

BRUCE P. FROHNEN

Ohio Northern University College of Law
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EDUCATION

- 1988 Ph.D. Government, Cornell University, Ithaca, New York
 Dissertation: Philosophy and Virtue: Burke, Tocqueville and the Contemporary Conservative Dilemma
 Sage Graduate Fellowship (full tuition and stipend), 1985-86
 Bradley Dissertation Fellowship
 Teaching Assistant (Constitutional Law, Political Thought, Comparative Politics)
- 1993 J.D. Emory University School of Law, Atlanta, Georgia
 Associate Editor, Bankruptcy Developments Journal, 1992-93
 Merit Scholarship (full tuition), 1990-93
- 1987 M.A. Government, Cornell University, Ithaca, New York
- 1985 M.A. Political Science, University of California, Davis, California
- 1984 B.A. Government and Economics, California State University, Sacramento, California

ACADEMIC POSITIONS

- 2008-2009 Visiting Associate Professor of Law
 Ohio Northern University College of Law
 (Courses Taught: Comparative Constitutional Law, Law, Lawyers, and Citizenship, Legal Profession, Payment Systems)
- 2001-2008 Law Faculty
 Ave Maria School of Law, Ann Arbor, Michigan
 Promoted to Associate Professor 2003 (On leave 2004-2005 academic year)
 (Courses Taught: Origins of the Constitution, Jurisprudence, Law, Ethics and Public Policy, Professional Responsibility, Moral Foundations of the Law, Property Law)
- 2000-2001 Visiting Scholar
 Johns Hopkins University School of Advanced International Studies
 Washington, DC

- 1997 Lecturer
Congressional Studies Program, The Catholic University of America,
Washington, DC
(Taught Congressional Agenda-Making)
- 1993 Lecturer
Department of Political Science, Emory University, Atlanta, Georgia
(Classical Political Philosophy)
- 1992-1993 Lecturer
Department of Political Science, Oglethorpe University, Atlanta, Georgia
(Rights in the Law, Human Nature and the Social Order)
- 1989-1990 Visiting Assistant Professor
Department of Politics, Cornell College, Mount Vernon, Iowa
(Introduction to American Politics, Constitutional Law, Public Policy Seminar,
Congress and the Presidency, Honors Thesis)
- 1988-1989 Visiting Assistant Professor
Department of Political Science, Reed College, Portland, Oregon
(American Political Thought, Classical Political Philosophy, Modern Political
Philosophy, Contemporary Ideologies, Political Analysis, Senior Thesis)

PUBLIC INTEREST AND POLITICAL POSITIONS

- 2004-2005 Secretary and Director of Program
Earhart Foundation, Ann Arbor, Michigan
*Oversaw expansion of grant-making program intended to promote the
study of law, philosophy, and the social sciences. Evaluated grant
applications and made presentations to the Board of Directors regarding
viability of research projects and potential impact of publications and
findings on scholarly discourse.*
- 1995-2000 Legislative Aide/Speechwriter
Office of United States Senator Spencer Abraham, Washington, DC
*Drafted research memoranda, legislation, and supporting materials
(including legislative synopses, reports, speeches, newspaper and
magazine articles, and talking points) regarding takings, federalism,
litigation reform, and other issues.*
- 1994-1995 Senior Fellow
Liberty Fund, Indianapolis, Indiana
*Conducted research on potential materials and topics for proposed
expansion of program on the theory, history, and practice of human rights.
Also conducted research on constitutional history and the nature of public
discourse in the United States.*

PROFESSIONAL POSITIONS AND MEMBERSHIPS

Editor, Political Science Reviewer, 2004-Present
Associate Editor, Studies in Burke and His Time, 2004-Present
Member, Board of Editors, The University Bookman, 2003-Present
Senior Fellow, Russell Kirk Center for Cultural Renewal, 2000-Present
Founding Member, The Edmund Burke Society of America, 2001-Present
Member, State Bar of Georgia (inactive) 1994-Present

PUBLICATIONS

BOOKS

The New Communitarians and the Crisis of Modern Liberalism. University Press of Kansas, 1996

"Frohnren must be congratulated for negotiating skillfully in difficult and often muddy waters." Roger Kimball in The Times Literary Supplement (January 1997)

"A timely book of lasting importance." Gary L. Gregg II in Perspectives on Political Science (Autumn 1997)

Also reviewed in the Wall Street Journal (September 1996), The Review of Politics (Spring 1997), Modern Age (Spring 1999), The Journal of Socio-Economics (Summer 1997), The Journal of Politics (August 1995), and the Washington Times (June 1996)

