**KENNETH P. MILLER**

Professor of Government

Director, Rose Institute of State and Local Government

Claremont McKenna College

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**ACADEMIC POSITIONS**

Claremont McKenna College

 Don H. and Edessa Rose Professor of State and Local Government, 2021-

Associate Professor, Department of Government, 2009-2021

Assistant Professor, Department of Government, 2003-2009

Director, Rose Institute of State and Local Government, 2021-

Associate Director, Rose Institute of State and Local Government, 2009-2021

Southern Methodist University

Visiting Fellow, John Goodwin Tower Center for Political Studies, 2017-2018

Princeton University

Ann and Herbert W. Vaughan Visiting Fellow, James Madison Program in American

Ideals and Institutions, 2011-2012

University of San Francisco

Visiting Assistant Professor, Department of Politics, 2002-2003

University of California, Berkeley

Lecturer, Department of Political Science, 2000-2001

**EDUCATION**

University of California, Berkeley—Ph.D. in Political Science 2002

Fields: American politics, public law, political theory.

Dissertation Title: *Madison’s Revenge: Judicial Review of Direct Democracy*

Harvard Law School—J.D. 1988

Pomona College—B.A. 1985

Major: Government

**PUBLICATIONS**

**Books**

*Texas vs. California: A History of Their Struggle for the Future of America* (Oxford University Press, 2020).

*Parchment Barriers: Political Polarization and the Limits of Constitutional Order* (edited with Zachary Courser and Eric Helland) (University Press of Kansas, 2018).

*Direct Democracy and the Courts* (Cambridge University Press, 2009).

*The New Political Geography of California* (edited with Frédérick Douzet and Thad Kousser) (Berkeley Public Policy Press, 2008).

**Book Chapters**

“Introduction,” (with Zachary Courser and Eric Helland) in Zachary Courser, Eric Helland, and Kenneth P. Miller, eds. *Parchment Barriers: Political Polarization and the Limits of Constitutional Order*, University Press of Kansas (2018): 1-14.

“Polarization and the Administrative State,” (with Eric Helland) in Zachary Courser, Eric Helland, and Kenneth P. Miller, eds. *Parchment Barriers: Political Polarization and the* *Limits of Constitutional Order*, University Press of Kansas (2018): 97-118.

“Amending the Amendment Procedures of the Illinois Constitution,” (with Joseph Bessette) in Joseph E. Tabor, ed. *An Illinois Constitution for the 21st Century,* Illinois Policy Institute (2017): 263-279.

“California’s Political Geography: Coast vs. Inland and Increasingly Blue” (with Frédérick Douzet) in Ethan Rarick, ed., *Governing California: Politics, Government, and Public*

*Policy in the Golden State*, Third Edition, Berkeley Public Policy Press (2013): 51-91.

“Direct Democracy: Initiative, Referendum, and Recall” in Ethan Rarick, ed., *Governing California: Politics, Government, and Public Policy in the Golden State*, Third Edition,

Berkeley, CA: Berkeley Public Policy Press (2013): 131-149.

“Courts and the Initiative and Referendum Process” (with Aditya Pai) in Richard G. Niemi and Joshua J. Dyck, eds., *Guide to State Politics and Policy,* CQ Press (2013).

“San Joaquin Valley: Dimensions and Limits of Republican Realignment” (with Justin Levitt) in *The New Political Geography of California,* Berkeley, CA: Berkeley Public Policy Press (2008): 177-195.

“California’s East-West Divide” (with Frédérick Douzet) in *The New Political Geography of California,* Berkeley, CA: Berkeley Public Policy Press (2008): 9-43.

“Courts and the Initiative Process” in M. Dane Waters, ed. *The Initiative and Referendum Almanac: A Comprehensive Reference Guide to the Initiative and Referendum Process*,

Raleigh Durham, N.C.: Carolina Academic Press (2003): 459-467.

“The Populist Legacy: Initiatives and the Undermining of Representative Government” (with Bruce E. Cain) in Larry J. Sabato, Howard R. Ernst, and Bruce A. Larson, eds. *Dangerous Democracy? The Battle Over Ballot Initiatives in America.* Lanham, MD: Roman & Littlefield (2001): 33-62.

