

NATHAN B. OMAN

Marshall-Wythe School of Law
The College of William & Mary
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ACADEMIC APPOINTMENTS

Marshall-Wythe School of Law, The College of William & Mary
Rollins Professor of Law, 2016-present

Co-director, William & Mary Center for the Study of Law and Markets, 2016-2022
W. Taylor Reveley III Research Professor, 2022
Cabell Research Professor, 2018
Taylor Research Professor, 2015
Elizabeth & Robert Scott Research Professor, 2014
Taylor Research Professor, 2013
Cabell Research Professor, 2012
Professor, 2012-2016 (with tenure)
Associate Professor, 2010-2012
Assistant Professor, 2006-2010

Plumeri Award for Faculty Excellence, 2016
Plumeri Award for Faculty Excellence, 2012
(College-wide award for research excellence)

Nootbaar Institute on Law, Religion & Ethics, Pepperdine Law School
Fellow, 2020-2023

Hebrew University Faculty of Law
Visiting Professor, May-June 2011

Cornell Law School
Visiting Professor, Spring, 2010

University of Richmond Law School
Visiting Professor, Fall, 2008

EDUCATION

Juris Doctorate Harvard Law School, *cum laude*, 2003
 Harvard Law Review, Articles Committee, Editor
 Harvard Journal of Law & Public Policy, Editor

Bachelor of Arts Brigham Young University, *cum laude*, 1999
Political Science, minors: Philosophy and Korean
Presidential Scholar (highest university academic scholarship)

PUBLICATIONS

Books

THE DIGNITY OF COMMERCE: MARKETS AND THE MORAL FOUNDATIONS OF CONTRACT LAW
(2016 Chicago UP)

CONTRACTS: CASES & DOCTRINE (6th-7th eds. 2016-2021 Wolters Kluwer) (with Randy E. Barnett eds.)

PERSPECTIVES ON CONTRACT LAW (5th ed. 2018 Wolters Kluwer) (with Randy E. Barnett eds.)

REAPPROACHING ZION: NEW ESSAYS ON MORMON SOCIAL THOUGHT (2020 BCC Press) (with Samuel Brunson eds.)

DEMOCRACY, RELIGION, AND THE MARKET (2023 Routledge) (with Kathleen Flake eds.)

LAW AND THE RESTORATION, VOLUME 1: ESSAYS ON LAW AND LATTER-DAY SAINT HISTORY
(forthcoming Kofford Books)

LAW AND THE RESTORATION, VOLUME 2: ESSAYS ON LAW AND LATTER-DAY SAINT THOUGHT
AND SCRIPTURE (forthcoming Kofford Books)

Law Review Articles

Restructuring Ruritania: Bankruptcy, Sovereign Debt, and the Equity Receivership, 66 ARIZ. L. REV. ____ (forthcoming)

(with Kimberly Krawiec) *The Case for Specific Performance of Personal Service Contracts*, 110 IOWA L. REV. ____ (forthcoming)

Nomos, Narrative, and Nephi: Legal Interpretation in the Book of Mormon, 11 BRIT. J. AM. LEG. STUD. 297 (2022)

Book Review, *The Temptation of Cosmic Private Law Theory*, 66. AM. J. JUR. 395 (2021)
(reviewing Nicholas J. McBride, *The Humanity of Private Law*)

“Agreeable to the Laws of Our Country”: Mormonism, Church Corporations, and the Long Legacy of America’s First Disestablishment, 36 J. L. & REL. 202 (2021)

Markets and Contractual Fairness, 17 EUROPEAN REV. CONTRACT L. 211 (2021)

Temple, Torah, and Sacrament: Some Christian Thoughts on Halakhah, 64 VILLANOVA L. REV. 743 (2019)

Contract Law and the Liberalism of Fear, 20 THEO. INQUIRIES IN L. 381 (2019)

Justice Traynor and the Summer of Love: Misunderstanding the Parole Evidence Rule in Pacific Gas, in The Best and Worst of Contracts Decisions: An Anthology, 45 FLA. ST. U. L. REV. 1004 (2018)

Beyond Gift and Bargain: Some Suggestions for Increasing Kidney Exchanges, 81 LAW & CONTEMP. PROB. 37 (2018)

Commerce, Religion, and the Rule of Law, 6 J. L. REL. & STATE 213 (2018)

