



SALVATORI PROFESSOR OF AMERICAN CONSTITUTIONALISM

CURRICULUM VITAE

Ralph A. Rossum

Salvatori Professor of American Constitutionalism

Personal Information:

Married to Constance Rossum, three children

Home Address:

2687 San Angelo Drive

Claremont, California 91711

(909) 625-3802 (phone)

College Address:

Claremont McKenna College

Department of Government

Claremont, California 91711

(909) 607-3392 (phone)

(909) 621-8416 (fax)

rrossum@cmc.edu

Education:

Ph.D., 1973, University of Chicago

M.A., 1971, University of Chicago

B.A. (Summa Cum Laude), 1968, Concordia College

Areas of Academic Specialization:

Constitutional Law

Constitutional Interpretation

The American Founding

Criminal Justice and Procedure

The Constitution and Native American Tribes

Academic Experience:

Claremont McKenna College, Henry Salvatori Professor of Political Philosophy and American Constitutionalism (with tenure). 1994-present. Member of the Graduate Faculty, Claremont Graduate University. 1994-present.

Visiting Scholar, The Liberty Fund, Indianapolis, Indiana, July – December 1998.

University of Redlands, Fletcher Jones Professor of American Politics (with tenure), 1993-1994.

Claremont McKenna College, Visiting Professor, Department of Government, 1992-1993.

Hampden-Sydney College, President and Professor of Political Science, 1991-1992.

Claremont McKenna College, Vice President and Dean of the Faculty, 1988-1991; Director of the Henry Salvatori Center for the Study of Freedom in the Modern World, 1984-1989. Alice Tweed Tuohy Professor of Government and Ethics, 1984-1988. Tenure granted, 1984. Member of the Graduate Faculty, Claremont Graduate School, 1984-1991.

Louisiana State University Law Center. Team-taught a course on the American Founding with Justice Antonin Scalia at the University of Aix-Marseilles Law School, Aix-en-Provence, France, Summer 1987.

Loyola University of Chicago, Associate Dean of the Graduate School, 1981-1983; Associate Professor, Department of Political Science, 1980-1983. Tenure granted, 1982.

Memphis State University, Associate Professor, Department of Political Science, 1977-1980. Tenure granted, 1978. Assistant Professor, 1973-1977.

Grinnell College, Instructor, Department of Political Science, 1972-1973.

Chicago City Colleges, Department of Police Academy Services, Instructor of Behavioral Sciences, 1970-1971.

Administrative Experience:

Director, Rose Institute of State and Local Government, Claremont McKenna College, 2000-2010.

The Rose Institute of State and Local Government is one of largest and most publicly-visible research institutes at Claremont McKenna College. Focusing on Southern California, it undertakes research in four primary areas: survey research,

demographic studies, fiscal analysis, and legal and regulatory analysis. The Director is responsible for the overall research program and administration of the Institute, including budget, grants, and contract management; fund development; and the provision of staff support for its Board of Governors.

Director, Judicial Seminar on the Constitution, Liberty Fund Inc., Indianapolis, IN., 1993-2004.

Co-directed from 1988 and directed from 1993 an annual week-long seminar for federal judges on the drafting and ratification of the Constitution and the Bill of Rights. Responsibilities included recruitment and selection of approximately 15 federal appellate and district court judges for each seminar; selection of discussion leaders (nationally-prominent law professors, historians, and political scientists), readings, and seminar location; overall planning; budget management; coordination of all travel and conference accommodations; chairing all seminar sessions; and program evaluation.

President, Hampden-Sydney College, Hampden-Sydney, VA., 1991-1992.

The President is the chief executive officer of the College, exercising executive and administrative direction in the planning, implementation, coordination, and surveillance of all College financial, educational, and operational programs and ensuring adherence to College policies, procedures, and directives.

Vice President and Dean of the Faculty, Claremont McKenna College, 1988-1991.

