty; coordinate scheduling and staffing; monitor compliance with ABA DE standards.

*Select School of Law Service*: Faculty Advisor, *UB Law Review*; Faculty Committee on Admissions (Chair); Committee on Hybrid Legal Education (Chair); Faculty and Research & Development; Excellence in Teaching; Ad Hoc Curriculum Reform Committee; Fannie Angelos Program on Academic Excellence

*Honors*: Outstanding Teaching by a Full-Time Faculty Member (2020–21); Student-Nominated Excellence in Teaching Award (2023–24)

#### **DePaul University College of Law, Chicago, IL (Fall 2017, Fall 2018, Spring 2019)**

*Visiting Professor of Law*: Taught Constitutional Law and Torts

#### **Harvard Law School, Cambridge, MA, 2007–2009**

*Climenko Fellow and Lecturer on Law*: Taught Legal Research and Writing to first-year law students; researched the federal immigration power.

#### **Foley Hoag LLP, Boston, MA, 2005–2007**

*Associate*: Practiced patent litigation and administrative law, with a focus on federal regulation of medical technologies.

#### **American Academy of Arts and Sciences, Cambridge, MA, 2003–2005**

*Visiting Scholar* (2003–2005). Awarded fellowship in support of research on racial equality in the post-civil-rights era and the history of American immigration law.

*Program Director*, Program on Congress and the Courts (2004–2005). Coordinated research projects and public events on the career paths of federal judges and constitutional issues in post-9/11 national security policy.

#### **The Honorable Louis H. Pollak, Sr. U.S. District Judge, E.D. Pa., 2002–2003**

*Judicial Clerk*. Researched and drafted a wide variety of trial- and appellate-level memoranda, orders, and opinions.

**Dechert LLP**, Philadelphia, PA, Summer 2002

*Summer Associate.* Researched and drafted memoranda, litigation motions, and briefs on libel and intellectual property law.

**Yale Law School**, New Haven, CT, 2000–2002

*Research Assistant* for Professor Owen Fiss. Prepared memoranda and edited article manuscripts on residential desegregation and free speech.

*Teaching Assistant* for Professor Robert Gordon. Led discussions, advised students, and graded essays and exams for undergraduate course in American Legal History.

**University of Chicago**, Chicago, IL, 1998

*Lecturer in History.* Delivered lectures, led class discussions, and designed assignments and exams on the history of the United States in the colonial and revolutionary periods

## EDUCATION

**Yale Law School**, J.D., June 2002

*Yale Law Journal*, Senior Editor

*Yale Journal of Law and Feminism*, Editor

Research Assistant for Professor Owen Fiss

Teaching Assistant for Professor Robert Gordon

**University of Chicago**, M.A., History, 1995; Ph.D., History (expected)

*Dissertation:* “The Constitution of Foreignness: Immigration, Free Labor, and Race in the United States, 1776–1924” (Director: Amy Dru Stanley)

*Honors:* Winning Essay, *Law and Social Inquiry* Graduate Student Essay Contest, 1998; Departmental Fellowship Award, 1994–1998

*Activities:* Committee to Improve Writing Instruction in the Social Sciences; Legal History Workshop; Gender and Society Workshop, Co-Coordinator

**University of California, Irvine**, B.A., *cum laude*, 1993

Triple major in History, Philosophy, and Comparative Literature

Phi Beta Kappa

## PUBLICATIONS AND WORKS IN PROGRESS

THE CONSTITUTION OF FOREIGNNESS: IMMIGRATION, FREE LABOR, AND RACE IN THE UNITED STATES, 1776–1924 (book manuscript in progress under contract with Cambridge University Press)

*An Unreasonable Presumption: The National Security/Foreign Affairs Nexus in Immigration Law* (with Hallie Ludsin and Anthony DeMatee), *BROOKLYN LAW REVIEW* (2023) (reprinted in *Bender’s Immigration Bulletin* (LexisNexis 2024))

*The Right to Migrate*, *LEWIS & CLARK LAW REVIEW* (2023)

*The Perpetual “Invasion”: Past as Prologue in Constitutional Immigration Law*, ROGER WILLIAMS UNIVERSITY LAW REVIEW (2018) (invited submission for symposium on “Bans, Borders, and New Americans: Immigration Law in the Trump Administration”)

*The Presumptions of Classical Liberal Constitutionalism*, IOWA LAW REVIEW (2017) (invited submission)

*Disaggregating “Immigration Law,”* FLORIDA LAW REVIEW (2015)

*Federalism and Phantom Economic Rights in NFIB v. Sebelius*, UNIVERSITY OF CINCINNATI LAW REVIEW (2014)

*Immigration, Sovereignty, and the Constitution of Foreignness*, CONNECTICUT LAW REVIEW (2013) (cited in *Sessions v. Dimaya*, 584 U.S. \_\_\_\_ (2018) (Gorsuch, J. concurring))

*In Search of “Laissez-Faire Constitutionalism,”* HARVARD LAW REVIEW FORUM (2010) (invited submission)

*Immigration as Invasion: Sovereignty, Security, and the Origins of the Federal Immigration Power*, HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW (2010)

*How Antidiscrimination Law Learned to Live with Racial Inequality*, UNIVERSITY OF CINCINNATI LAW REVIEW (2006)