Reconsidering Contractual Consent: Why We Shouldn't Worry Too Much About Boilerplate and Other Puzzles, 83 BROOKLYN L. REV. 215 (2017)

Doux Commerce, Religion, and the Limits of Antidiscrimination Law, 92 IND. L.J. 693 (2017)

The Need for a Law of Church and Market, 64 DUKE L.J. ONLINE 141 (2015)

Book Review, 33 L. & HIS. REV. 480 (2015) (reviewing Gordon A. Madsen, Jeffery N. Walker & John Welch, *Sustaining the Law: Joseph Smith's Legal Encounters*)

International Legal Experience and the Mormon Theology of the State, 1945-2013, 100 IOWA L. REV. 715 (2015)

(with Alan Meese) *Hobby Lobby, Corporate Law, and the Theory of the Firm: Why For-Profit Corporations are RFRA Persons*, 127 HARV. L. REV. F. 273 (2014)

A Theory of Civil Liability, 21 GEO. MASON. L. REV. 318 (2014)

(with Jason Solomon) *The Supreme Court's Theory of Private Law*, 62 DUKE L.J. 1109 (2013)

Markets as a Moral Foundation for Contract Law, 98 IOWA L. REV. 183 (2012)

Promise and Private Law, 44 SUFFOLK L. REV. 935 (2012)

Why There is No Duty to Pay Damages: Powers, Duties, and Private Law, 37 FLA. ST. U. L. REV. 137 (2011)

The Honor of Private Law, 80 FORDHAM L. REV. 31 (2011)

How to Judge Sharia Contracts: A Guide to Islamic Marriage Contracts in American Courts, 2011 UTAH L. REV. 287

Natural Law and the Rhetoric of Empire: Reynolds v. United States, Polygamy, and Imperialism, 88 WASH. U. L. REV. 661 (2011)

Consent to Retaliation: A Civil Recourse Theory of Contractual Liability, 96 IOWA L. REV. 529 (2011)

Bargaining in the Shadow of God's Law: Islamic Mahr Contracts and the Perils of Legal Specialization, 45 WAKE FOREST L. REV. 579 (2010)

A Pragmatic Defense of Contract Law, 98 GEO. L.J. 77 (2009)

Specific Performance and the Thirteenth Amendment, 93 MINN. L. REV. 2020 (2009)

Preaching to the Court House and Judging in the Temple, 2009 BYU L. REV. 157

The Failure of Economic Interpretations of the Law of Contract Damages, 64 WASH. & LEE L. REV. 829 (2007)

Contract Law and Morality: Introduction, 48 WM. & MARY L. REV. 1643 (2007)

Book Review, *Unity and Pluralism in Contract Law*, 103 MICH. L. REV. 1483 (2005) (reviewing Stephen Smith, *Contract Theory*)

Corporations and Autonomy Theories of Contract: A Critique of the New Lex Mercatoria, 82 DENV. U.L. REV. 101 (2005)

Statutory Interpretation in Econotopia, 25 PACE L. REV. 49 (2005)

Note, *Wagering on Religious Freedom*, 116 HARV. L. REV. 946 (2003)

Book Review, *Story of a Forgotten Battle*, 2002 BYU L. REV. 745 (2002) (reviewing Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America*)

Case Comment, *Republican Party of Minnesota v. White*, 116 HARV. L. REV. 272 (2002)

Case Comment, *Washington v. Heckel*, 115 HARV. L. REV. 931 (2002)

Non-Law Review Articles

Intent to Create Legal Relations and the Nature of Contractual Consent, in RESEARCH HANDBOOK IN THE PHILOSOPHY OF CONTRACT LAW (Mindy Chen-Wishart & Prince Saprai, eds. forthcoming)

Travel Bans: Mormon and Muslim, in ENGAGING MODERNITY: SECULARISM, CULTURE, AND THE LATTER-DAY SAINTS (Catherine Jarvis, G. Eric Jarvis & Daniel Cere eds., forthcoming)

"The Blessing That's Anticipated Here Will Be Realized in the Next Life": The Development of Modern Latter-day Saint Marital Sealing Rules, 48 J. MORMON HIST. 103 (2023)

'Standing Betwixt Them and Justice': War and Atonement in the Book of Mormon, in *GOD HIMSELF WILL COME DOWN: READING MOSIAH 15* (Joseph Spencer & Andrew Smith eds. 2023)

