

Cornell University  
Cornell in Washington

2148 O Street, NW  
Washington, DC 20037  
t. 607.466.2184  
f. 202.466.5038

Ithaca Campus  
t. 607.255.4090  
f. 607.255.9446

[cwash@cornell.edu](mailto:cwash@cornell.edu)  
[civ.cornell.edu](http://civ.cornell.edu)

## Instructor Information

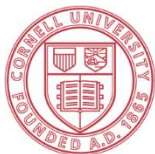
Ronald Christie, Lecturer in Public Policy, Ric38@Cornell.edu

Office Hours by appointment.

## Course Title: Constitutional Law – an Introduction

**Course Description:** In this course, we will examine one of the most cherished documents in American history – our Constitution. Course topics will include the foundations of the document from the Magna Carta to the Articles of Confederation and the Declaration of Independence as well as the conflict between strong supporters of this proposed new Constitution (Federalists) and their opponents (Anti-Federalists.). How did the Founders resolve their differences and what led the States to adopt a document limiting and balancing the powers of the President, Congress, and the Judiciary?

From the inception of America to the present day, there have been constant challenges by one branch of government regarding the role and scope of power wielded by their respective co-equal branches of government. We shall discuss the role of the Constitution from both empirical and theoretical perspectives to answer the challenges presented in both preserving and strengthening the Constitution from 1788 to the present day. Special attention will be paid to the use of Amendments, particularly the Bill of Rights, to address events/circumstances unforeseen by the drafters. Finally, the course will discuss Court challenges where the Justices acted courageously to preserve and protect the Constitution – as well as instances where they failed from the Preamble to Establish Justice and Tranquility for All.



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**Course Number:** PUBPOL 3270—80 (19233), PUBPOL 5270-080 (19235).

**Credits: 4 Credits**

**Grading Option: Letter Grade**

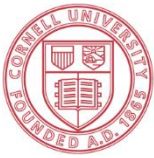
### **Course Overview and Goals**

The Constitution of the United States was ratified on June 21, 1788, establishing the bedrock of American jurisprudence for some 235 years. Yet this remarkable document has roots that stretch back to 1215 when the Magna Carta was signed in England more than 800 years ago.

The goal of this course is to provide a foundation of how the Constitution was drafted and how it impacts our lives today. Students will learn who the key drafters of the Constitution were and how competing factions ultimately forged consensus to adopt this remarkable document that has withstood the test of time – through times of peace and war.

Note: this is an introduction to the U.S. Constitution, not a constitutional law course taught to law students. Student will read excerpts from several cases decided by the Supreme Court assigned for each case – our textbook and video presentations will highlight the importance of each case rather than us reading each decision in its entirety.

Starting from the founding of the American Republic up to the present day, students will learn how the Constitution placed important checks and balances on the utilization of government power. The Supreme Court is the ultimate arbiter



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of how the Constitution is interpreted – several key cases before the High Court will be discussed at length each week where students will gain knowledge on such topics as enumerated powers, the separation of powers, equal protection under the law and the freedom of speech, amongst others. We will look at where the Supreme Court interpreted the Constitution to codify discrimination of people of color throughout our history as well as landmark amendments to the Constitution that sought to eradicate the stain and impact of slavery in American life.

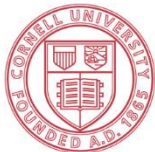
The instructor, a licensed attorney for nearly 25 years, will share his first-hand experiences as a legal recount officer on the ground in Florida for the highly contested 2000 presidential election in which the Court ruled in *Bush v. Gore* to resolve the contest. Finally, students will travel to the Supreme Court itself to learn from practitioners who work to ensure the intent of the framers of the Constitution more than 200 years ago is maintained in the present day.

### **Course Learning Outcomes:**

Identify key stakeholders in the formulation of the Constitution.

