

ELIZABETH DALE

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Curriculum Vitae

EDUCATION:

Ph.D., Constitutional and Legal History, University of Chicago, 1995
J.D. (with Honors), Chicago-Kent College of Law, 1984
B.A. (Ancient Greek), DePauw University, 1981
Semester Study, Athens Greece, 1980
Swarthmore College, 1977-1979

TEACHING APPOINTMENTS:

University of Florida, Gainesville, FL

Associate Professor (tenured), Constitutional and Legal History, Dept of
History, 2002-present
Affiliate Professor, Levin College of Law 2000-present
Assistant Professor, Constitutional and Legal History, Dept. of History,
2000-2002

Shandong University Law School, Jinan, China

Fulbright Lecturer/Research Scholar, Spring 2005

Clemson University, Clemson, S.C.

Assistant Professor, Constitutional and Legal History, Dept. of History
and Legal Studies Minor, 1995-2000

DePaul University, Chicago, IL

Visiting Instructor, World History, 1994

John Marshall Law School, Chicago, IL

Visiting Professor, Legal Writing II, 1990-1992

LAW PRACTICE:

Associate, Law Offices of Kenneth N. Flaxman, P.C., Chicago, 1985-1990
(practice focused on civil rights and employment law)

Law Clerk, Katz, Friedman, Schur & Eagle, Chicago, 1983-1984 (practice focused on union-side labor law)

SELECTED PUBLICATIONS:

Books:

THE RULE OF JUSTICE: THE PEOPLE OF CHICAGO VERSUS ZEPHYR DAVIS (2001)
(History of Criminal Law and Criminal Justice Series, Ohio State University Press)

DEBATING – AND CREATING – AUTHORITY: THE FAILURE OF A CONSTITUTIONAL IDEAL, MASSACHUSETTS BAY, 1629-1649 (2001) (Law, Justice and Power Series, Ashgate Publishing, Ltd)

Articles:

1. *Death or Transformation? Educational Autonomy in the Roberts Court in the 2006-2007 Supreme Court Review*, guest editor Erwin Chermersky, 43 TULSA LAW REVIEW (forthcoming Fall 2008)
2. *People v. Coughlin and the Criminal Jury in Late Nineteenth-Century Chicago*, 28 NORTHERN ILLINOIS UNIVERSITY LAW REVIEW (forthcoming, Summer 2008)
3. *Employee Speech & Management Rights: A Counterintuitive Reading of Garcetti v. Ceballos*, 29 BERKELEY JOURNAL OF EMPLOYMENT & LABOR LAW (forthcoming, June 2008)
4. *It Makes Nothing Happen: Reasons for Studying the History of Law*, 3 JOURNAL OF LAW, CULTURE, AND HUMANITIES (forthcoming, 2008)
5. *Criminal Justice in the United States, 1780-1920: A Government of Laws or Men?* CAMBRIDGE HISTORY OF LAW IN AMERICA, volume 2: 133 (Christopher Tomlins and Michael Grossberg, eds.) (2008)
6. *Getting Away with Murder*, 111 AMERICAN HISTORICAL REVIEW 95 (2006)
7. *A Different Sort of Justice: The Informal Courts of Public Opinion in Antebellum South Carolina*, 54 SOUTH CAROLINA LAW REVIEW 627 (2003)
8. *Not Simply Black and White: Jury Power and Law in Late Nineteenth-Century Chicago*, 25 SOCIAL SCIENCE HISTORY 7 (2001)
9. *The People versus Zephyr Davis: Law and Popular Justice in late Nineteenth-Century Chicago*, 17 LAW & HISTORY REVIEW 27 (1999)
10. *“Social Equality Does Not Exist Among Themselves, Nor Among Us:” Baylies v. Curry and Civil Rights in Chicago, 1888*, 102 AMERICAN HISTORICAL REVIEW 311 (1997)
11. *Law and Humanities*, 13 FOCUS ON LAW STUDIES: TEACHING ABOUT LAW IN THE LIBERAL ARTS (ABA Publication) 10 (1997)
12. *Marriage as a Metaphor in Massachusetts in the Seventeenth Century*, WOMEN AND FREEDOM IN EARLY AMERICA 229 (Larry Eldridge, ed.) (1997)