Regulating Religious Performance on the Commercial Stage, in *DEMOCRACY, RELIGION, AND THE MARKET* 177 (Kathleen Flake & Nathan B. Oman eds., 2023)

Introduction: Democracy and Religion in the Market, in *DEMOCRACY, RELIGION, AND THE MARKET* 1 (Kathleen Flake & Nathan B. Oman eds. 2023) (with Kathleen Flake)

Salt, Smurthwaite, and Smith: Litigation and the Legal Identity of the Church of Jesus Christ of Latter-day Saints, 47 *J. MORMON HIST.* 92 (2022)

Civil Disobedience in Latter-day Saint Thought, *BYU STUDIES Q.* 60/3 (Fall 2021) at 229

(with Rosalynde Welch) *Mormonism and Conscience*, in *CHRISTIANITY AND THE LAWS OF CONSCIENCE: AN INTRODUCTION* 245 (Jeffrey B. Hammond & Helen M. Alvare eds., 2021)

John Calvin's Quarrel with Civil Recourse Theory, in *CHRISTIANITY AND PRIVATE LAW* 275 (Michael Mooreland & Robert Cochran, eds., 2021)

Private Law and Local Custom, in *THE OXFORD HANDBOOK OF THE NEW PRIVATE LAW THEORY* 159 (Henry Smith et al eds. 2021)

Introduction: Reapproaching Zion, in *REAPPROACHING ZION: NEW ESSAYS ON MORMON SOCIAL THOUGHT* 1 (Nathan B. Oman & Samuel Brunson, eds. 2020) (with Samuel Brunson)

Doux Commerce in the City of God: Trade and the Mormon Idea of Zion, in *REAPPROACHING ZION: NEW ESSAYS ON MORMON SOCIAL THOUGHT* 131 (Nathan B. Oman & Samuel Brunson, eds. 2020)

Book Review, 6 *MORMON STUD. REV.* 167 (2019) (reviewing *Mountain Meadows Massacre: Collected Legal Papers*, Richard E. Turley Jr. et al eds.)

Welding Another Link in Wonder's Chain: The Task of Latter-day Saint Intellectuals in the Church's Third Century, *INTERPRETER: A JOURNAL OF LATTER-DAY SAINT FAITH & SCHOLARSHIP* 33 (2019): 141.

"I will give unto you my law": Section 42 as a Legal Text and the Paradoxes of Divine Law, in *EMBRACING THE LAW: READING DOCTRINE AND COVENANTS* 42 (Jeremiah John & Joseph M. Spencer, eds. 2017)

"We the People of the Kingdom of God": Mormon Constitution Writing in the Council of Fifty, in *THE COUNCIL OF FIFTY: WHAT THE RECORDS REVEAL ABOUT MORMON HISTORY* 55 (Mathew J. Grow & R. Eric Smith eds. 2017)

International Legal Experience and the Mormon Theology of the State, 1945-2013, in *OUT OF OBSCURITY* (Patrick Mason & John Turner eds. 2016)

Book Review, 101 *J. AM. HIST.* 549 (2014) (reviewing *New Perspectives in Mormon Studies: Creating and Crossing Boundaries*, Quincy D. Newell & Eric F. Mason eds.)

Reynolds v. United States, in *MORMONISM: A HISTORICAL ENCYCLOPEDIA* 119 (Paul Reeve & Ardis Parshall eds. 2010)

Mormonism and Secular Government, in *ENCYCLOPEDIA OF MORMON HISTORY* 329 (Paul Reeve & Ardis Parshall eds. 2010)

A Local Faith, *BRIGHAM YOUNG UNIVERSITY STUDIES* 49/2 (Summer 2010) at 163

Mordred had a Point, *DIALOGUE: A JOURNAL OF MORMON THOUGHT* 43/1 (Spring 2010) at 201 (reviewing Gary Topping, *Leonard J. Arrington: A Historian's Life*) (solicited)

'The Living Oracles': Legal Interpretation and Mormon Thought, *DIALOGUE: A JOURNAL OF MORMON THOUGHT*, 42/2 (Summer 2009) at 1