Identify and discuss key cases in controversy in which the Supreme Court ruled to establish clear parameters on how the Constitution has been interpreted for more than 200 years with an emphasis on the Bill of Rights and;

Formulate a foundation on why the Constitution remains such an important aspect an influence in American daily life.



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## **Course Time and Location: 9:30 am – 12:50, Wolpe Center Seminar Room**

### **Course Requirements**

#### **Class Participation – 10% of Grade**

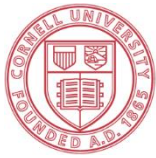
To build a sophisticated understanding of the policy process you will need to engage in all components of the course. I expect that you will complete all required reading in advance of the session for which they are listed, take notes on the material, and be prepared to summarize and critically evaluate it. You will help guide the discussion in our class meetings; your classmates are counting on you to bring your own perspective to small-group and whole-class conversations. Classes will include both lecture and discussion components – but feel free to ask on-topic questions at any point. I encourage the expression of diverse viewpoints in class and your writing assignments; you should work within the framework presented but always think for yourself and feel comfortable articulating any questions/opinions you wish to share.

#### **Assignments 1 – 3: Short Application Papers – 30% of Grade**

These short writing assignments are brief responses to questions connecting the theory of the course to current events. They will aid you in applying the theoretical material presented in the course and prepare you for the midterm and final exams. These will be due online on

#### **Tests & Quizzes**

**Midterm Exam: 25% of Grade**



**Policy Analysis Assignment. 35% of Grade).** This serves as the final, culminating assignment for the course and involves providing analysis of a real policy memo regarding a vexing Constitutional issue before the High Court. This will allow students to research and examine a vexing issue regarding the Constitution which the Court has either rendered judgement on or could do so in the near future.

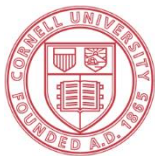
### Assigned Readings

***An Introduction to Constitutional Law: 100+ Supreme Court Cases Everyone Should Know, Second Edition.*** Randy E. Barnett + Josh Blackman. Aspen Publishing, 2023. Note: All of the readings assigned for this class are included in this textbook although the instructor may provide/assign additional readings throughout the course of the semester.

### Grading of Assignments

The grade for this course will be determined according to the following formula:

Assignments/Activities	% of Final Grade
Class participation	10%
Short Application Paper Assignments	30%
Midterm Exam	25%
Policy Analysis Assignment	35%
Total:	100% of Grade



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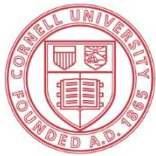
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## Letter Grades Will Be Assigned as Follows:

<b>Letter Grade</b>	<b>Points</b>	<b>Percent</b>
<b>A</b>	4.00	94-100
<b>A-</b>	3.67	90-93
<b>B+</b>	3.33	87-89
<b>B</b>	3.00	84-86
<b>B-</b>	2.67	80-83
<b>C+</b>	2.33	77-79
<b>C</b>	2.00	74-76
<b>C-</b>	1.67	70-73
<b>D+</b>	1.33	67-69
<b>D</b>	1.00	65-66
<b>F</b>	.00	Below 65



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## Academic Integrity

Each student in this course is expected to abide by the Cornell University Code of Academic Integrity. Any work submitted by a student in this course for academic credit will be the student's own work.

If you have any doubts about what constitutes a violation of the Code of Academic Integrity, or any other issue related to academic integrity, please ask your instructor.

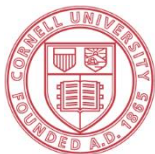
Students agree that by taking this course, all required papers may be subject to submission for textual similarity review to Turnitin.com for the detection of plagiarism. All submitted papers will be included as source documents in the Turnitin.com reference database solely for the purpose of detecting plagiarism of such papers. Use of the Turnitin.com service is subject to the Usage Policy posted on the Turnitin.com site."