Virtue and the Promise of Conservatism: The Legacy of Burke and Tocqueville. University Press of Kansas, 1993

(Chapter 1 reprinted in Political Theory: Classic and Contemporary Readings, 2nd edition. Ed. Joseph Losco and Leonard Williams. Roxbury Publishers, 2002)

"Of Frohnren's book it may be said that not since the appearance of Kirk's monumental study, The Conservative Mind (1953), has cultural conservatism been so well defined, its sharp differences with competing philosophies so delineated, its colors so freshened." James E. Person, Jr. in Modern Age (Summer 1994)

"A timely and thoughtful examination of conservative thought." Mark F. Griffith in The American Review of Politics (Autumn 1993)

Also reviewed in The Journal of American History (June 1994), The Journal of Politics (August 1995), The Times Literary Supplement (June 1993), The Christian Century (October 1993), New Oxford Review (July-August, 1995), National Review (February 1993), Crisis (January 1994), the University Bookman (Fall 1993), and The History Teacher (May 1994)

EDITED VOLUMES

The American Nation: Primary Sources. Liberty Fund, Spring 2009
Sequel to The American Republic: Primary Sources, covering the era from the Civil War to World War II.

Rethinking Rights: Historical, Political and Philosophical Perspectives.
University of Missouri Press, Fall 2008 (with Kenneth L. Grasso)

Defending the Republic: Essays in Honor of George Wescott Carey. ISI Books, Fall 2008 (with Kenneth L. Grasso)

American Conservatism: An Encyclopedia. ISI Books, 2006 (with Jeffrey O. Nelson and Jeremy Beer)

"The strong and interlocking entries found in this encyclopedia will make it of great value to all who are interested in American conservatism. Its clarity and richness will suggest fresh and intriguing relations among conservative ideas, thinkers, movements, organizations, and politics. Certainly for all but the stubborn, habituated, and ideologically tenacious of right and left, it will end the ironclad identity of American conservatism with the political right and the Republican party." Joseph Amato in the Journal of Social History (Winter 2007)

Subject of front-page article in the New York Times ("An A To Z Book of Conservatism Now Weighs In," June 21, 2006)

The American Republic: Primary Sources. Liberty Fund, 2002

"Frohen's book now deserves a place among the four or five best teaching tools for the development of the American republic. . . . This is a discriminating, judicious, and—one is tempted to say—inspired and now indispensable selection of primary sources that will enrich the mind and soul of any American lucky enough to be taught from them." Stephen B. Presser in the University Bookman (Autumn 2005)

Also reviewed in the Carolina Journal (January 2003) and The Midwest Book Review (October 2002)

Democracy in America (Henry Reeve Translation of Alexis de Tocqueville).
Regnery Gateway, 2002

The Anti-Federalists: Selected Writings and Speeches. Regnery Gateway, 2000

Community and Tradition: Conservative Perspectives on the American Experience. Rowman & Littlefield, 1998 (with George W. Carey)

A “valuable contribution to the ongoing debates about the inadequacy of liberal individualism. Many of the essays will challenge those of us who are liberals or liberal communitarians; we will be obliged to think better about whether truly robust community is not almost inescapably liberal, and about whether truly liberal community is not inescapably thin.”
Steven Kautz in the American Political Science Review (March 2000)

Also reviewed in the Journal of Religion (Fall 2000) and Ethics (January 2000)

POLITICAL SCIENCE JOURNAL ARTICLES

“On the Fragility of Elementary Decency: A response to John Kekes’ *The Roots of Evil*.” *The Good Society*, Spring 2006

“American Culture: A Story,” *Humanitas*, 2006

“Redeeming America’s Political Culture: Russell Kirk and the Study of American Public Life,” *Political Science Reviewer*, Fall 2006

“Tradition, Habit, and Social Interaction: A Response to Mark Bevir,”
Humanitas, Spring 2001

“Burkean Virtue and the Conservative Good Life.” *Perspectives on Political Science*, Winter 1994

“Robert Bellah and the Politics of Civil Religion.” *Political Science Reviewer*, Fall 1992. (Also “Reply to Bellah.” *Political Science Reviewer*, Fall 1993)

“Oakeshott’s Hobbesian Myth: Pride, Character and the Limits of Reason.”
Western Political Quarterly, December 1990

LAW REVIEW ARTICLES

The Practical Soul of Business Ethics: The Corporate Manager’s Dilemma and the Social Teaching of the Catholic Church, 1 U. SEATTLE L. REV. 139 (2005)
(with Leo L. Clarke and Edward C. Lyons)

The One and the Many: Individual Rights, Corporate Rights and the Diversity of Groups, 107 W.V. L. REV. 789 (2005)