“Voting Rights Mismatch: The Challenge of Applying the Voting Rights Act to ‘Other Minorities’” (with Bruce E. Cain) in Mark E. Rush, ed., *Voting Rights and Redistricting in* *the United States*. Westport, CT: Greenwood Press (1998): 141-176.

**Articles**

“Il Sogno Caiforniano,” *Limes: Revista Italiana de Geopolitica*, November 2022: 97-103 (2022).

“The California Supreme Court and the Popular Will,” 19 *Chapman L. Rev.* 151-197 (2016).

“Defining Rights in the States: Judicial Activism and Popular Response.” 76 *Albany L. Rev*. 2061-2103 (2013).

“The Democratic Coalition’s Religious Divide: Why California Voters Supported Obama but not Same-sex Marriage,” *Revue française d’études américaines* (*French Review of* *American Studies*) 2009/1 No. 119: 46-62 (2009).

“Du ‘People’s Rule’ en Californie,” (with Nicolas Heidorn), *Politique Américaine*, No. 9: 65-80 (2008).

 “The Davis Recall and the Courts” *American Politics Research,* Vol. 33, No. 2: 135-162 (2005).

“Constraining Populism: The Real Agenda of Initiative Reform,” 41 *Santa Clara Law Review* 1037-1084 (2001).

“Courts as Watchdogs of the Washington State Initiative Process,” 24 *Seattle University Law Review* 1053-1085 (2001).

**Other publications**

Nicolas Heidorn, Kenneth P. Miller, and Bipasa Nadon. *Re-Assessing San Francisco’s Government Design: Is City Hall Well-Structured to Meet the Current Crisis?* Rose Institute of State and Local Government and TogetherSF, August 2023.

Manfred Keil, Robert Kleinhenz, Fernando Lozano, Ken Miller, Johanes Moenius, Barbara Sirotnik, and Megan Anaya. *California’s Competitiveness: A Regional Approach.* Los Angeles Chamber of Commerce, August 2023.

Miller, Kenneth P. and J. Andrew Sinclair, “CMC-Rose Institute/YouGov Poll: Red vs. Blue States: Competing Visions for 2022 and 2024,” Rose Institute of State and Local Government, November 4, 2022.

Miller, Kenneth P. and J. Andrew Sinclair, “CMC-Rose Institute/YouGov Poll: Battleground Pennsylvania: The 2022 Midterm Election,” Rose Institute of State and Local Government, November 2, 2022.

Miller, Kenneth P. and J. Andrew Sinclair, “CMC-Rose Institute/YouGov Poll: Political Attitudes in California and New York in a Time of Crisis for their Governors,” Rose Institute of State and Local Government, September 21, 2021.

Miller, Kenneth P. and Aditya Pai. “The Initiative Process,” backgrounder for ‘What’s Next California?’ Deliberative Poll (2011).

Miller, Kenneth P. Review of *The Next Los Angeles: The Struggle for a Livable City,* by Robert Gottlieb, Mark Vallianatos, Regina M. Freer, and Peter Dreier, in *Southern California Quarterly,* Vol.

87, No. 3, 328-331 (2005).

Miller, Kenneth P. “*U.S. Term Limits v. Thornton*,” in David Schultz, ed. *The Encyclopedia of the Supreme Court*, New York: Facts on File, Inc., 478-479 (2005).

**CURRENT RESEARCH PROJECTS**

Research on governance of the City and County of San Francisco with TogetherSF.

Development of survey research program with J. Andrew Sinclair.

Development of Miller-Rose Institute Initiative Database of voter-approved initiatives from all 24 initiative states and post-election challenges to those initiatives, available at [www.roseinstitute.org](http://www.roseinstitute.org).

Research on population and business migration between states, Inland Empire Economic Partnership.

**CONFERENCE PRESENTATIONS AND INVITED TALKS**

“The Rose Institute’s Future,” Rose Institute of State and Local Government’s 50th Anniversary, Marian Miner Cook Athenaeum, Claremont, CA. October 27, 2023.

“California City Managers: Profile of the Profession,” San Gabriel Valley City Managers Association, Monrovia, CA, June 21, 2023.

“Red vs. Blue States: The Rivalry Deepens,” panel with Andrew Sinclair, Henry Olsen, Aditya Pai, CMC Alumni Weekend, June 2, 2023.

