THOMAS DAVID EISELE

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Education

J.D., 1973, Harvard University Law School

Ph.D. (Philosophy), 1984, University of Michigan

B.A. (Philosophy, Honors), 1970, University of Wisconsin

Honors

Goldman Prize for Excellence in Teaching, 2009 College of Law, University of Cincinnati

Goldman Prize for Excellence in Teaching, 2005 College of Law, University of Cincinnati

Goldman Prize for Excellence in Teaching, 2001 College of Law, University of Cincinnati

Goldman Prize for Excellence in Teaching, 1998 College of Law, University of Cincinnati

Judge Joseph P. Kinneary Professorship, 1995-2000 College of Law, University of Cincinnati

Goldman Prize for Excellence in Teaching, 1993 College of Law, University of Cincinnati

Outstanding Teacher Award, 1990 National Alumni Association, University of Tennessee

Warner Faculty Award, Outstanding Legal Scholarship, 1990 College of Law, University of Tennessee

Warner Award, Outstanding Teacher, 1988 College of Law, University of Tennessee

Visiting Scholar, 1986-1987 North Carolina Center for Independent Higher Education

<u>Law Teaching Experience</u> Professor of Law, 1992-present University of Cincinnati, College of Law [Property, Jurisprudence, Estates & Trusts, The Legal Imagination seminar, Professional Responsibility]

Associate Professor of Law, 1985-1992 University of Tennessee, College of Law [Property, Jurisprudence, Wills & Estates, Trusts & Future Interests, Land Use Law, Professional Ethics]

Visiting Associate Professor of Law, Fall 1991 University of Cincinnati, College of Law [Wills & Estates, and The Legal Imagination seminar]

Visiting Professor of Law, 1984-1985, & Spring 2001 Ohio State University, College of Law [Property]

<u>Publications</u>

BOOK:

<u>Bitter Knowledge: Learning Socratic Lessons of Disillusion and Renewal</u>, University of Notre Dame Press (2009).

ARTICLES:

- "Tom Morawetz's `Robust Enterprise': Jurisprudence after Wittgenstein," 29 Philos. Investigations 140 (2006)
- "What We Share," 71 <u>U. Cin. L. Rev.</u> 493 (2002)
- "From `Moral Stupidity' to Professional Responsibility," 21 Legal Stud. F. 193 (1997)
- "Taking Our Actual Constitution Seriously," 95 <u>Mich. L. Rev.</u> 1799 (1997) [review essay on Ronald Dworkin's <u>Freedom's Law</u> (1996)]
- "The Poverty of Socratic Questioning: Asking and Answering in the $\underline{\text{Meno}}$," 63 $\underline{\text{U. Cin. L.}}$ Rev. 221 (1994)
- "Introduction: Conducting Our Educations in Public," 63 <u>U. Cin. L. Rev.</u> 1 (1994) [Introduction to "Law, Literature, and the Humanities Symposium"]
- "Bitter Knowledge: Socrates and Teaching by Disillusionment," 45 Mercer L. Rev. 587 (1994)
- "Avalon Ethics," 67 <u>Notre Dame L. Rev.</u> 1287 (1992) [review essay on Thomas Shaffer & Nancy Shaffer, <u>American Lawyers and Their Communities</u> (1991)]
- "`Our Real Need': Not Explanation, But Education," 3 <u>Can. J. of L. & Juris.</u> 5 (No. 2, July, 1990); **rep'd** in <u>Wittgenstein & Legal Theory</u>, ed. Patterson (Westview Press, 1992)
- "`Never Mind the Manner of My Speech': The Dilemma of Socrates' Defense in the <u>Apology</u>," 14 <u>Legal Stud. F.</u> 253 (1990)
- "Must Virtue Be Taught?" 33 <u>Mod. Age</u> 235 (1990)
- "Wittgenstein's Instructive Narratives: Leaving the Lessons Latent," 40 <u>J. Legal Educ.</u> 77 (1990)
- "Hegelian Vanity, Common Law Humility: On Legal Theory, Its Expression and Its Criticism," 10 <u>Cardozo L. Rev.</u> 915 (1989)
- "Review Essay/Dworkin's `Full Political Theory of Law'," 7 <u>Crim. Just. Ethics</u> 49 (No. 2, Summer/Fall, 1988); **rep'd** in 6 <u>Sutherland & Statutory Interpretation</u>
- "Must Virtue Be Taught?" (revised) 37 <u>J. Legal Educ.</u> 495 (1987)
- "The Activity of Being a Lawyer: The Imaginative Pursuit of Implications and Possibilities," 54 <u>Tenn. L. Rev.</u> 345 (1987); **rep'd** in <u>Wittgenstein & Law</u>, ed. Patterson (Ashgate, 2004); and **rep'd** in <u>Law and Aesthetics</u>, ed. Kevelson (Peter Lang, 1992)
- "Introduction" [to "The Many Futures of Jurisprudence: A Symposium"], 54 <u>Tenn. L. Rev.</u> xix (1987)
- "`The Eagle Has Landed': Symbol of Savagery, Symbol of Serenity," 18 <u>Mich. Q. Rev.</u> 177 (1979)
- "Simone Weil's Witness," 60 Anglican Theol. Rev. 466 (1978)

