

**IAN CHAMBERLIN BARTRUM**  
William S. Boyd School of Law, UNLV  
4504 S. Maryland Parkway, Las Vegas, NV 89005  
(702 895-5415 ian.bartrum@unlv.edu)

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## EXPERIENCE

<b>Associate Professor of Law</b> <b>Boyd Law School, University of Nevada, Las Vegas</b> Constitutional Law I & II; Law & Religion	<b>2011-present</b>
<b>Assistant Professor of Law</b> <b>Drake Law School, Des Moines, Iowa</b> Constitutional Law I & II; Law & Religion; Constitutional Theory	<b>2009-2011</b>
<b>Irving S. Ribicoff Fellow in Law</b> <b>Yale Law School, New Haven, Connecticut</b> Research and Teaching Fellow	<b>2008-2009</b>
<b>Visiting Assistant Professor</b> <b>Vermont Law School, South Royalton, Vermont</b> Environmental Writing I & II; Director of Masters Internships	<b>2005-2007</b>
<b>Law Clerk, Vermont Supreme Court</b> Chambers of Chief Justice Jeffrey Amestoy	<b>2004-2005</b>
<b>Law Clerk, Maine Supreme Judicial Court</b> Chambers of Associate Justice Howard Dana	<b>2003-2004</b>
<b>Teacher, Administrator, Coach</b> <b>Hyde Schools, Maine, Connecticut, D.C.</b>	<b>1996-2000</b>

## EDUCATION

<b>Yale Law School, LL.M</b> Research Assistant to Anthony Kronman	<b>2008</b>
<b>Vermont Law School, J.D. <i>summa cum laude</i></b> Vermont Law Review; Dean's Teaching Fellow; Dean's Merit Scholar; 7 American Jurisprudence Prizes	<b>2003</b>
<b>Hamilton College, B.A. History</b> Honors Thesis in History	<b>1995</b>

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## **TEACHING AND RESEARCH INTERESTS**

I teach Constitutional Law I & II and seminars in Law & Religion and Constitutional Theory. My research interests are in constitutional history and theory, the Establishment Clause, and constitutional education. My long-term project is a book about how the Constitution is taught (and learned) in American high schools.

## **WORKS IN PROGRESS**

### *James Wilson in the State House Yard: Ratifying the Structures of Popular Sovereignty*

This is an exploration and extrapolation of the large themes in Wilson's famous speech in defense of the Constitution. I ground Wilson's ideas about popular sovereignty in his common sense philosophy, and examine the ways that his conception shaped the ratification process.

### *Constitutional Values and Interpretive Theory Choice*

Later in life, Thomas Kuhn argued that scientists adopt new theories based in part on how well they serve particular values, which each practitioner may hold in different combinations. As a result, theory choices are not entirely "objective", in the sense many presume, but instead flow from underlying commitments to particular value structures. I contend that this is also the case when judges or practitioners making interpretive theory choices in constitutional law. I identify a number of constitutional values and explore their correlation to various interpretive theories

### *Educating the Popular Sovereign: How Our High Schools Shape Our Constitution*

Book-length project on how and what high school students learn about the Constitution, and the implications this has for our interpretive culture and the institutions of popular sovereignty.

## **SELECTED PRESENTATIONS**

### *The Advocate*, WDEO Radio

Featured Guest on Ave Maria Law School radio show discussing state efforts to limit or ban elective abortion. (May 2011)

### *Hamilton College, Inauguration Delegate*

Inauguration of President Raynard Kington, Grinnell College (May 7, 2011).

### *The Constitutionality of the Patient Protection and Affordable Care Act*,

Drake University Law School

American Constitution Society Lecture (April 28, 2011)

### *The Great Health Care Debate: Is the Affordable Care Act Constitutional?*

Washington University School of Law, St. Louis

American Constitution Society Debate with Attorney Thor Hearne of Arent Fox (March 29, 2011)

### *The Exchange*, Iowa Public Radio

Featured guest on IPR's political talk show discussing Iowa bills aimed at abortion. (Feb. 21, 2011)

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**SELECTED PRESENTATIONS (CON.)**

*The Iowa Judicial Retention Election: What Happened and Where Do We Go From Here?*  
Moderator, American Constitution Society Panel on Iowa Retention Election (Dec. 2, 2010).

