As Drew Hansen ’99 researched the world in which Martin Luther King, Jr., delivered his “I Have a Dream” speech on August 28, 1963, he was surprised at the “brutal” segregation that still existed. Hansen elaborates, “Ten years after Brown, eighty years after the Supreme Court’s decision in Stroude[r] on racial discrimination on juries, a hundred years after the Fifteenth Amendment, fifteen years after Enomera[r], the north and the south are totally segregated. And segregation is showing no signs of breaking until the civil rights movement comes on the scene.”

However, Hansen notes that by the time he was born, nine years after the speech, most of the great victories of the movement had been won—including the Voting Rights Act and the Civil Rights Act. He started thinking about the speech in law school, when he noticed that most people in his generation knew more about “I Have a Dream” than any other moment in civil rights history. Hansen says, “I started to wonder why that was so. The more I looked at that speech, the more I realized what an extraordinary accomplishment it was.”

The Dream opens with a discussion of the civil rights movement and King’s career leading up to the summer of 1963 and the March on Washington. Hansen goes on to analyze the rhetoric, origins, context, and biblical imagery of the speech. In his research, Hansen traveled to the King archives in Atlanta and Boston and to other libraries around the country. He also conducted interviews with about forty people who knew King or were active in the civil rights movement. As Hansen returned to King’s words over and over, and considered them as literature, sermon, history, political speech, he says, “the project only deepened my appreciation of and awe at the speech.”

Hansen’s book started at the Law School as a paper about the language of civil rights in a class taught by Bruce Ackerman. That work provided one of the fundamental observations in the book: that King’s speech contributed something new and special to the discussion of civil rights—an optimistic dream of racial harmony. “In 1963,” Hansen points out, “no one beside Martin Luther King was appearing on national television and painting an oratorical picture of what America could be.”

Hansen continued to write about King while he was at law school, working with professors Owen Fiss, Burke Marshall ’51, and Drew Days ’66—all of whom helped him by reading drafts and providing insights. “I couldn’t have done this book without the extraordinary amount of help and support I got in law school,” says Hansen. “The Dream: Martin Luther King, Jr., and the Speech that Inspired the Nation
Ecco, 2003

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The Dream opens with a discussion of the civil rights movement and King’s career leading up to the summer of 1963 and quickly moves over the planning of the March on Washington for Jobs and Freedom and the early events of that day. By the time King steps to the dais for his famous speech, the reader may be as anxious to hear him as the people who waited in the front of the Lincoln Memorial.

Hansen dissects the speech but also displays it in its full power. He compares the different drafts that King worked on, including a prepared speech that was distributed to the media on the day of the march, with the words King actually spoke. It turns out that King abandoned his written text for the second half of the speech, including the dream section by which the speech is remembered today.

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Bittker's Black Reparations Still Timely Thirty Years Later

By Boris I. Bittker

In 1969, civil rights activist James Forman interrupted a Sunday morning service at New York City’s Riverside Church to present his “Black Manifesto to White Christian Churches and the Jewish Synagogues in the United States of America and All Other Racist Institutions,” demanding $500 million in reparations “due us as people who have been exploited and degraded, brutalized, killed and persecuted.” The move was greeted with little sympathy in the white community, yet most detractors expended their efforts on decrying Forman’s tactics, not analyzing his proposal. Inspired by the “Black Manifesto,” Yale Law School professor Boris Bittker ’41 subjected Forman’s demand to a legal analysis. The result was the publication, in 1973, of Bittker’s classic work, The Case for Black Reparations.

“Although circumstances have changed over the past thirty years, the vexing questions about whether and how to remedy old wrongs are still with us.”

In this book, Bittker focused on the effects that forced school segregation had on the lives and earning power of African Americans, and called for a class action suit to focus attention on the “identifiable damages to identifiable individuals of a practice that was ruled unconstitutional by the Supreme Court in Brown v. Board of Education, decided in 1954.”

