

ANTHONY S. WINER
William Mitchell College of Law
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As a Law Professor:

MITCHELL HAMLIN SCHOOL OF LAW, Saint Paul, Minnesota
(July 1991 to Present; *William Mitchell College of Law* through 2015)
Professor of Law, teaching courses in Constitutional Law, Public International Law, Public International Law Research Methods, European Union Law, International Business Transactions, Law and Sexuality, Administrative Law and International Finance Law.

Tenure Granted Spring 1996.

Azerbaijan Teaching Affiliation:

AZERBAIJAN DIPLOMATIC ACADEMY, Baku, Azerbaijan
(2009 to 2013)
Professor of International Law, teaching courses on Public International Law and International Organizations, and presenting colloquia on International Maritime Border Demarcation and the Right of Self-Determination of Peoples.

As a Practicing Attorney:

MOSES & SINGER, New York City
(June 1987 to August 1990)
Representation of major U.S. and French commercial banks in a broad variety of financing transactions.

SHEARMAN & STERLING, New York City, Paris, London, Athens
(October 1982 to June 1987)
International banking practice concentrating on sovereign debt rescheduling, syndicated multi-currency credits and secured lending.

FEDERAL RESERVE BOARD, Washington, D.C.
(September 1980 to September 1982)
Staff Attorney specializing in Bank Holding Company Act merger and acquisition applications.

Educational Background:

NEW YORK UNIVERSITY, New York City

(Fall 1990 to Spring 1991)

LL.M. Degree in General Studies awarded Spring 1991; Fields of emphasis for degree were International Finance Law and the Law Relating to Homosexuality.

UNIVERSITY OF CHICAGO LAW SCHOOL

(Fall 1977 to Spring 1980)

J.D. Degree awarded Spring 1980; Law Review Member, Law Review Managing & Book Review Editor.

UNIVERSITY OF CALIFORNIA, Berkeley, California

(Fall 1973 to Spring 1977)

A.B. Degree awarded Spring 1977; Major in Rhetoric; Magna cum Laude, Phi Beta Kappa.

FULBRIGHT SCHOLAR, 2008-2009 Academic Year:

Service as a Fulbright Professor, pursuant to a Fulbright Scholar grant issued by the Council for International Exchange of Scholars in cooperation with the U.S. Department of State:

Teaching for the 2008-2009 Academic Year at the Academy of Public Administration in Baku, Azerbaijan. Teaching courses in U.S. Constitutional Law, U.S. Administrative Law, and Public International Law.

Publications:

Course Books and Course Book Chapters:

Public International Law Legal Research, pp. xxvii, 278 (Carolina Academic Press 2013)
[with Mary Ann E. Archer and Lyonette Louis-Jacques]
(This also involved publication of separate 61-page *Teachers' Manual*.)

(The foregoing book received the Global Legal Skills Book Award at the 2014 International Global Legal Skills Conference in Verona, Italy, in May, 2014.)

Public International Law, in Chapter 8 of *The Process of Legal Research*, 9th edition, by Deborah A. Schmedemann, Ann L. Bateson & Mehmet Konar-Steenberg (Wolters Kluwer 2016).

International Law, in Chapter 9 of *The Process of Legal Research*, 8th edition, by Christina L. Kunz, Deborah A. Schmedemann, Ann L. Bateson, Mehmet Konar-Steenberg, Anthony S. Winer & Sarah Deer (Wolters Kluwer 2012).

A Basic Course in Public International Law Research, pp. xii, 467 (University Press of America 2005) [with Mary Ann E. Archer].
(This also involved production of separate 124-page *Teachers' Manual*.)

Law Review Articles and Essays:

Action and Reaction: The Trump Executive Orders and Their Reception by the Federal Courts, 44 Mitchell Hamline Law Review 907 (2018).

Levels of Generality and the Protection of LGBT Rights before the United Nations General Assembly, 41 William Mitchell Law Review 80- 129 (2015).

An Escape from the Medellín Maze, 25 Connecticut Journal of International Law 331-88 (2010).

How A Marriage Discrimination Amendment Would Disrespect Democracy in Minnesota, 33 William Mitchell Law Review 1059-80 (2007).

