

## Harry G. Hutchison

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### LEGAL EXPERIENCE

**Director of Policy and Senior Counsel** **2016-Present**

Wrote Policy Memorandums, Blog Post, Research Papers on a variety of topics including religious liberty, Administrative Law, and National Security. Reviewed Amicus Briefs and Freedom of Information Request. *Fellow*, Centre for the Study of Law & Public Policy at Oxford.

**Member**

**Michigan Civil Rights Commission** 1991-1993

Decided employment discrimination cases and helped set policy for the commission.

**Arbitrator** 1990-1998

Served as an Act 312 Labor Law Case Arbitrator. Chaired National Association of Securities Dealers arbitration panels. Member, AAA Securities Arbitration Panels.

**Attorney and Counselor** 1987-1989

Lathrup Village, MI

Primary focus was union-management labor relations and tax law research.

### ACADEMIC EXPERIENCE

**Regent University School of Law** **2016-Present**

**Distinguished Professor of Law**

**George Mason University School of Law** **2005-2016**

**Professor** 2006-2016

Taught Employment Law, Business Associations, Corporate Acquisitions, Labor Law, and Constitutional Law. Chaired Curriculum Committee. Served as Corporate Track Coordinator.

**Visiting Professor** 2005-2006

Taught Labor Law, Constitutional Law Seminar and Agency & Partnership Law.

**Harris Manchester College, University of Oxford** **2014-2015**

Visiting Fellow (Summer)

Member of the Summer Research Institute. Engaged in research regarding the intersection of freedom of religion and corporate law as well as the connection between Fabian Socialism and contemporary African American progress.

**Belmont University, College of Law** **2011-2013**

**Professor**

Taught Business Associations, Torts, and Criminal Law. Served as chair of the Curriculum Committee. Awarded Teacher of Year Award for fall 2011 and fall 2012.

**Wayne State University Law School** **2000-2006**

**Professor** 2002-2006

Taught Corporations, Mergers & Acquisitions, Agency & Partnership, Law & Economics. Served as a member of the Graduate Studies committee, International Programs committee, and Budget committee.

**Professor and Director Graduate Studies** 2003-2004

Served as faculty director of the Graduate Studies (LLM) program. Advised students and supervised admissions. Taught Corporations, Agency & Partnership, Mergers and Acquisitions, and Law & Economics.

<b>Visiting Professor</b> Taught Labor Law, Law & Economics and Corporations.	2001-2002
<b>Fractional Time, Professor</b> Taught Comparative Law	Fall Term 2000
<b><u>University of Detroit Mercy Law School</u></b> <b>Professor</b> Taught Employee Rights, Private Sector Labor Law, Business Organizations, NAFTA law, Law & Economics, Securities Regulations. <i>Winner of Barnes Award for Faculty Scholarship</i> , Spring 2001. Member of admission's committee and member of international programs committee.	<b><u>1989-2001</u></b> 1997-2001
<b>Faculty Director London Law Programme and Professor of Law</b> Taught Transnational Labor Law and Policy, Business Organizations and Private Sector Labor Law and directed academic program at the Kensington Square Campus, London. England.	1998-2000
<b>Associate Professor of Law</b> Taught Torts, Business Organizations, Law & Economics, Employee Rights and Securities. Chaired Faculty Recruitment Committee from Fall 1993-Summer 1995. Member, University Steering Committee on Mission Effectiveness and Dean Search Committee (1995-1996).	1993-1997
<b>Assistant Professor of Law</b>  Taught International Business Transactions, Torts, Criminal Law, and Law & Economics. Chaired Faculty Recruitment Committee, Fall 1992 - Spring 1993 and directed Summer Minority Institute. <i>Winner, Barnes Faculty Scholarship Award</i> 1993.	1989-1993
<b><u>University of San Diego Law School</u></b> <b>Visiting Professor of Law</b> Taught Law and Economics.	<b><u>Summer 1992</u></b>
<b><u>Lawrence Technological University</u></b> <b>Assistant Professor of Economics &amp; Law</b> Taught Introductory Micro and Macro Economics, Money and Banking, and Business Law.	<b><u>1981-1989</u></b>
<b>BUSINESS EXPERIENCE</b>	
<b><u>Member Board of Directors</u></b> First of America Bank - Security, Southgate, Michigan.	1991-1994
<b><u>Financial Analyst</u></b> Ford Motor Company, Tractor Operations, Troy, Michigan. Prepared competitive analysis for business plan.	1977-1980
<b><u>Business Analyst</u></b> Detroit Edison Company, Detroit, Michigan. Developed a computer model for the cost of service study for rare cases.	1971-1974
<b>EDUCATION</b>	
<b><u>Diploma</u></b> <i>University of Oxford, Wycliffe Hall</i> Read Theology, Ethics, and Postmodernism.	1998-2000
<b><u>PGCE.</u></b> <i>University of Bristol, Faculty of Law (Postgraduate)</i>	1998-1999

Investigated United Kingdom and European Community Labor and Employment law.  
Examined the political, social and legal context of the employee-employer relationship.