*Faction In the Age of Facebook*  
Panelist, Loyola (Chicago) Law School Constitutional Law Colloquium (Nov. 6, 2010)

*Voting for Nonpublic Reasons: Conscience and Political Evolution*  
Panelist, St. John's Law School Law and Religion Theory Symposium (Nov. 5, 2010)

*Salazar v. Buono: Sacred Symbolism and the Secular State*  
Northwestern Law Review Colloquy on *Salazar v. Buono*, John Marshall Law School (Oct. 15, 2010)

*Conscientious Objectors and Health Care Reform*  
William S. Boyd Law School, University of Nevada Las Vegas  
American Constitution Society/Federalist Society Debate with Professor Lynn Wardle (Oct. 7, 2010)

Moderator, *Dwight D. Opperman Lecture: Justice Samuel Alito*  
Drake Constitutional Law Center Distinguished Lecture Series (Sept. 30, 2010)

*Constitutional Conversations: The Dynamics of Our Constitutional Ethos*  
Constitution Day lecture at Drake Law School (Sept. 17, 2010)

Moderator, *The Same-Sex Marriage Divide*  
Drake Constitutional Law Center Symposium (Apr. 10, 2010)  
Co-moderated panel discussion between Andrew Koppleman, Maggie Gallagher, Mark Strasser, Lynn Wardle, Lee Badgett, and Douglas Allen.

*Thoughts on the Divergence of Contract and Promise*  
Creighton Law School Faculty Workshop, Omaha, NB (March 22, 2010).

Guest Blogger, *Prawfsblawg*, February 2010, January 2011

*The Constitutional Canon As Argumentative Metonymy*, Steven Gey Paper in Constitutional Law  
American Association of Law Schools, 2010 Annual Meeting, New Orleans, Louisiana (Jan 9, 2010)  
Paper chosen from competitive call for presentation on a panel with Mitch Berman, Laura Cisneros, Rick Hills, Larry Solum, and John McGinnis.

Panelist, *Same-Sex Marriage Forum*  
OneIowa forum on same-sex marriage concerns in Ottumwa, Iowa (Nov. 13, 2009)

*Constitutional History and Constitutional Law: An Introduction to Gordon Wood's Lecture*  
"Citizens Arise: From the Founding of a Nation to the Crisis of the Union"  
Cowles Library, Drake University (Nov. 11, 2009)

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**SELECTED PRESENTATIONS (CON.)**

*The Constitution and Its Canon*

Drake University Humanities Colloquium (Oct. 23, 2009)

*Protestant Disestablishment in Non-Christian Cultures*

American University, Washington College of Law (Oct. 10, 2008)

Sixth Annual Baha'i Conference on Religion and Governance

*Of Historiography and Constitutional Principle*

Yale Law School Graduate Forum (Oct. 2, 2008)

*Metaphors and Modalities: Max Black and Philip Bobbitt* (with Bruce Ackerman)

Yale Law School: Next Generation of Legal Scholars Symposium (March 28, 2008)

*The Vermont Supreme Court and Judicial Activism*

Vermont Bar Association Winter Meeting (Jan 13, 2007)

*Frost's Witness Tree and Environmental Conscience*

Graduate Program Commencement Address (Student Invitation) Vermont Law School (Aug. 11, 2006)

**PUBLICATIONS**

Book Chapter:

*The Modalities of Constitutional Argument: A Primer*, in READINGS IN PERSUASION: BRIEFS THAT CHANGED THE WORLD (Linda Edwards, ed., Wolters Kluwer *forthcoming*)

Law Reviews:

*Religion and Race: The Ministerial Exception Reexamined*, 106 NW. U. L. REV. COLL. \_\_\_\_ (2011).

*Nonpublic Reasons and Political Paradigm Change*, 84 ST. JOHN'S L. REV. \_\_\_\_ (2011).

*Constitutional Rights and Judicial Independence: Lessons from Iowa*, 88 WASH. U. L. REV. 1047 (2011).

*Thoughts On the Divergence of Promise and Contract*, 34 CAN. J. L. & JURIS. 225 (2011).

*Salazar v. Buono: Sacred Symbolism and the Secular State*, 104 NW. U. L. REV. 1653 (2011)

*Constructing the Constitutional Canon: The Metonymic Evolution of Federalist 10*, 26 CONST. COMMENT. 9 (2010).