A Speculation on Enlightenment Roots, Foreign Law and Fundamental Rights, 32 William Mitchell Law Review 509-41 (2006).

The Reagan Doctrine, the 2003 Invasion of Iraq, and the Role of a Sole Super-Power, 22 Journal of Law and Inequality 169-93 (Summer 2004).

Assimilation, Resistance and Recent Transsexual Marriage Cases, 1 Seattle Journal of Social Justice 653-78 (Summer 2003).

A Tale of Two Epochs and a Thread that May Still Run True, 29 William Mitchell Law Review 1519-37 (2003).

Why the "New Non-Delegation" May Not Be So New, 27 William Mitchell Law Review 1025-41 (2000).

The CISG Convention and Thomas Franck's Theory of Legitimacy, 19 Northwestern Journal of International Law & Business 1-57 (1998).

Hate Crimes, Homosexuals and the Constitution, 29 Harvard Civil Rights – Civil Liberties Law Review 387-438 (Summer 1994).

The R.A.V. Case and the Distinction Between Hate Speech Laws and Hate Crime Laws, 18 William Mitchell Law Review 971-78 (1992).

Applying the Theory of Probable Future Competition, 68 Federal Reserve Bulletin 527-33 (September 1982).

The Legality of Automatic Fund Transfer Plans, 47 University of Chicago Law Review 137-75 (Fall 1979).

Essays and Articles in Popular and Professional Publications:

American Constitution Society Website & Blog, *Efforts to Enact Discrimination in Georgia and North Carolina* (posted April 6, 2016).

American Constitution Society Website & Blog, *The California Supreme Court's Standing Opinion versus Republicanism* (posted March 18, 2013).

ABA International Law Section, *Russia-Eurasia Committee Newsletter* (March 2006 Issue): "Azerbaijan Report."

ABA International Law Section, *Russia-Eurasia Committee Newsletter* (July 2005 Issue): "Azerbaijan Today."

William Mitchell College of Law Student Newspaper, *The Opinion* (Winter 2001 Issue): "The September 11 Assault, the October 7 Response and the U.N. Charter."

Minneapolis Star Tribune (April 29, 2000): "Army's Discrimination Prompts Campus Recruitment Ban" [with co-author Prof. Ann Juergens].

Minnesota State Bar Association, International Business Law Section, *Newsletter* (Spring 1995; Summer 1995): "Case Law Updates".

National Lesbian and Gay Law Association, *Newsletter* (Summer 1995): "Amicus Committee Activities Abound from Coast to Coast".

Appearances on Television and Radio:

Minnesota Public Radio (NPR Affiliate): *MPR News with Kerri Miller* (June 5, 2018), a 12-minute interview discussing the Supreme Court's decision in *Masterpiece Cake Shop v. Colorado Civil Rights Commission*.

KARE-11 (NBC Affiliate): *The News at 5:00* (June 4, 2018), briefly interviewed by reporter regarding the probable effects of the Supreme Court's decision in *Masterpiece Cake Shop v. Colorado Civil Rights Commission*.

Minnesota Public Radio (NPR Affiliate): *The Daily Circuit* (June 26, 2015), a detailed hour-long multi-party interview discussing *Obergefell v. Hodges*, the Supreme Court decision issued that day requiring all states to permit and recognize same-sex marriage; the interview was conducted simultaneously with the decision's public issuance and dissemination online.

KSTP-TV (CBS Affiliate): *Evening News* (July 30, 2015), briefly interviewed by reporter, with other law professor, regarding the Supreme Court's *Hobby Lobby* decision.

Minnesota Public Radio (NPR Affiliate): *The Daily Circuit* (June 2, 2013), a detailed hour-long multi-party interview discussing the Supreme Court opinions issued that day regarding same-sex marriage; the interview was conducted simultaneously with the decision's public issuance and dissemination online.

KSTP-TV (CBS Affiliate): *Morning News* (March 27, 2013), briefly interviewed by reporter regarding the oral arguments before the Supreme Court regarding same-sex marriage.

Minnesota Public Radio: *The Daily Circuit* (March 26, 2012), interviewed at length by reporter regarding the oral arguments before the Supreme Court regarding same-sex marriage.

Substantial Quotations in Popular Press:

Fred Barbash, "The Trump Administration's Crazy Losing Streak in the Courts: No, Jeff Sessions, It's not About the Judges", *The Washington Post* (October 19, 2018).

