

LINCOLN CAPLAN

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I. Education

- Harvard Law School, J.D., 1976
- Harvard Scholar, Emmanuel College, Cambridge University, England, 1972-1973
- Harvard College, A.B., *magna cum laude*, 1972

II. Teaching and Academe

- Senior Research Scholar and Visiting Lecturer in Law, Yale Law School, 2013-present, teaching or co-teaching writing seminars called Shaping Legal Opinion and The Art of Argument
- Writing Tutor, Davenport College, Yale College, 2017-present
- Lecturer in English, Yale University, 2019-present, teaching a section of English 450 (Daily Themes), Spring 2019, and a section of English 120 (Reading and Writing the Modern Non-fiction Essay), Fall 2019 and Fall 2020
- Visiting Lecturer, University of Virginia Law School, Fall, 2014, teaching a writing “short course”
- Fellow and Freshman Adviser, Davenport College, Yale University, 2001-present
- Visiting Fellow, Whitney Humanities Center, Yale University, 2006-2009
- Knight Senior Journalist (Senior Research Scholar), Yale Law School, 1998-2006; Visiting Lecturer in Law, 1998-1999 and 1999-2000; and supervisor, independent projects, 1998-2006
- Lecturer in English, Yale University, 1999-2000; 2001-2002. Taught English 469b, Advanced Nonfiction Writing: Reporting as Storytelling

III. Journalism

- ***The American Scholar*, member, editorial board and regular contributor, 2006 until now; *Harvard Magazine*, regular contributor from 2014 until now, and contributing editor, from August 2016 until now; *newyorker.com*, regular contributor, 2013 until 2017**
- ***The New York Times*, Editorial Writer about the Supreme Court, September 2010-June 2013**
416 editorials and columns published from September 1, 2010 through June 30, 2013
- ***Legal Affairs* magazine, Founding Editor and President, 2000-2006 www.legallaaffairs.org**

Developed and led the first general-interest magazine about the law, created in association with Yale Law School, launched in 2002 and published bimonthly for 24 issues through the March|April 2006 issue. *Legal Affairs*' honors include:

- Finalist, 2006 National Magazine Award for General Excellence
- Finalist, 2006 National Magazine Award for Public Interest

- Winner, 2006 Excellence in Financial Journalism Award
 - Winner, 2005 Casey Medal for Meritorious Journalism
 - Winner, Gold and Silver Medals, 2005 and 2004 Ozzie Awards for best use of illustration by a consumer magazine with a circulation under 250,000
 - One of America's "Best Magazines" in 2004 (*Chicago Tribune*)
 - First-place winner, 2003 National Headliner Awards, feature writing
 - Winner, Silver Medal, 2003 Ozzie Awards, for best design of a new magazine
 - Finalist, 2003, 2004, 2005, and 2006, Livingston Awards for Young Journalists
 - Former employees at *The New York Times*, *The Atlantic*, *Wired*, *Slate*, *GQ*, and elsewhere
- ***U.S. News & World Report*, September 1996-August 1998**

Editor, Special Projects, February 1997-August 1998 (one of three "top editors" of the magazine, responsible for *U.S. News Online*; *U.S. News Guide to Colleges & Universities*; and other special projects); Assistant Managing Editor, December 1996-February 1997 (editor of cover stories and of the magazine's lead "One Week" column); and Senior Writer, September 1996-December 1996 (Acting National Editor)
- ***Newsweek*, July 1993-December 1995, Contributing Editor**
- ***The New Yorker*, September 1978-December 1992**

Staff Writer, August 1987-December 1992; Contributor, September 1978-August 1987. Wrote "Annals of Law," "Profiles," "A Reporter at Large," "Notes & Comment," "Talk of the Town," and "Books" pieces
- ***The New Republic*, March 1974-October 1980**

Staff Writer, September 1975-August 1976; intern, June 1974-September 1975; Member, Board of Directors, 1974-1980
- **Freelance contributor, 1970 to present**, to the *American Bar Association Journal*, *The American Prospect*, *The American Scholar*, *The Atlantic*, *The Baltimore Sun*, *Book Forum*, *The Boston Globe*, *Boston Magazine*, *The Boston Phoenix*, *The Chicago Tribune*, *Civilization*, *Current*, *Daedalus*, *Democracy*, *Forbes FYI*, *The Hartford Courant*, *Harvard Magazine*, *Harvard Law Bulletin*, *International Herald Tribune*, *The Los Angeles Times*, *The Miami Herald*, *Missouri Law Review*, *The New Republic*, *New York*, *The New York Review of Books*, *The New Yorker*, *newyorker.com*, *The New York Times*, *The New York Times Magazine*, *Newsday*, *Newsweek*, *The Philadelphia Inquirer*, *Playboy*, *Slate*, *U.S. News & World Report*, *Vogue*, *The Washington Monthly*, *The Washington Post*

