

Abbreviated CURRICULUM VITAE  
James Magee

**ADDRESS**

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**EDUCATION**

University of Virginia, Ph.D. Political Science 1975  
University of Massachusetts (Amherst), M.A. Political Science 1972  
University of Massachusetts (Amherst), B.A. Political Science 1969

**ACADEMIC POSITIONS**

University of Delaware, Professor, 1994-present  
University of Trent (Italy), Faculty of Jurisprudence, Visiting Professor, Spring, 1990  
University of Delaware, Associate Professor, 1980-1994  
University of Delaware, Assistant Professor, 1976-1980  
University of Pennsylvania, Assistant Professor, 1975-1976  
University of Pennsylvania, Lecturer, 1974-1975  
University of Virginia, Graduate Instructor, 1972-1973

**ADMINISTRATIVE EXPERIENCE**

University of Delaware, Chairperson, Department of Political Science and International Relations, 2002-2007  
D.I. Distributors, Inc. Asbestos Disease Trust, Bankruptcy Court Appointed Trustee, Secretary-Treasurer, 1993-present  
Member, Preliminary Review Committee of the Board of Professional Responsibility, Appointed by the Supreme Court of Delaware, April 2011-present

**PRINCIPAL TEACHING AREAS**

Constitutional Law  
Constitutional Interpretation  
Judicial Process  
American Political System  
Italian Political System

## UNIVERSITY OF DELAWARE STUDY ABROAD PROGRAMS (ITALY)

SUMMER SESSION: 1982 (Director)

WINTER SESSION: 1984, 1986, 1988, 1990, 1993, 1995, 1997 (Director)

WINTER SESSION: 1998, 2000, 2001, 2002, 2003, 2008, 2010 (Co-Director)

## AWARDS, GRANTS, HONORS

Middle East Partnership Initiative (MEPI), U.S. Department of State, Co-Principal and Academic Director: 2011(484,492); 2010 (\$204,864); 2009 (\$454,843); 2008 (\$351,407); 2004 (\$302,747)

“US Political System and Indigenous Leadership Institute,” June 9-20, 2008, Bogotá Colombia, Fulbright Program for the Western Hemisphere and the Colombia Fulbright Commission, Academic Co-Director (\$10,000).

“Rights in the US and Indigenous Leadership Institute,” March 17-29, 2008, Cuzco (Peru), Fulbright Program for the Western Hemisphere and the Peru Fulbright Commission, Academic Co-Director (\$10,000).

University Excellence in Teaching Award, University of Delaware, 2010,1993, and 1980 (eligibility once every ten years)

Recognition for Excellence in Teaching, American Political Science Association, Annual Meeting, September 3, 2010, Washington, DC.

University Excellence in Advising and Mentoring Award, University of Delaware, 2007 and 1989 (eligibility once every ten years)

Recognition for Excellence in Teaching, American Political Science Association, Annual Meeting, August 31, 2007, Chicago, Illinois.

Innovative Excellence in Teaching, Learning and Technology Award, Eleventh International Conference on College Teaching and Learning, Jacksonville, FL, April 2000.

Outstanding Registered Student Organizations Advisor, University of Delaware, 2000

Fellow, Institute for Transforming Undergraduate Education, University of Delaware, Summer 1998

Fellow, Center for Advanced Studies, University of Delaware, Fall 1998

Mortar Board Outstanding Faculty Member, Award of Distinction, University of Delaware, 1999

Gamma Kappa Alpha, Italian Honor Society, 1986

Salzburg Fellow, Seminar on American Law and Legal Institutions, Salzburg, Austria, July 14-August 2, 1985

American Political Science/American Historical Association, Project '87 Seminar: "Who May Interpret the Constitution?" Princeton University, Aug. 19-24, 1985

Alpha Lamda Delta, Honorary Member

Golden Key Society, Honorary Member

Alpha Phi Omega, Honorary Member

General University Research Grant, University of Delaware, 1977

Pi Sigma Alpha, National Political Science Honor Society

Thomas Jefferson Fellow, University of Virginia, 1973-74

## **PROFESSIONAL ASSOCIATIONS**

American Political Science Association  
Law, Courts, and Judicial Process Section

## **SCHOLARSHIP**

### Books

*Mr. Justice Black: Absolutist on the Court* (Charlottesville: University Press of Virginia, 1980).

*Freedom of Expression* (Westport, CT: Greenwood Press, 2002).

*The Jurisprudence of Justices Black and Scalia* (tentative title, in progress)

### Articles, Book Chapters, and Review Essays

"Freedom of Religion," in *The Encyclopedia of Political Science* (Washington, DC: Congressional Quarterly Press, 2010).

