

**ERIC RUBEN**

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**ACADEMIC EXPERIENCE**

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**SMU Dedman School of Law, Dallas, TX**

*Associate Professor of Law* (with tenure), May 2023-present

*Assistant Professor of Law*, August 2019-May 2023

*Courses:* Constitutional Law I, Criminal Law, Professional Responsibility, Second Amendment

[Originalism-by-Analogy and Second Amendment Adjudication](#), 133 YALE L.J. 99 (2023) (with Joseph Blocher)

*cited in* United States v. Rahimi, 144 S. Ct. 1889, 1929 (2024) (Jackson, J., concurring); Bianchi v. Brown, \_\_F.4th\_\_, 2024 WL 3666180 (4th Cir. 2024); Ocean State Tactical, LLC v. Rhode Island, 99 F.4th 38 (1st Cir. Mar. 7, 2024); Lara v. Comm’r Pennsylvania State Police, 91 F.4th 122 (3d Cir. 2024) Range v. Att’y Gen. United States of Am., 69 F.4th 96 (3d Cir. 2023) (Krause, J., dissenting)

[Self-Defense Exceptionalism and the Immunization of Private Violence](#), 96 S. CAL. L. REV. 509 (2023)

[Public Carry and Criminal Law After Bruen](#), 135 HARV. L. REV. F. 505 (2022)

*formed basis for* quotes in the New York Times and Washington Post, as well as interview on Vox’s Today Explained podcast

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- \_\_\_\_\_, [Ideology, and Doctrinal Change](#), 110 GEO. L.J. (2022) (with Joseph Blocher)  
*companion piece* published in the Washington Post  
*featured in* episodes of Strict Scrutiny and Vox’s The Most Dangerous Branch podcasts

[Law of the Gun: Unrepresentative Cases and Distorted Doctrine](#), 107 IOWA L. REV. 173 (2021)

*cited in* the brief filed by the Giffords Law Center to Prevent Gun Violence in *New York State*, No. 20-843 (U.S. Apr. 26, 2021)

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[Under the Second Amendment](#), BRENNAN CTR. FOR JUST. (2021)

[An Unstable Core: Self-Defense and the Second Amendment](#), 108 CALIF. L. REV. 63 (2020)

*cited in* various briefs including those filed by Criminal Law Scholars and United States Senators in *Bruen*, *supra*

[You Can Lead a Horse to Water: Heller and the Future of Second Amendment Scholarship](#), 68 DUKE L.J. O. 1 (2018) (with Joseph Blocher)

[From Theory to Doctrine: An Empirical Analysis of the Right to Keep and Bear Arms After Heller](#), 67 DUKE L.J. 1433 (2018) (with Joseph Blocher)

*cited in* various briefs including one filed by Second Amendment Law Professors in *Bruen*, *supra*  
*cited in* *Mance v. Sessions*, 896 F.3d 390 (5th Cir. 2018)  
*featured in* the New York Times, Wall Street Journal, and USA Today, among others

[Justifying Perceptions in First and Second Amendment Doctrine](#), 80 LAW & CONTEMP. PROBS. 149 (2017)

[Preface: The Second Generation of Second Amendment Law & Policy](#), 80 LAW & CONTEMP. PROBS. 1 (2017) (with Darrell A. H. Miller)

[Firearm Regionalism and Public Carry: Placing Southern Antebellum Case Law in Context](#), 125 YALE L.J. F. 121 (2015) (with Saul Cornell)

*cited in* the majority opinion and quoted in the dissenting opinion in *Bruen*, *supra*  
*cited in* various briefs including those filed by the NAACP Legal Defense & Education Fund and New York State in *Bruen*, *supra*  
*cited in* *Young v. Hawaii*, 992 F.3d 765 (9th Cir. 2021), among others  
*companion piece* published in The Atlantic

**Work-in-Progress**

*Judge-Scholar Collaboration and the Second Amendment* (with Andrew Willinger) (forthcoming in SMU LAW REVIEW)

*Numeracy and Constitutional Interpretation*

*Gun-Free Zones* (with Ali Rowhani-Rahbar & Rosanna Smart)

*Felons, Firearms, and Restoration*

**Edited Volumes**

[\*Protests, Insurrection, and the Second Amendment\*](#), BRENNAN CTR. FOR JUST. (2021)