13. *Conflicts of Law: Reconsideration of the Influence of Religion on Law in Massachusetts Bay*, 43 NUMEN, INTERNATIONAL REVIEW FOR THE HISTORY OF RELIGION (Leiden) 139 (1996)
14. *The End of the World as We Know It? Making Sense of Planned Parenthood v. Casey*, 4 POLICE MISCONDUCT AND CIVIL RIGHTS LAW REPORT 193 (Sept.-Oct. 1992)
15. *Sometimes the EEOC is Just Wrong: Arguments for Retroactive Application of the Civil Rights Act of 1991*, 3 POLICE MISCONDUCT AND CIVIL RIGHTS LAW REPORT 157 (March-April 1992)
16. *City of Canton, Ohio and Failure to Train Cases: Avoiding the Snares*, 3 POLICE MISCONDUCT AND CIVIL RIGHTS LAW REPORT 79 (Jan.-Feb. 1991)
17. *When Can Misdemeanor Arrestees be Strip Searched? A Review of the Rules in the Circuits* (Part 2 of two-part series), 2 POLICE MISCONDUCT AND CIVIL RIGHTS LAW REPORT 205 (Nov.-Dec. 1989)
18. *When Can Misdemeanor Arrestees be Strip Searched? A Review of the Rules in the Circuits* (Part 1 of two-part series), 2 *Police MISCONDUCT AND CIVIL RIGHTS LAW REPORT* 199 (Sept.-Oct. 1989)

Book Reviews published or forthcoming in HISTORY: REVIEWS OF NEW BOOKS, LAW & HISTORY REVIEW, JOURNAL OF AMERICAN HISTORY, N.Y.U. JOURNAL OF LAW AND LIBERTY, AMERICAN STUDIES, JOURNAL OF AMERICAN HISTORY, AMERICAN HISTORICAL REVIEW, SOUTH CAROLINA HISTORICAL MAGAZINE, JOURNAL OF SOUTHERN HISTORY, REVIEWS IN AMERICAN HISTORY, AMERICAN JOURNAL OF LEGAL HISTORY, Law and Politics Book Review (on line reviews, <http://www.unt.edu/lbpr>), H-Net Reviews (on line reviews, <http://www.h-net.org/reviews/>), JOURNAL OF RELIGION, NORTH CAROLINA HISTORICAL REVIEW

HONORS & GRANTS:

- Full year, half-pay sabbatical, 2006-2007 (declined)
- Fulbright Lecturer/Research Scholar, Shandong University Law School, Jinan, China Spring 2005
- Humanities Research Grant, Summer 2001
- Research Grant, South Carolina Bar Association, 2000-2001
- Fellowship, Newberry Library, 1999
- University Research Grant, Clemson University, 1997-1998
- Junior Fellow, Institute for the Advanced Study of Religion, Divinity School, University of Chicago, 1994-1995
- Mellon Dissertation Year Fellowship, University of Chicago, 1994-1995
- High Pass, Ph.D. Qualifying Exams, University of Chicago, 1992

Century Scholarship, University of Chicago, 1991-1994
Phoenix Fellowship, University of Chicago, 1991-1994
Member, Chicago-Kent Law Review, 1982-1984
Dean's List, Chicago-Kent College of Law (various semesters)
American Jurisprudence Award, Labor Law I, 1983
Presidential Scholarship, Chicago-Kent College of Law, 1981-1984
Georgia M. Watkins Award, Excellence in Ancient Greek, DePauw University,
1980

TEACHING AWARDS & GRANTS:

Norman Wilensky Graduate Teaching Award, University of Florida, 2008
Outstanding Faculty Mentor, selected by an Anderson Scholar (College of Liberal Arts and Sciences), University of Florida, 2002, 2001
Mahon Award for Excellence in Undergraduate Teaching, University of Florida, 2001
Library Laurel (gift made to library in faculty member's honor), Clemson University, 1999
Humanities Board Teaching Initiative Award (with Thomas Kuehn), Clemson University, 1997-1998
A.B.A. Mini-Grant (with Thomas Kuehn), Clemson University, 1997-1998
Platform of Collaboration Grant (with Thomas Kuehn), Clemson University, 1997-1998
Teaching Innovation Fund Grant (two), Clemson University, 1996-1997
Platform of Collaboration Grant, Clemson University, 1996-1997

COURSES TAUGHT:

Law School:

Themes in US Constitutional History: Citizenship (seminar)
Comparative Constitutional History (seminar)
American Constitutional and Legal History (course and seminar)
American Constitutional Law (Shandong University Law School)
American Legal History and Reasoning (Shandong University Law School)
Civil Liberties in Times of War and Trouble (seminar)
Legal Writing II (Appellate Briefing) (John Marshall Law School)

Graduate School:

Teaching American Legal History (online seminar)
Readings in Legal History (seminar)
Readings in Nineteenth Century History (seminar)

Readings in Early American History (seminar)
The Denmark Vesey Case: A Trial in American History (seminar)
Legal History of Civil Rights in the United States (seminar)
Legal Culture of the South (seminar)
Famous American Trials (seminar)
Women and Law in U.S. History (seminar)
Legal Research for Historians

Undergraduate Program:

The First Amendment: History Practicum
Gideon v. Wainwright: Writing the History of a Supreme Court Case (seminar)
Constitutional History of the United States until 1877
Constitutional History of the United States from 1877
U.S. Legal History to 1890
U.S. Legal History from 1890
Crime and Law in U.S. History (seminar)
South Carolina versus Martin Posey: A Trial as Social History (seminar)
South Carolina versus Nettles and Cannon: A Study of Legal Culture (seminar)
Women in American Legal History (seminar)
Historical Methods (seminar)
U.S. History to 1877
Western Civilization to 1689
World Civilizations to 1500
World Civilizations 1500 to 1919

SELECTED ADMINISTRATIVE WORK:

Associate Chair, Dept of History, University of Florida, Spring 2007 (acting),
2002-2004

Legal History Coordinator, Dept. of History, University of Florida, 2005-present

Chair, Finance Committee, College of Liberal Arts and Sciences, University of
Florida, Spring 2008 (<http://www.clas.ufl.edu/gov/comm/finance.html>)

Chair, Search Committee, Dept. of History, University of Florida, Spring 2008,
2005-2006

Chair, Tenure & Promotion Committee, Dept. of History, University of Florida,
Fall 2004

Chair, American History Preliminary Exam Committee, Dept. of History,
University of Florida, Fall 2004

Chair, Faculty Senate Select Committee on Senate Structure and Effectiveness,
University of Florida, 2003

Chair, American History Qualifying Exam Committee, Dept. of History,
University of Florida, Fall 2003

Secretary, Faculty Senate, Clemson University, 1999-2000, 1998-1999

Chair, University Committee to Revise the Undergraduate Law Minor, Clemson University, 1999

Chair, Common Ground Lecture Series, College of Architecture, Arts and Humanities, Clemson University, 1999, 1998

Chair, Faculty Senate *ad hoc* Committee on Promotion and Tenure Guidelines, Clemson University, 1998

Chair, Faculty Senate Select Committee on the Library, Clemson University, 1997-1998