“The California Paradox,” installation address as the Don H. and Edessa Rose Professor of State and Local Government, Marian Miner Cook Athenaeum, Claremont, CA April 28, 2023.

“The Rose Institute,” PublicCEO, March 31, 2023.

“Texas vs. California,” University Club of Claremont, Claremont, CA, November 15, 2022.

“California’s Choices 2022” (with Nicolas Heidorn), Marian Miner Cook Athenaeum, Claremont McKenna College, September 28, 2022.

“Competing Visions of American Governance—California, Texas, and Beyond,” Council on Foreign Relations, Virtual Roundtable, May 27, 2022.

“Constituting the Court: Nomination and Confirmation of Justices from Earl Warren to Ketanji Brown Jackson,” Salvatori Center, Claremont McKenna College, April 15, 2022.

“Texas vs. California,” (with Alexandra Suich Bass), John Goodwin Tower Center for Public Policy and International Affairs, Southern Methodist University, Dallas TX, April 6, 2022.

“Californians: Do They Help or Hurt Texas?” *Texas Tribune* (online), February 7, 2022.

“Redistricting: What Does it Mean for You?” San Gabriel Valley Economic Partnership (online) January 27, 2022.

“Texas vs. California,” University of Texas alumni, San Antonio, Texas, October 9, 2021.

“Texas vs. California,” (with Alexandra Suich Bass), Old Parkland, Dallas, Texas, October 6, 2021.

“Texas vs. California: An In-Depth Look at the Leaders of Red and Blue America,” CMC Alumni Association (on-line), April 1, 2021.

“Texas vs. California” (with George Seay), Faith Angle Forum, Ethics and Public Policy Center (podcast), September 16, 2020.

Author Meets Critics: *Texas vs. California: A History of Their Struggle for the Future of America,* American Political Science Association Annual Meeting (online), September 10-13, 2020.

“Polarization and the Administrative State” C. Boyden Gray Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University, Washington, D.C., March 29, 2019.

“The Federalists, the Anti-Federalists, and the Constitution They Created,” Liberty Fund Colloquium, Santa Barbara, CA, November 29-December 2, 2018.

“Political Polarization’s Challenge to the Constitution” (with Amanda Hollis-Brusky, George Thomas, and Zachary Courser), Marian Miner Cook Athenaeum, Claremont McKenna College, November 13, 2018.

“California’s Choices 2018” (with Bob Stern), Marian Miner Cook Athenaeum, Claremont McKenna College, October 30, 2018.

“County Election Administrators on Ballot Access and Ballot Security,” (with Andrew E. Busch, Jean R. Schroedel, Joey Torres, Wesley Edwards, Katie Hill), poster, American Political Science Association Annual Meeting, San Francisco, CA, September 1-4, 2017.

“Law and Legitimacy” (Conference Organizer), Southern California Law and Social Sciences (SoCLASS) Forum, Claremont McKenna College, April 28, 2017.

“Forty Years Later: The Brennan Article and State Constitutions” (panel with Hon. Jay Bybee,

James A. Garner, and Derek T. Muller), Federalist Society 2017 Western Conference, Ronald

Reagan Presidential Library, Simi Valley, CA, January 28, 2017.

“California’s Choices 2016” (panel with Bob Stern and Tony Quinn), Marian Miner Cook

Athenaeum, Claremont McKenna College, October 26, 2016.

“Polarization and the Administrative State” (with Eric Helland) at Dreier Roundtable

Conference, Montpelier, VA, April 2, 2016.

Polarization and the Administrative State” (with Eric Helland) at Southern California Law

and Social Sciences (SoCLASS) Forum, “Are We Entering an Era of Dysfunction in American

Government? If So, Can It be Stopped?” University of California at San Diego, La Jolla, CA,

March 18, 2016.

“After Scalia: The Politics of Supreme Court Nominations in an Age of Polarization” (with

Amanda Hollis-Brusky, George Thomas, Zachary Courser), Dreier Roundtable panel, Marian

Miner Cook Athenaeum, Claremont McKenna College, March 3, 2016.

“May Rights Be Submitted to a Vote?: Direct Democracy and Rights in the States,” Yale Law

School Federalist Society, New Haven, CT, February 18, 2016.