## Inclusivity Statement

Cornell University (as an institution) and I (as a human being and instructor of this course) am committed to full inclusion in education for all persons. Services and reasonable accommodations are available to persons with temporary and permanent disabilities, students with DACA or undocumented status, students facing mental health or other personal challenges, and students with other kinds of learning challenges. Please feel free to let me know if there are circumstances affecting your ability to participate in class. Some resources that might be of use include:

Office of Student Disability Services: <https://sds.cornell.edu>

Cornell Health CAPS (Counseling & Psychological Services):<https://health.cornell.edu/services/counseling-psychiatry>



Undocumented/DACA Student support: See the list of campus resources at <https://dos.cornell.edu/undocumented-daca-support/undergraduate-admissions-financial-aid>

This course aims to collectively create a welcoming, supportive, and tolerant environment for all students and respects the various forms of diversity that they bring, including differences related to race, gender, sexuality, class, nationality, geography, age, size, ability, etc. Towards this purpose, I ask that we be respectful of each other, actively listen, participate, ask relevant questions, and give balanced, specific, and constructive verbal & written feedback to each other.

## Accommodations for Students with Disabilities

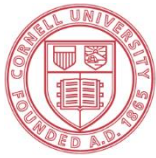
Students with Disabilities: Your access in this course is important to me. Please request your accommodation letter early in the semester, or as soon as you become registered with SDS, so that we have adequate time to arrange your approved academic accommodations.

## Course Schedule

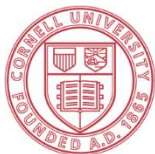
### Topics and Assignments

Week/Date	Topic	Reading	Assignment Due
Session 1 January 25, 2024	<p><i>What Is a constitution?</i> <i>What are the early origins of the U.S. Constitution?</i></p> <p>Who were the individuals involved and what did they seek from the Articles of Confederation to the Constitution?</p> <p>We will further discuss the conflict between the</p>	No Readings Assigned for Session One	

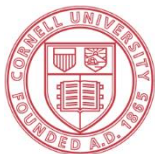




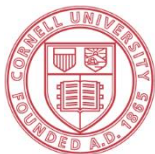
Week/Date	Topic	Reading	Assignment Due
	Federalists/Anti-Federalists regarding how/why the Constitution should govern/shape American Society. James Madison's Notes from the Constitution Convention will prove useful to our discussion.		
Session 2 February 1, 2024	<b>Foundational Cases on Constitutional Structure</b>  In this session we'll explore five cases before the Supreme Court from the earliest days of our Republic that provide the foundation for modern constitutional law.	<i>Chisholm v. Georgia (1793)</i> <i>Marbury v. Madison (1803)</i> <i>McCulloch v. Maryland (1819)</i> <i>Gibbons v. Ogden (1824)</i> <i>Barron v. Baltimore (1833)</i>  Note: These readings are from Pg. 3-21 in the text.	
Session 3 February 8, 2024	<b>Enumerated Powers, Part I.</b>  What are Enumerated Powers as articulated in the Constitution?	<i>Prigg v. Pennsylvania (1842)</i> <i>Fugitive Slave Act.</i> <i>United States v. Dewitt (1869)</i> <i>Hepburn v. Griswold (1870)</i> <i>Knox v. Lee (1871)</i>	



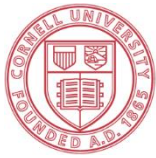
Week/Date	Topic	Reading	Assignment Due
		<p><b><i>Enumerated Powers in the Progressive Era (1895-1913)</i></b></p> <p><i>United States v. E.C. Knight (1895)</i></p> <p><i>Champion v. Ames ((1903)</i></p> <p><i>Hammer v. Dagenhart (1918)</i></p> <p><i>Schacter Poultry Corp. v. United States (1935)</i></p> <p><b><i>The Substantial Effects Doctrine (1937-1942)</i></b></p> <p><i>NLRB v. Jones &amp; Steel Corp v. United States (1935)</i></p> <p><i>United States v. Darby (1941)</i></p> <p>Note: These readings are from Pg. 27-43.</p>	
<p>Session 4 February 15, 2024</p>	<p><b><i>Enumerated Powers, Part II.</i></b></p>	<p><i>Wickard v. Filburn (1942)</i></p>	<p><b>Short Application Paper #1 Due at Beginning of Class, Today.</b></p>