**J.D.** 1981-1986  
*Wayne State University Law School* GPA 3.3  
Completed classes in employment rights, corporations, antitrust, advanced sales, tax, and labor law. Received American Jurisprudence award for torts and was graduated Cum Laude. Completed postgraduate work in Labor arbitration.

**MBA** 1975-1977  
*University of Michigan* GPA 6.6  
Completed classes in finance, human resources, international trade and entrepreneurship

**M.A. Economics** 1969-1975  
*Wayne State University College of Liberal Arts* GPA 3.4

**B.A. Economics** 1965-1969  
*Wayne State University College of Liberal Arts* GPA 3.45  
Was graduated Phi Beta Kappa.

#### **PUBLICATIONS**

##### **Book Chapters, Journal Articles, Review Essays and Public Policy Studies**

- Chasing Shadows: The Economic Thrust and Impact of BDS (Book Chapter, Forthcoming, 2017).
- Foreword: Viewing Turkey Through an Authoritarian Mist? in *BURNING BRIDGES: TURKEY'S RETURN TO ISLAMIC AUTHORITARIANISM*, (Forthcoming, 2017).
- Hobby Lobby, Corporate Law, and Unsustainable Liberalism: A Reply to Judge Strine *Harvard Journal of Law & Public Policy* (Forthcoming 2016).
- Introduction, *Journal of the Oxford Centre for the Study of Law & Public Policy*, Vol (2015) (with Andy Ekonomou & Robert Ash).
- Religious Liberty For Employers As Corporations, Natural Persons, or Mythical Beings? A Reply to Gans, Vol. 120, *Penn State Law Review* (Forthcoming, 2015).
- Monopsony Power, Collective Bargaining and College Football, Vol. 5, *Mississippi Sports Law Review* (Forthcoming, 2015)
- Metaphysical Univocity and the Immanent Frame: Defending Religious Liberty in a Secular Age? Vol. 45 *Southwestern Law Review* (Forthcoming, 2015).
- Globalization and the Pursuit of Decent Work: Can the ILO Deliver? *Oxford Centre for the Study of Law and Policy* (Forthcoming 2014).
- Foreword, in *THE RISE OF ISIS: A THREAT WE CAN'T IGNORE* by Jay Sekulow (2014).
- Affirmative Action: Between the *Oikos* and the *Cosmos*, Vol. 66 *South Carolina Law Review* (forthcoming 2014).
- *Ampersand, Tornillo, and Citizens United*: The First Amendment, Corporate Speech, and the NLRB, Vol. 8 *New York University Journal of Law & Liberty* 630 (2014).
- *Lochner*, Liberty of Contract, and Paternalism: Revising the Revisionists? Vol. 47 *Indiana Law Review* (2014).
- Achieving our Future in the Age of Obama: *Lochner*, Progressive Constitutionalism, and African American Progress, Vol. 16 *Iowa Journal of Race, Gender and Justice*, University of Iowa 483 (2013).
- Protecting, Liberty? State Secret Ballot Initiatives in the Shadow of Preemption and Federalism, Vol. 6 *New York University Journal of Law & Liberty* 409 (2012).
- Waging War on “Unemployables”? Race, Low-Wage Work, and Minimum Wages: The New Evidence, Vol. 29 *Hofstra Labor & Employment Law Journal* 25 (2011).
- Book Review: *City of Man: Religion and Politics in a New Era*, Vol 52, *Journal of Church and State*, 128 (2011).
- Employee “Free” Choice in the Mirror of Liberty, Fairness and Social Welfare, Vol. 60 *Catholic University Law Review* 575 (2011).