“Taking Voter Equality Seriously: What Does ‘One Person, One Vote’ Really Mean?”

(with Christopher Skinnell), Marian Miner Cook Athenaeum, Claremont McKenna College,

November 17, 2015.

“Presaging the Presidential Election: How the 2015 Election Will Shape the 2016 Presidential

Race” (with Zach Courser and Christina Bellantoni), Marian Miner Cook Athenaeum,

Claremont McKenna College, November 3, 2015.

“Examining Polarization in the Supreme Court,” Dreier Roundtable Conference: “Examining

the Roots of Polarization in our Constitutional Order,” Claremont McKenna College and

Santa Monica, CA, October 9-11, 2015.

“The Political Context of the New Judicial Federalism,” American Political Science

Association, San Francisco, CA, September 3-6, 2015.

“Religious Freedom and Public Policy: How Serious is the Threat?” Claremont Center for

Reason, Religion, and Public Affairs, Claremont, CA, June 13, 2015.

“Immigration Policy for the 21st Century: Politics of Immigration Reform,” Dreier

Roundtable and Brookings Institution Conference, Claremont McKenna College, November

7, 2014.

“Has the United States Supreme Court killed California’s initiative process or helped check

its abuses?” (panel with Rick Hasen, Dan Kolkey, Justin Levitt, and Judge Sandra Ikuta),

Federalist Society 2014 Western Conference, Ronald Reagan Presidential Library, Simi

Valley, CA, January 25, 2014.

“California’s Choices 2014” (panel with Bob Stern and Tony Quinn), Marian Miner Cook

Athenaeum, Claremont McKenna College, October 22, 2014.

“The Voting Rights Act After *Shelby County v. Holder*” (panel with Bruce Cain and

Marguerite Leoni), Marian Miner Cook Athenaeum, Claremont McKenna College,

November 19, 2013.

“Election Review” (with Thad Kousser), National Speaker’s Conference, 23rd Annual

Meeting, Los Angeles, CA, October 24, 2013.

“The Purposes of Punishment in Supreme Court Jurisprudence,” Salvatori Center

Conference on Capital Punishment, Claremont, CA, May 25, 2013.

“California’s Choices 2012” (panel with Bob Stern and Tony Quinn), Marian Miner Cook

Athenaeum, Claremont McKenna College, October 29, 2012.

“Judicial Activism in the Court of Public Opinion,” via online submission, American Political

Science Association, New Orleans, LA, August 30 - September 2, 2012.

“State Constitutions and the Politics of Rights,” Policy History Conference, Richmond,

Virginia, June 6-9, 2012.

“Progressivism and Institutional Change,” (Roundtable), James Madison Program

Conference on American Constitutionalism and the Legacy of Progressivism, Princeton

University, May 21, 2012.

“The Courts, the States, and Constitutional Liberty,” Liberty Fund Colloquium, Santa Fe,

New Mexico, February 2-5, 2012.

“The Constitution in Contemporary American Politics,” (Roundtable), Princeton University,

September 16, 2011.

“Making Sense of the California Initiative System,” San Gabriel Valley Economic

Partnership, Cal Poly Pomona, October 15, 2010.

“The Spirit of Phi Beta Kappa,” Induction Ceremony for new members of Phi Beta Kappa,

Claremont McKenna College, May 13, 2010.

“State Constitutions,” Liberty Fund Colloquium, Safety Harbor, Florida, March 11-13, 2010.

“Is California Governable?” Constitution Week Panel, CSU Fullerton, September 17, 2009.

“Same-sex Marriage, Courts, and Direct Democracy,” (Roundtable), American Political

Science Association, Toronto, Ontario, Canada, September 2, 2009.

“Governing a Multi-Ethnic California: A Comparative Perspective” Berkeley, CA, March 11-

13, 2009.

“Federalism and Separation of Powers: Safeguards of Liberty,” Liberty Fund Colloquium,

New Orleans, LA, February 26-March 1, 2009.

Election Night Commentary, Marian Miner Cook Athenaeum, Claremont McKenna College,

November 4, 2008.

“The California Economy: What Can Be Done?” Claremont Institute Conference: California

Public Policy 2008, Newport Beach, CA, May 31, 2008.

