

# GAURAV MUKHERJEE

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## **Academic Appointments**

Syracuse University College of Law

*Associate Professor of Law*, 2026 – present

Courses: Constitutional Law I, Constitutional Law II

University of Connecticut School of Law

*Visiting Assistant Professor of Law*, 2024 – 2026

Courses: Constitutional Law; Torts; Constitutions, Human Rights, & Inequality; Education Law

New York University School of Law

*Hauser Global Postdoctoral Fellow*, 2023 – 2024

Course: Law & Culture (TA)

*Visiting Doctoral Researcher*, 2022 – 2023

University of Oxford Faculty of Law

*Visiting Research Fellow*, Michaelmas Term, 2022

## **Education**

Central European University, Vienna, S.J.D., *magna cum laude*

Dissertation: *Complex Remedies in Social Rights Litigation*

Central European University, Vienna, LL.M.

Dissertation: *The Conflict Between the Right to Education and Religious & Cultural Rights: A Comparative Study*

*Masters Excellence Scholar*

National Academy of Legal Studies & Research (NALSAR) University of Law, B.A. LL.B. (Hons.)  
(JD Equivalent)

*Editor, Indian Journal of Constitutional Law*

## **Research & Teaching Interests**

*Primary*: Constitutional Law, Law & Religion, Torts, Legislation & Regulation, Civil Rights

*Secondary*: Remedies, Administrative Law, Education Law, Comparative Law, International Law

## **Scholarship**

### **1. Articles & Book Chapters**

[\*Private Disestablishment\*](#), 51 B.Y.U. L. REV. \_\_ (2026) ('recommended' on Larry Solum's Legal Theory Blog)

[\*The New Homelessness\*](#), 113 CALIF. L. REV. 433 (2025) (with Mila Versteeg & Kevin L. Cope)

- Cited in Brief Amicus Curiae of Pacific Legal Foundation in Support of Petitioner, City of Grants Pass v. Johnson, No. 23-175 (Mar. 1, 2024) (Supreme Court of the United States).

*Anti-Democratic Harm in Constitutional Law*, 33 IND. J. GLOBAL LEGAL STUD. \_\_ (2026) (symposium)

Religious Freedom in an Era of Democratic Backsliding, in OXFORD HANDBOOK ON COMPARATIVE HUMAN RIGHTS LAW (Mila Versteeg & Neha Jain, eds., forthcoming 2026)

The Right to Education: Reconciling Liberty & Equality, in OXFORD HANDBOOK ON ECONOMIC & SOCIAL RIGHTS (Katharine Young & Malcolm Langford eds., 2026)

- Winner of the Association of American Law Schools (AALS) Section on Law and South Asian Studies Scholarship Award, 2026

Social Rights in India & Asia, in OXFORD HANDBOOK ON COMPARATIVE HUMAN RIGHTS LAW (Mila Versteeg & Neha Jain, eds., forthcoming 2026) (with Arun Thiruvengadam)

Shaping Sovereignties: The Role of International Financial Institutions in Constitution-Making, 117 AM. J. INT'L L.: UNBOUND 251 (2023)

Transformative Constitutionalism, in MAX PLANCK ENCYCLOPEDIA OF COMPARATIVE CONSTITUTIONAL LAW (Rainer Grote, Frauke Lachenmann, & Rüdiger Wolfrum, eds., 2024)

The Political Economy of Effective Judicial Remedies, 21 INT'L J. CONST'L L. (2023)

Designing remedies for a recalcitrant administration, in SEPARATION OF POWERS, THE JUDICIARY AND THE POLITICS OF CONSTITUTIONAL ADJUDICATION (Sanele Sibanda, ed., 2023)

Local Governments, Federalism, and the Governance of Public Health in India, in LOCAL GOVERNANCE IN MULTI-LAYERED SYSTEMS (Matteo Nicolini & Alice Valdesalici, eds., 2023) (with Mathew Idiculla)

Designing Remedies for a Recalcitrant Administration, 37 S. AF. J. HUM. RTS. 1 (2021) (with Juha Tuovinen)

The Supreme Court of India and The Inter-Institutional Dynamics of Legislated Social Rights, 53(4) VERFASSUNGS UND RECHT IN ÜBERSEE/WORLD COMPARATIVE LAW 411 (2021)

Evictions, Vulnerability and Responsive Constitutionalism in the Covid-19 Lockdown in Cape Town, 29 REVISTA GENERAL DE DERECHO PÚBLICO COMPARADO 1 (2021)