IV. **Books**

- *American Justice 2016: The Political Supreme Court*, University of Pennsylvania Press (2016)
- *Up Against the Law: Affirmative Action and the Supreme Court*, The Century Foundation (1997)
- *Skadden: Power, Money, and the Rise of a Legal Empire*, Farrar Straus & Giroux (1993); FSG paperback (1994); Japanese (1994), Chinese (2010), and Korean editions (2011)

- *An Open Adoption*, Farrar Straus & Giroux (1990); Houghton Mifflin paperback (1991) (40,000 words excerpted in two issues of *The New Yorker*)
- *The Tenth Justice: The Solicitor General and the Rule of Law*, Knopf (1987); Vintage paperback (1988) (40,000 words excerpted in two issues of *The New Yorker*)
- *The Insanity Defense and the Trial of John W. Hinckley, Jr.*, David R. Godine (1984); Dell paperback (1985) (25,000 words excerpted in one issue of *The New Yorker*)

V. Selected Articles

- “[This Man Should Not Be Executed](#),” cover story, *The American Scholar*, Winter 2020
- “[What Reconstruction-Era Laws Can Teach Our Democracy](#),” A review of *The Second Founding* by Eric Foner, *The New York Times Book Review*, September 18, 2019
- “[America’s Great Modern Justice: Oliver Wendell Holmes](#),” Jr., *Harvard Magazine*, May-June 2019
- “[The Invisible Justice Problem](#),” a special issue on access to justice, *Daedalus*, the journal of the American Academy of Arts and Sciences, Winter 2019
- “[Stress Test for Free Speech: Social media are destroying the democratic culture that the First Amendment is meant to protect](#),” cover story, *The American Scholar*, Fall 2018
- “[The Political Solicitor General: The 'Tenth Justice' and the Polarization of the Supreme Court](#),” *Harvard Magazine*, September-October 2018 issue
- “[A President, A Chief Justice, and the Politics of Segregation](#),” review of *Eisenhower v. Warren: The Battle for Civil Rights and Liberties* by James F. Simon, *The New York Times Book Review*, June 12, 2018
- “[Our Towns: James and Deborah Fallows explore ‘What the hell is happening in America,’](#)” ... *Harvard Magazine*, May-June 2018 issue
- “[America's Little Giant](#),” Review of *The Three Lives of James Madison: Genius, Partisan, President* by Noah Feldman, *Harvard Magazine*, January-February 2018
- “[The Root Room: A special room that was meant to offer a respite from the rigors of the Harvard Law School curriculum became a portal to exploring some of the most important issues in American law](#),” *Harvard Law Bulletin*, November 2017
- “[The Justice Gap: America’s unfulfilled promise of ‘equal justice under law’](#),” *Harvard Magazine*, November-December 2017
- “[Should Facebook and Twitter be Regulated under the First Amendment?](#),” *wired.com*, October 11, 2017
- “[A Workable Democracy: The Optimistic Project of Justice Stephen Breyer](#),” *Harvard Magazine*, March-April 2017 issue