The Dean of the Faculty is the chief academic officer of the college and presides in the president's absence. Responsibilities include clarification of the academic mission of the college; new program and curriculum development; program evaluation; administration of the college's appointment, promotion, and tenure process; supervision of the college's study abroad and other off-campus programs; faculty evaluation and development; supervision of the college's institutional research, registration, and record-keeping operations; and administrative and budgetary supervision of academic computing and all academic departments. A member of the College's Development Strategy Group, the Dean plays a key role, along with the President, Director of Development, and selected Trustees, in identifying and developing foundation, corporate, and private contacts, connecting donor interests to institutional needs, drafting proposals (especially in the academic area), meeting with present and prospective donors, and assuring that gifts and endowment funds are used in conformity with donor intentions.

Seminar Director, "On the Continued Relevance of the Constitution," Salvatori Center, Claremont McKenna College, Summer 1986.

Conducted a three-week seminar for 15 federal judges and law professors on the Founding of the Constitution of the United States. Seminar was funded by a \$56,000 grant from the National Endowment for the Humanities.

Project Director, "Juvenile Justice Reform," Rose Institute for State and Local Government, Claremont McKenna College, 1985-1987.

"Juvenile Justice Reform" was a million dollar, two-year research and legislative training program funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the U. S. Department of Justice. Its objectives included the drafting of a model juvenile justice code and the provision of legislative training through a national conference, major workshops, and intensive liaison/training sessions in selected states. Responsibilities as Project Director included overall supervision of all major activities of the project and of the nine professionals assigned to it; service as chairman of the project's national conference and major workshops and of the meetings of the project's advisory board; and contributions to the project's final research products.

Deputy Director, Bureau of Justice Statistics (BJS), U. S. Department of Justice, 1983-1984.

BJS is the national repository for statistical information dealing with crime and the response to crime by criminal justice systems at all levels of government. Responsibilities as Deputy Director (a position equal in rank to Deputy Assistant Attorney General) included coordination, review, and approval of all BJS's publications, including monthly Bulletins, Special Reports, and all major annual publications; coordination, review, and approval of the publication of The Report to the Nation on Crime and Justice: The Data; administration of BJS's research solicitation program; oversight of the National Crime Survey Redesign effort; and provision of leadership and expertise in the development, management, implementation, and evaluation of all BJS programs.

Associate Dean, Graduate School, Loyola University of Chicago, 1981-1982.

Responsibilities included new program and curriculum development; program evaluation; budgetary management and general administration of the Graduate School office; service on the Ph.D. Council, the MA/MS Council, and the Graduate Studies Coordinating Board; and administrative and budgetary supervision of Loyola's graduate level interdisciplinary institutes and programs, including the Institute of Industrial Relations, the Institute of Pastoral Studies, the Parmlly Hearing Institute, the Doyle Counseling Center and Day School, and the Graduate Program in Oral Biology (School of Dentistry), Urban Studies, and Community and Organizational Development.

Professional Services:

Consulting Editor, *Perspectives on Political Science*, 1983-present.
Consulting Editor, *Current*, 1990-present.
Member, Editorial Board, *Citizens and Statesmen*, 2005-present
Member, Editorial Advisory Board, *The Public Interest Law Review*, 1988-1995
Research Editor, *Benchmark*, 1986-1992. Senior Editor, 1983-1986.
Review Panelist, National Endowment for the Humanities, 1984-present.
Review Panelist, National Institute of Justice, 1985-present.
Review Panelist, Commission on the Bicentennial of the United States Constitution.
Manuscript Reviewer, St. Martin's Press, Prentice-Hall, University of California Press.
Editorial Board, Marcel Dekker, Inc., 1976-1981.
Editor, Public Affairs Forum, 1974-1977.

Public Service:

Member, California Advisory Committee, U.S. Commission on Civil Rights, 2011-

Member, Council of Scholars, American Academy of Liberal Education, 1994-1997,
Chairman, 1997-2008.

Member, Board of Trustees, American Academy of Liberal Education, 1997-2011,
Chairman, 2009-2011.

Member, National Board of the Fund for the Improvement of Post-Secondary Education (FIPSE), U.S. Department of Education, 2002-2005.

Member, Board of Advisors, American Friends Fund, Institute of United States Studies, University of London, 1992-2003.

Member, Legal Policy Advisory Board, Washington Legal Foundation, 1988-2001.

Member of the Council, Californians in Congress Recognition Program, 1988-1993.

