

**Sotirios A. Barber**  
Department of Political Science  
University of Notre Dame  
8/4/19

**Educational**

Ph.D. Political science, University of Chicago, 1972

**Professional**

University of Notre Dame, Professor, Department of Political Science, 1986-present.

University of Michigan, Visiting Professor, Political Science, spring, 1987.

Princeton University, Visiting Professor, Politics, 1983-84, 85-86; Visiting Fellow, 1984-85.

University of South Florida, Tampa, Political Science; Instructor to Professor, 1967-83.

Co-editor with J. K. Tulis, Johns Hopkins Series in Constitutional Thought, 1987-98.

**Principal Awards**

NEH Fellowship, 2008-09

ACLS Fellowship, 2002-03

ACLS Fellowship, 1997-98

NEH Constitutional Fellowship, 1984-85

NEH Fellowship for College Teachers, 1978-79

**Publications**

**Books**

*Constitutional Failure*, University Press of Kansas, 2014

*Fallacies of States Rights*, Harvard University Press, 2013

*Constitutional Interpretation: The Basic Questions*, with James Fleming, Oxford U Press, 2007

*Welfare and the Constitution*, Princeton University Press, 2003

*The Constitution of Judicial Power*, Johns Hopkins University Press, 1993

*On What the Constitution Means*, Johns Hopkins University Press, 1984

*The Constitution and the Delegation of Congressional Power*, University of Chicago Press, 1975

**Casebooks and Edited Books**

With James Fleming, Stephen Macedo, and Linda McClain, *Gay Rights and the Constitution*, Foundation Press, 2016; 2<sup>nd</sup> edition, forthcoming spring, 2020.

With Walter Murphy, James Fleming, and Stephen Macedo, *American Constitutional Interpretation*, 6<sup>th</sup> edition, Foundation Press, 2013; 6<sup>th</sup> edition, 2019

Co-editor with Robert F. George, *Constitutional Politics: Essays in Constitution Making, Maintenance, and Change*, Princeton University Press, 2001

**Book Chapters**

“Constitutional Failure: Ultimately Attitudinal,” in Jeffrey Tulis and Stephen Macedo, eds., *The Limits of Constitutional Democracy*,” Princeton University Press, 2010

“War and the Constitution,” in Mark Tushnet, *The Constitution in Wartime*,” Duke University Press, 2004 (with James Fleming)

**Articles**

“Are Professors Lawson and Seidman Serious about a ‘Fiduciary Constitution’?” 69 *Florida Law Review Forum* 10 (2018)

“On Jim Fleming’s Anti-Originalism,” *Constitutional Commentary*, 31:389 (2016)

“Right-Side Up the Ex Ante Heuristic: Reply to Michael Greve,” *Boston University Law Review*,

94:1383 (2014)

"Constitutional and Political Failure: Remembering James Stockdale," *Boston University Law Review*, 94:603 (2014)

"Defending Dual Federalism: A Self Defeating Act," *NOMOS LV*, 3 (2014)

"Sanford Levinson and the Prospects for Constitutional Reform," review article, *Tulsa Law Review*, 49:101 (2013)

"Promises, Axioms, and Constitutional Theory," review article, *Tulsa Law Review*, 48:223 (2012)

"Doing What Needs to be Done," review article, *Review of Politics*, Vol. 73, No. 1 (2012)

"Constitutional Theory, the Unitary Executive, and the Rule of Law," *NOMOS L*, 156 (2011) (with James Fleming)

"Constitutional Theory and the Future of the Unitary Executive," *Emory Law Journal* 59:459 (2010) (with James Fleming)

"Congress and Responsible Government," 89 *Boston University Law Review* 689 (2009)

"Liberalism and the Constitution," 24 *Social Philosophy and Policy* 234 (2007)

"Fallacies of Negative Constitutionalism," 75 *Fordham Law Review* 651 (2006)

"Professor Eisgruber, The Constitution, and the Good Society," 69 *Fordham Law Review* 2151, 2001).

"The Canon and the Constitution Outside the Courts," 17 *Constitutional Commentary* 267 (2000) (with James Fleming)

"Welfare and the Instrumental Constitution," and "Reply to Professor Mansfield," 42 *American Journal of Jurisprudence* 159, 191 (1997)

"Father Neuhaus and the Constitution," *Theory and Event*, I: 2 (1997)

"Fidelity and Constitutional Aspirations," 65 *Fordham Law Review* 1757 (1997)

"Stanley Fish and the Future of Pragmatism in Legal Theory,"

58 *University of Chicago Law Review* 1033 (1991)

"Michael Perry and the Future of Constitutional Theory," 63 *Tulane Law Review* 1289 (1989)

"Normative Theory, the New Institutionalism, and the Future of Public Law," In Karen Orren and Stephen Skowronek, eds., 3 *Studies in American Political Development* 56 (1989)

"The Ninth Amendment: Inkblot or Another Hard Nut to Crack?" 64 *Chicago-Kent Law Review* 67 (1988), and "Whither Moral Realism in Constitutional Theory? A Reply to Professor McConnell," *id.*, 111

"Judicial Review and The Federalist," 55 *University of Chicago Law Review* 836 (1988)

"The Federalist and the Anomalies of New Right Constitutionalism," 15 *Northern Kentucky Law Review* 437 (1988)

"Epistemological Skepticism, Hobbesian Natural Right, and Judicial Self-Restraint," 48 *Review of Politics* 374 (1986)

"The New Right Assault on Moral Inquiry in Constitutional Law," 54 *George Washington University Law Review* 253 (1986)

"National League of Cities v. Usery: New Meaning for the Tenth Amendment?" In Philip Kurland, ed., 1976 *Supreme Court Law Review* 161

### **Current Project**

Commentary on Homer's Iliad