"North Carolina's Constitutional Challenge", *Metro Weekly* (Washington, D.C.; April 7, 2016).

“How Might the Supreme Court Justices View the Gay-Marriage Issues Before Them?”, MinnPost Blog (posted December 17, 2012).

“LTE: Vote No on Amendment 1 to Continue the Conversation Regarding Marriage Equality”, Patch.com (posted November 4, 2012).

“In Marriage Amendment Fight, Both Sides Predict Victory”, *St. Paul Pioneer Press* (October 28, 2012).

Doug Belden, “Proposed Constitutional Amendment on Same-Sex Marriage”, *St. Paul Pioneer Press* (October 23, 2012).

Tom Webb, “Amendment Could Reach Far Beyond Marriage”, *St. Paul Pioneer Press* (March 27, 2006).

Eric Black, “Minnesota Panelists Discuss History, Future of 213-Year-Old Electoral College”, *Minneapolis Star Tribune* (January 19, 2001).

James Walsh, “Campaign for Hate-Crime Law Makes Some Question Practice of Federal Intervention”, *Minneapolis Star Tribune* (October 19, 1998).

Editorships and Reportorial and Officiating Appointments:

Network of International Law Students (“NILS”), officiating organization for the annual International Business and Human Rights Moot Court, Member of Advisory Board (2017 – present).

American Bar Association Center for Human Rights (“ABA CHR”), *Business and Human Rights Advisory Group*; Special Rapporteur for conferences convoked for UN Global Forum on Business and Human Rights (2017 & 2018).

International Legal Materials (“ILM”), bi-monthly bibliographic publication of the American Society of International Law; Corresponding Editor (2007 – 2012).

International Law News, quarterly newsletter of the International Law Section of the American Bar Association; Member of the Board of Editors (2007 – 2015).

Public Presentations:

The Constitution, Executive Orders, and Immigration Restrictions, Ramsey County Bar Association, Saint Paul (September 14, 2017).

President Trump's Travel Ban and the Federal Constitution, American Bar Association, Section of International Law, teleconference panel presentation (June 21, 2017).

Business and International Human Rights, Minnesota State Bar Association Section on International Business Law, Minneapolis (April 21, 2016).

The Special Tribunal for Lebanon, Alliance Française, Minneapolis (March 28, 2016).

Constitutional Avenues for Same-Sex Marriage, presentation as part of a panel on *What to Expect after Oral Argument in Obergefell v. Hodges*, American Constitution Society, Fredrickson & Byron, Minneapolis (May 5, 2015).

The Constitutionality of Recent Restrictions on Abortion, presentation as part of a panel on *The 50th Anniversary of Griswold v. Connecticut*, Lockridge, Grindel & Nauen, Minneapolis (April 22, 2015).

The Supreme Court and Affirmative Action, presentation as part of a panel on *The Legal Terrain for Affirmative Action*, Minnesota Federal Bar Association, at Radisson Blu Hotel, Minneapolis, Minnesota (April 16, 2015).

Religious Freedom Restoration Laws & GLBT Rights, public debate, advocating against the desirability and validity of such laws, University of Minnesota Law School, Minneapolis (April 15, 2015).

Free Speech and the U.S. Constitution, presentation as part of a panel on *Free Speech after the Charlie Hebdo Attacks*, University of Minnesota, Minneapolis (January 29, 2015).

Same-Sex Marriage and Equal Protection, presentation as part of a panel on *Constitutional Arguments regarding Same-Sex Marriage*, Hamline University School of Law, St. Paul (January 16, 2015).

The Supreme Court's Hobby Lobby Holding, moderator for panel discussion at Thomson Reuters West Publishing Co., Eagan, Minnesota (November 17, 2014).

Refuting New-Generation Arguments against International Protection for LGBT Rights, presentation as part of a panel on *Advances and Set-Backs in LGBT Rights Around the World*, ABA Section of International Law Fall Meeting, Buenos Aires, Argentina (October 24, 2014).

Researching Public International Law: Common Background Points, 9th Global Legal Skills Conference, Verona, Italy (May 22, 2014).

