

WILLIAM DAVENPORT MERCER

Senior Lecturer

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Employment

- 2017- Senior Lecturer, *University of Tennessee, Knoxville*
Department of History and College of Law
Knoxville, Tennessee
- 2012-2017 Lecturer, *University of Tennessee, Knoxville*
Department of History and College of Law
Knoxville, Tennessee
- 2001-2011 Assistant General Counsel, *University of Florida, Student Legal Services*
Public Interest Law
Gainesville, Florida
- 1998-2001 Attorney, *Fuller, Holsonback, Bivins & Malloy*
Commercial Litigation
Tampa, Florida

Education

- 2011 Ph.D. *University of Florida, Gainesville, Florida*
Department of History
- 2007 M.A. *University of Florida, Gainesville, Florida*
Department of History
- 1997 J.D. *Stetson University, Gulfport, Florida*
College of Law
- 1994 B.A. *Mercer University, Macon, Georgia*
Department of History

Publications

Books

Diminishing the Bill of Rights: Barron v. Baltimore and the Foundations of American Liberty (Norman, Oklahoma: University of Oklahoma Press, 2017)

Articles

“The Last Days of the Marshall Court,” accepted for publication in the *Journal of Supreme Court History*

“The Ballad of Hicks Carmichael: Law, Music, and Popular Justice in Urban Appalachia,” *Law, Culture and the Humanities* (First electronically published June 1, 2018, print version forthcoming)

“At the Intersection of Sovereignty and Contract: Traffic Cameras and the Privatization of Law Enforcement Power,” 43 *University of Memphis Law Review* 379 (Winter 2012)

Courses Taught

Undergraduate History Courses

U.S. Constitutional History to 1877 (Fall 2018, Fall 2016, Fall 2015, Fall 2012, Fall 2013)

U.S. Constitutional History, 1877 – Present (upcoming Fall 2019, Spring 2017, Spring 2016, Spring 2013, Spring 2014)

Early American Republic (Fall 2018, Spring 2018, Fall 2016, Spring 2016, Fall 2015, Spring 2015, Spring 2013, Spring 2012)

United States History to 1877 (Spring 2016, Summer 2009, Summer 2010)

Colonial America to 1765 (Fall 2014, Fall 2012)

History of American Citizenship (Spring 2018, Spring 2017, Spring 2012, and Summer 2011)

The Trial in American History (Senior Writing Seminar) (Spring 2015)

Comparative Constitutional History (Fall 2017, Spring 2014)

Privacy, Birth Control, and the Constitution: A Public History Seminar on Griswold v. Connecticut (Spring 2015)

Creating the Constitution (Spring 2019)

Free Speech Fights: The First Amendment in American History (upcoming Fall 2019)

Law School Courses

American Legal History (Spring 2018, Spring 2017, Spring 2013, Spring 2019)

Reexamining the U.S. Constitution (Spring 2016, Spring 2014)

Prosecution/Defense Externships (upcoming Fall 2019, Fall 2018, Fall 2017, Fall 2016, Fall 2015, Spring 2015, Fall 2014, Fall 2013, Fall 2012, Spring 2012)

Introduction to Law (Part of the 3+3 accelerated BA/JD program, upcoming Fall 2019, Spring 2019, Fall 2018, Spring 2018, Fall 2017, Spring 2017, Fall 2016, Spring 2016)

Graduate History Courses

Readings in American Legal History: Methods and Interpretations (Fall 2013)

Honors College Courses

This Machine Kills Fascists: A Music in History Seminar (Fall 2017, Spring 2019)

Workshop Participation

- “Westward Expansion and the Constitution in the Early American Republic,” National Endowment for the Humanities Summer Institute for College and University Teachers, *University of Oklahoma*, June 15-27, 2014.
- “Assessing the U.S. Constitution: Twenty-First-Century Responses to Eighteenth Century Assumptions,” Interdisciplinary Summer Workshop for Junior Faculty, Sponsored by the Institute for Constitutional History and the Stanford Constitutional Law Center, *Stanford Law School*, July 8-14, 2012.

Conference Participation

- “Working Blue: Stand-Up Comedy, Free Speech, and Self-Censorship in American Law,” Association for the Study of Law, Culture and the Humanities, 2016 Annual Meeting, *Georgetown University College of Law*, March 16-17, 2018.
- “The Ballad of Hicks Carmichael,” Association for the Study of Law, Culture and the Humanities, 2016 Annual Meeting, *University of Connecticut School of Law*, Hartford, Connecticut, April 2, 2016, and Society of Appalachian Historians, 2016 Meeting, *East Tennessee History Center*, Knoxville, Tennessee, May 23, 2016.
- “Privatization of Law Enforcement, Traffic Cameras, and Challenges to Sovereignty,” *Law & Society Association*, 2013 Annual Meeting, Boston, Massachusetts, May 31, 2013.
- “Popular Sovereignty and Positivist Rights,” *Association for the Study of Law, Culture and the Humanities*, 2011 Annual Meeting, University of Nevada – Las Vegas, March 11, 2011.
- “Relocating Rights: *Barron v. Baltimore* and the Evolution of the Foundation of Rights,” *San Francisco State University Rights Conference*, San Francisco, California, September 18, 2009.
- “Locating Liberties: The Transformation of Rights in *Barron v. Baltimore*,” *The Law & Society Association*, 2009 Annual Meeting, Denver, Colorado, May 29, 2009.
- “Florida Criminal Law Update,” *National Legal Aid and Defender Association, SLS Section Regional Conference*, St. Augustine, Florida, November 2002.