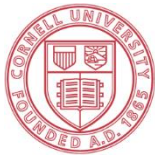
Week/Date	Topic	Reading	Assignment Due
		<p><i>Heart of Atlanta Motel v. United States (1964)</i></p> <p><i>Katzenbach v. McClung (1964)</i></p> <p><i>South Dakota v. Dole (1987)</i></p> <p><i>United States v. Lopez (1995)</i></p> <p><i>United States v. Morrison (2000)</i></p> <p><i>Gonzales v. Raich (2005)</i></p> <p><i>NFIB v. Sebelius (2012)</i></p> <p>Note: These readings are from Pg. 43-65.</p>	
<p>Session 5 February 22, 2024</p>	<p><b>Federalism Limits on Congressional Power.</b></p> <p>This session will take a close look on federalism limits of Congressional power. Emphasis will focus on the 11<sup>th</sup> Amendment as well as Section 5 of the 14<sup>th</sup> Amendment.</p>	<p><i>New York v. United States (1992)</i></p> <p><i>Printz v. United States (1997)</i></p> <p><b>The Eleventh Amendment cases:</b></p> <p><i>Hans v. Louisiana (1890)</i></p> <p><i>Seminole Tribe of Florida v. Florida (1996).</i></p> <p><b>Section 5 of the 14<sup>th</sup> A. Cases:</b></p> <p><i>City of Boerne v. Flores (1997)</i></p> <p><i>United States v. Morrison (2000)</i></p>	



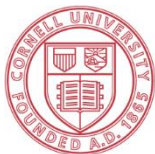
Week/Date	Topic	Reading	Assignment Due
		<p><i>Board of Trustees of University of Alabama v. Garrett (2001)</i></p> <p><i>Nevada Department of Human Resources v. Hibbs (2005)</i></p> <p>Note: These readings are from Pg. 73-87.</p>	
<p>Session 6</p> <p>February 29, 2024</p>	<p><b>The Executive Power and The Separation of Powers</b></p> <p>Article II of the Constitution vests the Executive Power in the President of the United States. We'll explore the scope of presidential power.</p> <p>Turning to the Separations of Powers, we'll look at the scope of presidential power as well as the president's recess appointment power.</p>	<p><i>Ex Parte Merryman (1861)</i></p> <p><i>Youngstown Sheet &amp; Tube Company v. Sawyer (1952)</i></p> <p><i>Korematsu v. United States (1944)</i></p> <p><b>Separation of Powers</b></p> <p><i>Morrison v. Olson (1988)</i></p> <p><i>NLRB v. Noel Canning (2014)</i></p> <p>Note: these readings are from Pg. 91-111.</p>	
<p>Session 7</p> <p>.March 7, 2024</p>	<p><b>Slavery and the Reconstruction Amendments</b></p> <p>In this session we will examine one of the most controversial cases decided by the Supreme</p>	<p><i>Dred Scott v. Sandford (1857) (pg. 117 – 123)</i></p> <p><i>The History of the 13<sup>th</sup> and 14<sup>th</sup> Amendments</i></p> <p><i>The Thirteenth Amendment</i></p>	