"Freedom of Movement," in *The Encyclopedia of Political Science* (Washington, DC: Congressional Quarterly Press, 2010).

"Reverse Discrimination," in *The Encyclopedia of Political Science* (Washington, DC: Congressional Quarterly Press, 2010).

Review, Essay, "Politics, Judicial Review, and the Separation of Powers," 13 *Journal of Legislative Studies* 320 (2007).

“Evolving Boundaries of Freedom of Speech and Press,” *Muslim Public Affairs Journal* (April 2006), pp. 81-92.

“School Prayer,” in Otis H. Stephens, John M. Scheb, and Kara E. Stooksbury, eds., *Encyclopedia of American Civil Rights and Liberties* (Westport, CT: Greenwood Press, 2006).

“Public Displays of Religious Symbols,” in Otis H. Stephens, John M. Scheb, and Kara E. Stooksbury, eds., *Encyclopedia of American Civil Rights and Liberties* (Westport, CT: Greenwood Press, 2006).

Review Essay, “Judges as Legislators,” 9 *Journal of Legislative Studies* 102 (2003).

Review Essay, “Mr. Justice Black and His Critics,” Vol. 7 *Constitutional Commentary* 63 (1990).

Review Essay, “Pornography,” Vol. 6 *Constitutional Commentary* 507 (1989).

Review Essay, “The Tolerant Society,” Vol. 4 *Constitutional Commentary* 422 (1987).  
 “Courts and Constitutionalism,” in *Encyclopedia of the American Judicial System*, Vol. 111, pp. 987-1003 (New York: Scribner’s Sons, 1987).

“The Supreme Court and the Separation of Church and State,” in *Delaware Lawyer*, Vol. 4, pp.40-47 (Fall, 1985).

“Constitutional Vagaries and American Judicial Review,” *Hull Papers in Politics* (University of Hull, England, 1979).

### Book Reviews

Mario B. Mignone, *Italy Today: Facing the Challenges of the New Millennium*, Revised Edition, 47 *Forum Italicum* 224 (2008).

Paul W. Kahn, *Putting Liberalism in its Place*, 15 *The Law and Politics Book Review* 523 (2005).

Michael A. Bamberger, *Reckless Legislation: How Lawmakers Ignore the Constitution*, 6 *Journal of Legislative Studies* 115 (2000).

David Alistair Yalof, *Pursuit of Justices: Presidential Politics and the Selection of Supreme Court Nominees* (1999), 6 *Journal of Legislative Studies* 134 (2000).

Cornell W. Clayton and Howard Gillman, eds., *Supreme Court Decision-Making: New Institutional Approaches* (1999), 5 *Journal of Legislative Studies* 334 (1999).

Mark Silverstein, *Judicious Choices: The New Politics of Supreme Court Confirmations*, 1 *Journal of Legislative Studies* 115 (1995).

Barbara J. Shapiro, *Beyond Reasonable Doubt and Probable Cause*, 41 *Political Studies* 351(1993).

Ronald J. Fiscus, *The Constitutional Logic of Affirmative Action*, Stephen L. Wasby, ed., 41 *Political Studies* 146 (1993).

Richard A. Maidment, *The Judicial Response to the New Deal: The United States Supreme Court and Economic Regulation: 1934-1936*, 40 *Political Studies* 622 (1992).

Hadley Arkes, *Beyond the Constitution*, 106 *Political Science Quarterly* 374 (1991).

Leonard Levy, *The Establishment Clause*, 103 *Political Science Quarterly* 172 (1988).

Robert A. Goldwin and Art Kaufman, eds., *How Does the Constitution Protect Religious Freedom?*, 36 *Political Studies* 727 (1988).

Lee Epstein, *Conservatives in Court*, *Political Science Quarterly* 496 (1986).

Philippa Strum, *Louis D. Brandeis: Justice for the People*, 47 *Journal of Politics* 754 (1985).

Mary Cornelia Porter and G. Alan Tarr, eds., *State Supreme Courts: Policymakers in the Federal System*, 98 *Political Science Quarterly* 728 (1984).

Henry J. Abraham, *The Judiciary: The Supreme Court in the Governmental Process*, 59 *International Social Science Review* 107 (1984).

Henry J. Abraham, *Freedom and the Court: Civil Rights and Liberties in the United States*, 59 *International Social Science Review* 106 (1984).

William Bowers, *Legal Homicide*, *Political Science Quarterly* 724 (1984).

Michael J. Perry, *The Constitution, the Courts, and Human Rights*, 65 *Social Science Quarterly* 912 (1984).

D.H. Burton, *Oliver Wendell Holmes, Jr.: What Manner of Liberal?*, 53 *The New England Quarterly* 407 (1980).

