

Steven J. Macias

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ACADEMIC APPOINTMENTS

PERMANENT FACULTY POSITIONS

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| University of the District of Columbia, School of Law Professor (tenured) Associate Professor | Washington, D.C. From October 2024 August 2023–present |
| University of South Dakota, School of Law Associate Professor (tenured) Associate Dean for Academic Affairs | Vermillion, South Dakota July 2021–July 2023 July 2021–July 2023 |
| Southern Illinois University, School of Law Associate Professor (tenured) Associate Dean for Academic Affairs Associate Dean for Academic Affairs (Interim) Assistant Professor | Carbondale, Illinois July 2016–July 2021 July 2020–July 2021 August 2018–December 2019 July 2012–July 2016 |

VISITING/TEMPORARY FACULTY POSITIONS

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| University of the Pacific, McGeorge School of Law Visiting Professor | Sacramento, California AY 2024–2025 |
| University of Kentucky, College of Law Visiting Associate Professor | Lexington, Kentucky Spring 2020 |
| Southern Illinois University, School of Law Visiting Assistant Professor | Carbondale, Illinois August 2011–May 2012 |
| University of Oregon, School of Law Visiting Assistant Professor | Eugene, Oregon August 2010–May 2011 |
| California Western School of Law Teaching Fellow | San Diego, California August 2008–July 2010 |

COURSES TAUGHT (in order of frequency)

Constitutional Law, First Amendment, Legislative & Administrative Processes, Election Law,
Federal Courts, Privacy Law, Sexuality & the Law, Criminal Law, Torts, Legal History

EDUCATION

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| ED.D. (Education Policy, Organization & Leadership) Diversity & Equity (primary concentration) Philosophy of Education (secondary concentration) University of Illinois, Urbana-Champaign | May 2025 (current student) |
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| C.PHIL. (Legal History–U.S. & Britain) University of California, Berkeley | December 2006 |
| LL.M. <i>with merit</i> in Legal Theory & History University College London | November 2005 |
| M.A. (U.S. History) University of California, Berkeley | December 2003 |
| J.D. UC Berkeley School of Law | May 2002 |
| B.A. (Political Science), B.S. (Industrial Engr.) Stanford University | June 1999 |

PUBLICATIONS AND WRITINGS

Books

LEGAL SCIENCE IN THE EARLY REPUBLIC: THE ORIGINS OF AMERICAN LEGAL THOUGHT AND EDUCATION (Lanham, MD: Lexington Books/Rowman & Littlefield 2016; paperback, 2017) [\[link\]](#)

– Reviewed by Kevin Butterfield, 38 J. EARLY REPUBLIC 368 (2018) [\[link\]](#)

Book Chapters

Confronting Speech and Curricular Restrictions in the Promotion of Antiracism, in 6 BUILDING AN ANTIRACIST LAW SCHOOL, LEGAL ACADEMY, AND LEGAL PROFESSION (Danielle M. Conway et al. eds, University of California Press, forthcoming 2024)

State Action Doctrine and Public Administration, in GLOBAL ENCYCLOPEDIA OF PUBLIC ADMINISTRATION, PUBLIC POLICY, AND GOVERNANCE (Ali Farazmand ed., Springer International Publishing, 2016) [\[link\]](#)

Legal Thought from Blackstone to Kent and Story, in A COMPANION TO AMERICAN LEGAL HISTORY 484–505 (Sally Hadden & Alfred L. Brophy eds., Wiley-Blackwell, 2013) [\[link\]](#)

Journal Articles

Public Men's Rooms and the Legal Construction of Gender and Privacy, 93 U. CIN. L. REV. (forthcoming 2024)

Utilitarian Constitutionalism: A Comparison of Bentham & Madison, 11 NYU J.L. & LIBERTY 1028 (2018) [\[link\]](#)

Constitutional Implications of Vaccine Exemption Laws, 37 J. LEGAL MED. 463 (2017) [\[link\]](#)

Survey of Illinois Law: Statutory Interpretation, 37 S. ILL. U. L.J. 845 (2013) [\[link\]](#)

Adolescent Identity Versus the First Amendment: Sexuality and Speech Rights in the Public Schools, 49 SAN DIEGO L. REV. 791 (2012)

Viewing Law as Cultural Politics in the Promotion of Gay Equality, 19 TUL. J.L. & SEXUALITY 175 (2010) (selected by AALS Section on Sexual Orientation and Gender Identity Issues in their call for short essays)

The Huck Finn Syndrome in History and Theory: The Origins of Family Privacy, 12 J.L. & FAM. STUD. 87 (2010)
Rorty, Pragmatism, and Gaylaw: A Eulogy, a Celebration, and a Triumph, 77 UMKC L. REV. 85 (2008)

Book Reviews

Book Review, 62 J. LEGAL EDUC. 367 (2012) (reviewing ELLEN HOLMES PEARSON, REMAKING CUSTOM: LAW AND IDENTITY IN THE EARLY AMERICAN REPUBLIC (2011)) [[link](#)]
Book Review, 28 LAW & HIST. REV. 1097 (2010) (reviewing PETER CHARLES HOFFER, A NATION OF LAWS: AMERICA'S IMPERFECT PURSUIT OF JUSTICE (2010))
Book Review, 28 LAW & HIST. REV. 567 (2010) (reviewing THE YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW (Roger K. Newman ed., 2009))