Chair: 5 Ph.D. committees; 10 M.A. committees; 7 B.A. honors theses

Member: Policy and Personnel Committee (Department of History, University of Florida); Graduate Committee (Department of History, University of Florida); Untenured Faculty Mentoring Committee (Department of History, University of Florida); Graduate Student Mentoring Committee (Department of History, University of Florida); College Finance Committee (University of Florida); University Constitution Committee (University of Florida); Faculty Senate Steering Committee (University of Florida); Faculty Union Negotiating Team (University of Florida); Grievance I Hearing Board (Clemson University); Faculty Senate Executive Committee (Clemson University); 8 Ph.D. committees; 15 M.A. committees for students in History, Political Science, and English

RECENT PROFESSIONAL ACTIVITIES:

Brief Judge, First Annual Moot Court, American Constitution Society, 2007

Member, J. Willard Hurst Book Prize Committee, Law and Society Association, 2006-2007

Member, Advisory Board, JOURNAL OF LAW AND PUBLIC POLICY, 2005-2006, 2004-2005, 2003-2004, 2002-2003

Member, Editorial Board, LAW AND HISTORY REVIEW, 2005-2010, 2000-2005

Member, Constitution Day Discussion Panel, University of Florida, September 2005

Judge, Moot Court, Center for Women's and Gender Studies 25th Anniversary Celebration, University of Florida, October 2002

Article Referee: LAW AND SOCIETY REVIEW; AMERICAN HISTORICAL REVIEW; LAW AND HISTORY REVIEW; CRIMINAL JUSTICE REVIEW; THE HISTORIAN; JOURNAL OF AMERICAN HISTORY

Book Manuscript Referee: University of North Carolina Press; University Press of Florida; Longman Publishing Co.; Rowan & Littlefield; Cambridge University Press; Routledge Press

SELECTED PRESENTATIONS:

- “Citizenship and the Memorial Day Massacre, 1937,” Law, Culture and Humanities Conference, March 2007
- “Citizenship, the Founding Fathers and the Constitutional Convention,” all-day workshop for high school teachers in Miami, Florida, part of *The Circle of We: The Expanding Definition of American Citizenship*, sponsored by the Florida Humanities Council, funded by an N.E.H. Grant, August 2006
- “An Update on Title IX,” talk for the American Association of University Women, Gainesville Chapter, April 2006
- “Constitutional Language,” guest lecture to the Foreign Language School (undergraduate and graduate students), Shandong University, Jinan, PRC, June 2005
- “Overview of the Bill of Rights in the US Constitution,” guest lecture at the Law School, Shanghai Jiao Tong University, Shanghai, PRC, May 2005
- “The Northerner and the Law: Popular Justice, Public Opinion, and Law in Antebellum Philadelphia,” Society for Historians of the Early Republic, July 2003
- “New York Times v. Sullivan and its Progeny,” guest lecture, media law class, Shanghai International Studies University, Songjiang Campus, Shanghai, PRC, May 2005
- “Legal Education and Legal Practice in America,” discussion session at the Law School, University of International Business and Economics, Beijing, PRC, April 2005
- “The Importance of Writing in History,” taped lecture for the University of Florida Writing Program, Fall 2003
- “Barron v. Baltimore, A Lost Moment in Constitutional History,” talk for the Constitution Week Dinner, the Sons of the American Revolution, Gainesville Chapter, September 2003
- “Reconsidering the ‘Social’ in Social Control: Extralegal Justice in Antebellum South Carolina,” American Historical Association, January 2002
- “An Informal Court of Public Opinion: Extralegal Law in Antebellum South Carolina,” Historical Society of the Supreme Court of South Carolina, Third Annual Conference, April 2001
- Earlier versions of this paper were presented at the American Society for Legal History Conference, October 2000 and the Legal Research Workshop, Washington and Lee Law School, April 2000
- “*Vox Populi*: Notes Towards a Legal History of Everyday Life,” Faculty Development Seminar, Levin College of Law, University of Florida, February 2001