Member, National Institute of Corrections Advisory Board, U.S. Department of Justice, 1988-1991.

Member, Robert Presley Institute of Corrections Research and Training, State of California, 1988-1990.

Member, Board of Trustees, The Episcopal Theological School of Claremont, Claremont, California, 1987-1991.

Major Honors:

Phi Beta Kappa.
Who's Who in America, annual editions, 1988-present
Who's Who in the World, 2007-present
Four-year Ford Foundation Doctoral Fellowship, 1968-1972.
Tozer Foundation Fellowship, 1968.
Pi Gamma Mu Fellowship, 1968.

References:

Available on request.

Publications:

Books:

Understanding Clarence Thomas: The Jurisprudence of Constitutional Restoration. Lawrence: University Press of Kansas, 2014. Author.

The Supreme Court and Tribal Gaming: California v. Cabazon Band of Mission Indians. Lawrence: University Press of Kansas, 2011. Author.

Antonin Scalia's Jurisprudence: Text and Tradition. Lawrence: University Press of Kansas, 2006. Author.

Federalism, the Supreme Court, and the Seventeenth Amendment: The Irony of Constitutional Democracy. Lanham, MD: Lexington Books, 2001. Author.

American Constitutional Law. Vol. I: *The Structure of Government.* New York: Westview Press, 9th edition, 2014; 8th edition, 2010; Belmont, CA: Wadsworth, 7th edition, 2007; 6th edition, 2003; New York: St Martin's/ Worth, 5th edition, 1999; New York: St. Martin's Press, 4th edition, 1995. Co-author.

American Constitutional Law. Vol. II: *The Bill of Rights and Subsequent Amendments.* New York: Westview Press, 9th edition; 2014; 8th edition, 2010; Belmont, CA: Wadsworth, 7th edition, 2007; 6th edition, 2003; New York: St Martin's/Worth, 5th edition, 1999; New York: St. Martin's Press, 4th edition, 1995. Co-author.

American Constitutional Law: Cases and Interpretation. New York: St. Martin's Press, 3rd Edition, 1991; 2nd Edition, 1987; 1st Edition, 1983. Co-author.

The American Founding: Politics, Statesmanship, and the Constitution. Port Washington, New York: Kennikat Press Corporation, 1981. Co-author.

Reverse Discrimination: The Constitutional Debate. New York: Marcel Dekker, Inc., 1980. Author.

The Politics of the Criminal Justice System: An Organizational Analysis. New York: Marcel Dekker, Inc., 1978. Author.

Police, Criminal Justice, and the Community. New York: Harper & Row Publishers, 1976. Co-author.

Urban Administration: Management, Politics and Change. Port Washington, New York: Kennikat Press Corporation, 1976. Co-editor and Contributor.

Monographs, Articles, and Chapters in Books:

"Antonin Scalia and the Fourth Amendment," in John R. Vile and David L. Hudson, Jr. (eds.), *Encyclopedia of the Fourth Amendment*. Thousand Oaks, CA: CQ Press, 2013.

"Justice Clarence Thomas's Originalist Understanding of the Interstate, Negative, and Indian Commerce Clauses," *University of Detroit Mercy Law Review*, Vol. 88 (Summer 2011).

"Foreword" to David P. Weiss, *The Evolution of Community Policing From Theory to Implementation: A Process Evaluation*. Lewiston, NY: The Edwin Mellen Press, 2010.

"Antonin Scalia and the Rule of Law: The Textualist Foundation of the 'Law of Rules,'" in Anthony A. Peacock (ed.), *Freedom and the Rule of Law*. Lanham, MD: Lexington Books, 2010.

"'Common-Sense Constitutionalism': Why Constitutional Structure Matters for Justice Scalia," in Bradley Watson (ed.), *Ourselves and Our Posterity: Essays in Constitutional Originalism*. Lanham, MD: Lexington Books, 2009.

"Seventeenth Amendment," and "Dual Federalism," in David Tanenhaus (ed.), *Encyclopedia of the Supreme Court of the United States*. New York: Macmillan, 2008.

"Taking the Constitution Seriously: Akhil Reed Amar's Biography of America's Framing Document," *Syracuse Law Review*, Vol. 57, No. 2 (2007).