- Waging War on the “Unfit”? From *Plessy v Ferguson* to New Deal Labor Law, Vol. 7 *Stanford Journal of Civil Rights and Civil Liberties* 1 (2011).
- Choice, Progressive Values, and Corporate Law: A Reply to Greenfield, Vol. 35 *Delaware Journal of Corporate Law* 437 (2010).
- Employee Free Choice or Employee Forged Choice? Race in the Mirror of Exclusionary Hierarchy, Vol. 15 *Michigan Journal of Race & Law* 369 (2010).
- Book Review: American Babylon: Notes of a Christian Exile, Vol. 51 *Journal of Church and State* (2010).
- Racial Exclusion in the Mirror of New Deal Responses to the Great Crash, (**Symposium Issue**) Vol. 15 *Nexus: Chapman’s Journal of Law & Public Policy* 5 (2010).
- Putting the World Back Together? Recovering Faithful Citizenship in a Postmodern Age, Vol. 29 *Mississippi College Law Review* 149 (2010).
- The High Cost of Shareholder Participation (with R. Sean Alley) Vol. 11 *University of Pennsylvania, Journal of Business and Employment Law* 941(2009).
- Liberty, Liberalism, and Neutrality: Labor Preemption and First Amendment Values Vol. 39 *Seton Hall Law Review* 770 (2009).
- Work, the Social Question, Progress and the Common Good? Vol. 48 *Journal of Catholic Legal Studies* 59 (2009).
- Moving Forward? Diversity as a Paradox? A Critical Race View, Vol. 57 *Catholic University Law Review* (**Symposium Issue**) 1059 (2008).
- The Market for Union Representation: An Information Deficit or Rational Behavior?, Vol. 94 *Virginia Law Review* (*In Brief*), (Spring, 2008).
- Reclaiming The First Amendment Through Union Dues Restrictions?, Vol. 10 *University of Pennsylvania, Journal of Business and Employment Law* 663 (2008).
- What Workers Want or What Labor Experts Want Them to Want? Vol. 26 *Quinnipiac Law Review* 799 (2008).
- Witters v. Washington, Entry in *Encyclopedia of the Supreme Court of the United States*, (2008).
- Against Shareholder Participation: A Treatment for McConvill’s Psychonomicosis (with R. Sean Alley), Vol. 2 *Brooklyn Journal of Corporate, Financial & Comm’l Law* 41(Fall, 2007).
- Book Review: Rediscovering the Natural Law in Reformed Theological Ethics, Vol. 49 *Journal of Church and State* (Fall, 2007).
- Shaming Kindergartners? Channeling Dred Scott? Freedom of Religious Expression in Public Schools, Vol. 56 *Catholic University Law Review* 361 (Spring 2007).
- Review Essay: Compulsory Unionism as a Fraternal Conceit?, Vol. 7 *University of California at Davis, Business Law Journal* 125 (Fall 2006).
- A Clearing in the Forest: Infusing The Labor Union Dues Dispute with First Amendment Values, Vol. 14 *William & Mary, Bill of Rights Journal* 1309 (2006).
- Director Primacy, Corporate Governance: Shareholder Voting Rights Captured by the Accountability/Authority Paradigm, Vol. 36 *Loyola Chicago Law Journal* 1111(2005).
- Diversity, Tolerance, and Human Rights: The Future of Labor Unions and the Union Dues Dispute, Vol. 49 *Wayne Law Review* (**Symposium Issue**) 705 (2004).
- Liberal Hegemony? School Vouchers and the Future of the Race, Vol. 68 *Missouri Law Review* 559 (2003).
- Toward A Robust Conception of Independent Judgment: Back to the Future? Vol. 36 *University of San Francisco Law Review* 333 (Winter 2002).
- Presumptive Business Judgment, Substantive Good Faith, Litigation Control: The Socioeconomic Meaning of *Harhen v. Brown*, Vol. 26 *Journal of Corporation Law, University of Iowa* 286 (Winter, 2001).
- The Collision of Employment At-Will, Section 1981 and Gonzalez: Discharge, Consent and Contract Sufficiency, Vol. 3 *University of Pennsylvania Journal of Labor and Employment Law* 55 (Winter 2001).