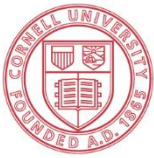
Week/Date	Topic	Reading	Assignment Due
	<p>Court in the <i>Dred Scott</i> decision. We will further examine Congress’s conflicted attempts to enforce civil rights laws.</p>	<p><i>The Civil Rights Act of 1866 and the Freedman’s Bureau Act</i></p> <p><i>The Fourteenth Amendment</i></p> <p><i>The Citizenship Clause</i></p> <p><i>The Privileges or Immunities Clause</i></p> <p><i>The Due Process Clause</i></p> <p><i>The Slaughter-House Cases (1873)</i></p> <p><i>Bradwell v. Illinois (1873)</i></p> <p><i>Strauder v. West Virginia (1880)</i></p> <p><i>Plessy v. Ferguson (1896)</i></p> <p>Note: These readings are from Pg. 117-146.</p>	
<p>Session 8 March 14, 2024</p>	<p><b><i>Equal Protection of the Law: Discrimination on the Basis of Race</i></b></p> <p>The modern story of desegregation begins with the consolidated cases of <i>Brown v. Board of Education</i>. We’ll discuss and unpack subsequent cases on</p>	<p><i>The School Desegregation Cases</i></p> <p><i>Brown v. Board of Education (1954)</i></p> <p><i>Bolling v. Sharpe (1954)</i></p> <p><i>Loving v. Virginia (1967)</i></p> <p><i>Regents of the University of California v. Bakke (1978)</i></p> <p><i>Gratz v. Bollinger (2003)</i></p>	<p><b>Short Application Paper #2 Due at Beginning of Class, today.</b></p>



Week/Date	Topic	Reading	Assignment Due
	interracial marriage and affirmative action.	<i>Grutter v. Bollinger (2003)</i>  Note: These readings are from Pg. 189-205.	
Session 9 March 21, 2024	<b>Midterm Examination</b>	No Reading Assigned This Week.	
Session 10 March 28, 2024	<b>Freedom of Speech</b>  We've all heard the term but, in this session, we'll examine what exactly is <i>speech</i> ?	<b><i>When is Conduct Speech?</i></b>  <i>United States v. O'Brien (1968)</i>  <i>Texas v. Johnson (1989)</i>  <i>R.A.V. v. City of St. Paul (1992)</i>  <b><i>Does Money Equal Speech?</i></b>  <i>Buckley v. Valeo (1976)</i>  <i>McConnell v. Federal Election Commission (2010)</i>  <i>Citizens United v. Federal Election Commission (2010)</i>  <b><i>Does the 1<sup>st</sup> Amendment Protect Tortious Speech?</i></b>  <i>New York Times v. Sullivan (1964)</i>  <i>Snyder v. Phelps (2011)</i>  <b><i>Does the 1<sup>st</sup> Amendment Protect "Offensive Speech?"</i></b>	

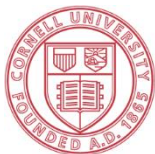


Week/Date	Topic	Reading	Assignment Due
		<p><i>United States v. Stevens (2010)</i></p> <p><i>Brown v. Entertainment Merchants Association (2010)</i></p> <p><i>Tinker v. Des Moines Independent Community School District (1969)</i></p> <p><i>New York Times Co. v. United States (1971)</i></p> <p>Note: These readings are from Pg. 273-305.</p>	
<p>Session 11 April 11, 2024</p>	<p><b>Modern Substantive Due Process</b></p> <p>We will begin our discussion on this topic with the right to marital privacy before looking at several key decisions regarding whether abortion is a protected right under the Constitution.</p>	<p><i>Griswold v. Connecticut (1965)</i></p> <p><i>Roe v. Wade (1973)</i></p> <p><i>Planned Parenthood v. Casey (1992)</i></p> <p><i>Lawrence v. Texas (2003)</i></p> <p><i>Obergefell v. Hodges (2012)</i></p> <p><i>Dobbs v. Jackson Women’s Health Organization (2022)</i></p> <p>Note: These readings are from Pg. 229-255.</p>	
<p>Session 12 April 18, 2024</p>	<p><b>The Free Exercise of Religion/No Law Respecting an Establishment of Religion</b></p>	<p><b>Generally Applicable Laws Burdening Free Exercise</b></p> <p><i>Sherbert v. Verner (1963)</i></p> <p><i>Wisconsin v. Yoder (1972)</i></p>	