Shorter Works

Getting Schooled on Sex and Gender, HUM. RTS. (Ill. St. B. Ass'n Sec. on Hum. Rts. L. Newsl.), Feb. 2016, at 4. [[link](#)]

Works in progress:

The Law of the Men's Room: Gender & Privacy in a Public Space (article and book proposal forthcoming)

Dormant Commerce Clause and the Conservative Critique of Judicial Balancing
Judicial Elections and Constitutional Equality

Research Interests: History of Anglo-American legal and political thought, constitutional law, federal jurisdiction, jurisprudence, children and the law, sexual orientation and the law

PRESENTATIONS

Constitutional Equality in Judicial Elections. Delivered at the Central States Law School Association 2017 Scholarship Conference, October 2017, Carbondale, Illinois.

Confusion as a Justification for Inequality. Delivered at Tulane University Law School, November 2014, New Orleans, Louisiana.

Roe or Brown?: Analogizing Marriage Equality. Delivered at the Annual Meeting of the Association of American Law Schools (AALS), January 2–5, 2014, New York.

Federal Enclave Jurisdiction: A Constitutional History. Delivered at the Southeastern Association of Law Schools (SEALS), August 6–10, 2013, Palm Beach, Florida.

The Law of the Men's Room. Delivered at the Fourteenth Annual Conference for the Association of the Study of Law, Culture, and the Humanities, March 11–12, 2012, Texas Wesleyan Law School.

A Knickerbocker on the Bench: Gulian C. Verplanck's Legal Narratives. Delivered at the International Conference for the Study of Narrative, April 7–10, 2011, Washington University St. Louis.

The First Amendment as Heteronormative Socializer. Delivered at the Critical Legal Studies Conference, September 24–25, 2010, University of Idaho College of Law.

Adolescent Identity v. The First Amendment: Race, Sexuality and Hate Speech in the Public Schools.

- Delivered at LatCrit XV, October 7–10, 2010, University of Denver Sturm College of Law.
- Delivered at the Third National People of Color Legal Scholarship Conference, September 9–12, 2010, Seton Hall University School of Law.

Sexuality in the Public Schools: Overcoming the Double Standard.

- Delivered at LatCrit XIV, Junior Faculty Development Workshop, October 1–4, 2009, American University College of Law.
- Delivered at the National LGBT Bar Association Junior Scholars Forum, September 10–12, 2009, Brooklyn, NY.

Law Lectures and the Dissemination of Legal Ideas, 1800–1850. Delivered at the 31st Annual Meeting of the Society for Historians of the Early American Republic, July 16–19, 2009, Springfield, IL.

Uselessness in Early American Legal Culture: The Beauty and Seriousness of Legal Science. Delivered at the Twelfth Annual Conference for the Association of the Study of Law, Culture, and the Humanities, April 3–4, 2009, Suffolk University Law School.

The Utilitarian Influence on American Legal Science, c. 1800–1850. Delivered at the Tenth Conference of the International Society for Utilitarian Studies, September 11–14, 2008, UC Berkeley School of Law & Kadish Center for Morality, Law and Public Affairs.

The Effect of Political Economy on the Science of Law in the Early Republic, 1800–1850. Delivered at the Policy History Conference, May 29–June 1, 2008, Saint Louis University.

Mill's Influence on Nineteenth-Century American Thought. Delivered at the John Stuart Mill Bicentennial Conference (Ninth Conference of the International Society for Utilitarian Studies), April 5–7, 2006, University College London.

MEDIA APPEARANCES

[House Bill 1012 to protect students from critical race theory](#), VOLANTE (Jan. 29, 2022) (interviewed about the potential impact of an anti-CRT bill on campus curriculum)

[Man wanted in U.S. Capitol riot arrested in Marion](#), WSIL (Jan. 28, 2021) (interviewed about the role social media played in local man's arrest for participation in the Jan. 6 Capitol riots)

[SIU professor gives take on impeachment proceedings](#), WSIL (Jan. 12, 2021) (interviewed about the congressional impeachment proceedings concerning Trump)

[How SCOTUS confirmation could make a local impact](#), WSIL (Oct. 12, 2020) (interviewed for a story on the Amy Coney Barrett confirmation hearings)

Lisa Donovan, [The Spin](#), CHI. TRIB. (Oct. 12, 2020) (interviewed for a story on the Amy Coney Barrett confirmation hearings)

[Marion woman's political expression could get her fined](#), WSIL (Oct. 8, 2020) (interviewed for a story on a city's threat to fine a resident for a political yard display)

[How will President Trump's U.S. Justice nomination affect your region?](#), WSIL (Sept. 21, 2020) (interviewed for a story on the passing of Justice Ginsburg and the politics surrounding her replacement)

