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School of Law
University of South Carolina
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EDUCATION	J.D.	1977	Yale Law School New Haven, Connecticut
	D.Phil. (Politics)	1974	Oxford University Oxford, England
	B.A. (History)	1968	Vanderbilt University Nashville, Tennessee
HONORS	Special Presidential Award, University of Notre Dame Rhodes Scholarship Phi Beta Kappa Magna Cum Laude (with honors in History)		
EMPLOYMENT	2006 - present	Dean and Educational Foundation Distinguished Professor of Law School of Law, University of South Carolina	
	1998 - 2006	Professor of Law The Law School, University of Notre Dame	
	1999 - 2005	Executive Associate Dean The Law School, University of Notre Dame	
	1998 - 1999	Visiting Scholar Law Department National University of Ireland, Galway	
	1991 - 1998	Associate Dean for Academic Affairs The Law School, University of Notre Dame	
	1988 - 1989	Co-Director, Notre Dame London Law Centre	
	1986 - 1998	Associate Professor of Law	

The Law School, University of Notre Dame

- 1984 - 1985 Visiting Associate Professor of Law
J. Reuben Clark Law School
Brigham Young University
- 1982 - 1986 Associate Professor of Law
Duke University
- 1979 - 1982 Assistant Professor of Law
Duke University
- 1978 - 1979 Law Clerk to Chief Justice Warren E. Burger
Supreme Court of the United States
- 1977 - 1978 Law Clerk to Judge Charles Clark
U.S. Court of Appeals, Fifth Circuit

PUBLICATIONS

BOOKS

THE SUPREME COURT UNDER EDWARD DOUGLASS WHITE,
1910-1921 (University of South Carolina Press 1999)

PRIVACY IN BRITAIN (Bucknell University Press 1979)

PARTS OF BOOKS

“American Constitutional History: A Dialogue Between Oral and Written
Cultures,” (forthcoming, Innsbruck, Austria, 2008)

Contributor (four entries), OXFORD COMPANION TO AMERICAN
LAW (Oxford University Press 2002)

Contributor (“The Insular Cases”), OXFORD COMPANION TO
UNITED STATES HISTORY (Oxford University Press 2001)

“A New Vocabulary for a New Constitutional Law: *United States v.
Carolene Products* (1938),” in LEADING CASES OF THE
TWENTIETH CENTURY 124-148 (Dublin, Ireland: Round Hall
2000)

Contributor (six entries), *AMERICAN NATIONAL BIOGRAPHY*
(Oxford University Press 2000)

Contributor (seven entries), *RELIGION AND AMERICAN LAW: AN
ENCYCLOPEDIA* (Garland Publishing 2000)

Contributor (nine entries), *OXFORD COMPANION TO THE
SUPREME COURT OF THE UNITED STATES* (Oxford
University Press 1992; 2005)

"North Carolina and the Constitution, 1787-1791," in *THE SOUTH'S
ROLE IN THE CREATION OF THE BILL OF RIGHTS 77-99*
(University Press of Mississippi 1991)

ARTICLES

"Foreword: Whither Civic Virtue?," 4 *Notre Dame Journal of Law, Ethics,
& Public Policy* 1-6 (1989)

"American Contract Law at the Turn of the Century," 39 *South Carolina
Law Review* 415-464 (1988) (reprinted in Peter Linzer, ed., *A
Contracts Anthology* 111-120 (1989))

"Law and the Experience of Politics in Late Eighteenth-Century North
Carolina: North Carolina Considers the Constitution," 22 *Wake
Forest Law Review* 577-605 (1987)

"The Struggle for Judicial Independence in Antebellum North Carolina:
The Story of Two Judges," 4 *Law and History Review* 129-159
(1986)

"Afterword: Contracts and Uncertainty," 46 *Law & Contemporary Problems*
169-180 (1983)

"Rhetorical Styles on the Fuller Court," 24 *The American Journal of Legal
History* 189-220 (1980)

"Judicial Disability and the Good Behavior Clause," 85 *Yale Law Journal*
706-720 (1976)

"The Warren and Brandeis Argument for a Right to Privacy," *Public Law*
161-179 (Summer 1975)

BOOK REVIEWS

Book Review, "Brown Revisited: The Argonauts Return," 2 *The Georgia Journal of Southern Legal History* 339-45 (1993)(review of Peter Charles Hoffer, *The Law's Conscience: Equitable Constitutionalism in America* (Chapel Hill, North Carolina: The University of North Carolina Press, 1990))

Book Review, 41 *Vanderbilt Law Review* 667-675 (1988)(review of *Legal Papers of Andrew Jackson* (James W. Ely, Jr. & Theodore Brown, Jr. eds. 1987))

"A Role for Political Trials?" 82 *South Atlantic Quarterly* 321-324 (1983)
(review essay of Michal Belknap's *American Political Trials*)