- Review Essay: The Semiotics of Labor Law, Trade Unions and Work in East Asia: International “Labor Standards” in the Mirror of Culture? Vol. 14 *Emory International Law Review* 1451(Fall 2000).
- Reclaiming the Labor Movement Through Union Dues? A Postmodern Perspective in the Mirror of Public Choice Theory. Vol. 33 *University of Michigan Journal of Law Reform* 447 (Summer 2000).
- Evolution, Consistency and Community: The Political, Social and Economic Assumptions that Govern the Incorporation of Terms in British Employment Contracts, Vol. 25 *North Carolina Journal of International Law & Commercial Regulation* 335 (Winter 2000).
- Subordinate or Independent, Status or Contract, Clarity or Circularity: British Employment Law, American Implications, Vol. 28 *Georgia Journal of International & Comparative Law* 55 (Fall 1999).
- Review Essay: From Bujumbura to Mogadishu: Ethnic Solidarity, African Reality, American Implications, Out of America: A Black Man Confronts Africa, Vol. 31 *George Washington Journal of international Law and Economics* 141(Fall 1997).
- Toward a Critical Race Reformist Conception of Minimum Wage Regimes: Exploding the Power of Myth, Fantasy and Hierarchy, Vol. 34 *Harvard Journal on Legislation* 93 (Winter 1997).
- Review Essay: Toward A Transnational Conception of the Antiphonal Group Rights Wrangle, Vol. 7 *Indiana International & Comparative Law Journal* 245 (Spring 1997).
- Inequality, Incoherence and Diaphanous Intent: A Reply to Judge Pollack, Sullivan Lecture Series Presentation, Vol. 25 *Capital U. L. R. (Symposium Issue)* 317 (Fall 1996).
- Through the Pruneyard Coherently: The Collision of Private Property Rights and Non-Employee Union Access Claims, Vol. 78 *Marquette Law Review* 1 (Fall 1994).
- Distributional Consequences, Policy Implications of Voluntary Restraints on Textiles and Apparel, Steel and Automobiles, Vol. 38 *Wayne Law Review* 1757 (Summer 1992).
- *Educational Choice for Michigan*, with Larry Reed, September, Mackinac Center, Midland, Michigan (1991).
- *The Archer Administration: A Commentary At Year One*, with Robert Kleiman, Mackinac Center, Midland, Michigan (January 1995).

### **Michigan Civil Rights Commission Opinions**

Jo E. Weth vs. Pretzel Bell, No. 112843-E7RF (1992).

### **Commentary**

- *Affirmative Action for Kindergarteners*, THE DETROIT NEWS, September 26, 2013 *available at*:  
<http://www.detroitnews.com/article/20130926/OPINION01/309260006/Affirmative-action-kindergartners>
- *Bad for Employers and Bad for Employees*, New York Times, Room for Debate, NYTIMES.COM, July 27, 2011, *available at* <http://www.nytimes.com/roomfordebate/2011/07/26/the-hiring-bias-against-the-unemploy...>
- *Unions Must not take Precedence*, DETROIT FREE PRESS, Online edition, April 25, 2011, *available at*:  
<http://www.freep.com/article/20110425/OPINION05/104250315/Online-commentary-Unions-must-not-take-precedence>
- “*International Labor Standards in the Mirror of Culture?*” Spring 2001, The Docket (UDM, Law School Publication).
- “*Privatization: Archer Must Commit to It*,” January 18, 1995, p. A9, The Detroit Free Press.
- “*A Competitive Strategy to Revive Detroit*,” December 27, 1992, p.3B, The Detroit News.
- “*Empowerment Essential for Civil Rights*,” May 10, 1992, p.3B, The Detroit News.
- “*Private Schools Shine as ‘Oases of Excellence’*,” with Larry Reed, September 8, 1991, p.3B, The Detroit News.
- “*Better Schools: Let Competition Heat Up*,” Review of Politics, Markets and America’s Schools, by John Chubb and Terry Moe, August 22, 1990, The Detroit News.

### **Teaching & Scholarly Awards & Citations**

- Fall 2012 Best Teacher Award, Belmont University College of Law
- Fall 2011 Best Teacher Award, Belmont University College of Law
- 2007 (October) My Article: What Workers Want or What Labor Experts Want Them to Want? Vol. 26 *Quinnipiac Law Review* 799 (2008), made the Top Ten List of Labor Law Articles Downloaded from the SSRN.
- 2007 (June) My article: Shaming Kindergartners, Channeling Dred Scott? Freedom of Expression Rights in Public School, Vol. 56 *Catholic University Law Review* (2007), made the Top Ten List of U.S. Constitutional: Rights and Liberties Articles downloaded from the SSRN.
- 2006 (June) My article: A Clearing in the Forest: Infusing The Labor Union Dues Dispute with First Amendment Values, Vol. 14 *William & Mary, Bill of Rights Journal* 1309 (2006), made the Top Five List of Labor Law Articles Downloaded from the Social Science Network, in the field of Labor Law.
- 2001 Barnes Award for Faculty Scholarship, University of Detroit Mercy, School of Law
- 2001 My article: Reclaiming the Labor Movement Through Union Dues? A Postmodern Perspective in the Minor of Public Choice Theory. Vol. 33 *University of Michigan Journal of Law Reform* 447(2000), made the Top Ten List of Labor Law Articles Downloaded from the SSRN.
- 1993 Barnes Award for Faculty Scholarship. University of Detroit Mercy, School of Law

### **PROFESSIONAL PRESENTATIONS**

Speaker and Panel Participant, The Consequences of the Welfare State, Philadelphia Society, Grand Rapids, Michigan (October 11, 2014).