“The New Political Geography of California” panel discussion, U.C. Berkeley, April 28, 2008.

Moderator: “Teaching the Constitution, the Constitution as Teacher: A Panel Discussion in

Honor of Leonard Levy,” Claremont Discourse Lecture Series, Claremont CA, September 20,

2007.

“Direct Democracy and the Definition of Rights,” Western Political Science Association, Las

Vegas, NV, March 8, 2007.

“Dimensions of Republican Realignment in California’s Central Valley,” (with Justin Levitt),

Western Political Science Association, Las Vegas, NV, March 8, 2007.

“Election Review,” The California Club, Los Angeles, CA, November 7, 2006.

“Measuring California’s East-West Divide” (with Frédérick Douzet and Ariane Zambiras),

Borchard Foundation Conference: California: A Franco-American Perspective, Missilac,

France, July 2006.

Discussant, “Law, Diplomacy, and War,” Keck Center for International and Strategic Studies,

Claremont, CA, March 24, 2006.

“The California Special Election” debate with Dr. Lisa García-Bedolla, Pomona Student

Union, Pomona College, Claremont, CA, November 1, 2005.

“Anatomy of a Backlash: The Response to *Goodridge v. Department of Public Health,*”

American Political Science Association, Washington, D.C., September 4, 2005.

“The Scholarship of William K. ‘Sandy’ Muir: What Political Science Needs to be Now?”

Western Political Science Association, Oakland, CA, March 18, 2005.

“Election Review,” The California Club, Los Angeles, CA, November 3, 2004.

Election Analysis, Marian Miner Cook Athenaeum, Claremont McKenna College, Claremont,

CA, November 2, 2004.

“The Future of Direct Democracy in California,” The Claremont Institute, Claremont, CA,

March 3, 2004.

“The Davis Recall and the Courts,” Western Political Science Association, Portland, OR,

March 12, 2004.

“Public Policy Formation by Citizen Initiative: Failed Initiatives—Missed Opportunities?”

Symposium, Rose Institute of State and Local Government, Claremont McKenna College,

Claremont, CA, October 23, 2003.

“Prospects for Initiative Reform,” The California Club, Los Angeles, CA, October 20, 2003.

“Recall Politics,” Symposium, Pomona College, Claremont, CA, September 30, 2003.

“California Politics: Losing Ground or Making Strides?” Panel, Marian Miner Cook

Athenaeum, Claremont McKenna College, Claremont, CA, September 29, 2003.

“Three Strikes and the Eighth Amendment,” American Political Science Association,

Philadelphia, PA August 2003.

“Teaching Law to Undergraduates,” Roundtable, Western Political Science Association,

Denver, CO, March 28, 2003.

“New Judicial Resistance to Direct Democracy,” American Political Science Association,

Boston, MA, August 31, 2002.

“The California Initiative: Fourth Branch of Government?” Symposium, Santa Clara

University Law School, Santa Clara, CA, March 23, 2001.

“The Populist Legacy: Initiatives and the Undermining of Representative Government,” (co-presented with Bruce Cain) University of Virginia Center for Governmental Studies National

Direct Democracy Conference, Charlottesville, VA, June 8-10, 2000.

“Judging Initiatives: A Unique Role for Courts,” Western Political Science Association, San

Jose, CA, March 26, 2000.

“The Role of Courts in the Initiative Process: A Search for Standards,” American Political

Science Association, Atlanta, GA, September 1999.

“The Fragile Logic of Voting Rights” (with Bruce Cain), American Political Science

Association, Chicago, IL, August 1996.

**TEACHING EXPERIENCE**

California Politics

Introduction to American Politics

Constitutional Law (Rights and Liberties)

Constitutional Law (National Powers)

Constitutional Law (Church and State)

Supreme Court / Criminal Procedure

Interdisciplinary Introduction to Law

Public Policy (Poverty)

Legislative Process

Introduction to Political Theory

Government/International Relations Honors Thesis Seminar

**RESEARCH GRANTS AND FELLOWSHIPS**

Smith Richardson Foundation, Domestic Policy Program grant for book on Texas vs. California, 2017-2019

Tower Center Fellow, Tower Center for Political Studies, Southern Methodist University—

2017-2020

Hewlett Foundation grants for work on political polarization (through Dreier Roundtable),

