

THOMAS DAVID EISELE

Professor of Law  
University of Cincinnati  
Cincinnati, OH 45221-0040  
(513) 556-0091 [work]

5105 Ivy Farm Road  
Cincinnati, OH 45243-3719  
(513) 271-3015 [home]  
<t.d.eisele@att.net> [e-mail]

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

Law Teaching Experience

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]

## Publications

### BOOK:

Bitter Knowledge: Learning Socratic Lessons of Disillusion and Renewal, 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. Cin. L. Rev. 493 (2002)

"From 'Moral Stupidity' to Professional Responsibility," 21 Legal Stud. F. 193 (1997)

"Taking Our Actual Constitution Seriously," 95 Mich. L. Rev. 1799 (1997) [review essay on Ronald Dworkin's Freedom's Law (1996)]

"The Poverty of Socratic Questioning: Asking and Answering in the Meno," 63 U. Cin. L. Rev. 221 (1994)

"Introduction: Conducting Our Educations in Public," 63 U. Cin. L. Rev. 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 Notre Dame L. Rev. 1287 (1992) [review essay on Thomas Shaffer & Nancy Shaffer, American Lawyers and Their Communities (1991)]

"'Our Real Need': Not Explanation, But Education," 3 Can. J. of L. & Juris. 5 (No. 2, July, 1990); **rep'd** in Wittgenstein & Legal Theory, ed. Patterson (Westview Press, 1992)

"'Never Mind the Manner of My Speech': The Dilemma of Socrates' Defense in the Apology," 14 Legal Stud. F. 253 (1990)

"Must Virtue Be Taught?" 33 Mod. Age 235 (1990)

"Wittgenstein's Instructive Narratives: Leaving the Lessons Latent," 40 J. Legal Educ. 77 (1990)

"Hegelian Vanity, Common Law Humility: On Legal Theory, Its Expression and Its Criticism," 10 Cardozo L. Rev. 915 (1989)

"Review Essay/Dworkin's 'Full Political Theory of Law'," 7 Crim. Just. Ethics 49 (No. 2, Summer/Fall, 1988); **rep'd** in 6 Sutherland & Statutory Interpretation

"Must Virtue Be Taught?" (revised) 37 J. Legal Educ. 495 (1987)

"The Activity of Being a Lawyer: The Imaginative Pursuit of Implications and Possibilities," 54 Tenn. L. Rev. 345 (1987); **rep'd** in Wittgenstein & Law, ed. Patterson (Ashgate, 2004); and **rep'd** in Law and Aesthetics, ed. Kevelson (Peter Lang, 1992)

"Introduction" [to "The Many Futures of Jurisprudence: A Symposium"], 54 Tenn. L. Rev. xix (1987)

"'The Eagle Has Landed': Symbol of Savagery, Symbol of Serenity," 18 Mich. Q. Rev. 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. Colo. L. Rev. 363 (1976)

#### BOOK REVIEWS:

Book Review [reviewing J. Vining, The Authoritative and the Authoritarian (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, When Words Lose Their Meaning (1984)], 30 Mod. Age 318 (1986)

"Unfulfilled Promise" [reviewing M. Ball, The Promise of American Law (1981)], 28 Mod. Age 273 (1984)

"`Eunomics'; or, Good Law" [reviewing K. Winston, ed., The Principles of Social Order (1981)], 26 Mod. Age 440 (1982)

"Expressions and Receptions" [reviewing S. Cavell, The Claim of Reason (1979)], 26 Mod. Age 199 (1982)

"Frankfurter vs. Psycho-Biography" [reviewing H. Hirsch, The Enigma of Felix Frankfurter (1981)], 26 Mod. Age 77 (1982)

"Circling Emerson" [reviewing J. Porte, Representative Man (1979)], 25 Mod. Age 88 (1981)

"A Soviet Citizen Dissents" [reviewing V. Bukovsky, To Build a Castle (1979)], 23 Mod. Age 430 (1979)

"The Corruption of the Constitution" [reviewing P. Kurland, Watergate and the Constitution (1978)], 23 Mod. Age 191 (1979)

"Jung's Comparative Psychology" [reviewing W. McGuire & R. Hull, eds., C. G. Jung Speaking (1977)], 22 Mod. Age 437 (1978)

Book Review [reviewing J. Noonan, Persons and Masks of the Law (1976)], 24 Vill. L. Rev. 184 (1978)

"A Sense of Walden's Achievement" [reviewing S. Cavell, The Senses of Walden (1972)], 8 The Concord Saunterer 8 (June, 1973)

#### DOCTORAL DISSERTATION:

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

#### Fellowships

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

#### Institutional Service at the University of Tennessee

Chair, Comm. on Teaching Improve. & Faculty Development, 1989-92  
Faculty Advisor, Tennessee Law Review, 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

#### Professional Employment

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