Individual and Group, Natural and Acquired Rights: On the Need for Unclear Distinctions, 3 AVE MARIA L. REV. 171 (2005)

Law's Culture: Conservatism and the American Constitutional Order, 27 HARV. J.L. & PUB. POL'Y 459 (2004)

Multicultural Rights? Natural Law and the Reconciliation of Universal Norms with Particular Cultures. 52 CATH. U.L. REV. 39 (2002)

Diversity in Western Constitutionalism: Chartered Rights, Federated Structures, and Natural Law Reasoning in Burke's Theory of Empire, 29 MCGEORGE L. REV. 27 (1997) (with Charles J. Reid, Jr.)

The Bases of Professional Responsibility: Pluralism, Community and the Legal Profession in Early America, 63 GEO. WASH. L. REV. 931 (1995)

Tocqueville's Law: Integrative Jurisprudence in the American Context, 39 AM. J. JURIS. 241 (1994)

BOOK CHAPTERS (SELECTED)

"Political and Historical Connections between Individual and Group Rights." Rethinking Rights: Political, Historical, and Philosophical Perspectives. Ed. Bruce P. Frohnen and Kenneth L. Grasso, University of Missouri Press, Fall 2008

"George W. Carey on Constitutions, Constitutionalism, and Tradition." Defending the Republic: Constitutional Morality in a Time of Crisis. Ed. Bruce P. Frohnen and Kenneth L. Grasso. ISI Books, Fall 2008

"Conservatism, Historical Consciousness, and the Will to Ignorance." History and the Moral Imagination: Essays in Honor of Forrest McDonald. Ed. Stephen Klugewicz and Lenore T. Ealy. ISI Books, forthcoming

"Burke and Subsidiarity." Subsidiarity as Idea and Practice. Ed. William E. Fahey. Sapientia Press, forthcoming

"Burke and the Conundrum of Universal Human Rights." An Imaginative Whig: Reassessing The Life and Thought of Edmund Burke. Ed. Ian Crowe. University of Missouri Press, 2005

“The Problem of Lincoln’s Political Religion.” Lincoln’s American Dream: Clashing Perspectives. Ed. Kenneth L. Deutsch and Joseph R. Fornieri. Brassey’s, 2005

“Revolutions, Not Made, But Prevented: 1688, 1776 and the Triumph of Whig Politics.” Vital Remnants: America’s Founding and the Western Tradition. Ed. Gary L. Gregg II. ISI Books, 1999

“Sandel’s Liberal Politics.” Debating Democracy’s Discontent: Essays on American Politics, Law, and Public Philosophy. Ed. Anita L. Allen and Milton C. Regan, Jr. Oxford University Press, 1998

“Commitment and Obligation.” Community and Tradition. Ed. George W. Carey and Bruce Frohnen. Rowman & Littlefield, 1998

“Does Robert Bellah Care About History?” Community in Political Thought Today. Ed. Peter Augustine Lawler and Dale McConkey. Praeger, 1998

“Burke, Character and the Constitution of Empire.” Edmund Burke: His Life and Legacy. Ed. Ian Crowe. Four Courts Press, 1997 (published in North America as The Enduring Edmund Burke. ISI Books, 1997)

“The New Democratic Community: Clinton, Communitarianism, and the New Liberalism.” America Through the Looking Glass: A Constitutionalist Critique of the 1992 Election. Ed. Roger M. Barrus and John Eastby. Rowman & Littlefield, 1994

ENCYCLOPEDIA ARTICLES

“Direct Taxes,” “*United States Trust Co. of New York v. New Jersey*,” and “*Industrial Union Department, AFL-CIO v. American Petroleum Institute*.” Gale Encyclopedia of the Supreme Court of the United States. Gale Publishing, 2008

“Communitarianism,” “Russell Kirk,” and “Alexis de Tocqueville.” Encyclopedia of Catholic Social Thought, Social Science, and Social Policy. Scarecrow Press, 2007

“American Revolution,” “Civil War,” “Common Law,” “Conservatism,” “Constitution, Interpretations of,” “Declaration of Independence,” “Ideology,” “Law and Order,” “Liberty,” “Mayflower Compact,” “*Political Science Reviewer*,” “Supreme Court,” and “Traditionalism.” American Conservatism: An Encyclopedia. ISI Books, 2006

“Democracy in America.” The Trinity Forum Invitation to the Classics. Baker Press, 1998

BOOK REVIEWS (SELECTED)

Rev. of Law and Revolution II: The Impact of the Protestant Reformation on the Western Legal Tradition, by Harold J. Berman. *University Bookman*, Winter 2007