- [“How the First Amendment Applies to Trump’s Administration,”](#) *newyorker.com*, March 21, 2017
- [“Will the Supreme Court Stop Texas from Executing the Intellectually Disabled?,”](#) *newyorker.com*, November 30, 2016
- [“Death Throes,”](#) a review/essay about the death penalty and the new book *Courting Death* by Carol Steiker and Jordan Steiker, cover story, *Harvard Magazine*, November-December 2016 issue
- [“A New Era for the Supreme Court,”](#) lead article in “A Special Report – A Governing Agenda,” *The American Prospect*, Fall 2016
- [“Chicago Hope,”](#) a feature article about a Chicago charter school, *The American Scholar*, Fall 2016
- [“Why the Supreme Court Should Take on Political Corruption in Wisconsin,”](#) *newyorker.com*, September 23, 2016
- [“Two Connecticut School Systems: For the Rich and Poor,”](#) *newyorker.com*, September 14, 2016
- [“The End of the Open Market for Lethal-Injection Drugs,”](#) *newyorker.com*, May 21, 2015
- [“The Dangers of the Ever-More-Powerful Presidency,”](#) *newyorker.com*, May 9, 2015
- [“Rhetoric and Law: The Double Life of Richard Posner,”](#) cover story, *Harvard Magazine*, January-February 2016
- [“Yale’s Confederate Flag: Calhoun College,”](#) *theatlantic.com*, October 5, 2015
- [“Richard Glossip and the End of the Death Penalty,”](#) *newyorker.com*, September 30, 2015
- [Review of “Speak Now” by Kenji Yoshino,](#) *New York Times Book Review*, May 6, 2015
- [“The Junior Justice: a profile of Elana Kagan,”](#) *The American Prospect*, Spring 2015
- [“The Embattled First Amendment,”](#) cover story, *The American Scholar*, Spring 2015
- [“Anthony Lewis: What He Learned at Harvard Law School,”](#) *Missouri Law Review*, Spring 2015
- [“The Legal Olympian: A profile of Cass Sunstein,”](#) cover story, *Harvard Magazine*, January-February 2015
- [“The Hinckley Example,”](#) *nytimes.com* Room for Debate/Opinion section, January 8, 2015
- [“The Supreme Court’s Advocacy Gap,”](#) *newyorker.com*, January 6, 2015
- [“The Fear Factor,”](#) cover story, *The American Scholar*, Summer 2014
- [“The Judge Who Shaped Our Law,”](#) *The New York Review of Books*, December 5, 2013

- [“Leaks and Consequences,”](#) cover story, *The American Scholar*, Fall 2013
- [“Ruth Bader Ginsburg and Footnote Four,”](#) *newyorker.com*, September 14, 2013
- [“The Withered Writ,”](#) *The American Prospect*, July/August 2013
- [“The Right to Counsel,”](#) Sunday Observer, *The New York Times*, March 13, 2013
- [“Justice for Sale,”](#) cover story, *The American Scholar*, Summer 2012
- [“The Random Horror of the Death Penalty,”](#) Sunday Observer, *The New York Times*, January 8, 2012
- [“The Crime of Punishment,”](#) review essay, *Democracy*, Fall 2011
- [“William Stuntz,”](#) Appreciation, *The New York Times*, March 24, 2011
- [“Thanksgiving Scripture,”](#) Sunday Observer, *The New York Times*, November 25, 2010
- [“A Judge’s Warning about the Legitimacy of the Supreme Court,”](#) Editorial Observer, *The New York Times*, September 26, 2010
- [“Truth and Consequences,”](#) a review of *The Death of American Virtue: Clinton v. Starr* by Ken Gormley, *The American Scholar*, Spring 2010
- [“Mr. Law and Order,”](#) review of *The Strong Man: John Mitchell and the Secrets of Watergate* by James Rosen, *Washington Post Book World*, June 1, 2008
- [“What Gives: An Underground Classic About Art Explains the Immeasurable Value of Philanthropy,”](#) *Slate*, February 11, 2008
- [“Who Cares About Executive Supremacy?,”](#) *The American Scholar*, Winter 2008
- [“Great Expectations: Why Big Donors Back Teach for America,”](#) *Slate*, October 20, 2007
- [“Hyper Hacks: What’s Really Wrong with the Bush Justice Dept.,”](#) *Slate*, March 14, 2007
- [“Uncharitable Thoughts: Are Foundations Evil?,”](#) *Slate*, February 16, 2007
- [“Where Does Alito’s Advocacy End?,”](#) *The Hartford Courant*, January 9, 2006
- [“This Fight’s About More than Judgeships,”](#) *The Washington Post*, May 8, 2005
- [“Lawyers’ Standards in Free Fall,”](#) *The Los Angeles Times*, July 20, 2004
- [“Forget the Tone. It’s Dissent that Matters,”](#) *The Washington Post*, July 6, 2003
- [“The President’s Lawyer, and the Court’s,”](#) *The New York Times*, May 18, 2001
- [“Solicitor General,”](#) *Oxford Companion to the Supreme Court*, 2005 and 1992 editions