Guest Lecturer, *Burwell v. Hobby Lobby: Corporate Law in the Mirror of RFRA*, Federalist Society, Belmont University, College of Law, (September 22, 2014).

Participant, University of Pennsylvania Journal of Constitutional Law Symposium: FDR and Obama: Are There Constitutional Law Lessons from the New Deal for the Obama Administration? (January 20, 2012).

Moderated the “Religion and Public Schools” panel at the Civil Rights Symposium on Education sponsored by the George Mason University Civil Rights Journal, October 21, 2009.

Participant, Catholic University School of Law, Symposium: Reflecting On Justice Sandra Day O’Connor’s Jurisprudence Relating to Race and Education, Spring 2008.

Commentator and Co-organizer, “The Future of Organized Labor Symposium,” Wayne State University Law School, April 2003.

Speaker at Geneva College, Beaver Falls, Pennsylvania, “The End of Entitlements.” Fall 1998.

Speaker at Albion College, Albion, Michigan, “A Perspective on Affirmative Action,” Fall 1997.

Sullivan commentator, Sullivan Lecture Series, “Paved With Good Intentions: The United States Supreme Court’s 1993-1994 Term,” Capital University. School of Law, November 20, 1995. Columbus, Ohio.

Speaker at Acton Conference on Religion and Liberty, “New Directions in Civil Rights and Education,” June 1994, Seattle, Washington. Other participant included Douglas Bandow and Father Robert Sirico.

Speaker, “Debating School Vouchers,” Wayne State University School of Law, Fall 1992, Detroit, Michigan.

Speaker at Christian Legal Society meeting, “The End of Entitlements,” January 1993, New York, New York.

Speaker at Legislative Breakfast sponsored by the Mackinac Center in Lansing, Michigan on “New Directions in Civil Rights.” Spring 1992.

Moderated debate sponsored by Federalist Society between Professor Joseph Grano, Distinguished Professor of Law, Wayne State University Law School and Professor Patrick Keenan on “Are There Unenumerated Rights,” Fall 1989.

## **REFERENCES**

- David L. Gregory, Dorothy Day Professor of Law, St. John's University School of Law. Phone: 718-990-6019. Address: 8000 Utopia Parkway Queens, NY 11439. E-Mail: [gregoryd@stjohns.edu](mailto:gregoryd@stjohns.edu).
- Jay Sekulow, Chief Counsel, American Center for Law & Justice, P.O. Box 90555 Washington, DC 20090-0555. Email: [sekulow.jay@gmail.com](mailto:sekulow.jay@gmail.com). (Phone number upon request).
- John Dolan, Distinguished Professor of Law, Wayne State University Law School. Phone: (313) 577-4856. Address: 471 Palmer, Detroit, Michigan 48202. E-Mail: [j.dolan@wayne.edu](mailto:j.dolan@wayne.edu).
- Peter J. Henning Professor, Wayne State University Law School. Phone: (313) 577-3906 Address: 471 Palmer, Detroit, Michigan 48202. E-Mail: [peter.henning@wayne.edu](mailto:peter.henning@wayne.edu)
- Roy Brooks, Warren Distinguished Professor of Law, University of San Diego, Law School. Phone: (619)-260-4741. Address: 5998 Alcalá Park, San Diego, CA 92110. E-mail: [rbrooks@sandiego.edu](mailto:rbrooks@sandiego.edu).
- Robert Sedler, Distinguished Professor of Law and Gibbs Chair in Civil Rights and Civil Liberties, Wayne State University, Law School. Phone: (313) 577-3966. Address: 471 Palmer, Detroit, Michigan 48202. E-Mail: [rsedler@wayne.edu](mailto:rsedler@wayne.edu).

Harry G. Hutchison is a Professor of Law with research interests in corporate governance, labor and employment law, and the application of law & economics and postmodernism to a variety of topics. Harry G. Hutchison is a Professor of Law with research interests in corporate governance, labor and employment law, and the application of law & economics and postmodernism to a variety of topics. Semantic Scholar profile for Harry G. Hutchison, with fewer than 50 highly influential citations.Â A number of observers contend that the new literature on happiness, the product of the work of psychologists and economists, poses a significant challenge to traditional economics. Harry G. Hutchison is Senior Counsel and Director of Policy for the ACLJ. He has served as a Professor of Law at the Antonin Scalia Law School, George Mason University. He was a Visiting Fellow at Harris Manchester Collegeâ€™s Summer Research Institute in June and July 2014. He was also a Founding Fellow of the M.G. Robertson Global Centre for Law & Public Policy.