Truth, Doctrine, and Authority, *ELEMENT: THE JOURNAL OF THE SOCIETY FOR MORMON PHILOSOPHY AND THEOLOGY*, 5/1 (Spring 2009) at 9

Church of Jesus Christ of Latter-day Saints, in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* 301 (David S. Tanenhaus et al eds. 2008)

The Scholar as Celebrant, *DIALOGUE: A JOURNAL OF MORMON THOUGHT*, 41/3 (Fall 2008) at 163 (reviewing Terryl Givens, *People of Paradox: A Cultural History of Mormonism*)

Shylock and Article Nine of the U.C.C., in *PERSPECTIVES ON THE UNIFORM COMMERCIAL CODE* 106 (2d ed. Douglas E. Litowitz ed., 2007) (solicited)

A Defense of the Authority of Church Doctrine, *DIALOGUE: A JOURNAL OF MORMON THOUGHT*, 40/4 (Winter 2007) at 1

Jurisprudence and the Problem of Church Doctrine, *ELEMENT: THE JOURNAL OF THE SOCIETY FOR MORMON PHILOSOPHY AND THEOLOGY*, 2/2 (Fall 2006) at 1

Secret Combinations: A Legal Analysis, *FARMS REVIEW*, 16/1 (Spring 2004) at 49

Review of Sarah Barringer Gordon, *The Mormon Question*, *BRIGHAM YOUNG UNIVERSITY STUDIES* 41/3 (Fall 2002) at 71

Out of Zion Shall Go Forth the Law, *FARMS REVIEW OF BOOKS* 12/1 (2000) at 113 (reviewing Richard Collin Mangrum & Edwin Firmage, *Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-day Saints, 1830-1900*)

Op-Ed Articles

The Cost of Secrecy isn't Worth it for the LDS Church, SALT LAKE TRIBUNE, Dec. 20, 2019

Note to Trump: Know What You Call Muslims Who Reject Radical Islam? Refugees, RICHMOND TIMES-DISPATCH, Feb. 2, 2017 (with Angela Banks)

Utah Democrats, Please Cast an Effective Vote Against Trump, DESERET NEWS, Nov. 8, 2016

Gay Marriage Boycotts are Not Good for the Market Economy, DESERET NEWS, April 8, 2014

Christmas Services Offer Connection, VIRGINIA PILOT, Dec. 22, 2013

A Judge Weakened Utah's Anti-polygamy Law. What Does This Say About Sex, Race, and Religion? RELIGION & POLITICS, Dec. 17, 2013

Whatever Your Thoughts on Gay Marriage, Gay Divorce is a Concern, DESERET NEWS, Feb. 22, 2013

A Tax Hike both Conservatives and Liberals Should Like, DESERET NEWS, Jan. 10, 2013

Good Guys, Bad Guys, and Gun Control, DESERET NEWS, Dec. 19, 2012

Mitt Romney and the New Mormon Identity, PATHEOS, Dec. 2, 2012

Hiding State's Debt Doesn't Make it Less Real, DESERET NEWS, Nov. 22, 2012

GOP Tax Policy Should Ditch Keynes for Hayek, DESERET NEWS, Sept. 21, 2012

Without Compromise Fixing Debt a Fairy Tale, DESERET NEWS, Aug. 29, 2012

Chick-fil-A and the Problem of Soft Censorship, DESERET NEWS, July 29, 2012

Race, Folklore, and Mormon Doctrine, DESERET NEWS, Mar. 2, 2012

Higher Tax Rates Create More Stay-at-Home Moms, DESERET NEWS, Feb. 31, 2012

The Mormon Plot that Wasn't, NEW YORK DAILY NEWS, Feb. 1, 2012

Obama Keeps Fueling the Myth of Manufacturing, DESERET NEWS, Jan. 27, 2012

Do Corporations Have the Right to Free Speech, DESERET NEWS, Jan. 13, 2012

Lowe's Choice to Pull Sponsorship Cowardly, DESERET NEWS, Dec. 16, 2011

Is Small Business Better? It's a Complicated Question, DESERET NEWS, Dec. 2, 2011

