

DANIEL R. ERNST

Georgetown University Law Center
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EMPLOYMENT

1988- Georgetown University Law Center Washington, DC
1994- Professor of Law. Courses: American Legal
History, History of American Labor Law,
Property, Property in Time
1988-94 Associate Professor of Law.
1987 University of Wisconsin Law School Madison, WI
Lecturer. Course: History of American Labor Law.

EDUCATION

1983-89 Princeton University Princeton, NJ
Ph.D. in History. Advisor: Stanley N. Katz. Recipi-
ent, Association of Princeton Graduate Alumni Teaching
Award. Dissertation: "The Lawyers and the Labor Trust:
A History of the American Anti-Boycott Association,
1902-1919"
1986-88 University of Wisconsin Law School Madison, WI
LL.M. in Legal History. Advisor: Hendrik Hartog.
1980-83 University of Chicago Law School Chicago, IL
J.D. Recipient, Casper Platt prize for paper on the
appeal of death in early modern England.
1976-80 Dartmouth College Hanover, NH
A.B. magna cum laude in History. Phi Beta Kappa.
Recipient, Class of 1859 Prize for senior thesis.

MAJOR PUBLICATIONS

"Common Laborers? Industrial Pluralists, Legal Realists,
and the Law of Industrial Disputes, 1915-1943." Law and
History Review 11 (Spring 1993): 59-100.

"The Critical Tradition in the Writing of American Legal History." Yale Law Journal 102 (January 1993): 1019-76.

"The Danbury Hatters' Case." In Christopher L. Tomlins and Andrew J. King, eds., Labor Law in America: Historical and Critical Essays, pp. 180-200. Baltimore: Johns Hopkins University Press, 1992.

"Free Labor, the Consumer Interest, and the Law of Industrial Disputes, 1885-1900." American Journal of Legal History 36 (January 1992): 19-37.

"The Closed Shop, the Proprietary Capitalist and the Law, 1897-1915." In Sanford M. Jacoby, ed., Masters to Managers, 132-48. New York: Columbia University Press, 1991.

"The Labor Exemption, 1908-1914." Iowa Law Review 74 (July 1989): 1151-73. Symposium: The Sherman Act's First Century: A Historical Perspective.

"The Yellow-Dog Contract and Liberal Reform." Labor History 30 (Spring 1989): 251-74.

"Legal Positivism, Abolitionist Litigation, and the New Jersey Slave Case of 1845." Law and History Review 4 (Fall 1986): 335-63.

"The Moribund Appeal of Death: Compensating Survivors and Controlling Jurors in Early Modern England." American Journal of Legal History 28 (April 1984): 164-88.

BOOK IN PRESS

Lawyers against Labor: The American Anti-Boycott Association and the New Industrial Order, 1886-1920 (University of Illinois Press, 1995)

REVIEW ESSAYS, BOOK REVIEWS AND OTHER WORKS

"Half Life." Review of G. Edward White, Justice Oliver Wendell Holmes, Virginia Quarterly Review (Autumn 1994) (forthcoming).

"Dixon, Luther Swift." American National Biography (New York: Oxford University Press) (forthcoming).

"The New Antitrust History." New York Law School Law Review 35 (1990): 1-13. Symposium: Observing the Sherman Act Centennial: The Past and Future of Antitrust as Public Interest Law.

"Working-Class Heros and Others," Reviews in American

History 17 (December 1989): 586-92.

Review of Dickman, Industrial Democracy in America, Journal of American History 75 (June 1988): 287-88.

"The Woodtrim War: A Case Study in the History of Labor Activism, Antitrust Litigation, and Legal Culture, 1910-1917." Institute for Legal Studies, University of Wisconsin-Madison, Working Papers. LH 2-7 (March 1988).

"Church-State Issues and the Law: 1607-1870." In John F. Wilson, ed., Church and State in America: A Bibliographical Guide (Volume 1: "The Colonial and Early National Periods"). Westport, Conn.: Greenwood Press, 1986.

"Beyond Police History: A Systemic Perspective." Maryland Historian 16 (Fall/Winter 1985): 27-42.

PRESENTATIONS

"Planned Litigation and Interest-Group Formation in the Progressive Era: The Case of the American Anti-Boycott Association." Legal History Forum, Yale Law School, New Haven, February 1994.

"The Buck's Stove and Range Company Case." Fifteenth Annual North American Labor History Conference, Wayne State University, Detroit, October 1993.

"Labor Law and Labor History: The Social Context of Ideology in the Twentieth Century," Law and Society Association, Philadelphia, May 1992. Comment.

"The American Anti-Boycott Association." Committee on Lawyer Training, Crowell & Moring, Washington, D.C., June 1991.

"Labor and the State: The Exigency of Power." Annual Meeting, Organization of American Historians, Louisville, April 1991. Comment.

"The New Antitrust History," New York Law School, "Observing the Sherman Act Centennial: The Past and Future of Antitrust as Public Interest Law," New York City, November 1990.

"Common Laborers? Industrial Pluralists, Legal Realists, and the Law of Industrial Disputes, 1915-1943," Annual Meeting, American Society for Legal History, Chicago, October 1990.

"The Danbury Hatters' Case," University of Maryland Law School/Johns Hopkins University, "Labor Law in America: Historical and Critical Perspectives," Baltimore, March 1990.

"The Antitrust Challenge to Industrial Democracy," State Historical Society of Wisconsin, "Perspectives on Labor History: The Wisconsin School and Beyond," Madison, March 1990.

"The Danbury Hatters' Case," AALS Section on Anti-Trust and Economic Regulation, AALS Annual Meeting, San Francisco, January, 1990.

"The Woodtrim War," New York Historical Society, "Labor in New York," New York City, May 1988.

"His Master's Voice: The AABA and the Yellow Dog Contract," Law and Society Association, Washington, D.C., June 1987.

"The Yellow Dog Contract," Legal History Workshop, University of Chicago Law School, Chicago, April 1987.

PROFESSIONAL LICENSURE AND ASSOCIATIONS

Organization of American Historians. American Historical Association. American Studies Association. American Society for Legal History. Illinois State Bar Association.

PERSONAL

Born: July 16, 1958

Married: August 1983, North Caldwell, New Jersey, to Joy Marie Swanson

Children: Anna Rebecca Ernst, born January 2, 1988
Daniel Gordon Ernst, born December 11, 1990