[\*Second Generation of Second Amendment Law and Policy\*](#), 80 LAW & CONTEMP. PROBS. 1 (2017) (with Darrell Miller)

**GRANTS**

“Gun Laws in Tennessee: Understanding the Current Landscape,” University of Tennessee College of Law (April 2023)

“The History of the Second Amendment: How We Got to Bruen—and Where We Go from Here,” UCLA Criminal Justice Law Review Symposium (October 2022)

“Felons, Firearms, and Restoration,” N.Y.U. L. Rev. & Duke Ctr. for Firearms Law Symposium (September 2022)

“Felons, Firearms, and Restoration,” Duke Law School Firearms Law Workshop (June 2022)

“Public Carry and Criminal Law after *Bruen*,” Harvard Law Review Symposium (March 2022)

“Self-Defense Exceptionalism,” UC Davis Law Review Symposium (October 2021)

“Gun Law Reform: The Current Legal Landscape,” NYU School of Law Symposium (March 2021)

“The Gun Rights Movement and ‘Arms’ Under the Second Amendment,” Brennan Center Workshop (February 2021)

“Unrepresentative Litigation and Constitutional Distortion: The Case of the Gun-Centric Second Amendment,” Drexel University School of Law Faculty Workshop (November 2020)

“An Unstable Core: Self-Defense and the Second Amendment,” Video Interview, Duke Law (May 2020)

“‘The Second Amendment Is Not a Second-Class Right’: A Case Study in Constitutional Rhetoric,” AALS Conference (January 2020)

“Mistake, Self Defense, and the Role of the Jury: Framing the Botham Jean/Amber Guyger Case,” SMU Dedman School of Law (flash class) (October 2019)

“The Second Amendment After *Heller* and *Caetano*: Overlooked Implications for the Future of Weapons Regulation,” Duke Law School Workshop (August 2019)

“The Second Amendment and Self-Defense,” <https://www.duke.edu/law/symposiums/2022-2023/symposium-on-gun-law-reform/> (August 2022)

“An Introduction and Discussion on the Second Amendment,” Cardozo Law Chapter of the American Constitution Society (March 2016)

“The Second Amendment: Gun Rights in America,” John Jay College, New York, NY (November 2015)

**SELECTED PUBLICATIONS, PRESENTATIONS, AND MEDIA APPEARANCES FOR A GENERAL AUDIENCE**

**Publications**



“2nd Amendment - Protecting Rights, Protecting People,” The Liberty Series, Union League of

Bob Egelko, [Gun Restrictions for Domestic Abusers Survive in SCOTUS. What It Means for California](#), SAN. FRAN. CHRONICLE (June 2024) (print)

Lydia Wheeler & Kimberly Strawbridge Robinson, [Supreme Court Shows Division on History Test in Gun Decision](#), BLOOMBERG LAW (June 2024) (print)

[Ask An Expert](#), KCBS RADIO (June 2024) (radio)

Kevin Rector, [Will Latest Supreme Court Decision Affect California Bans on Assault Weapons, Magazines?](#), L.A. TIMES (June 2024) (print)

Roque Planas, \_\_\_\_\_, HUFFPOST (June 2024) (print)

[The U.S. Supreme Court Overturns Federal "Bump Stock" Ban, but This Gun Control Case Has a Wrinkle](#), KNX NEWS 97.1 FM LOS ANGELES (June 2024) (radio)

Chip Brownlee, [Supreme Court Strikes Down Ban on Rapid-Fire Bump Stocks](#), THE TRACE (June 2024) (print)

Interview Regarding SCOTUS Decision in *Cargill v. Garland*, MSNBC (June 2024) (television)

Karen Zraick, [Does Having a Gun Make a Person](#) \_\_\_\_\_, NY TIMES (March 2024) (print)

John Simerman, [Concealing Guns Without a Permit: Some New Orleans Officials Fear the Worst](#), NEW ORLEANS ADVOCATE (March 2024) (print)

Lydia Wheeler, [Bump Stock Ban Brings Agency Power Dispute to Supreme Court](#), BLOOMBERG NEWS (February 2024) (print)

Heather Hollingsworth, Summer Ballentine & Jim Salter, \_\_\_\_\_ [Apply to](#)