U.S. Unique in Obsession with State and Religion, DESERET NEWS, Nov. 18, 2011

Occupiers are Benefiting from "Sweet Commerce", DESERET NEWS, Nov. 11, 2011

Jeffress and the End of the Mormon Question?, DESERET NEWS, Oct. 21, 2011

Palin, the Dumbing Down of the American Conservatism, DESERET NEWS, Oct. 7, 2011

Government Subsidies Hamper Green Technology, DESERET NEWS, Sept. 23, 2011

Warren Jeffs and the Abandonment of Tradition, DESERET NEWS, Aug. 14, 2011

Burke Triumphs Over Jefferson in New York Same-Sex Marriage Decision, DESERET NEWS, July 1, 2011

LDS Church Walks a Tightrope on Public Policy, PATHEOS, May 26, 2011

In Israeli-Palestinian Conflict Could Commerce Foster Trust, Tolerance, and Peace, DESERET NEWS, May 25, 2011

The Arab World Needs Free Markets as Much as Democracy, DESERET NEWS, Mar. 12, 2011

Religion, Anti-discrimination, and the Decline of Labor Law, DESERET NEWS, Feb. 26, 2011

Romney and Huntsman: Two Answers to the Mormon Question, DESERET NEWS, Feb. 5, 2011

The End of the Great Fiscal Compromise, DESERET NEWS, Jan. 8, 2011

Glenn Beck Bad News for Religious Conservatism, RICHMOND TIMES-DISPATCH, Dec. 30, 2010

Our Clumsy System Best for Church and Market, DESERET NEWS, Dec. 26, 2010

Sharia Law Poses No Threat to American Courts, DESERET NEWS, Dec. 19, 2010

Prosperity Versus Equality at the Polls, DESERET NEWS, Nov. 1, 2010

Balanced Budget Amendment is Dangerous Gimmick, Not Solution, DESERET NEWS, Sept. 19, 2010

The Hidden Cost of Auto Bailouts, WASH. TIMES, Aug. 10, 2010

(with Alan Meese) *The End of an Idea*, NATIONAL REVIEW ONLINE, July 5, 2010

Why Conservatives Should Support Gay Marriage, PATHEOS, July 7, 2009

Mormonism's Al Smith Moment? SAN FRANCISCO CHRONICLE, Jan. 2, 2008 (reprinted in

The Salt Lake Tribune)

CLERKSHIP

Hon. Morris Sheppard Arnold, U.S. Court of Appeals for the Eighth Circuit, 2003-2004

OTHER EMPLOYMENT

Associate, Sidley Austin LLP, Washington, DC, 2004-2006

Legislative Correspondent & Acting Legislative Assistant, Senator Mitch McConnell, Washington, DC, 1999-2000

WORKING PROJECTS

Living Oracles: Law and the Latter-day Saint Tradition (book project)

“Unjust Enrichment and the Puzzle of Virtuous Debt”

“Contractual Desuetude”

“Religion and the Legal Regulation of ‘Magic’ in Early America”

PRESENTATIONS

Participant, Banff Capital Markets Roundtable, University of Calgary & Alberta Securities Commission, 2024

University of California, Berkley, Law School, Contract Theory Seminar, “Private Law After the Revolution: Respondent,” 2024

University of Virginia Law School, Faculty Workshop, “The Case for Specific Performance of Personal Service Contracts,” 2024

Wharton Business School & Harvard Law School, Corporate Restructuring and Insolvency Seminar, “Restructuring Ruritania: Bankruptcy, Sovereign Debt, and the Equity Receivership,” 2023

Faculty of Law, University of Calgary, Public Lecture, “Do Markets Encourage Morality? Why Contract Law is Just about Buying and Selling Stuff – and That’s Good,” 2023

University of Virginia Law School, Class Lecture, “Boilerplate,” 2023

Joseph Smith Papers Project, Conference, “The Challenges of Telling Joseph Smith’s Legal Stories,” 2023

Mormon History Association Annual Meeting, Rochester, New York, “The Rise and Fall of the Latter-day Saint Law of Marriage,” 2023

Utah State University, Mormon History Association Annual Meeting, “Time, Eternity and Real Estate: *Hilton v. Roylance*, Mormon Law in Secular Court, and the Opacity of Religion,” 2022

Utah State University, Mormon History Association Annual Meeting, “The Rise and Fall of the Latter-day Saint Judiciary,” 2022

Willamette College of Law, Faculty Workshop, “Intent to Create Legal Relations and the Nature of Contractual Consent,” 2022

Church History Department & Brigham Young University, Conference on Religious Freedom, “The Obligation to Obey the Law in Latter-day Saint Thought,” 2022