The Case Against Excluding Minority Institutions from the Right to Education Act, in THE SUPREME COURT AND THE CONSTITUTION: AN INDIAN DISCOURSE (Salman Khurshid, Lokendra Malik, & Yogesh Pratap Singh, eds., 2020)

Democratic Experimentalism in Comparative Constitutional Social Rights Remedies, 2 MILAN L. REV. 75 (2020)

Reinvigorating Bicameralism in India, 3(2) U. OX. HUM. RTS. HUB J. 96 (2020) (with Malavika Prasad)

The Supreme Court and executive law-making: the afterlife of failed ordinances in Krishna Kumar Singh II, 2(1) INDIAN L. REV. 1 (2018)

- Winner of the Indian Law Review Early Career Prize 2017

What is the Confusion Over Dilution?: Towards a Meaningful Understanding of Section 29(4) of the Trademarks Act, 1999, 4 INDIAN J. INTELL. PROP. L. 139 (2011)

## 2. Works in Progress

*The Judiciary & Anti-Democratic Harm in Constitutional Adjudication*: This article argues that U.S. courts have turned to judicial remedies to manage executive overreach, but their case-by-case approach obscures deeper democratic harm. It proposes a new framework for distinguishing ordinary policy disputes from institutional deterioration that threatens constitutional democracy. *To be presented at the AALS 2026 Annual Meeting on the Panel on Emerging Voices in Remedies.*

*The Private Law Future of Homelessness*: This paper examines how cities and local governments are increasingly relying on property and contract doctrines to regulate homelessness, and argues that reframing litigation strategies through private law could lead to more durable rights protections.

## 3. Book

[ACCESS TO SOCIAL JUSTICE: EFFECTIVE REMEDIES FOR SOCIAL RIGHTS](#) (2024) (with Katie Boyle, Diana Camps, Kirstie English, Jo Ferrie, & Aidan Flegg)

## 4. Reports

[Effective remedies & structural orders for social rights violations](#), ACCESS TO JUSTICE FOR SOCIAL RIGHTS: ADDRESSING THE ACCOUNTABILITY GAP, Nuffield Foundation, 2022

[Land Governance Assessment in Karnataka State: Background Reports and Analysis of Indicators](#), Land Governance Assessment Framework, World Bank, 2014

*Poised for Change: First Country Report of India Submitted in Pursuance of Article 35 of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)*, Ministry of Social Justice and Empowerment, Government of India, New Delhi, 2012

## 5. Legal Blogs

[Structural Preferentialism for Majoritarian Religions in Liberal Democracies](#), Law & Other Things, 17 June 2025

[America's First Religious Public School?](#), Law and Political Economy Blog, 27 January 2025

[A Setback for Homeless Rights in the United States: On Grants Pass v. Johnson](#), Verfassungsblog, 6 August 2024

[The Right to Education and Democratic Backsliding in India](#), Verfassungsblog, 19 April 2024

[The American Right to Sleep Under Bridges](#), Law and Political Economy Blog, 1 April 2024 (with Mila Versteeg & Kevin Cope)

[Social Rights and Covid-19: Guest Editor's Introduction](#), International Association of Constitutional Law Blog, 12 May 2020

[Bicameralism and The Rule of Law: Reining in The Abuse of Money Bills in Legislative Procedure](#), IACL Democracy 2020 Blog, 25 November 2020

[Miller/Cherry 2 Goes to Kashmir: Using the Effects Test in the Judicial Review of Executive Decisions to Halt Legislative Consideration](#), Verfassungsblog, 11 October 2019

[Symposium: Crisis at the Supreme Court of India? – ‘A Moment of Self-Reckoning for the Supreme Court of India? Reflections on the Judges’ Press Conference’](#), International Association of Constitutional Law Blog, 17 May 2018

[Bărbulescu v. Romania: The Next Step in the Continuing Struggle for Standards for Workplace Communication Monitoring](#), Oxford Human Rights Hub Blog, 31 October 2017

[Resuscitating Workplace Privacy? A Brief Account of the Grand Chamber Hearing in Bărbulescu v. Romania](#), Strasbourg Observer, 20 December 2016 (with James Patrick Wookey)

[Who Benefits From India’s Move to Ban Commercial Surrogacy?](#), Oxford Human Rights Hub Blog, 23 September 2016

[The Out of School Children Case: A Model for Court-Facilitated Dialogue?](#) (with Jayna Kothari), Oxford Human Rights Hub Blog, 18 September 2015

[The Prior Sanction Requirement under Indian Public Law](#), Oxford Human Rights Hub Blog, 18 May 2015

