

Form Name:
Submission Time:

Citizens Commission
January 31, 2019 10:20 am

Name Nikolas Bowie

Address [REDACTED]
[REDACTED]

Phone [REDACTED]

Email [REDACTED]

Citizenship Affirmation I am a U.S. Citizen

Residency Affirmation I am a resident of the Commonwealth of Massachusetts

Statement of Intent I intend to comply with and advance the policy established by this Act.

Statement of Interest

I am a law professor and historian with a deep understanding of the constitutional status of corporations and their history in Massachusetts. I received my PhD in history at Harvard for a dissertation that analyzed the relationship between corporations and government from the 1629 Massachusetts Bay Company through the present. I clerked for Supreme Court Justice Sonia Sotomayor during a term that addressed thorny issues about corporate personhood and corruption. My 2018 article on First National Bank of Boston v. Bellotti, the 1978 Supreme Court decision that anticipated Citizens United, was called the "best account" of how Massachusetts business corporations led the fight to acquire First Amendment rights by Adam Winkler, author of We the Corporations. I also teach constitutional law, state constitutional law, and local government law—all of which address the constitutional rights of business (and municipal) corporations. My forthcoming article in the Harvard Law Review reviews Winkler's book and evaluates ways states and constitutional amendments should respond to Citizens United to prohibit unaccountable political spending by business corporations without silencing nonprofit corporations like the NAACP, press corporations like the Boston Globe, unions like SEIU, municipal corporations like Cambridge, universities like Harvard. In short, I know a lot about this subject and would be excited to share my expertise and help the commission be successful.

Résumé or Summary of Qualifications Upload https://s3.amazonaws.com/files.formstack.com/uploads/3282862/71887710/474122925/71887710_cv_jan_2019.pdf

Political Party Affiliation, if any, over the previous five years Democratic

City or Town where you reside CAMBRIDGE

Employment Status	Employed
Occupation	Law professor
Employer	Harvard Law School

Nikolas Bowie

ASSISTANT PROFESSOR OF LAW
HARVARD LAW SCHOOL



Education

HARVARD UNIVERSITY

PhD, history, 2018

JD, 2014

AM, history, 2011

YALE UNIVERSITY

BA, history, 2009

Professional positions

HARVARD LAW SCHOOL

Assistant professor of law, 2018–

Lewis law teaching fellow, 2017–18

Berger-Howe legal history fellow, 2016–17

SUPREME COURT OF THE UNITED STATES

Law clerk to Justice Sonia Sotomayor, 2015–16

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Law clerk to Judge Jeffrey Sutton, 2014–15

Teaching & research interests

Federal constitutional law

State constitutional law

Local government law

Legal history

Bar admissions

Supreme Court of the United States

United States Court of Appeals for the First Circuit

United States District Court for the District of Massachusetts

Massachusetts

Board & panel memberships

CAMBRIDGE PLANNING BOARD

Associate member, 2018–

LAWYERS’ COMMITTEE FOR CIVIL RIGHTS & ECONOMIC JUSTICE

Board member, 2018–

COMMITTEE FOR PUBLIC COUNSEL SERVICES

Postconviction & Appeals Panel member, 2017–

HARVARD LAW REVIEW

Forum and online content chair, 2013–14

Professional memberships

American Historical Association

American Society for Legal History

Law & Society Association

Massachusetts Black Lawyers Association

Society for Historians of the Early American Republic

Publications

Why the Constitution Was Written Down, 71 STAN. L. REV. ____
(forthcoming 2019)

The Government Could Not Work Doctrine, 105 VA. L. REV. 1 (2019)

Corporate Personhood v. Corporate Statehood, 132 HARV. L. REV.
____ (2019)

High Crimes Without Law, 132 HARV. L. REV. F. 59(2018)

*Corporate Democracy: How Corporations Justified Their Right to
Speak in 1970s Boston*, 36 L. & HIST. REV. 689 (2018)

Dissertation, *Corporate America: A History of Corporate Statehood
Since 1629* (2018) (Emma Rothschild, James Kloppenberg, Morton
Horwitz, and Ken Mack, committee)

Note, *Congress’s Power to Define the Privileges & Immunities of
Citizenship*, 128 HARV. L. REV. 1206 (2015)

Case Comment, *Massachusetts v. U.S. Dep’t of Health & Human
Services*, 682 F.3d 1 (1st Cir. 2012), 126 HARV. L. REV. 611 (2012)

*Poison Ivy: The Problem of Tax Exemption in a Deindustrializing
City; Yale and New Haven, 1967–1973*, 3 FOUNDATIONS 61 (2009)

Presentations

AMERICAN SOCIETY OF LEGAL HISTORIANS

The Corporate Constitution (Houston, 2018)

SOCIETY FOR HISTORIANS OF THE EARLY AMERICAN REPUBLIC

Why the Constitution Was Written Down (Toronto, 2018)

LAW & SOCIETY ASSOCIATION

The Assembly Clauses' Protection of Home Rule (Cleveland, 2018)

BOSTON COLLEGE LEGAL HISTORY ROUNDTABLE

The Corporate Origins of Written Constitutionalism (Boston, 2017)

AMERICAN HISTORICAL ASSOCIATION

Corporate Democracy (Denver, 2017)

MASSACHUSETTS CONTINUING LEGAL EDUCATION

Practicing & Winning in the Highest Court in the Land (Boston, 2017)

CENTER FOR HISTORY & ECONOMICS WORKSHOP

Czars and Strikes Forever (Cambridge, 2011)

Awards & fellowships

HARVARD LAW SCHOOL

Irving Oberman Memorial Prize, best paper on legal history, 2014

Ames Moot Court Competition, best brief & overall team, 2013

Williston Negotiation Competition, best representation of client, 2012

HARVARD GRADUATE SCHOOL OF ARTS & SCIENCES

Harvard/Cambridge Centre for History & Economics Mellon Prize, 2011

Weatherhead Center for International Affairs Fellowship, 2010

The Tobin Project Graduate Fellowship, 2010

Harvard JD/PhD Graduate Fellowship, 2009–18

YALE COLLEGE

John A. Porter Prize, best senior thesis on American history, 2009

Charles Garside Jr. Cup, best residential-college work on history, 2009

Mellon Mays / Bouchet Undergraduate Research Fellowship, 2007–09

E. Francis Riggs Memorial Prize, excellence in Directed Studies, 2006

Other experience

U.S. DEPARTMENT OF JUSTICE

Intern in the Civil Division, appellate staff, 2013

WILLIAMS & CONNOLLY LLC

Summer associate, 2013

Other experience (continued)

U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK
Intern to Judge Jed Rakoff, 2012

WHITE HOUSE
Intern in the Office of Legislative Affairs, 2009

UNITE HERE
Student organizer, 2008

HABITAT FOR HUMANITY
Trip leader for the cross-country Habitat Bicycle Challenge, 2007

AMERICAN CIVIL LIBERTIES UNION
Intern in the National Legal Department, 2006