OTHER

"American Constitutional History: A Dialogue Between Oral and Written Cultures," invited lecture, "50 Years of American Studies in Innsbruck: Past and Future," June 23, 2007, Innsbruck, Austria

"Development of the American Tradition of Appellate Judging," opening address to conference sponsored by Federal Judicial Center on "The Craft of Judging," October 4, 1999, Notre Dame, Indiana

"Constitutional Change in the 1930s," invited lecture to Law Department, Trinity College, April 26, 1999, Dublin, Ireland

"*United States v. Carolene Products* (1938) – A New Vocabulary for a New Constitutional Law," paper presented to plenary session of annual meeting of Irish Association of Law Teachers, April 11, 1999, Killarney, Ireland

"The Emergence of the Doctrine of 'Good Faith' in American Contract Law," invited lecture to law department at University College, Cork, in Cork, Ireland, March 3, 1999

"The Tragedy of Race in American Constitutional Law," invited lecture on to the faculty of University College, Cork, in Cork, Ireland, March 3, 1999

Organized a day-long seminar (February 25, 1999), "Vignettes of Irish Legal History," for the faculty of National University of Ireland,

Galway, and the members of the Irish Legal History Association. Presented a paper, "Where is IRISH Law in the Early Twentieth Century?"

"The Historical Context of *Marbury v. Madison*," invited lecture to Law Department, National University of Ireland, Galway; November 11, 1998; Galway, Ireland

"Notre Dame: A Catholic Law School in America," paper presented as part of Conference Celebrating 125th Anniversary of Notre Dame Law School, September 15-17, 1994

"The Constitution and the People Who Made It," series of ten lectures recorded for University of Notre Dame Alumni Association's "Great Teachers Series" (1992)

"North Carolina and the Constitution, 1787-1791," presented October 1987 to the Chancellor's Symposium on Southern History, University of Mississippi

Moderator and Speaker, "The Drafting of the Constitution," series of lectures sponsored by the South Bend Bicentennial Committee and the Notre Dame Law School, May - July 1987

Paper, "Law and the Experience of Politics in Late Eighteenth-Century North Carolina," presented October 1985 to symposium on the Bicentennial of the Constitution, at Duke University (sponsored by the National Endowment for the Humanities)

Paper, "American Contract Law at the Turn of the Century," presented to annual meeting of American Society for Legal History, October 1983

Paper, "Judge Thomas Ruffin," presented to annual meeting of American Society for Legal History, October 1982

Member, Project Advisory Committee, "Church, State, and the First Amendment: A North Carolina Dialogue," University of North Carolina at Chapel Hill (1983-1986)

Member, South Bend Bicentennial Commission (1986-1987)

Member, Session of Sunnyside Presbyterian Church (1990-1993, 1995-1998) (Chair, Social Ministries Committee; Chair, Evangelism Committee; Chair, Personnel Committee)

Chair & Secretary, Indiana Division, United States Fencing Association (1994-1998); Vice-Chair; Secretary/Treasurer, Great Lakes Section, United States Fencing Association (1995-1998)

MISCELLANEOUS ACTIVITIES

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|---------------------------------|---|
| 2007 - present | Member, Committee on Sections and Annual Meeting, Association of American Law Schools |
| 2001 - 2008 | Member, Law School Administration Committee, ABA Section of Legal Education and Admissions to the Bar (co-chair 2002-2003, chair 2003-2006) |
| 2000 - 2005 | Secretary/Treasurer, American Society for Legal History |
| 2003 - 2005 | Member, University Committee on Assessment, University of Notre Dame |
| 2001 - 2005 | Member, University Committee on International Studies, University of Notre Dame |
| 1999 - 2005 | Member, University Committee on Libraries, University of Notre Dame (chair 2002-2003) |
| 1999 - 2001
1986-'88/'89-'98 | Rhodes/Marshall Scholarship Committee, University of Notre Dame (Chair 1990-1998, 1999-2001) |
| 1996 - 1998 | Member, Student Services Committee, ABA Section of Legal Education and Admissions to the Bar |
| 1990 - 1993 | Vice-Chair, Appointments Committee, Notre Dame Law School |
| 1990 - 1998 | Faculty Advisor, Moot Court Program, Notre Dame Law School |
| 1991 - 1992 | Chair, Legal History Section, Association of American Law Schools |

1989 - 1991 1987 - 1988	Faculty Senate, University of Notre Dame
1983 - 1984	Chair, Committee on Grievance Procedures/Ombudsman, Duke University
1980 - 1984	Academic Council, Duke University
1979 - 1986	Member, and Chair, Rhodes Scholarship Committee, Duke University
1976 - 1977	Article and Book Review Editor, <i>Yale Law Journal</i>

**MILITARY
SERVICE**

1968-1971	United States Army (highest rank first lieutenant)
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