*Preserving the Exceptional Republic: Race, Economic Pathology, and the Federalization of American Immigration Law*, YALE JOURNAL OF LAW & HUMANITIES (2005)

*Reproducing a Fit Citizenry: Dependency, Eugenics, and the Law of Marriage in the United States, 1860-1920*, LAW AND SOCIAL INQUIRY (1998)

“The Constitution of Foreignness: Immigration, Free Labor, and Race in the United States, 1776–1924” (Ph.D. dissertation in progress, University of Chicago)

## **MEDIA, SCHOLARLY PRESENTATIONS, AND COLLOQUIA**

Quoted on various constitutional and immigration law issues in *The Atlantic*, *HuffPost*, *CNN*, *PolitiFact*, and *Al Jazeera*, among other publications.

POTUS, The Michael Smerconish Program, SiriusXM. Interviewed about the government’s apprehension of and attempt to remove Mahmoud Khalil. (March 28, 2025)

*Civics 101 Podcast*, *New Hampshire Public Radio*. Featured Guest on “How did *Lochner v. New York* End up on the Naughty List?” (February 2024)

*University of Michigan Seminar on Race, Law, and Citizenship*, Guest Presenter (March 2021)

*University of Baltimore Webinar on “Federalism, Civil Disobedience, and Structural Racism,”* Panelist (September 2020)

*American Society for Legal History Annual Meeting*, Presenter, “Rethinking the ‘Federalization’ of American Immigration Law” (November 2019)

*University of San Diego School of Law Faculty Workshop*, “Plenary Federal Power over Immigration and the Political Economy of Foreignness” (October 2019)

*DePaul University College of Law*, “Foreignness and Assimilation in the Democratic Republic” (April 2019)

*Baltimore Sun*, “Immigration as ‘Invasion’” (June 29, 2018)

*DePaul University College of Law*, “The Perpetual ‘Invasion’: Past as Prologue in Constitutional Immigration Law” (November 2017)

*American Bar Foundation*, “Awakening the ‘Dormant Seed of Virtue’: Immigration as Regeneration in Republican America” (October 2017)

*Bans, Borders, and New Americans: Immigration Law in the Trump Administration*, Roger Williams University School of Law. Invited speaker, “The Perpetual ‘Invasion’: Past as Prologue in Constitutional Immigration Law” (October 2017)

*Organization of American Historians Annual Meeting*, Presenter, “The Political Economy of ‘Foreignness’ and the Origins of the Modern Immigration Power” (April 2016)

*American Society for Legal History Annual Meeting*, Presenter, “‘Punishment’ by any other Name: The Origins of the ‘Civil’ Label in Deportation and Immigration Detention” (October 2015)

*Immigrant America Conference: New Immigration Histories from 1965 to 2015*, Presenter, “Toward an Unexceptional Immigration Power: The Spirit of ‘65 and the Constitution” (October 2015)

*ImmigrationProfBlog*, “Due Process and Plenary Power,” Symposium on *Kerry v. Din* (June 2015)

*Law and Society Association Annual Meeting*, Panel Organizer for “Race, Sovereignty and the Legal Construction of American Citizenship at the Turn of the Twentieth Century,” and Presenter, “Race, Political Economy and the Origins of the Federal Immigration Power” (May 2015)

*Law, Culture & Humanities Annual Meeting*, Presenter, “Race, Political Economy and the Origins of the Federal Immigration Power” (March 2015)

*University of Chicago Legal Scholarship Workshop*, “Disaggregating ‘Immigration Law’” (November 2014)

*University of Maryland School of Law Faculty Workshop*, “Disaggregating ‘Immigration Law’” (November 2014)

*University of Baltimore School of Law Legal Scholarship Colloquium*, “Toward an Unexceptional Immigration Power: Disaggregating ‘Immigration Law’” (October 2014)

*Pravfsblang*, Discussant for roundtable on Ajay Mehrotra, Making the Modern American Fiscal State: Law, Politics, and the Rise of Progressive Taxation, 1877–1929 (June 2014)

*Law & Society Association Annual Meeting*, Presenter, “What is an ‘Immigration Law?’” (May 2014)

*Law & Society Association Annual Meeting*, Panelist for “Author Meets Readers, Ajay Mehrotra, Making the Modern American Fiscal State” (May 2014)

*American Society for Legal History Annual Meeting*, Panel Organizer for “Law as Sentry: Conditions of Inclusion in the Nineteenth-Century United States,” and Presenter, “The ‘Immigration Crisis’ in U.S. History and the Making of Modern Immigration Law” (November 2011)

*American Society for Legal History Annual Meeting*, Presenter, “Persons, Articles of Commerce, and Enemy Aliens: The Legal Construction of Immigrants in the Nineteenth Century” (November 2009)

*Harvard Law School*, Presenter, “National Security and the Origins of the Federal Immigration Power” (October 2008)

*American Academy of Arts and Sciences*, Presenter, “How Antidiscrimination Law Learned to Live with Racial Inequality” (April 2004)

*American Academy of Arts and Sciences*, Presenter, “‘Colorblindness,’ Antidiscrimination Law, and the Production of Race” (January 2004)

## **BAR ADMISSION**

Massachusetts