Week/Date	Topic	Reading	Assignment Due
		<p><i>Employment Division v. Smith (1990)</i></p> <p><i>Church of the Lukumi Babalu Aye v. City of Hialeah (1993)</i></p> <p><b>No Laws Respecting an Establishment of Religion</b></p> <p><i>Engel v. Vitale (1962)</i></p> <p><i>Town of Greece v. Galloway (2014)</i></p> <p><i>American Humanist Association (2019)</i></p> <p>Note: These readings are from Pg. 311-329.</p>	
<p>Session 13 .April 25, 2024</p>	<p><b>The Right to Keep and Bear Arms/Taking Private Property for Public Use</b></p> <p>The Supreme Court has rendered judgement on 3 landmark cases on the right to bear arms which we'll discuss.</p> <p>Next, we'll discuss what is a taking and how can the government take public property for public use.</p>	<p><b>Right to Bear Arms</b></p> <p><i>District of Columbia v. Heller (2008)</i></p> <p><i>McDonald v. City of Chicago (2010)</i></p> <p><i>New York State Rifle &amp; Pistol Association v. Bruen (2022)</i></p> <p><b>Taking Private Property for Public Use</b></p> <p><i>What is a Taking?</i></p> <p><i>Pennsylvania Coal Company v. Mahon (1922)</i></p> <p><i>Penn Central Transportation Company v. New York (1978)</i></p>	<p><b>Short Application Paper #3 Due at Beginning of Class Today.</b></p>



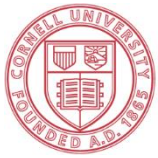


Week/Date	Topic	Reading	Assignment Due
		<p><i>Kelo v. City of New London (2005)</i></p> <p>Note: These readings are from Pg. 337-359.</p>	
<p>Session 14</p> <p>May 2, 2024</p>	<p><b>The Rights of the Accused/Voting Rights</b></p> <p>The Constitution provides enumerated criminal procedure rights in the 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Amendments. We'll discuss two cases regarding these rights followed by a discussion of who could/can cast a ballot – a concept that was absent from the Federal Constitution prior to the Civil War.</p>	<p><i>Gideon v. Wainwright (1963)</i></p> <p><i>Miranda v. Arizona (1966)</i></p> <p><b>Voting Rights</b></p> <p><i>Barr v. Carr (1962)</i></p> <p><i>Shaw v. Reno (1993)</i></p> <p>Note: These readings are from 365-383.</p>	

## Course Materials

### Required Textbooks & Materials

***An Introduction to Constitutional Law: 100+ Supreme Court Cases Everyone Should Know, Second Edition.*** Randy E. Barnett + Josh Blackman. Aspen Publishing, 2023.



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The instructor has provided a copy of this text on reserve in “Christie’s Corner” in our seminar room.

## Optional Textbooks & Materials

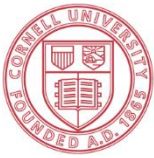
TBD throughout the course of the semester.

## Instructor Bio/About Your Instructor

Ron Christie is Founder and CEO of Christie Strategies LLC, a full-service communications and issues management firm in Washington, D.C. Christie is also the author of three books. His most recent title, *Blackwards: How Black Leadership is Returning America to the Days of Separate But Equal* was published in September 2012. His two previous books were *Acting White: The Birth and Death of a Racial Slur* (2010, St. Martin’s Press) and *Black in the White House* (2006, Thomas Nelson/Nelson Current). Christie served as a Resident Fellow at the John F. Kennedy School of Government Institute of Politics for the Fall 2011 term at Harvard University. He further served as an Inaugural Resident Fellow at the University of Southern California (USC) Center for the Political Future for the Fall 2019 semester. In 2020 Christie was appointed as a Senior Practitioner Fellow at the Miller Center at the University of Virginia and serves as the parliamentarian of the UVA Faculty Senate.