"A Short History of a Big Mistake," *The American Interest*, Vol. I, No. 4 (Summer 2006).

“Antonin Scalia,” in Melvin I. Urofsky (ed.), *A Biographical Encyclopedia of the Supreme Court: The Lives and Legal Philosophies of the Justices*. Washington, D.C.: C.Q. Press, 2006.

“Entrapment,” “Just Compensation,” and “Public Use,” in Otis H. Stephens, John Scheb, and Kara E. Stooksbury (eds.), *Encyclopedia of American Civil Liberties and Rights*. Westport, Conn: Greenwood Press, 2006.

“The U.S. Constitution,” and “Seventeenth Amendment,” in Joseph R. Marbach, Ellis Katz, and Troy Smith (eds.), *Federalism in America: An Encyclopedia*. Westport, Conn: Greenwood Press, 2006.

“Article I, Section 3,” “Article V,” and “Seventeenth Amendment,” in Edwin Meese, Matthew Spalding, and David Forte (eds.), *The Heritage Guide to the United States Constitution*. Washington, D.C.: Regnery Publishing, 2005.

“Text and Tradition: The Originalist Jurisprudence of Antonin Scalia,” in Earl Maltz (ed.), *Rehnquist Justice*. Lawrence: University Press of Kansas, 2003.

“The Textualist Jurisprudence of Antonin Scalia,” in Byran-Paul Frost and Jeffrey Sikkenga (eds.), *History of American Political Thought*. Lanham, MD.: Lexington Books, 2003.

“California and the Seventeenth Amendment,” *Nexus*, Vol. 6, no. 1 (Spring, 2001). Reprinted in Ken Masugi and Brian P. Janiskee (eds.), *The California Republic: Institutions, Policy, and Statesmanship*. Lanham, MD: Rowman & Littlefield, 2003.

“Federalism, Constitutional Structure, and the Securing of Liberty,” in Bradley C. S. Watson (ed.), *Citizens and Statesmen: An Annual Review of Political Theory and Political Life*. Latrobe, Pa.: Center for Economic and Policy Education, St. Vincent College, 2001.

“Herbert J. Storing’s Constitutionalism,” *Political Science Reviewer*, Vol. 30 (2000).

How Peter F. Drucker’s ‘Five Most Important Questions’ Can Help Improve Faculty Governance,” *The Department Chair* (Summer 2000). Co-author.

“The Irony of Constitutional Democracy: Federalism, the Supreme Court, and the Seventeenth Amendment,” *San Diego Law Review*, Vol. 36, No. 3 (August-September 1999).

“Scalia’s Textualist Jurisprudence,” *Perspectives on Politics*, Vol. 28, no. 1 (Winter 1999).

Symposium Editor, “Justice Scalia and A Matter of Interpretation,” *Perspectives on Politics*, Vol. 28, no. 1 (Winter 1999).

"The Supreme Court: Republican Schoolmaster," in John A. Murley and Kenneth Deutsch (eds.), *The Influence of Leo Strauss on the Study of the American Regime: An Enduring and Contested Legacy*. Lanham, MD: Rowman & Littlefield, 1999.

"The Twenty-Sixth Amendment," in Roger Newman (ed.), *The Constitution and Its Amendments*. New York: Macmillan, 1999.

"Juvenile Justice Professionals: Opponents of Reform," in Gary L. McDowell and Jinney S. Smith (eds.), *Juvenile Delinquency in the United States and United Kingdom*. London: Macmillan, 1999.

"Applying the Voting Rights Act to Judicial Elections: The Supreme Court's Misconstruction of Section 2 and Misconception of the Judicial Role," in Anthony A. Peacock (ed.), *Affirmative Action and Representation: Shaw v. Reno and the Future of Voting Rights*. Durham, N.C.: Carolina Academic Press, 1997.

"Reforming Juvenile Justice and Improving Juvenile Character: The Case for the Justice Model," *Pepperdine Law Review*, Vol. 23, No. 3 (1996).

"Holding Juveniles Accountable: Reforming America's 'Juvenile Injustice System,'" *Pepperdine Law Review*, Vol. 22, No. 3 (1995).