2015-2018

Ann and Herbert W. Vaughan Visiting Fellowship, James Madison Program in American

Ideals and Institutions, Princeton University—2011-2012

CMC Summer Research Awards—2004-2009

U.C. Berkeley Institute of Governmental Studies Visiting Scholar—2007-2008

Albert and Elaine Borchard Foundation Grant (California political geography, with Thad

Kousser, Frédérick Douzet)—2006

University of California Humanities Research Institute Grant (Governing a multi-ethnic

California, with Thad Kousser, Frédérick Douzet)—2008

**COLLEGE COMMITTEES AND OTHER SERVICE**

Director, Rose Institute of State and Local Government 2021-

Associate Director, Rose Institute of State and Local Government 2009-2021

Founding Co-Director, Dreier Roundtable, 2014-2019

Faculty Advisor, CMC Washington Program, 2004-2018

CMC Faculty Liaison, Luce Scholars Program, 2005-2011

CMC Faculty Advisor, California Capital Fellows Programs, 2006-

Member, CMC Truman Scholars Nomination Committee, 2004-2011

Advisor, CMC Political Education Fellowship, 2003-

Member, CMC Trustees Finance Committee, 2016-2017

Member, CMC Administration Committee, 2012-2015

Member, CMC Academic Standards Committee, 2012-2013

Member, CMC Student Recruitment Committee, 2007-2011

Member, CMC Off-campus Study Committee, 2008-2009; 2019-2020

Member, CMC Judicial Board, 2004-2008; 2020-2021

Member, CMC Admissions Committee, 2021-

Co-founder, CMC Inland Empire Center (2009)

Coordinator, CMC Government/IR Senior Honors Program, 2003-2009

Member, CMC Ad Hoc Committee on Legal Studies Program, 2003-2004

Administrator, John Gardner Public Service Program (U.C. Berkeley-Stanford) 1997-1999

**MEDIA COMMENTARY**

Political analysis and commentary in various media outlets, including television (KPIX,

KRON, NBC Bay Area), radio (NPR, BBC, CBC, Wisconsin Public Radio, Minnesota Public Radio, KQED, KPCC, KCRW, KCBS, KNX) and print (*The Economist, Financial Times*, *Le Monde*, *New York Times,* *USA Today, The Dispatch, Dallas Morning News, Los Angeles Times, San Francisco Chronicle, SF Standard, Orange County Register, Sacramento Bee, CalMatters, Campaigns and Elections)*

**SERVICE TO THE PROFESSION**

Member, Editorial Board: *Politique Américaine* and *California Journal of Politics and Policy*

Manuscript reviewer:

Oxford University Press

University of Chicago Press

University of California Press

CQ Press

*American Politics Research*

*Publius: The Journal of Federalism*

*State Politics and Policy Quarterly*

*State and Local Politics Review*

*Journal of the European Economic Association*

**MEMBERSHIPS**

American Political Science Association Section memberships: Law and Courts, State Politics

and Policy, Politics and History

James Madison Society, James Madison Program, Princeton University

California Supreme Court Historical Society

California Bar Association (Active Member). Bar No. 139806; Administration of Justice

Committee, 1991-1994

Phi Beta Kappa

**OTHER PROFESSIONAL EXPERIENCE**

Member, Board of Directors, Veritas Forum, 2017-

Member, Board of Directors, Redeeming Babel, 2022-

Co-founder and Senior Fellow, Claremont Center on Reason, Religion, and Public Affairs,

2014-2022

Member, Board of Directors, Pomona Hope, 2008-2014 (Chair, 2012-2014)

Co-founder and Editorial Board Member, *Inland Empire Outlook*, 2009-

Attorney, Morrison & Foerster, LLP—1989-2002

1989-1994: Associate in the firm, resident in Los Angeles and Sacramento offices

Specialized in civil litigation, administrative law, and legislative advocacy

Co-founder, Sacramento office, 1991

1994-2002: Contract attorney, specializing in election law

Legislative Assistant, California State Senator Rebecca Q. Morgan—1988-1989

California Senate Fellow

Intern, Congressman David Dreier, Washington, D.C.—Fall 1983/Summer 1984

Lyndon Baines Johnson and Margaret Martin Brock Internships

*January 2024*