[Whittling Away the Right to Education](#), Law and Other Things, 30 May 2014

## 6. Opinion & Analysis in Popular Press

[How Hindutva is reshaping India’s classrooms](#), Scroll, 1 May 2024

[Constitutional resistance and resilience](#), First Post, 25 December 2019

[By threatening Kerala’s government for enforcing the Sabarimala order, Amit Shah breached his oath as MP](#) (with Malavika Prasad), Scroll, 17 November 2018

[Waning legislative influence, lack of clear mission flags need to redefine Rajya Sabha’s functioning](#), First Post, 14 May 2018

[The SC must end partisan federalism](#) (with Sudhir Krishnaswamy), The Hindu, 10 February 2016

[Ideology is Not a Crime, Kerala High Court Makes it Clear](#), The Wire, 8 June 2015

[Grey Areas in Recovering Black Money Stashed in Foreign Banks](#), Hindustan Times, 17 October 2014

[Back to the Drawing Board](#), The Indian Express, 4 June 2014

[Deciding the Delhi Assembly Question, Justly](#) (with Sudhir Krishnaswamy), The Hindu, 8 May 2014

## **7. Course Material**

*Judicial Review in Comparative Constitutional Law: An Introduction* (Post Graduate Course Module), E-Pathshala, Ministry of Human Resources Development, Government of India

### **Teaching Experience**

*University of Connecticut School of Law*: Constitutional Law (Spring, 2026); Torts (Fall 2025; [syllabus](#)); Education Law (Spring 2025; [syllabus](#)), Constitutions, Human Rights, & Inequality (Summer 2025, [syllabus](#)),

*New York University School of Law*: Law & Culture (Fall 2023, Teaching Assistant)

*EBS University of Business and Law*, Germany: Comparative Politics (Fall 2023)

*National University of Juridical Sciences*, India: Transformative Constitutionalism (Spring 2024)

*NALSAR University of Law*, India: Transformative Constitutionalism (Spring 2022)

*National Law School of India University*, India: Transformative Constitutionalism (Spring 2021)

*Central European University*, Vienna: Intercultural Theories of Human Rights, Socioeconomic Rights (Fall 2021, Teaching Assistant)

*Asian University for Women*, Bangladesh: International Human Rights, Democracy & its Discontents, Transformative Constitutionalism, Culture & Human Rights, Public International Law (Fall 2021 – Spring 2022)

### **Professional Employment**

TRILEGAL LLP, Mumbai, 2012 – 2014

*Associate*

Mergers & Acquisitions, Capital Markets

### **Fellowships, Awards, & Grants**

Social & Economic Rights Associates- Law & Society Association

*Dissertation Grant*, 2023 (for “substantially advancing the field of social & economic rights”)

University of Stirling School of Law

*Social Rights Research Fellow*, 2021 – 2022

Max Planck Institute for Comparative Public Law and International Law, Heidelberg

*Visiting Fellow*, Spring 2021

University of Melbourne Law School

*Indian Equality Law Fellow*, Fall 2019

Indian Law Review Early Career Prize, 2018

### **Select Talks & Presentations**

Panel on Emerging Voices in Remedies, Association of American Law Schools (AALS) 2026 Annual Meeting, New Orleans, LA, 2026

- *The Judiciary & Anti-Democratic Harm in Constitutional Adjudication*

Courts in a Fractured World: Judicial Power and the Politics of Legal Order, Indiana Journal of Global Legal Studies Symposium, Indiana University Maurer School of Law, Bloomington, IN, 2026

- *Anti-Democratic Harm in Constitutional Law*

Inaugural Association of Law and Political Economy (ALPE) Conference, Richmond, VA, 2026

- Panel Organizer, *Religion Law & Political Economy*

Sixteenth Annual Constitutional Law Colloquium, Loyola University, Chicago, IL, November, 2025

- *Private Disestablishment*

Book Talk, New York Law School, New York, NY, October, 2025

- Commentator, MARK GRABER, PUNISH TREASON, REWARD LOYALTY: THE FORGOTTEN GOALS OF CONSTITUTIONAL REFORM AFTER THE CIVIL WAR (2023).