Christie serves as an Adjunct Professor at the McCourt Graduate School of Public Policy and the McDonough School of Business at Georgetown University. In August 2015 he was named to the Board of Advisors for the inaugural Georgetown University Institute of Politics and Public Service. Christie is a member of the Advisory Council of the John Brademas Center at New York University.

In April 2018 he was asked by the Aspen Institute to moderate a two-day Socrates Seminar entitled: “Learning to Lead & The Role of Congress” for emerging thought

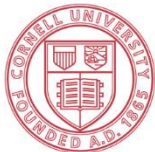


leaders. In July 2022, Christie was elected to the Board of Directors of the Bipartisan Policy Center. <https://bipartisanpolicy.org>

Mr. Christie, a veteran senior advisor of both the White House and the Congress, brings years of government relations experience. Most recently, Christie served as Vice President of Navigators LLC – a strategic consulting and communications firm. He previously served as Executive Vice President and Director of Global Government Affairs at Ruder Finn and Of Counsel at the DC law firm of Patton Boggs, LLP. From 2002 to 2004, he was Acting Director of USA Freedom Corps and special assistant to President George W. Bush. He began service at the White House in 2001 as deputy assistant to Vice President Cheney for domestic policy, advising the Vice President on policy initiatives in health care, budget, tax and other policy areas.

Prior to joining the Vice President's staff, he briefly served as counsel to U.S. Senator George Allen (R-VA). He also served as senior advisor to former House Budget Committee Chairman and former Ohio Governor John Kasich from 1992 - 1999. Christie is a Co-Founder of No Labels – a groundbreaking movement led by Americans who embrace the new politics of problem solving and are collaborating to find commonsense, non-partisan solutions to America's toughest challenges. [www.nolabels.org](http://www.nolabels.org)

A frequent commentator on current political events, Christie serves as a political analyst for BBC World in North America. He first appeared on their global 2012 election night coverage and reprised this role to cover the 2014 midterm election cycle as well as the 2016 presidential cycle. On January 8, 2019 BBC4 Radio debuted Christie's first documentary "The Trumped Republicans," a look at the first two years of the Trump Administration. <https://bbc.in/2BJOWjq> BBC World Service aired the documentary on February 13, 2019. This documentary was awarded the Bronze Medal for Best Documentary: Editorial or Viewpoint Programming in the world by the New York Festivals Radio Awards on April 16, 2020 – a competition with entrants from more than 43 countries from around the globe.



Cornell University  
Cornell in Washington

2148 O Street, NW  
Washington, DC 20037  
t. 607.466.2184  
f. 202.466.5038

Ithaca Campus  
t. 607.255.4090  
f. 607.255.9446

[cwash@cornell.edu](mailto:cwash@cornell.edu)  
[civ.cornell.edu](http://civ.cornell.edu)

Active in international affairs, he was elected both as a Term and Life Member to the Council on Foreign Relations. While serving in the White House, Christie was asked by President Bush to lead an American delegation to an international conference on volunteerism and civic engagement hosted by then Prime Minister Tony Blair in London, England. Subsequent to the volunteerism summit, Christie worked with then Chancellor of the Exchequer Gordon Brown (and future Prime Minister) to devise an expanded call for civic engagement in Great Britain for the first time in the history of the U.K.

A native of Palo Alto, California, he received his B.A. from Haverford College and his J.D. from the George Washington University National Law Center. He serves as a member of the Directors for the Bipartisan Policy Center in Washington D.C. as well as Strategic Partnerships LLC. In Alexandria, Virginia.

SAG-AFTRA eligible as a background actor, you can catch Christie in the 2015 seasons of House of Cards and VEEP. He was commissioned as a member of the Honorable Order of Kentucky Colonels in 2011.