Rev. of Power Over the Body, Equality in the Family, by Charles J. Reid, Jr. *Catholic Historical Review*, Fall 2005

Rev. of Abraham Lincoln: Redeemer President, by Adam Guelzo, *University Bookman*, Fall/Winter 2001

Rev. of God and Man in the Law: The Foundations of Anglo-American Constitutionalism, by Robert Lowry Clinton. *Perspectives on Political Science*, Winter 1998

Rev. of Revolt Against Modernity, by Ted McAllister. *University Bookman*, Fall 1997

Rev. of Democracy's Discontent, by Michael Sandel. *Humanitas*, Spring 1997

Rev. of The Political Economy of Edmund Burke, by Francis Canavan. *University Bookman*, Fall 1995

Rev. of The Hollow Hope: Can Courts Bring About Social Change? by Gerald N. Rosenberg. *Annals of the American Academy of Political and Social Science*, January 1993

Rev. of Interpreting Tocqueville's Democracy in America, edited by Ken Masugi. *American Political Science Review*, December 1992

Rev. of Education in Democracy, by Robert D. Heslep and Democracy and Markets, by John R. Freeman. *Annals of the American Academy of Political and Social Science*, April 1991

WORKS IN PROGRESS

"Bad Habits: Why Lying Doesn't Matter to Bar Discipline Committees, Why it should, and What Might be done about it," to be submitted for publication consideration, Fall 2008 (with Brian Eck)

"Rights and the Problem of the Nation-State: Liberalism and Constitutionalism in a Multicultural Age"

PAPER PRESENTATIONS AND LECTURES (SELECTED)

Notre Dame Center for Ethics and Culture. Papers presented on “Modern Legal Theory and the Flight from History” and “Faith, Identity, and the Problem of the Nation-State.” November 2006

American Political Science Association National Meeting. Papers presented on “Secularism, Tradition, and the Will to Ignorance” and “The Fragility of Elementary Decency: A Response to John Kekes’ *The Roots of Evil*.” August 2006

American Political Science Association National Meeting. Paper presented on “Harold Berman on the Rise of Ordered Liberty.” August 2005

Russell Kirk Center Symposium. Paper presented on “Kirk, the Natural Law, and Liberal Learning.” May 2005

Conference on “Russell Kirk’s Academic Freedom 50 Years Later: Prospects for the Liberal Arts,” Hillsdale College. Paper presented on “Academic Freedom, Liberal Arts, and the Natural Law.” February 2005

Society of Catholic Social Scientists Annual Meeting. Paper presented on “The Problem of Eliot’s Anglicanism.” November 2004

Edmund Burke Society of America Conference. Paper presented on “Kirk, Burke, and American Constitutionalism.” November 2003

American Political Science Association National Meeting. Paper presented on “George Carey on Constitutionalism and its Limits.” August 2003

Philadelphia Society National Meeting. Paper presented on “National Markets vs. The Rule of Law: Substantive Due Process, its Origins and Impact.” April 2003

Southwest Texas State University Speakers Series on Constitutional Law. Lecture delivered on “Liberation Jurisprudence;” paper presented on “The Importance of Group Rights for Individual Flourishing.” October 2002

Society of Catholic Social Scientists Annual Meeting. Paper presented on “Attacks on Associational Rights and the Rights of Associations.” October 2001

Russell Kirk Center Symposium. Paper presented on “Edmund Burke on the Role of Lawyers.” June 2001

Philadelphia Society Regional Meeting. Paper presented on “Tocqueville on the Nature of Self-Interest.” November 1998

Georgetown University Law Center Symposium on Michael Sandel’s Democracy’s Discontent. Paper presented on “Sandel’s Liberal Self.” April 1997

Philadelphia Society Regional Meeting. Paper presented on “Freedom or Virtue? Origins of the American Vision of Ordered Liberty.” November 1996

Berry College Conference on Communitarianism and Civil Society. Paper presented on “Does Robert Bellah Care About History?” October 1996

Georgia Conference of Political Scientists. Paper presented on “The Prophylactic Judiciary: Court Mandated Due Diligence and Constitutional Government.” February 1992

Georgia Conference of Political Scientists. Paper presented on “Tocqueville, Pantheism, and the Dangers of Religious Sentiment.” February 1991

Iowa Conference of Political Scientists. Paper presented on “Tocqueville and the Character of Local Politics.” November 1989

Northeastern Political Science Association Annual Meeting. Paper presented on “Conservatism and the Good Life: Burke, Virtue and the Natural Law.” November 1988

MEDIA APPEARANCES AND OTHER PROFESSIONAL ACTIVITIES (SELECTED)

Interview regarding American Conservatism: An Encyclopedia. “Kathleen Dunn” on Wisconsin Public Radio, August 3, 2006.