[Staff at a Franklin County school left donated Bibles in student lockers. At least one parent complained](#), THE SOUTHERN (Carbondale, IL) (May, 22, 2019) (quoted in story about locker searches and religion in public schools)

[SIUC legal experts weigh in on SCOTUS pick](#), THE SOUTHERN (Carbondale, IL) (July 11, 2018) (interviewed about Judge Brett Kavanaugh's nomination to the Supreme Court)

[Supreme Court pick's impact on abortion rights laws in the Heartland](#), KFVS (July 10, 2018) (interviewed about Judge Brett Kavanaugh's nomination to the Supreme Court and its potential impact on reproductive rights)

[WSIU InFocus: "Full Slate" Court Battle Moves Forward](#), WSIU (Nov. 7, 2017) (interviewed about 7th Circuit decision striking down Illinois's "full slate" ballot requirement for third parties)

[He wanted to take a ballot selfie but was told he couldn't. So he took it to court.](#), BELLEVILLE NEWS-DEMOCRAT (Belleville, IL) (Aug. 4, 2017) (quoted in story about First Amendment implication of "ballot selfies")

[Interview](#), "The Afternoon Report," WJBC (Apr. 5, 2017) (discussing plagiarism allegations against U.S. Supreme Court nominee Neil Gorsuch)

[Interview](#), "The 21st Show," WILL (Mar. 6, 2017) (discussing constituents' speech rights in contacting and protesting their congressmen's offices)

[SIU law professor criticizes Fourth District ruling on judges' candidacies; Says 'literalism' doesn't require 'all that much thinking'](#), MADISON COUNTY REC. (Edwardsville, IL) (Aug. 10, 2016) (featured in story about state appellate court ruling on the constitutionality of bypassing judicial retention elections)

[Bryant wants to criminalize violent videos](#), WSIL (Feb. 11, 2016) (discussing proposed state statute criminalizing the uploading of violent videos)

[Tribune sues Emanuel over use of private email](#), CHI. TRIB. (Sept. 24, 2015) (quoted in a story about public officials' use of private email to conduct government business)

[Perils of running for retention: 60 percent threshold can make sitting judges vulnerable](#), MADISON COUNTY REC. (Edwardsville, IL) (Aug. 31, 2015) (quoted in a story discussing state judges' ability to bypass retention elections)

[Private Email Use Illegal? ‘Hard To Say’](#), NEWS-GAZETTE (Champaign, IL) (Aug. 11, 2015) (quoted in a story discussing UI chancellor’s use of private email for public business)

[For Southern Illinois same-sex couples, Supreme Court ruling brings the promise of equality](#), THE SOUTHERN (Carbondale, IL) (Jun. 27, 2015) (quoted in story discussing marriage equality decision)

[Interview](#), WJPF (May 11, 2015) (discussing Second Circuit decision on NSA’s collection of telephone metadata under the PATRIOT Act)

[Flying a remote control drone? What you need to know](#), KFVS (Nov. 19, 2014) (discussing the privacy implications of drone usage)

Local Pastor Weighs in on Texas Sermon Subpoena, WSIL (Oct. 17, 2014) (discussing City of Houston’s subpoena of pastors’ sermons)

LAW SCHOOL AND COMMUNITY SERVICE

ABA Site Evaluation Team Member

- Drexel University School of Law, Spring 2023
- University of Massachusetts, Dartmouth, School of Law, Spring 2020

Southern Illinois University, Carbondale

- Student Advocate, 2017–2018 (selected by SBA to represent students in honor code matters)
- Member, SIU Intercollegiate Athletics Advisory Committee, Fall 2017–Spring 2020
- Coach, ABA Moot Court Teams, SIU School of Law, January 2013–May 2019
- Faculty Advisor, 2011–2021
 - LGBT Law Student Organization
 - American Constitution Society
 - Hispanic Law Students Association
 - Secular Law Students Association
- Advisory Committee, LGBT Resource Center (served entire SIU campus)

Presenter, [Illinois Advanced Judicial Academy](#), June 6–7, 2017

Peer Reviewer

- *Berkeley Review of Education*
- Wolters Kluwer (Constitutional Law casebook)

Section on Sexual Orientation & Gender Identity Issues, Association of American Law Schools (AALS)

- Chair, January 2016–2017
- Chair-Elect, January 2015–2016
- Treasurer, January 2014–2015
- Board Member, January 2013–2014

Work-in-Progress Commenter, LatCrit XV, October 7–10, 2010, University of Denver Sturm College of Law

California Western School of Law

- Faculty Representative, Military Recruitment Amelioration Effort, October 2008 (worked with the administration and the student Pride Law organization to ameliorate the military's discriminatory recruitment practices on campus)
- Constitution Day Volunteer, ACLU of San Diego & Imperial Counties, September 17, 2008 (delivered presentations to students at Pt. Loma High School on the Constitution)

BAR ADMISSIONS

California, December 2002 (#223905)

U.S. Supreme Court, April 2019 (#309097)

PROFESSIONAL MEMBERSHIPS

American Bar Association

American Society for Legal History

International Society for Utilitarian Studies

Society of American Law Teachers (SALT)

Society for U.S. Intellectual History