Brigham Young University, Philosophy Department, Philosophy & LDS Theology Workshop, “Natural Law and the LDS Tradition,” 2021

Mormon Scholars in the Humanities, Virtual Public Event, “Justice in Mormon Thought,” 2021

Brigham Young University, The Maxwell Institute for Religious Studies, “The History of the Church of Jesus Christ of Latter-day Saints as a Legal Entity,” 2021

William & Mary Law School, Workshop, “Regulating Religious Performance on the Commercial Stage,” 2020

McGill University, The Seymour David Steinman Memorial Lecture Series, Immigration, Minority Rights, & Religious Freedom in the United States and Canada, 2019

University of Virginia, Conference on Religion, Democracy & the Marketplace, “Regulating Religious Performance on the Commercial Stage,” 2019

Brigham Young University, The Maxwell Institute for Religious Studies, “Freedom and Equality in Mormon Thought,” 2019

Brigham Young University Law School, Works in Progress Workshop, “Salt, Smurthwait, and Smith: The Origins of the Legal Identity of the Church of Jesus Christ of Latter-day Saints,” 2019

Brigham Young University, Wheatley Institution, Faith in a Secular Age Conference, “The Language and Tradition of Our Fathers: Latter-day Saint Thoughts on Community and Identity,” 2019

Villanova Law School, Symposium on *Halakhah: The Rabbinic Idea of Law*, “Temple, Talmud, and Sacrament,” 2019

Brigham Young University Law School, Works in Progress Workshop, “The Obligation to Obey the Law in Mormon Thought,” 2018

Brigham Young University, The Maxwell Institute for Religious Studies, “Conscience in Mormon Thought,” 2018

University of Houston Law School, Works in Progress Workshop, “Beyond Gift and Bargain: Some Proposals for Increasing Kidney Donations,” 2018

Pepperdine Law School, Seminar on Private Law and Christianity, “Christianity’s Quarrel with Civil Recourse Theory,” 2018

American Enterprise Institute, Conference on Altruism, Community & Markets, “Beyond Gift and Bargain: Proposals for Increasing Kidney Donation by Fostering Trust in NEAD Chains,” 2017

Columbia Law School, Autonomy, Choice & Contract Conference, “Contract Law and the Liberalism of Fear,” 2017

Villanova Law School, The 2017 Joseph T. McCullen Jr. Symposium on Catholic Social Thought and Law, “Pope Francis and Diocletian’s Mistake,” 2017

The College of William & Mary, The Mormon Theology Seminar, “‘Betwixt Them and Justice’: War and Atonement in the Book of Mormon,” 2017

Duke Law School, Advanced Contracts Seminar, “The Dignity of Commerce,” 2017

Pepperdine Law School, Religious Perspectives on the Law Conference, “Christianity’s Quarrel with Civil Recourse Theory,” 2017

Southwestern Law School, KCONXII: Contracts Conference, “The Dignity of Commerce,” 2017

Bar Ilan University Faculty of Law, Religion and the Rule of Law Conference, “Commerce, Religion, and the Rule of Law,” 2016

Harvard Law School, Private Law Theory Workshop, “Reconsidering Contractual Consent: Why We Shouldn’t Worry Too Much about Boilerplate and Other Puzzles,” 2016

University of Virginia, Religious Studies & Mormon Studies Program, Panelist, “We the People of the Kingdom of God: The Mormon Alternative Political Order,” 2016

William & Mary Law School, Faculty Workshop, “*Doux Commerce*, Religion, and the Limits of Antidiscrimination Law,” 2016

Washington University, St. Louis Law School, Faculty Workshop, “*Doux Commerce*, Religion, and the Limits of Antidiscrimination Law,” 2016

Brigham Young University, Society for Mormon Philosophy & Theology, Annual Conference, “Nomos, Narrative, and Nephi: Legal Interpretation in the Book of Mormon,” 2015

University of Virginia, Faith & Knowledge Conference, “Concluding Remarks: *Angst* and *Thaumazo* in the Life of the Mind,” 2015

William & Mary Law School, William & Mary Private Law Theory Workshop, “Pernicious Markets and the Limits of Contract Law,” 2014

