

ANDREW THEODORE JORDAN

University of Iowa College of Law

Associate Professor

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LEGAL ACADEMIC EMPLOYMENT

University of Iowa College of Law
Associate Professor of Law

August 2022—

University of Michigan Law School
Faculty Fellow (Visiting Assistant Professor)

August 2020– June 2022

EDUCATION

University of Michigan Law School, Ann Arbor, MI
J.D., *Magna Cum Laude*, *Order of the Coif*

- *Michigan Journal of Race and Law*, Associate Editor

Dec. 2016

University of Washington, Seattle, WA
Ph.D., **Philosophy**

- Dissertation Title: “*Putting Judgment in Context: Moral Particularism and the Structure of Practical Reason*”
Committee: Cass Weller (chair), Jean Roberts, Angela Smith

Aug. 2010

Haverford College, Haverford, PA
B.A., **Philosophy**, Departmental Honors

May 2000

ACADEMIC PUBLICATIONS

Published Articles

Law and Legal Theory

1. *What on Earth is a Burden on Interstate Commerce?*, 120 NORTHWESTERN UNIV. L. REV. 247 (2025) (“[Highly Recommended](#)” on Larry Solum’s Legal Theory Blog.)
2. *Commerce in the Balance*, 38 CONSTITUTIONAL COMMENTARY 179 (2024) (Selected as the “[Download of the Week](#)” on Larry Solum’s Legal Theory Blog).
3. *The Promise of Contract Pluralism*, 56 CONNECTICUT L. REV. 639 (2024) (“[Recommended](#)” on Larry Solum’s Legal Theory Blog)
4. *The (Ir)relevance of Positivist Arguments for Originalism*, 56 LOYOLA OF LOS ANGELES L. REV. 937 (2023)
5. *Constitutional Anti-Theory*, 107 GEORGETOWN LAW JOURNAL 1515 (2019) (Selected as the “[Download of the Week](#)” on Larry Solum’s Legal Theory Blog)
6. *Exclusionary Reasons, Virtuous Motivation, and Legal Authority*, 31 CANADIAN JOURNAL OF LAW AND JURISPRUDENCE 347 (2018) (“[Recommended](#)” on Larry Solum’s Legal Theory Blog.)

Ethical Theory

7. *Whole-Hearted Motivation and Relevant Alternatives: A Problem for the Contrastivist Account of Moral Reasons*, 17 *ETHICAL THEORY AND MORAL PRACTICE* 835 (2014).
8. *On Reasons, Evidence of Oughts, and Morally Fitting Motives*, 42 *PHILOSOPHIA* 391 (2014).
9. *Reasons, Holism and Virtue Theory*, 63 *THE PHILOSOPHICAL QUARTERLY* 248 (2013)

Philosophy of Humor

10. *Eutrapelia and the Normativity of Social Humor*, in *THE MORAL PSYCHOLOGY OF AMUSEMENT* (Brian Robinson, ed.) (2021) (with Stephanie Patridge).
11. *Fitting Attitude Theory and the Normativity of Jokes*, 83 *ERKENNTNIS* 1303 (2018) (with Stephanie Patridge).
12. *Against the Moralistic Fallacy: A Modest Defense of a Modest Sentimentalism about Humor*, 15 *ETHICAL THEORY AND MORAL PRACTICE* 83 (2012) (with Stephanie Patridge).

Works in Progress

1. *Two Paradigms of Constitutional Interpretation* (with Francisco Urbina) (draft available on request)
2. *The Oath Argument is Not Promising* (Selected as one of the “[Things to Read this Week](#)” on the Divided Argument blog) (draft available on request)
3. *A Defense of the Interpretive Choice Theory* (with Francisco Urbina)
4. *Does the Moral Magic Make the Consent?* (with Mihailis Diamantis and James Toomey)
5. *Four Problems in Rights Adjudication*

Shorter Works and Reviews

1. Review of Justin D’Arms and Daniel Jacobson’s *Rational Sentimentalism*, *THE JOURNAL OF AESTHETICS AND ART CRITICISM* (2024) (with Stephanie Patridge)

LEGAL EMPLOYMENT AND CLERKSHIPS

Law Clerk to Justice R. Patrick DeWine Ohio Supreme Court	<i>Feb. 2019– July 2020</i>
Vorys, Sater, Seymour and Pease <i>Associate, Labor and Employment</i>	<i>Sept. 2018– Feb. 2019</i>
Law Clerk to the Honorable Ronald M. Gould U.S. Court of Appeals for the Ninth Circuit	<i>Aug. 2017– Aug. 2018</i>
Vorys, Sater, Seymour and Pease <i>Associate, Labor and Employment</i>	<i>March 2017– July 2017</i>

RECENT ACADEMIC PRESENTATIONS

Social Normativity, Social Obligations, and Individualistic Conceptions of Agency, a Comment on Diamond's "A Dynamic Theory of Social Obligation," 2025 Michigan Law Junior Faculty Conference, invited external commentator.

Does the Moral Magic Make the Consent? 2025 SEALS Conference

Metaphysikians and Pragmatists: The Real Divide in Constitutional Theory, 2025 National Conference of Constitutional Law Scholars, Tucson Arizona.

Commerce in the Balance, 2024 National Conference of Constitutional Law Scholars, Tucson, Arizona.

The Institutional Features of Art and Law, Comment on Castro's *Duchamp's Fountain and the City of the Arts*, American Society for Aesthetics Annual Conference, Nov. 2023

RECENT PRESENTATIONS TO OTHER GROUPS

Presentation on moral issues related to discrimination in private life, Iowa Law Across the Aisle Meeting April 2024

Presentation on affirmative action law and morality, Iowa Law Across the Aisle Meeting Feb. 2023

Presentation on litigation in *SFFA v. Harvard*, Iowa Law Black Law Students Association October 2022

Presentation on litigation in *SFFA v. Harvard*, Iowa Law American Constitution Society Supreme Court Preview Day Sept. 2022

Presentation on litigation in *SFFA v. Harvard*, Iowa Law Federalist Society Supreme Court Preview Day Sept. 2022.

ACADEMIC SERVICE

Chair, Intellectual Life Committee, Iowa Law, Fall 2025-

Faculty Appointments Committee, Iowa Law Summer 2026-

Intellectual Life Committee, Iowa Law, Fall 2022-

Curriculum Committee, Iowa Law, Spring 2025-

Legal Theory Reading Group, Organizer, Iowa Law, Fall 2023-

Panel Organizer, Consent and the Law, SEALS Conference Summer 2025

Iowa Program on Law and Philosophy, Co-director, starting Fall 2025.

Iowa Arts and Humanities Institute Grant, \$10,000 to organize a Fall 2026 conference: “Philosophy at Trial.” The Iowa Law Review has selected this conference for their 2026 Symposium.

LEGAL TEACHING EXPERIENCE

University of Iowa College of Law:

- Constitutional Law I
- Constitutional Law II
- Jurisprudence
- Seminar on Constitutional Theory

University of Michigan Law School:

- Contracts
- Private Agreements, Public Values (Topic: Moral and legal limits on private agreements)