VI. Selected Talks

- “Free Speech: A Conversation,” Roanoke College, Roanoke, VA (March 2017)
- “The Failure of the Death Penalty,” symposiums on *Courting Death*, Harvard Law School (November 2016) and University of Texas Law School (February 2017)
- “The Political Supreme Court,” at [Politics & Prose](#), Washington, D.C.; the [National Constitution Center](#); Philadelphia, PA; Yale Law School, New Haven, CT; and Harvard Law School, Cambridge, MA; (October and November 2016)
- “[The Fadeout of American Justice](#),” John W. Hager Distinguished Lecture, University of Tulsa Law School, Tulsa, OK (October 2015)
- “Hopkins and *Brown v. Board of Education*,” Hopkins School, New Haven, CT, Distinguished Alumnus talk (June 2014)
- “What is Journalism?,” Rutgers University, New Brunswick, NJ (February 2014)
- “What is the Mission of a Law School?,” Jackson Hole Gathering of Law School Deans (May 2012)
- “Covering the Supreme Court,” Washington College, Chestertown, MD (February 2012)
- “The Harkness Plan,” Whitney Humanities Center, Yale University (April 2007)
- “The Presidency and the Courts,” White House Fellows, Washington, D.C. (October 2005)
- “Let Us Now Praise Federal Judges,” Amherst College, Amherst, MA (April 2005)
- “Why Blawgs aren’t Blogs,” Supreme Court Fellows, Washington, D.C. (February 2005)
- “The Role of the Solicitor General,” The Supreme Court Historical Society, moderator of event and introductory speaker with three former Solicitors General (April 2004)
- “The Lawyer as Citizen,” The Library of Congress, Washington, D.C., moderator of Law Day event and introductory speaker for the American Bar Association (April 2004)
- “The Michigan Cases and You: The Supreme Court and Affirmative Action,” annual meeting of the Presidents of the Great Lakes Colleges and the Midwestern Colleges (June 2003)

VII. Other Employment and Affiliations

- Research Director, Improving-Access-to-Justice Project, American Academy of Arts and Sciences, August 2019-present
- Senior Editor, Knight First Amendment Institute, Columbia University, December 2016-June 2019

- Co-editor (with Prof. Lance Liebman and Prof. Rebecca L. Sandefur) of a special Winter 2019 issue of *Daedalus*, the journal of the American Academy of Arts and Sciences, about America's challenge in providing adequate access to justice for low-income and poor Americans
- Senior advisor to Encore.org, July 2013-December 2014
- Managing Partner, SeaChange Capital Partners (nonprofit), July 2006-July 2010
- White House Fellow and Assistant to the U.S. Secretary and Deputy Secretary of Energy, Washington, D.C., September 1979-August 1980
- Management Consultant, the Boston Consulting Group, Boston, MA, September 1977-August 1979
- Law Clerk to Chief Justice Charles S. House, Connecticut Supreme Court, Hartford, CT, June 1976-August 1977

VIII. Awards and Honors

- Smith-Weld Prize from *Harvard Magazine* for writing about Harvard University, 2016
- Research grant from the William and Flora Hewlett Foundation, 2016
- Distinguished Alumnus of the Year Award, Hopkins School, New Haven, CT, 2014
- Harkness Fellow, Phillips Exeter Academy, Exeter, NH, April 2007
- Research Grant, The Century Foundation, 1995-1996
- Pope Award for Excellence in Investigative Journalism, 1993
- Grant from the Fund for Investigative Journalism, 1992
- John S. Guggenheim Memorial Fellowship, 1989-1990
- Silver Gavel Award for Distinguished Public Service, American Bar Association, 1985
- White House Fellowship, 1979-1980
- Lionel de Jersey Harvard Scholarship from Harvard College to Cambridge University, 1972-1973
- Harvard National and Graduate National Scholarships, 1968-1972, 1973-1976

IX. Board Memberships

- Contributing editor, *Harvard Magazine*, August 2016-present
- Editorial Board, *The American Scholar*, October 2006-present
- Board of Directors, Our Towns Civic Foundation, Inc., March 2020-present
- Board of Directors, The New Journal, Inc., New Haven, CT, June 2018-May 2019
- Board of Directors, The New Teacher Center, Inc., Santa Cruz, CA, June 2009-August 2010

- Co-chair, Board of Directors, Legal Affairs, Inc., New Haven, CT, July 2006-present
- Committee of Trustees, Hopkins School, New Haven, CT, July 2003-June 2013 (ten-year term), non-trustee member and co-chair, trustees' strategic planning committee, 2013-2015
- Advisory Board, Pew Internet Project, Washington, D.C, February 2001-August 2010
- Advisory Board, Poynter Journalism Fellowships, Yale University, July 1999-June 2003
- Advisory Committee, Harvard-Cambridge Scholarships, Harvard University, 1974-1984; Chair of the Selection Committee, 1978-1984
- Board of Directors, The New Republic, Inc., Washington, D.C., 1974-1980