Caroline Love, [\*Can Alleged Domestic Abusers Keep Their Guns? The Supreme Court May Decide the Answer\*](#), KERA NEWS (November 2023) (print and radio)

Marco Poggio, [\*Justices Skeptical of Keeping Domestic Abusers Armed\*](#), LAW360 (November 2023) (print)

Tom Brune, [\*Supreme Court Gun Case Could Prompt New Challenges to New York Laws\*](#), NEWS10

Peter Charalambous', [How Two Decades of Gun Culture Helped Shape America's 'Stand Your Ground' Laws](#), ABC NEWS (April 2023) (print)

Caroline Love, [More Domestic Abusers Can Keep Guns After 5th Circuit Court Ruling Risking Deadly Consequences](#), KERA NEWS (April 2023) (print and radio)

Alex Swoyer, [\\_\\_\\_\\_\\_](#), WASHINGTON TIMES (April 2023) (print)

[Is That Really Legal](#), with Eric Ruben (April 2023) (podcast)

Michael Macagnone, [Senate Hears About Legal Fallout from Supreme Court Gun Decision](#), ROLL CALL (March 2023) (print)

[Senators Seek Solutions to Address Gun Violence in the Country Due to Supreme Court Decision](#), FOX 2 (March 2023) (television and print)

Wisconsin Public Radio, [How Court Ruling on Domestic Violence Restraining Orders Shapes U.S. Gun Law](#), NPR WISCONSIN (February 2023) (radio)

Briana Vannozzi, [\\_\\_\\_\\_\\_](#), NJ SPOTLIGHT NEWS (February 2023) (television)

Scott Reeder, [Choosing Which Laws to Enforce](#), ILLINOIS TIMES (January 2023) (print)

The John Howell Show, [Questions Surrounding the Assault-Style Weapons Ban: Will it Hold Up in Court?](#), WLS CHICAGO (January 2023) (radio)

Peter Charalambous, [\\_\\_\\_\\_\\_](#), ABC NEWS (January 2023) (print)

June Grasso, [Jackson Joins Supreme Court's Million Dollar Book Club](#), BLOOMBERG LAW SHOW (January 2023) (radio and podcast)

Frank Main and Tina Sfondeles, [\\_\\_\\_\\_\\_](#), CHICAGO SUN TIMES (January 2023) (print)

Douglass Dowty, [Can You Bring a Gun to the Zoo? On a Bus? Syracuse Judge Eagerly Rewrites NY Firearms Law](#), SYRACUSE POST STANDARD (December 2022) (print)

William Melhado, [Texas Judge Rules that Disarming Those Under Protective Orders Violates Their Second Amendment Rights](#), TEXAS TRIBUNE (November 2022) (print)

Debra Cassens Weiss, [\\_\\_\\_\\_\\_](#), ABA JOURNAL (November 2022) (print)

Avalon Zoppo, [Judge May \\_\\_\\_\\_\\_](#), NAT'L L. J. (November 2022) (print)

Keegan Hamilton, [Ghost Guns Are Causing Chaos in American Courts](#), VICE NEWS (October 2022) (print)

Michael Waldman, [Belong at Polling Locations](#), BRENNAN CTR. FOR JUST. (October 2022) (print)

Dana Difilippo, [Guns](#), N.J. MONITOR (October 2022) (print)

S.P. Sullivan, [N.J. Is Seeking Tough Restrictions for Carrying Guns in Public. Will They Hold up in Court?](#), STAR-LEDGER/NJ.COM (October 2022) (print)

Kery Murakami, [Court Fights Begin Over Gun Bans in Places Like Subways and Bars](#), ROUTE FIFTY (October 2022) (print)

Jonah E. Bromwich, [Court Gives New York State More Time to Argue for Its Gun Law](#), N.Y. TIMES (October 2022) (print)

[Second Amendment Expert Discusses NY Gun Law Court Challenge](#), SPECTRUM NEWS N.Y. 1 (October 2022) (television)

Jonah E. Bromwich, [Federal Judge Blocks N.Y. Gun Law, Finding Much of It Unconstitutional](#), N.Y. TIMES (October 2022) (print)

Scott Neuman, [U.S.](#), NPR (August 2022) (print)