Willamette College of Law, Center for Religion, Law & Democracy, Religious Tribunals and the Law: Conciliation or Conflict?, “Legal Issues: Delegation, Recognition, and Enforcement,” 2014

Emory Law School, Center for the Study of Law and Religion, International Religious Legal Theory Conference, “International Legal Experience and the Mormon Theology of the State, 1945-2013,” 2014

William & Mary Law School, Blackstone Lecture, “Shakespeare and the Predicament of Contract Theory,” 2014

McGill University, North American Private Law Theory Workshop, “Shakespeare and the Predicament of Contract Theory,” 2013

International Consortium for Law and Religion Studies, Conference on Religion Democracy and Equality, Moderator, “Hate Speech, Hate Crimes, and Religious Minorities,” 2013

Loyola University New Orleans College of Law, J. Reuben Clark Society Faculty Conference, “The Case Against Law School,” 2013

King’s College London, Conference on Private Law and Morality, “A Theory of Civil Liability,” 2012

Georgetown University, Berkley Center for Religion, Peace & World Affairs, “Which Model? Whose Liberty? Differences Between European and American Models of Religious Freedom,” Panelist, “Religious Minorities and Religious Freedom: The Case of Muslims and Mormons,” 2012

Villanova Law School, Joseph T. McCullen, Jr. Symposium on Catholic Social Thought and the Law: The Moral Foundations of Private Law, “Markets as a Moral Foundation for Contract Law,” 2012

George Washington University Law School, Faculty Workshop, “Markets as a Moral Foundation for Contract Law,” 2012

Emory Law School, Faculty Workshop, “Markets as a Moral Foundation for Contract Law,” 2011

William & Mary Law School, Private Law Theory Workshop, “Markets as a Moral Foundation for Contract Law,” 2011

William & Mary Law School, Faculty Workshop, "Private Law and the Supreme Court," 2011
(with Jason Solomon)

Hebrew University Faculty of Law, Private Law Workshop, "The Honor of Private Law," 2011

Hebrew University Faculty of Law, Symposium on Law and Behavioral Research, Commenter,
2011

Suffolk University Law School, Symposium on the 30th Anniversary of *Contract as Promise*,
"Promise and Private Law," 2011

Florida State University Law School, Symposium on Civil Recourse Theory, "Why There is No
Duty to Pay Damages: Duties, Powers, and Private Law," 2011

Southern Virginia University, Student Forum, "Mormons as Minorities," 2010

William & Mary Law School, Faculty Workshop, "Litigation with Honor," 2010

Wake Forest University Law School, Symposium on Contract Law and Context, "Bargaining in
the Shadow of God's Law: Context and Islamic *Mahr* Contracts," 2010

Cornell Law School, Faculty Workshop, "Natural Law and the Rhetoric of Empire: *Reynolds v.*
United States, Polygamy, and Imperialism," 2010

University of Loyola-New Orleans Law School, J. Reuben Clark Society Faculty Conference,
Panelist, "Mormonism and Legal Scholarship," 2010

University of Richmond Law School, Virginia Junior Faculty Forum, "Bargaining in the Shadow
of God's Law: Context and Islamic *Mahr* Contracts," 2009

De Paul University Law School, Faculty Workshop, "Contract, Consent, and Recourse," 2009

Georgetown University Law Center, Contract and Promise Workshop, "Contract, Consent, and
Recourse," 2009

J. Reuben Clark Law School, Brigham Young University, Works in Progress Workshop,
"Contract, Consent, and Recourse," 2009

William & Mary Law School, Faculty Workshop, "Contract, Consent, and Recourse," 2009

Wake Forest University Law School, Faculty Workshop, "A Preliminary Case for Specific
Performance of Personal Service Contracts," 2009

Liberty Fund, Annapolis, Maryland, Seminar Participant, "The History of the Lex Mercatoria"
2009

Harvard Law School, J. Reuben Clark Society National Conference, Panelist, "Religious Conscience and the Judicial Office," 2009

University of Loyola-Chicago Law School, Faculty Workshop, "A Pragmatic Defense of Contract Law," 2008

Georgetown University Law Center, Contract and Promise Workshop, "The Option Theory of Contract Reconsidered," 2008

William & Mary Law School, Faculty Workshop, "A Brief and Pragmatic Defense of Contract Law," 2008

George Mason University Law School, Institute for Humane Studies Workshop, "Specific Performance and the Thirteenth Amendment," 2008