Discussant, “On Point” on National Public Radio. Discussion with John Dean regarding his book Conservatives without Conscience, July 17, 2006.

Interview regarding American Conservatism: An Encyclopedia. “On Point” on National Public Radio, July 7, 2006.

Organizer, Liberty Fund Colloquium, “Liberty in the Debate over American Empire.” Scheduled for June 2008

Organizer, Liberty Fund Colloquium, “Liberty in the Thought of Sir Edward Coke.” Scheduled for February 2008

Organizer, Liberty Fund Colloquium, “Liberty, War, and the State.” Cleveland, Ohio, April 2007

Organizer, Liberty Fund Colloquium, "Liberty in Henry Sumner Maine's *Ancient Law*." Alexandria, Virginia, November 2004.

Participant, Roundtable Discussion on "Client Counseling and Moral Responsibility," Association of American Law Schools Annual Meeting. January 2003. Published in 30 PEPP. L. REV. 591.

Participant, roundtable discussion of social issues in upcoming elections, "Political Roundtable," on Voice of America. June 1995

Interview regarding the role of consultants in political campaigns on WWJM AM Radio, Washington, D.C. November 1993

Radio debate with Howard Davidson of the American Bar Association Center on Children and the Law, "Encounter," on Voice of America. September 1993

Radio debate with Hanna Olanoff of the National Organization for Women, "Encounter," on Voice of America. November 1991

Interview regarding the future of the Bush/conservative coalition, "Iowa Morning Edition," on Iowa Public Radio. July 1990

GRANTS AND FELLOWSHIPS

Earhart Foundation Grant, 2003, 2002, 1993
Bradley Foundation Grant, 2000
Wilbur Foundation Grant, 2008, 2006, 2000
Bradley Scholars' Grant, 1993-94
Bradley Foundation Fellowship, 1988, 1987

FACULTY SERVICE

Committee Service:

Faculty Development, 2001-Present
Long-Range Planning, 2001-Present
Library, 2001-2004 and 2005-Present
Curriculum, 2001-2004

Participant, Ave Maria School of Law radio program, "The Advocate," discussion of pornography in public and private life. February 2006

Participant, Ave Maria School of Law St. Thomas More Society Faculty/Student Discussion on "Caricatures and Free Speech." February 2006

Participant, Ave Maria School of Law Panel on Papal Encyclical *Deus Caritas Est*. (Paper presented on “Love in Political Institutions?”) January 2006

Discussion Leader with Professor Howard Bromberg, Ave Maria School of Law Faculty Development Lunch Discussion, “Religion in the Public Schools.” October 2005

Organizer, Interdisciplinary conference on “Rethinking Rights: Historical, Political and Theological Perspectives.” (Paper presented on “Individual and Group, Natural and Acquired Rights: On the Need for Unclear Distinctions.”) November 2004. Proceedings published in 3 AVE MARIA LAW REV. (2005)

Organizer and Chair, Ave Maria School of Law Panel Discussion on “Judicial Review Past, Present and Future: *Marbury vs. Madison* at 200.” (Paper presented on “*Marbury vs. Madison* and the Roots of Judicial Review.”) March 2003

Regular Service as Judge, Ave Maria School of Law Moot Court Competitions, 2001-Present

Faculty Representative, Ave Maria School of Law Chapter, Republican National Lawyers’ Association, 2001-2002

REFERENCES

George W. Carey, Professor of Government, Georgetown University, Washington, DC 20057, 202-687-5613, careygw@georgetown.edu

Joseph L. Falvey, Jr., Assistant United States Attorney, Eastern District of Michigan (former Associate Dean, Ave Maria School of Law), 211 W. Fort Street, Suite 2001, Detroit, MI 48226-3220, 313-226-9610, joseph.falvey@usdoj.gov

R.H. Helmholz, Ruth Wyatt Rosenson Distinguished Service Professor of Law, University of Chicago Law School, 1111 East 60th Street, Chicago, IL 60637, 773-702-9580, dick_helmholz@law.chicago.edu

Ted McAllister, Edward L. Gaylord Chair, School of Public Policy, Pepperdine University, 24255 Pacific Coast Highway, Malibu, CA 90263, 310-317-6103, ted.mcallister@pepperdine.edu

Gordon J. Schochet, Professor of Political Science, Rutgers, the State University of New Jersey, 89 George Street, New Brunswick, NJ 08901, 732-932-9283, schochet@rci.rutgers.edu