- "The Apocalypse of Beckett's Endgame, " 26 Cross Currents 11 (1976)
- "The Legal Imagination and Language: A Philosophical Criticism," 47 <u>U. Colo. L. Rev.</u> 363 (1976)

BOOK REVIEWS:

- Book Review [reviewing J. Vining, <u>The Authoritative and the Authoritarian</u> (1986)], 97 Ethics/ 873 (1987)
- Book Notes [reviewing Man, Law and Modern Forms of Life and Applying the Humanities], 97 Ethics 689, 700 (1987)
- "Making Meaning in Relation to Others" [reviewing J.B. White, <u>When Words Lose Their Meaning</u> (1984)], 30 <u>Mod. Age</u> 318 (1986)
- "Unfulfilled Promise" [reviewing M. Ball, <u>The Promise of American Law</u> (1981)], 28 <u>Mod. Age</u> 273 (1984)
- "`Eunomics'; or, Good Law" [reviewing K. Winston, ed., <u>The Principles of Social Order</u> (1981)], 26 <u>Mod. Age</u> 440 (1982)
- "Expressions and Receptions" [reviewing S. Cavell, <u>The Claim of Reason</u> (1979)], 26 $\underline{Mod.}$ Age 199 (1982)
- "Frankfurter vs. Psycho-Biography" [reviewing H. Hirsch, <u>The Enigma of Felix Frankfurter</u> (1981)], 26 <u>Mod. Age</u> 77 (1982)
- "Circling Emerson" [reviewing J. Porte, <u>Representative Man</u> (1979)], 25 <u>Mod. Age</u> 88 (1981)
- "A Soviet Citizen Dissents" [reviewing V. Bukovsky, <u>To Build a Castle</u> (1979)], 23 <u>Mod. Age</u> 430 (1979)
- "The Corruption of the Constitution" [reviewing P. Kurland, <u>Watergate and the Constitution</u> (1978)], 23 <u>Mod. Age</u> 191 (1979)
- "Jung's Comparative Psychology" [reviewing W. McGuire & R. Hull, eds., <u>C. G. Jung Speaking</u> (1977)], 22 <u>Mod. Age</u> 437 (1978)
- Book Review [reviewing J. Noonan, <u>Persons and Masks of the Law</u> (1976)], 24 <u>Vill. L. Rev.</u> 184 (1978)
- "A Sense of <u>Walden</u>'s Achievement" [reviewing S. Cavell, <u>The Senses of **Walden**</u> (1972)], 8 <u>The Concord Saunterer</u> 8 (June, 1973)

DOCTORAL DISSERTATION:

"Wittgenstein's Normative Naturalism: The Point of His Practice," Ph.D., 1984, Department of Philosophy, University of Michigan

<u>Fellowships</u>

Rackham Predoctoral Fellowship, 1982-1983 Department of Philosophy, University of Michigan

Bigelow Teaching Fellow & Lecturer in Law, 1978-1979 School of Law, University of Chicago

Selected Scholarly Activities

Presenter of Paper, 101st Annual Meeting of the Eastern Division of the American Philosophical Association, Boston, Massachusetts, December, 2004

Presenter of Paper, 7th Annual Conference on Law, Culture & the Humanities, University of Connecticut Law School, March, 2004