Media Commentaries

- Guest, *New Books in History* podcast, released July 6, 2017.
- Panelist, *To the Point*, KCRW-FM, (PRI Affiliate), Santa Monica, California, broadcast June 28, 2017.
- Guest, *Your Weekly Constitutional*, WETS-FM (NPR Affiliate), Johnson City, Tennessee broadcast April 21 and 28, 2017 and simulcast nationally.
- WUFT Television Interview for nightly news program regarding the impact of proposed changes to the Florida Landlord/Tenant Code, Taped November 15, 2006.

Guest, WUFT Television Talk Show *Inside UF*, discussion of student rights and responsibilities,
Taped February 3, 2004.

Public and Guest Lectures

“The Ballad of Hicks Carmichael,” for the Blount County Bar Association, Maryville, Tennessee,
May 8, 2019.

“Western Expansion and the American Revolution,” for Teaching with Primary Sources program
for educators, hosted by Middle Tennessee State University and sponsored by the Library of
Congress, *East Tennessee Historical Society*, Knoxville, Tennessee, December 7, 2018

“The Nullification Crisis,” for AP U.S. History Class, *Fulton High School*, Knoxville, Tennessee,
November 2, 2018.

“Edward Terry Sanford and Extra-Legal Justice in Tennessee,” for continuing legal education
program entitled “Edward Terry Sanford: History, Ethics, Legacy,” *University of Tennessee
College of Law*, October 19, 2018.

“The Fourteenth Amendment,” for the Anti-Nazi Teach-In: Fascism’s Past and Present, *University of
Tennessee*, February 16, 2018.

Constitution Day Panelist, Howard Baker Center, *University of Tennessee*, September 18, 2017.

Dr. Paul H. Bergeron Constitution Day Lecture, *Blount Mansion Association*, Knoxville, Tennessee,
September 13, 2017.

“The U.S. Constitution: The Republic in ideal and practice,” for the U.S. State Department, Study
of the United States Institutes (SUSI) Program, *University of Tennessee*, January 17,
2013.

“Individual Rights and Police Encounters,” for the class, “Anthropology of Law,” *University of
Florida, Department of Anthropology*, February 17, 2010.

“Individual Rights and Police Encounters,” for the class “Academic Activism,” *University of
Florida, Department of Anthropology*, February 27, 2009.

Moderator, “Handling a Police Encounter,” *University of Florida*, February, 15, 2008.

“Civil/Criminal Liability Issues for Greek Organizations,” *University of Florida*, Delta Upsilon
Fraternity, February 3, 2010; Theta Chi Fraternity, November 16, 2009; Zeta Tau Alpha
Sorority, February 12, 2008; Delta Upsilon, September 18, 2003.

“Higher Education Law Update,” *University of Florida, Office of Sorority and Fraternity Affairs*,
House Directors Training, August 16, 2007.

“Police Encounters,” *U.F. La Casita*, September 8, 2006.

“U.S. and South African Constitutionalism,” for class “The African Experience,” *University of
Florida, Center for African Studies*, June 16, 2006.

“Police Encounters,” *University of Florida Progressive Black Men*, March 14, 2005.

Panelist, Amadou Diallo Tribute, *Institute of Black Culture, University of Florida*, November
2005.

“Florida Landlord/Tenant Law,” for the class: “Housing Transactions for Homebuilders,”
University of Florida, M.E. Rinker, Sr. School of Building Construction, October 22, 2003.

Grants and Awards

Lord Baltimore Fellowship, *Maryland Hist. Society*, Baltimore, Maryland, 2007-08.
High Pass, Ph.D. Qualifying Exams, *University of Florida*, 2007.

Departmental Service

Undergraduate Advisor, *University of Tennessee*, Department of History, 2012 to 2015.
Faculty Member, Legal Services Advocacy Training Program, American Bar Association
Section of Litigation, *University of Tennessee College of Law*, May 14, 2012 – May 16,
2012.

University Service

Judge, Three Minute Thesis, Regional Semi-Final, *University of Tennessee Graduate School*, February 25,
2018.
Judge, Appellate Advocacy program, *University of Florida Levin College of Law*: April 2011;
April 2009; August 2006; April 2004; November 2003; April 2003; and November 2002.
Mentor, J. Wayne Reitz Scholar program, *University of Florida*, 2005-2006; 2006-2007.
Advisor, Phi Alpha Delta Pre-Law Fraternity, *University of Florida*, 2003-2005.
Judge, Multi-Cultural Greek Awards, *University of Florida*, November 2005.
Judge, Phi Alpha Delta mock trial, *University of Florida*, March 2004.

Community Service

Member, City of Gainesville Student/Community Relations Advisory Board, 2010-2011.
Florida Bar Justice Teaching Volunteer, 2007.
Hillsborough County Bar Association Law Week Courthouse Volunteer, 1999-2001.
Tampa Connection Leadership and Service Program, 1999.

Professional Activities

Editorial Board Member, *University of Tennessee Press*, September 2013-2019.
Article Reviewer, *Law and History Review*.

Professional Licenses and Memberships

Active (fully licensed) member of the Florida Bar Association in good standing (Admitted October
1997).
American Historical Association.