### Professional Papers

“The Supreme Court, the Constitution, and Foreign Affairs,” Paper presented at the Conference on American and World, University of Delaware, October 2008.

“Integrating Web-Based Resources with Problem Based Learning in Political Science,” Paper presented at the Eleventh International Conference on College Teaching and Learning, Jacksonville, FL, April 2000.

“Managing with a Pathological Institution: Judicial Review in American Democracy,” Paper presented at the 1993 Annual Meeting of the American Political Science Association, Washington, D.C., September 2-5, 1993.

“The Supreme Court and Non-Interpretive Judicial Review,” Paper presented at the Annual Meeting of the American Political Association, New Orleans, LA, 1985.

“Judicial Review and American Democracy,” Paper presented at the Annual Meeting of the Pennsylvania Political Science Association, Elizabethtown, Pennsylvania, 1984.

“Theories of Judicial Review in the Eighteenth Century,” Paper presented at the Annual Meeting of the East-Central American Society for Eighteenth Century Studies, Clayton Hall, Newark, Delaware, 1983.

“Women, Education, and the Federal Courts,” Paper presented at the Annual Meeting of the American Political Science Association, Washington, D.C., 1979.

#### Major Lectures, Presentations, and Conference Participation

“The Arts and Human Rights Issues” (with Gretchen Minton, Montana State University), Middle East Partnership Initiative, Alumni Conference, March 31-April 4, 2011, Istanbul, Turkey.

“Taking it Down a Notch: Free Speech After Tucson,” Rutgers University Law School, Camden, New Jersey, February 16, 2011.

“Parliamentary Democracy in Italy,” Center for Italian Studies, State University of New York at Stony Brook, October 14, 2008.

“Electing the President of the United States of America,” Keynote Address, Symposium: The Elections in the United States and the Implications for Colombia, Conference sponsored by the Alberto Lleras Camargo School of Government of the University of the Andes and the Fulbright Commission Colombia, Bogotá Colombia, June 13, 2008.

“The Risorgimento, 1820-1870: Mazzini, Cavour, and Garibaldi,” Friends of Italian Culture, Wilmington, DE, October 20, 2007.

“The Dynamics of State Courts, Structures, and Policies,” Annual Meeting of the Midwest Political Science Association, Palmer House Hilton, Chicago, Illinois, April 12-15, 2007. Panel Chair.

“Roundtable: Henry J. Abraham Festschrift Panel,” Annual Meeting of the Western Political Science Association, Riviera Hotel, Las Vegas, Nevada, March 8-10, 2007. Discussant.

“Judges and the Judicial Process,” Annual Meeting of the Northeastern Political Science Association,” Omni Parker House Hotel, Boston, MA, November 9-11, 2006. Panel Chair and Discussant.

“Interpreting Constitutions,” Annual Meeting of the Northeastern Political Science Association, Crowne Plaza Hotel, Philadelphia, PA, November 17-19, 2005. Panel Chair

“Legal Problems: Using PBL in Law-Related Courses,” PBL 2002: Pathways to Better Learning,” An International Conference on Problem-Based Learning in Higher Education, Baltimore Convention Center, Baltimore, MD, June 16-20, 2002. Presenter.

“The Federal Courts: Politics and Policy—A Forty Year Retrospective,” 1990 Annual Meeting of the Northeast Political Science Association, Omni Biltmore Hotel, Providence, R.I., November 15-17, 1990. Panel Chair.

“The First Amendment and the Supreme Court,” Annual Meeting of the Southern Political Science Association, Charlotte, N.C., November 5-7, 1987. Panel Chair.

“The Bill of Rights,” Conference on the Bicentennial of the United States Constitution, Sponsored by the Faculty of Law and the Conference Group on American Studies, University of Bologna, Bologna (Italy), May 1987.

“Analysis of Supreme Court Decision Making,” Annual Meeting of the Southern Political Science Association, Nashville, TN, 1985. Panel Chair.

“Winners and Losers: Litigants at Court,” Annual Meeting of the Southern Political Science Association, Savannah, Georgia, 1984. Panel Discussant.

“The Burger Court,” Annual Meeting of the Southwest Political Science Association, Denver, Colorado, 1982. Panel Discussant.

“Judicial Politics and Judicial Policy,” Annual Meeting of the Northeastern Political Science Association, Newark, New Jersey, 1981. Panel Discussant.

“Future Directions of Comparative Legal Research,” Annual Meeting of the Southern Political Science Association, Atlanta, Georgia, 1978. Panel Discussant.

“Activism v. Judicial Restraint,” Annual Meeting of the American Political Science Association, Washington, D.C., 1977. Panel Discussant.