Affirmative Action: Good Public Policy, Entitlement or Reverse Discrimination?, panel presentation at William Mitchell College of Law (March 21, 2013).

Sex, Race and Death and the Supreme Court, panel presentation at the Minnesota History Theater, Saint Paul (March 16, 2013).

Teaching Research Methods for Public International Law, 8th Global Legal Skills Conference, San Jose, Costa Rica (March 11, 2013).

The Future of Marriage in Minnesota, presentation sponsored by the American Constitution Society in Minneapolis, Minnesota (March 8, 2013).

Levels of Review for the Current Supreme Court Marriage Cases, presentation at the Annual Regional Lavender Law Conference, Saint Paul, Minnesota (January 26, 2013).

Presentations throughout 2011 and 2012 in aid of the ultimate defeat of the proposal to amend the Minnesota constitution to prohibit same-sex marriage, including at Hamline University, Saint Paul (November 30, 2011); at a private residence for a group chiefly composed of homeowners in Golden Valley, Minnesota (February 15, 2011); at Saint Mark's Episcopal Cathedral (May 6, 2011); and as part of a multi-focused debate at William Mitchell College of Law (October 30, 2012).

Constitutional Issues concerning Current Same-Sex Marriage Litigation, panel presentation for a symposium on Same-Sex Marriage at Hamline University School of Law, Saint Paul (April 6, 2011).

An Escape from the Medellín Maze, 2011 Annual Meeting of the American Association of Law Schools, San Francisco (January 8, 2011).

The Medellín Case and the Kadi Case, Residence of the U.S. Ambassador to Oman, Muscat (May 5, 2010).

The Gay Rights Movement in the United States, American Center at Baku

- State University, sponsored by the U.S. Embassy in Baku (May 21, 2009).
- The Rome Statute of the International Criminal Court*, Azerbaijan Diplomatic Academy (“ADA”), Baku (delivered to Azerbaijani Foreign Service junior officers) (April 13, 2009).
- Land and Maritime Border Demarcation Issues*, ADA, Baku (delivered to Azerbaijani Foreign Service junior officers) (February 19, 2009).
- Self-Determination and Territorial Integrity*, ADA, Baku (delivered to Azerbaijani Foreign Service junior officers) (February 13, 2009).
- Judicial Activism in U.S. Supreme Court Constitutional Cases*, Azerbaijan Judicial Court Institute for the Azerbaijan Confederation of Judges, sponsored by U.S. Embassy in Baku (January 12, 2009).
- Commentator for International Law Papers* presented at Ph.D. Workshop , sponsored ADA (December 19, 2008).
- Freedom of Speech and of the Press under the First Amendment*, Crown Hotel, Baku, for the Baku Lawyers’ Association (sponsored by American Bar Association Rule of Law Initiative (“ABA-ROLI”)), Baku (December 13, 2008).
- The U.S. Supreme Court’s Medellín Decision and the U.S. in the International Legal Community*, Khazar University, Baku (December 12, 2008).
- Restrictions for Libel and Incitement under the Free Speech and Press Clauses of the First Amendment*, Azerbaijan Judicial Court Institute for the Azerbaijan Confederation of Judges (sponsored by ABA-ROLI), Baku (November 30, 2008).
- The Electoral College in U.S. Presidential Elections*, Academy of Public Administration, Baku (November 3, 2008).
- The Electoral College in U.S. Presidential Elections*, American Center at the Azerbaijan University of Languages, Baku, for the Azerbaijan-American Alumni Association (October 21, 2008).
- International Corruption Treaties*, Minnesota State Bar Association, Minneapolis, Minnesota (May 19, 2008).
- Current Methods for Teaching International Law Research*, 2008 Global Legal Skills Conference, Monterrey, Mexico (March 1, 2008).

The Color Revolutions and Azerbaijan, ABA Section on International Law Annual Spring Meeting, Washington, D.C. (May 2, 2007).

The Case for Same-Sex Marriage, University of Saint Thomas Federalist Society, Minneapolis, Minnesota (March 7, 2007).

The Effect of the Lawrence Decision on Same-Sex Marriage, Regional Lavender Law Conference, Saint Paul, Minnesota (January 27, 2007).

Marriage in Civil Law, St. Michael's Lutheran Church, Roseville, Minnesota (September 24, 2006).