Presenter of Paper, Working Conference on Law, Culture & the Humanities, Georgetown University Law Center, March, 1998

Co-ordinator & Moderator, Faculty Retreat on "Teaching Values in Law School," College of Law, University of Tennessee, April, 1995

Presenter of Paper, Conference on Professional Ethics & Social Responsibility, sponsored by Clemson University, November, 1991

Presenter of Paper, Panel on Socrates and American Culture Today, Annual Meeting of the American Culture Association, Toronto, March, 1990

Referee, National Endowment for the Humanities, proposal for a jurisprudence conference on Interpretation & Pragmatism, April, 1990

Commentator on lead speech by Harlon Dalton (Yale Law School), Conference on "AIDS: The Law and Professional Ethics, " sponsored by the Center for Applied & Professional Ethics, University of Tennessee, April, 1989

Speaker, Conference on Teaching Virtue in Clinical Legal Education, Loyola University Law School, New Orleans, January, 1989

Luncheon Speaker, Conference on Professional Responsibility, Association of American Law Schools, Washington, D.C., March, 1988

Commentator on lead article by Arthur Jacobson (Cardozo Law School), Conference on Hegel and Legal Theory, Cardozo Law School, New York City, March, 1988

Referee, Pennsylvania State University Press, manuscript on rhetorical theory of John Cardinal Newman, June, 1987

Referee, National Endowment for the Humanities, proposal for an edition of translated jurisprudential articles on Continental legal theory (Oxford University Press), June, 1986

Visiting Scholar, North Carolina Center for Independent Higher Education, 1986-1987 (see above, "Honors")

Institutional Service at the College of Law

Chair, Self-Study Committee, 2009-2011

Member, Committee on Committees, 2002-03, 2008-09, 2009-10

Member, Appointments Committee, 1998-99, 2006-07, 2010-11 Chair, Committee on Academic Policy & Curriculum, 1997-98

Chair, Committee on Center for Corporate Law, 1996-97

Chair, Committee on Legal Research and Writing, 1992-95

Member, Faculty Committee for Decanal Review, 1993-94, 1998-99, 2003-04

Member, Committee on Reappointment, Promotion, and Tenure, 1992-93,

1994-95, 1995-96, 1997-98, 1998-99, 2002-03, 2008-09 Member, Committee on Faculty Research & Development, 1992-98

Member, Committee on Academic Policy & Curriculum, 1992-95, 2003-05

<u>Institutional Service at the University of Tennessee</u>
Chair, Comm. on Teaching Improve. & Faculty Development, 1989-92

Faculty Advisor, <u>Tennessee Law Review</u>, 1987-89

Member, Governance Committee, 1990-92

Member, Committee on Endowed Lectures, 1985-89

Member, Library Advisory Committee, 1985-90 Member, Readmissions Committee, 1986-88

Bar Admissions

State of Illinois, 1973

U.S. District Court (N.D. Ill.), 1973

U.S. Court of Appeals (7th Cir.), 1976

<u>Professional Employment</u>

Legal Writing Instructor, July-August, 1979

Baker & McKenzie Chicago, Illinois

Deputy Director, 1976-1978 Lake Michigan Federation Chicago, Illinois

Associate, 1973-1976 Isham, Lincoln & Beale Chicago, Illinois

Additional Teaching Experience

Bigelow Teaching Fellow & Lecturer in Law, 1978-1979 University of Chicago Law School Tutorial: Legal Research, Writing, and Argument

Graduate Student Teaching Assistant, 1979-1982 University of Michigan, Department of Philosophy
Special Lecturer (Philosophy of Law), and Teaching
Assistant in Six Undergraduate Philosophy Courses

Professional References

James Boyd White, L. Hart Wright Professor of Law [emeritus] University of Michigan Law School

Stanley Cavell, Walter M. Cabot Professor of Aesthetics & General Theory of Value [Philosophy] [emeritus] Harvard University Department of Philosophy

Thomas Morawetz, Professor of Law University of Connecticut Law School

Dennis Patterson, Professor of Law Rutgers University [Camden] Law School

Thomas L. Shaffer, Professor of Law Notre Dame University Law School

Robert Lloyd, Professor of Law University of Tennessee Law School

Lawrence Dessem, Dean University of Missouri Law School