Mormon History Association, Annual Meeting, "Preaching to the Court House and Judging in the Temple," 2008

Southern Virginia University, Conference on Interpretation: Latter-day Saint Perspectives, "'The Living Oracles': Legal Interpretation and Mormon Thought," 2008

Boalt Hall Law School, Association for the Study of Law, Culture, and the Humanities, Panelist, "Instrumentalism and Justice in the Private Law," 2008

Liberty Fund, Indianapolis, Indiana, Seminar Participant, "Law, Liberty, and Custom in James C. Carter," 2008

Liberty Fund, Alexandria, Virginia, Seminar Participant, "Hayek and the Common Law," 2007

William & Mary Law School, Virginia Junior Faculty Seminar, "Specific Performance and the Thirteenth Amendment," 2007

American Bar Foundation, ABF/Chicago-Kent Legal History Colloquium, "Preaching in the Courthouse and Judging in the Temple," 2007

American Society for Legal History, Annual Conference, "Preaching in the Courthouse and Judging in the Temple," 2007

Georgetown University Law Center, Contract and Promise Workshop, "Economic Analysis and Contract Theory," 2007

Brigham Young University, Faculty Center Seminar, "Preaching in the Courthouse and Judging in the Temple," 2007

University of Richmond Law School, Faculty Workshop, "Preaching in the Courthouse and Judging in the Temple," 2007

William & Mary Law School, Faculty Workshop, “Preaching in the Courthouse and Judging in the Temple,” 2007

Brigham Young University, Society for Mormon Philosophy & Theology, “Jurisprudence and the Problem of Church Doctrine,” 2007

Thomas Jefferson Law School, Faculty Workshop, “The Failure of Economic Explanations of Contract Damages,” 2006

Bill of Rights Institute, William & Mary Law School, Moderator, Panel on Contract Law, Symposium on Law & Morality, 2006

Minnesota Law School, Ohio State Law School, Marquette Law School, Wake Forest Law School, William & Mary Law School, University of Richmond Law School, Presentation to Faculty, “Corporations and Autonomy Theories of Contract,” 2006

Columbia Law School, J. Reuben Clark Society Law Students’ Conference, “On the Possibility of Mormon Legal Thought,” 2005

George Mason University Law School, Presentation to Faculty, “Roman Limbs and Dismembered Goats: Secured Credit at the Bar of Contract Theory,” 2004

Mormon History Association, Annual Meeting, “Polygamy, Positivism, and Natural Law,” 2003

George Mason University, Institute for Humane Studies, Legal Scholarship Conference, “Legislative History as a Property Right,” 2002

SELECTED MEDIA INTERVIEWS

The Wall Street Journal

Newsweek

National Public Radio

The Boston Globe

The New York Daily News

The National Review

The Richmond Times-Dispatch

The Virginian-Pilot

The Virginia Gazette

The Deseret News

The Salt Lake Tribune

TEACHING EXPERIENCE

Contracts – William & Mary Law School, Cornell Law School

Bankruptcy – William & Mary Law School. University of Richmond Law School

Business Associations – William & Mary Law School
Sovereign Debt Seminar – William & Mary Law School
Corporations – William & Mary Law School
Restitution – William & Mary Law School
Secured Transactions – William & Mary Law School, Cornell Law School, University of
Richmond Law School
Foundations of the Common Law – William & Mary Law School
Contemporary Private Law Theory – Hebrew University
Advanced Contract Law Theory – William & Mary Law School
Roman Law Reading – William & Mary Law School (co-taught with Thomas McSweeney)
Canon Law Reading – William & Mary Law School (co-taught with Thomas McSweeney)
Advanced Readings in Political Economy – William & Mary Law School (co-taught with Alan
Meese)
Teaching Assistant, Contracts – Harvard Law School
Teaching Assistant, American Government – Brigham Young University
Teaching Assistant, Honors History of Civilization – Brigham Young University

PROFESSIONAL SOCIETY MEMBERSHIPS

American Law Institute
American Bar Association
American Society for Legal History
Society for Political & Legal Philosophy
Mormon History Association
Society for Mormon Philosophy & Theology

BAR ADMISSIONS

Virginia and the District of Columbia (both inactive)
U.S. Court of Appeals for the Eighth Circuit