4th Mid-Atlantic Law & Society Association Conference, Mahwah, NJ, October, 2025

- *Private Disestablishment*

Southeastern Association of Law Schools (SEALS) Annual Meeting, Amelia Island, FL, 2025

- *Private Disestablishment*

Olivas Institute Dialog, Indiana University Maurer School of Law, Bloomington, IN, 2025

- *Private Disestablishment*

University of Richmond School of Law, Junior Faculty Forum, Richmond, VA, 2025

- *Private Disestablishment*

Economic and Social Rights Group (ESRG) Workshop: “Working People and Economic Rights: Understanding the Stakes for Labor”, Dodd Center for Human Rights, University of Connecticut, Storrs, CT, 2025

- *Chartering Discrimination*

Second Annual Junior Scholars Workshop, Northeastern University School of Law, Boston, MA, 2025

- *Private Disestablishment*

Fifteenth Annual Constitutional Law Colloquium, Florida State University School of Law, Tallahassee, FL, 2024

- *Charter as Delegation*

American Political Science Association (APSA) Annual Meeting, Philadelphia, PA, 2024

- Commentator, CHRISTINA BAMBRICK, CONSTITUTIONALIZING THE PRIVATE SPHERE: A COMPARATIVE INQUIRY (2024)

Law & Society Association (LSA) Annual Meeting, Denver, CO, 2024

- *The New Homelessness*

The Constitutional Law Schmooze Workshop, University of Maryland, Baltimore, MD, 2024

- *The New Homelessness*

Fourteenth Annual Constitutional Law Colloquium, Loyola University School of Law, Chicago, IL, 2024

- *The Separation of Powers & Remedial Choice in State Education Litigation*

Department of Political & Peacebuilding Affairs, United Nations, New York, NY, 2023

- *Secularism and Religious Freedom in Constitutional Design*

Law & Political Economy Workshop, City University of New York (CUNY) & the New School, New York City, NY, 2023

- *Social Welfare without Social Rights?*

Workshop on Global Resistance to Authoritarian Diffusion, University of Wisconsin-Madison Law School, WI, 2023

- *Discussant on the country chapters on democratic erosion*

Law & Society Association (LSA) Annual Meeting, San Juan, Puerto Rico, 2023

- *The Law and Politics of the Right to Education in the United States & India*

Casebook Workshop, University of Chicago Law School, Chicago, IL 2023

- Commentator, Mila Versteeg, David Landau, & Tom Ginsburg, *COMPARATIVE CONSTITUTIONAL LAW: A GLOBAL AND INTERDISCIPLINARY APPROACH* (forthcoming 2025)

Global Summit on Constitutionalism, University of Texas, Austin, TX, 2023

- *The Right to Education: Reconciling Equality & Liberty*

11<sup>th</sup> World Congress of Constitutional Law, Johannesburg, South Africa, 2022

- *The Right to Education: Reconciling Equality & Liberty*

Junior Scholars Workshop, American Society of Comparative Law, Northeastern University, Boston, MA, 2022

- *Liberty, Equality, & the Right to Education*

New Directions in Law and Society: Junior Scholar Workshop, University of Massachusetts, Amherst, MA, 2021

- *The Legitimacy of Transformative Constitutional Adjudication*

### **Media Appearances**

Robert Storace & Sophie Muce, [\*State Defies DEI Mandate, School Funding at Risk\*](#), CT EXAMINER (25 April 2025) (Quoted on the constitutional implications of the state of Connecticut's resistance to federal anti-DEI mandates in education funding)

### **Bar Membership**

Bar Council of Maharashtra & Goa (inactive)

Bar Council of India (inactive)

### **Service**

Scholarship & Awards Committee, University of Connecticut School of Law, 2025 – present

Advisory Committee, Association of Law & Political Economy (ALPE), 2025 – present

Advisory Committee, Verfassungsblog, 2025 – present

Co-Chair, Academic Committee, Asian American Bar Association of New York (AABANY), 2023 – present

Assistant Editor, International Association of Constitutional Law Blog, 2023 – present

Advisory Committee, Social & Economic Rights Associates (SERA) – Law & Society Association Grants, 2024 – present

Co-Convenor, Research Group on Social Rights, International Association of Constitutional Law, 2020 – present

Convenor, Post-Graduate Reading Group on Socioeconomic Rights, 2020 – 2021

Regional Correspondent, Oxford Human Rights Hub, 2015 – 2020

Editorial Assistant, International Society of Public Law (ICON-S) Blog, 2018 – 2020

Articles referee for the following journals: *Publius: A Journal of Federalism*; *International Journal of Law in Context*; *Law and Politics in Africa, Asia and Latin America*; *Max Planck Encyclopedia of Comparative Constitutional Law*; *Oxford University Commonwealth Law Journal*; *Global Constitutionalism*; *International Journal of Human Rights*; *Australian Journal of Asian Law*; *Indian Law Review*; *Asian Journal of Comparative Law*; *Socio-Legal Review*; *Jindal Global Law Review*; *Journal of Human Rights and Social Work*