*The Constitutional Canon As Argumentative Metonymy*, 18 WM. & MARY BILL OF RTS. J. 327 (2009).  
(Selected from blind call as AALS Steven Gey Paper in Constitutional Law).

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**PUBLICATIONS (CON.)**

*Same-Sex Marriage in the Heartland: The Case for Legislative Minimalism in Crafting Religious Exemptions*, 108 MICH. L. REV. FIRST IMPRESSIONS 8 (2009).

*Pleasant Grove v. Sumnum: Losing the Battle to Win the War*, 95 VA. L. REV. IN BRIEF 43 (2009).

*Of Historiography and Constitutional Principle: Jefferson's Letter to the Danbury Baptists*, 51 J. OF CHURCH & STATE 102 (2009).

*Metaphors and Modalities: Meditations on Bobbitt's Theory of the Constitution*, 17 WM. & MARY BILL OF RTS. J. 157 (2008).

*The Political Origins of Secular Public Education: The New York School Controversy 1840-1842*, 3 N.Y.U. J. OF LAW & LIBERTY 267 (2008).

*The Constitutional Structure of Disestablishment*, 2 N.Y.U. J. OF LAW & LIBERTY 311 (2007)

Note, *Paradise Lost: Good News Club, Charitable Choice, and the State of Religious Freedom*, 27 VT. L. REV 177 (2002).

Other Publications:

*Why Health Care Law's "Individual Mandate" Matters, and Is Constitutional*  
ACSBLOG, online blog of the American Constitution Society (March 24, 2011).

*Health Care Reform Constitutional and Necessary*  
THE DES MOINES REGISTER, Guest Column (March 23, 2011)

*Iowa Justices Shaken, But Not Bowed By Retention Vote*,  
ACSBLOG, online blog of the American Constitution Society (Dec. 7, 2010)

*Salazar v. Buono: Sacred Symbolism and the Secular State*,  
THE LEGAL WORKSHOP, online law review consortium (Sept. 19, 2010)

*Don't Simply Dismiss O'Donnell's Point on Church and State*  
THE DES MOINES REGISTER, Guest Column (Nov. 8, 2010)

*Prawfsblawg: Various Posts*  
Guest Blogger (February 2010) (January 2011)

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**SELECTED MEDIA**

Featured Guest, Ave Maria Law Radio, *The Advocate* (May 2011).

Judy Keen, *More State Bills Are Targeting Abortion* USA TODAY (April 5, 2011)

Jennifer Jacobs, *Bills Ban Undercover Recordings at Animal Facilities*, DES MOINES REGISTER (March 15, 2011)

*Iowans React to Obama's DOMA Decision*, WOI-DT ABC News (Feb 24, 2011)

Lucia Graves, *Chuck Schumer, Michael Bloomberg Seek to Bolster Gun Checks*, HUFFINGTON POST (February 24, 2011)

Mark Singer, *Iowa GOP Proposes Measure to Halt Issuing Marriage Licenses to Same-Sex Couples*, LGBTQ NATION (Feb. 23, 2011)

Pat Curtis, *Legal Expert, Supporter, Discuss Abortion Bill*, RADIO IOWA BLOG (Feb. 22, 2011)

Jason Cleyworth, *Prohibit Supreme Court From Ruling On Marriage, Republicans Say*, DES MOINES REGISTER (February 22, 2011)

Featured Guest, Iowa Public Radio *The Exchange* (Feb. 21, 2011)

Michele Linck, *Cornerstone Case Could Prove Costly*, SIOUX CITY GAZETTE (Oct. 3, 2010)

Andrew J. Nelson, *Catholics Called On to Vote Yes*, OMAHA WORLD-HERALD (Sept. 22, 2010)

Michael J. Crumb, *Iowa Catholic Leaders Push for Marriage Amendment*, ASSOCIATED PRESS (Sept. 21, 2010)

**AWARDS/HONORS:**

2010 Steven Gey Paper in Constitutional Law (AALS)

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**PROFESSIONAL REFERENCES**

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**Bruce Ackerman**

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**Anthony Kronman**

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Yale Law School  
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**Philip Bobbitt**

Herbert Wechsler Professor of Federal Juris.  
Columbia Law School  
435 West 116<sup>th</sup> St  
New York, NY 10027