The Current Status of the Same-Sex Marriage Debate in Minnesota, Bi-Cities Cable TV Network, Minneapolis, Minnesota (television interview taped for later transmission on May 17, 2006).

Marriage in Law and Gospel, Plymouth Congregational Church, Minneapolis, Minnesota (March 19, 2006) [part of two-person panel].

Should Minnesota Legalize Same-Sex Marriage?, Hennepin County Bar Association (February 2, 2006) [one side of two-person debate].

Same-Sex Marriage: Exploring Competing Legal & Philosophical Connections, University of Minnesota Law School (November 1, 2005).

Looking at the New U.S. Supreme Court, Regional Lavender Law Conference, St. Paul, Minnesota (October 15, 2005).

Cuba's Current Legal System: A Trip Back in Time, Minnesota State Bar Association International Business Law Section, Minneapolis, Minnesota (May 23, 2005) [participation in panel].

The Electoral College and the Electoral Politics in the U.S., Baku State University, Khazar University and Western University, all in Baku, Azerbaijan (December 24-27, 2004).

American Constitutional Law, Bahçeşehir University, Istanbul, Turkey (December 13-23, 2004).

The Role of International Law in Supreme Court Jurisprudence, The University of St. Thomas Law School, Minneapolis, Minnesota (September 27, 2004) [part of two-person panel].

Introduction of the Rule of Law in Azerbaijan, Minnesota State Bar Association International Business Law Section, Minneapolis, Minnesota (June 23, 2004).

Legal Education in Azerbaijan and the U.S.: Program in Classroom Teaching Techniques, Baku, Azerbaijan (May 1-31, 2004).

The Recent Lofton v. Kearney 11th Circuit Decision and Rational Basis Review, University of Minnesota (January 26, 2004).

The Reagan Doctrine, the 2003 Invasion of Iraq and the Role of a Sole Super Power, University of Minnesota (January 23, 2004).

Minnesota Justice William Mitchell, William Mitchell Federalist Society, William Mitchell College of Law, St. Paul, Minnesota (November 19, 2003).

Implications of the Lawrence Decision and Background for Same-Sex Marriage, Regional Lavender Law Conference, St. Paul, Minnesota (September 20, 2003).

War in Iraq: Is the U.S. Justified in Its Actions?, William Mitchell College of Law, St. Paul, Minnesota (April 16, 2003) [participation in panel].

Can the EU's Stability and Growth Pact Be a Realistic Mediator of Economic Difference?, Center for International Legal Studies Conference, Steamboat Springs, Colorado (February 10, 2003).

Assimilation, Resistance and Recent Transsexual Marriage Cases, Seattle University, Seattle, Washington (September 20, 2002).

The ECB as a Model for European Federalism, English Society for the Professional Teachers of Law, Leicester, England (September 10, 2002).

The Current Status of the Stability and Growth Pact, American Society of International Law, International Economic Law Section, Washington, D.C. (March 16, 2002).

The Solomon Amendment and Independent Law Schools, AALS Annual Meeting, Lesbian & Gay Interests Group, New Orleans, Louisiana (January 6, 2002) [participation in panel].

The International Law Background for Responding to the Attacks on September 11, William Mitchell College of Law, St. Paul, Minnesota (September 25, 2001).

The European Union and its Euro Currency as a Mechanism for Resolving Conflict, American Society of International Law, International Economic Law Section Annual Conference, Houston, Texas (February 17, 2001).

The Electoral College, St. Paul League of Women Voters, St. Paul, Minnesota (January 18, 2001).

The Electoral College and American Presidential Elections, William Mitchell College of Law, St. Paul, Minnesota (October 17, 2000).

The CISG Convention Today, Minnesota State Bar Association International Business Law Section, Minneapolis, Minnesota (February 25, 1997).

Homophobia in the Legal Workplace, National Lavender Law Conference, New Orleans, Louisiana (October 25, 1996) [participant in panel].

A Parcel of Common Ground for International Law and International Business Law?, William Mitchell College of Law, St. Paul, Minnesota (April 16, 1996).

Developments under Treaties Affecting International Business Transactions, Minnesota State Bar Association, International Business Law Section Annual Institute, Minneapolis, Minnesota (April 11, 1996).