Brandon Tensley & Eva McKend, [The Fight to Curb Gun Violence Without Inflaming Racial Biases](#), CNN (July 2022) (print)

[What Can We Do About Gun Control?](#)

Mark Weiner, [\*What Supreme Court Ruling Means for New Yorkers and Handgun Owners\*](#), SYRACUSE POST-STANDARD (June 2022) (print)

Kaila Philo, [\*The Supreme Court Just Made It a Whole Lot Easier to Conceal-Carry a Gun\*](#), GRID (June 2022) (print)

Chip Brownlee & Tom Kutsch, [\*What You Need to Know About the Senate Gun Reform Bill\*](#), THE TRACE (June 2022) (print)

TV and Radio Interviews Regarding *Bruen*, June 23-24, 2022

WPIX 11 NEW YORK (television)

[\*Good Morning America\*](#), ABC (television)

*Morning Edition*, NPR (radio)

[\*ABC News Prime\*](#), ABC (television)

[\*Balance of Power\*](#), BLOOMBERG RADIO (radio)

*All Things Considered*, NPR (radio)

CBS RADIO (radio)

CNN (television)

Michael Macagnone, [\*Supreme Court Bolsters Right to Carry Handgun in Public\*](#), Roll Call (June 2022) (print)

Nicole Narea, [\*Supreme Court\*](#), VOX (June 2022) (print)

John Fritze, [\*Should Guns Be Banned in Bars, Hospitals? Supreme Court Could Spur New 2nd Amendment Fight\*](#), USA TODAY (June 2022) (print)

Brian Pascus, [\*Supreme Court Ruling on Guns\*](#), CRAIN'S NEW YORK (June 2022) (print)

TimothyF





[\*SCOTUS Returns for Blockbuster Term\*](#), ABC NEWS LIVE (October 2021) (television)

[\*This Week with George Stephanopoulos\*](#), ABC NEWS (October 2021) (television)

Dan Frosch and Elizabeth Findell, [\*Air Force Found Largely Responsible for Texas Church Shooting\*](#), WALL STREET JOURNAL (July 2021) (print)

Yanqi Xu,

[Supreme Court Watchers See Chief Justice as Possible Fifth Vote to Dismiss Major Gun Case](#), THE TRACE (December 2019) (print)

Richard Wolf, [Supreme Court May Expand Second Amendment Rights Despite Repeal of Disputed Gun Restrictions](#), U.S.A. TODAY (December 2019) (print)

John Kruzell, [Supreme Court Poised to Hear First Major Gun Case in a Decade](#), THE HILL (December 2019) (print)

Matt Cohen, [Gun Violence Costs Americans Billions Every Year. A California Mayor Has a Plan to Make Gun Owners Pay for It](#), MOTHERJONES.COM (August 2019) (print)

Jennifer Mascia, \_\_\_\_\_, THE TRACE (April 2019) (print)

[A Historic Ruling on Guns, Ten Years Later](#), 1A, NPR (June 2018) (radio)

Jon Schuppe, [Low-Crime Village Bans Military-Style Guns, Citing Parkland and Other Mass Shootings](#), NBCNEWS.COM (April 2018) (print)

Andrew Wong, [Why the US Is So Different From the UK and Australia When It Comes to Gun Control](#), CNBC.COM (March 2018) (print)

Kiran Alvi, [US: Most Mass Shootings Not Committed by Mentally Ill](#), ALJAZEERA.COM (November 2017) (print)

Jared Keller, [Is The End of the Assault Rifle Nigh?](#), PACIFIC STANDARD (February 2017) (print)

[Does the Second Amendment Leave Any Room for Gun Control Laws?](#), TAKE TWO, KPCC (Southern California Public Radio) (June 2016) (radio)

*Guns in the Spotlight: Do Americans Really Need an Assault Weapon to Protect Themselves?*, Paul Henry Show, TV3 (New Zealand) (June 2016) (television)

#### **OTHER LEGAL EXPERIENCE**

Academic Standards Committee, SMU Dedman School of Law (2022-2023)  
Admissions/Financial Aid Committee, SMU Dedman School of Law (2022-2023)  
SMU Law Hooder (2022, 2023) (selected by vote of graduating 3Ls)  
SMU Law AALS Representative (2020, 2021, 2022)