"The Supreme Court and the 1992 Election: The Dog that Did Not Bark," in Roger M. Barrus and John H. Eastby (eds.), *America through the Looking Glass: A Constitutionalist Critique of the 1992 Election*. Lanham, MD: Rowman & Littlefield, 1994.

"The Least Dangerous Branch?" in Peter Augustine Lawler and Robert Martin Schaefer (eds.), *The American Experiment: Essays on the Theory and Practice of Liberty*. Lanham, MD: Rowman & Littlefield, 1994.

"Constituting and Preserving the Republic," in Eugene W. Hickok, Gary L. McDowell, and Philip J. Costopoulos (eds.), *Our Peculiar Security: The Written Constitution and Limited Government*. Latham, Md.: Rowman & Littlefield, 1993.

An Atlas of South-Central Los Angeles. Claremont, CA: Rose Institute for State and Local Government, 1992. Co-author.

Statistical Profile of South-Central Los Angeles. Claremont, CA: Rose Institute for State and Local Government, 1992. Co-author.

"Civic Virtue and Republican Government: The Prudence of James Wilson's Constitutional Theory," in John A. Murley, William T. Braithwaite, and Robert L.

Stone (eds.), *Law and Philosophy: The Practice of Theory*. Athens: Ohio University Press, 1992.

"James Wilson," Leonard W. Levy and Louis Fisher (eds.), *Encyclopedia of the American Presidency*. New York: Simon and Schuster, 1992.

"Prisoners' Rights," Leonard W. Levy. Kenneth L. Karst, and John G. West, Jr. (eds.), *Encyclopedia of the American Constitution, Supplement No. 1*, New York: Macmillan, 1992.

"Self-Incrimination: The Original Intent," in Eugene W. Hickok (ed.), *The Bill of Rights: Original Meaning and Current Understanding*. Charlottesville: University Press of Virginia, 1991.

"Power and Republicanism: The Creation of the Presidency," in *Restoring the Presidency: Reconsidering the Twenty-Second Amendment*. Washington, D.C.: National Legal Center for the Public Interest, 1990.

"Historical Trends, Legislative Developments, and Professional Attitudes: Implications for Legislative Reform of Juvenile Justice," *New Designs for Youth Development*, Vol. 9, No. 1-3 (1989).

Congressional Control of the Judiciary: The Article III Option. Washington, D.C.: Center for Judicial Studies, 1988.

Juvenile Justice Reform: A Model for the States. Claremont, California: The Rose Institute of State and Local Government, 1987. Co-author.

"The Courts and the Judicial Power," in Leonard W. Levy and Dennis J. Mahoney (eds.), *The Framing and Ratification of the Constitution*. New York: Macmillan, 1987.

"The Federalist's Understanding of the Constitution as a Bill of Rights," in Charles R. Kesler (ed.), *Saving the Revolution: The Federalist Papers and the American Founding*. New York: Free Press, 1987.

"To Render These Rights Secure: James Madison's Understanding of the Relationship of the Constitution to the Bill of Rights," *Benchmark*, Vol. III, Nos. 1 and 2 (1987).

"Separation of Powers and the Legislative Power," (Symposium issue on the American Founding) *Teaching Political Science*, Vol. 14, No. 1 (Fall 1986).

"Naturalization," "Denaturalization," "Expatriation," "Deportation," and "James Wilson and the American Constitution," Leonard W. Levy, Kenneth L. Karst, and

Dennis J. Mahoney (eds.), *Encyclopedia of the American Constitution*. New York: Macmillan, 1986.

"A Means-Ends Approach to the Study of the Constitution and Constitutional Law," *Teaching Political Science*, Vol. 13, No. 1 (Fall 1985).

"*Plessy, Brown*, and the Reverse Discrimination Cases: Consistency and Continuity in Judicial Approach," *American Behavioral Scientist*, Vol. 28, No. 6 (July-August 1985).

"The Problem of Prison Crowding: On the Limits of Prison Capacity and Judicial Capacity," *Benchmark*, Vol. I, No. 6 (November-December 1984).