Romer v. Evans and the Future of Anti-Gay/Lesbian Legislation, Sex, Law & Society Conference, John Marshall Law School, Chicago, Illinois (March 16, 1996).

Retention and Promotion Issues in Academia, Hennepin County Bar Association Diversity Committee Conference, Minneapolis, Minnesota (October 24, 1995).

Hate Crimes, Homosexuals and the Constitution, Stonewall at 25 Symposium, Harvard Law School, Cambridge, Massachusetts (April 19, 1994).

Homophobia in the Legal Workplace, Regional Lavender Law Conference, St. Paul, Minnesota (March 26, 1994).

Legislating Against Hate: R.A.V., Mitchell and the Future of Hate Crime Legislation, ABA Annual Meeting, Individual Rights & Responsibilities Section Program (Program Chair and Speaker), New York, New York (August 9, 1993).

Hate Speech and Hate Crime Laws, Regional Lavender Law Conference, St. Paul, Minnesota (April 17, 1993).

Hate Crime Laws Since R.A.V., National Lavender Law Conference, Chicago, Illinois (October 24, 1992).

Hate Crimes and Hate Speech, Regional Lavender Law Conference, St. Paul, Minnesota (April 25, 1992).

Hate Speech After R.A.V. v. St. Paul: More Conflict Between Equality and Free Speech?, William Mitchell Law Review Symposium, St. Paul, Minnesota (April 24, 1992) [participation in panel].

Major Faculty Governance Positions:

Member, MHSL Board Task Force on Shared Governance (appointed 2019)
Co-Chair, MHSL History Center Committee (2017-present)
Co-Chair, Faculty Tenure and Promotion Committee (2016-present)
Member, Joint Tenure Code Revision Task Force (2015-2016)
Chair, Faculty Tenure Committee (2013-2015)
Co-Coordinator, Student Competitions (2011-2012)
Chair, Foreign, International and Comparative Law Committee (2010-present)
Principal Reporter, Faculty Committee on International Programs (2005-06).
Chair, Faculty Programs and Awards Committee (2002-04).
Chair, Tenure Committee (2000-02).
Faculty Representative to Board of Trustees (1997-2001).
Chair, Solomon Amendment Amelioration Committee (1997-99).
Chair, Faculty Speakers Committee (1994-97).

Major Professional and Community Service Contributions:

ABA Human Rights Council, member, Advisory Board on Business and Human Rights (2016 – present).

ABA Section of International Law, Co-Chair, Working Group on Business and Human Rights (2014 – 2018).

Saint Mark's Episcopal Cathedral, Minneapolis, Member of Governance Committee (2012 – present).

Saint Mark's Episcopal Cathedral, Minneapolis, Member of Vestry Board (2011 – 2014).

Project 515 (Minnesota Same-Sex Marriage Legislative Advocacy Organization), chief academic statutory reporting consultant (Spring 2007 – Spring 2014).

ABA Section of International Law, Member of Gay and Lesbian Interests Network (2010 – present).

Saint Mark's Episcopal Cathedral, Minneapolis, service in LGBT member's group and several other social service committees (Winter 2007 – present).

Twin Cities Gay Men's Chorus, Development Committee, Member (Fall 2005 – Spring 2007).

Liaison between William Mitchell and Quotient Group, sponsoring annual "National Coming Out Day" Lunch and Reception (2000 - present).

International Business Law Section, Minnesota State Bar Association, Council Member (1994-present); Chair (1997-98); Vice-Chair (1996-97); Treasurer and Secretary (1995-96).

Philip C. Jessup International Law Moot Court Regional Competition, Regional Co-Ordinator for Northern Midwest Region, 2005-2006 Competition Year.

Minnesota Lavender Bar Association, Board of Directors, Member (2000-03), including substantial work on the organizing of the Association.

Editor, *International Business Law News* (Newsletter of the Minnesota State Bar Association International Business Law Section) (1997-2000).

National Lesbian and Gay Law Association, Board of Directors, Member (1994-96); Co-Chair, Amicus Committee (1994-95).

Co-Author, *Legal Employers' Barriers to Advancement and to Economic Equality Based upon Sexual Orientation*, Project of the Hennepin County Bar Association, Minneapolis, Minnesota (June-August, 1995).