- “Anne Hutchinson’s Trial before the General Court of Massachusetts Bay,” Law and Religion Seminar, Washington and Lee University, Department of Religion, April 2000
- “Book Censorship in High School Libraries,” lecture as part of the Banned Book Week Celebration, Clemson University, September 1999
- “Not Simply Black or White: Jury Power and the Rule of Law Late Nineteenth-Century Chicago,” Social Science History Conference, November 1998
- “The People versus Zephyr Davis: Law and the Public Sphere, Chicago, 1888,” American Society for Legal History Conference, October 1997
- Earlier versions of this paper were presented at the Law and Society Association, May 1997; and at the Social Science History Association, October 1996
- “Pornography, adult entertainment, zoning laws, and the First Amendment,” talk for the A.C.L.U., Piedmont (South Carolina) Branch, November 1996
- “Conflicts of Law: Reconsideration of the Influence of Religion on Law in Massachusetts Bay,” Law and Society Association, June 1995
- An earlier version of this paper was presented at the American Academy of Religion National Conference, November 1994
- “Snares of Conscience: The Trial of Anne Hutchinson, 1637,” Institute for the Advanced Study of Religion, Divinity School, University of Chicago, November 1994
- “A Trial is Not a Western: Trials and the Construction of Identity,” Social Science History Conference, October 1994
- An earlier version of this paper was presented at the Law and Society Association, June 1994
- “Conflicts of Law: A Reconsideration of Law in Massachusetts Bay,” American Academy of Religion Midwestern Conference, April 1994
- “‘disturbances, divisions and contentions. . . both in church and state’: Some Notes Towards the Relation of Law and Religion in Anne Hutchinson’s Trial,” series on Law, Religion, and the Construction of Identity at the Divinity School, University of Chicago, February 1994
- “‘Social Equality Does Not Exist Among Themselves, Nor Among Us’: Community and Civil Rights in Chicago, 1888,” Comparative Legal History Workshop, University of Chicago, February 1994

“A Map is No Community: Multiple Allegiances and Overlapping Identities in the First Decade of Settlement, Massachusetts Bay,”
New England Historical Association, October 1993

“Questions of Authority, Locations of Power: A Consideration of Contemporary Accounts of the Trial of Anne Hutchinson,” Social History Workshop,
University of Chicago, October 1993

SELECTED CONFERENCES:

Panelist, Roundtable discussion on Mark de Wolfe Howe, *Garden and the Wilderness*, to be held at the American Academy of Religion, Fall 2008

Chair, Panel on Crime and Punishment, American Society for Legal History, Fall 2006

Commentator, Panel on Religion and the Rule of Law, Law and Society Association, Summer 2006

Commentator, Panel on Religion and Law in Historical Perspective, Law and Society Association, Spring 2004

Commentator, Panel on Public Opinion and Law in Nineteenth Century America, American Society for Legal History, Fall 2003

Commentator, Panel on Finding Legal Meaning in the Past, Law, Culture and Humanities Association, Spring 2003

Commentator, Panel on Gender and Violence, Social Science History Conference, Fall 2000

Commentator, Panel on Statistical Analysis of Homicide Rates, Social Science History Conference, Fall 1999

REPRESENTATIVE CASES:

Doe v. Calumet City, 754 F. Supp. 1211 (N.D. Ill. 1990)

Class action civil rights case on behalf of women challenging the Calumet City police department's strip search policy

Evans v. City of Evanston, 881 F.2d 382 (7th Cir. 1989)

Class action employment discrimination case on behalf of women challenging the physical agility component of the hiring exam used by Evanston's police department

Kennedy v. Hardiman, 684 F.Supp. 540 (N.D. Ill. 1988)

Civil rights action brought on behalf of correctional officer challenging at-work strip search

Siddiqi v. Leak, 880 F.2d 904 (7th Cir. 1989)

Individual civil rights claim brought on behalf of inmate challenging the Cook County Department of Correction's failure to provide him with religious services

MEMBERSHIPS:

State Bar of Illinois (inactive status)

American Constitution Society

American Bar Association, Employment Law Section, Litigation Section

Law and Society Association