"Government and Ethics: The Constitutional Foundation," in Alan Heslop (ed.), *Government and Ethics* (Claremont, California: John Brown Cook Association, 1982-83). Reprinted in *Teaching Political Science*, Vol. 11, No. 3 (Spring 1984).

"Congress, the Constitution and the Appellate Jurisdiction of the Supreme Court: The Letter and Spirit of the Exceptions Clause," *William and Mary Law Review*, Vol. 24, No. 3 (April 1983). Reprinted in *Congressional Record*, September 10, 1985.

"ABSCAM: On the Nature of Separation of Powers and Entrapment," in Walter P. Krolikowski, ed., *Faith and Justice*. Chicago, Illinois: Loyola University Press, 1982.

"*Weber* and the Limits of Judicial Policy-Making," *Law and Policy Quarterly*, Vol. IV, No. 1 (January 1982).

"The Supreme Court as Republican Schoolmaster: Freedom of Speech, Political Equality, and the Teaching of Political Responsibility," in Gary McDowell, ed., *Taking the Constitution Seriously: Essays on the Constitution and Constitutional Law*. Dubuque, Iowa: Kendall/Hunt Publishing Co., 1981.

"The Courts and the Delivery of Urban Services. The Rise and Fall of Equalization Litigation." *The Urban Interest*, Vol. 2, No. 1 (1980). Reprinted in *Current Municipal Problems*, Vol. 7, No. 1 (1980).

"The Entrapment Defense and the Teaching of Political Responsibility: The Supreme Court as Republican Schoolmaster," *American Journal of Criminal Law*, Vol. 6, No. 3 (November 1978). Reprinted in Paul L. Murphy, ed., *The Bill of Rights and American Legal History: Criminal Procedure*. New York: Garland Publishing, 1990.

"Representation and Republican Government: Contemporary Court Variations on the Founders' Theme," *American Journal of Jurisprudence*, Vol. 23 (1978). Reprinted in Gary McDowell, ed., *Taking the Constitution Seriously: Essays on the*

Constitution and Constitutional Law. Dubuque, Iowa: Kendall/Hunt Publishing Co., 1981.

"The Entrapment Defense and the Supreme Court: On Defining the Limits of Political Responsibility," *Memphis State University Law Review*, Vol. VII, No. 3 (Spring 1977).

"The Foundations of the American Commercial Republic," in J. Chaudhuri (ed.), *The Non-Lockean Roots of American Democratic Thought*. Tucson: University of Arizona Press, 1977.

"Ameliorative Racial Preference and the Fourteenth Amendment: Some Constitutional Problems," *Journal of Politics*, Vol. 38, No. 2 (May 1976).

"James Wilson and the 'Pyramid of Government,'" *Political Science Reviewer*, Vol. VI (1976).

"Compliance Theory and the Criminal Process: Towards an Understanding of Interface Problems in the Criminal Justice System," *Midwest Review of Public Administration*, Vol. 9, No. 4 (October 1975).

"Judicial Administration in Tennessee: Problems and Prospects," *Public Affairs Forum*, Vol. IV, No. 1 (October 1974).

"Theodore R. Marmor and *The Politics of Medicare*," *American Politics Quarterly*, Vol. 2, No. 3 (July 1974).

"New Rights and Old Wrongs: The Supreme Court and the Problem of Retroactivity," *Emory Law Journal*, Vol. 23, No. 2 (Spring 1974). Reprinted in Kermit L. Hall (ed.), *The Rights of the Accused: The Justices and Criminal Justice*. New York: Routledge, 2000.

"Problems in Municipal Court Administration and the Stress of Supreme Court Decisions: A Memphis Case Study," *American Journal of Criminal Law*, Vol. 3, No. 1 (Spring 1974).

Research in Progress:

The Supreme Court and the Future of Federalism After Obamacare, book-length manuscript.

Papers:

Papers presented at the annual meetings of the American Political Science Association, the Communitarian Summit, the Southwestern Political Science

Association, the Western Political Science Association, and the American Statistical Association.

Book Reviews:

Book reviews in the *American Political Science Review*, the *Journal of Politics*, *Publius*, *Benchmark*, *Constitutional Commentary*, *Perspectives on Politics*, *The Claremont Review of Books*, and the *Social Science Quarterly*.