This year, Beacon Press reissued the landmark work. Many developments have taken place in the thirty years since Bittker’s book was originally published. In a forward to the new edition, Drew S. Days, III ’66, Alfred M. Rankin Professor of Law, notes the filings of reparations lawsuits against major corporations seeking compensation for the profits reaped from slave labor and slave trading, the federal government’s apology and compensation to the U.S. citizens of Japanese descent and resident aliens interred during World War II, and reparations to Holocaust victims by European governments.

“The reissuance of The Case for Black Reparations could not be more timely,” says Days. “Although circumstances have changed over the past thirty years, the vexing questions about whether and how to remedy old wrongs are still with us.”

Phil C. Kissam

The Discipline of Law Schools: The Making of Modern Lawyers

Carolina Academic Press, 2003

Kissam ’88 looks at the basic practices, ideas, and habits in American law schools in an attempt to disclose the implicit or tacit knowledge about law and lawyers that is produced in unintended ways by the current system, and argues for changes that could promote more effective, more democratic, and more humane legal education.

Arthur L. Liman

Lawyer: A Life of Counsel and Controversy


In this memoir, written in the months before his death, Liman ’57 discusses his life in the law from the moment Roy Cohn’s performance at the McCarthy hearings inspired him to become a lawyer, to his influential investigation of the Attica prison uprising, through his role as chief counsel to the Iran-Contra hearings, with looks at many fascinating cases, clients, and controversies along the way.

Barbara T. Lindemann and David D. Kadue

Age Discrimination in Employment Law

BNA Books, 2003

Age discrimination is emerging as one of the fastest growing areas of employment discrimination litigation. Lindemann ’96 and Kadue give a detailed examination of every issue practitioners confront in this area—from filing a complaint through trial.

Deborah L. Rhode, Editor

The Difference “Difference” Makes: Women and Leadership

Stanford University Press, 2003

Why are women so dramatically underrepresented in formal leadership positions—and what can be done to improve the situation? ‘Rhode ’77 takes up this question in the contexts of law, politics, and business with the help of several contributors, including Chassee Lille ‘82 LLM, Eleanor Holmes Norton ’64, and Arthur Liman Professor of Law Judith Resnik.

Robert E. Rubin

In an Uncertain World: Tough Choices from Wall Street to Washington

Random House, 2003

From his early years in the arbitrage department at Goldman Sachs to his Treasury Secretary post to his current position as chairman of the executive committee of Citigroup, Rubin ’64 has been a major figure at the center of the American financial system. In this memoir, he offers a shrewd analysis of some of the most important events in recent American history and his views on dealing with the new risks of the global economy.

Jovito R. Salonga

The Intangibles That Make a Nation Great


This collection of speeches, lectures, and writings by former Philippine senator Salonga ’49 includes his views on government, law and politics, martial law, presidential plunder, and imprisonment.
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The Case for Black Reparations
Beacon Press, 2003

In 1954, a new volume added a bold hypothesis to the history of the cold war: the so-called “birds of passage” argument, which proposed that nuclear war was inevitable. This book, based on the work of the leading postwar historians of the cold war, offers a new understanding of the origins of this hypothesis, and its implications for the future of the cold war.

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Alan Hyde
Working in Silicon Valley: Economic and Legal Analysis of a High-Velocity Labor Market
M.E. Sharpe, 2003

During its boom phase, the Silicon Valley was a center of attention for many reasons, but especially for its labor-market arrangements. Hyde ’75 explores these employment practices and their implications for other industries where mobility is high and the employment relationship is loose.

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Mary L. Dudziak, Editor
September 11 in History: A Watershed Moment?
Duke University Press, 2003

Dudziak ’84 edited this collection of essays, which scrutinizes claims about September 11 in terms of both their historical validity and their consequences. Contributions range from an analysis of terms like “ground zero” and “homeland,” to an argument that the U.S. naval base at Guantánamo Bay has become a site for acting out a repressed imperial history. YLS Visiting Professor Khaled Abou El Fadl is a contributor.

David Cole
Enemies Aliens: Double Standards and Constitutional Freedoms in the War on Terrorism
The New Press, 2003

Cole ’84 argues that, in balancing liberty and security in the war on terrorism, we have consistently relied on a double standard, imposing measures on foreigners that we would not tolerate if they were applied more broadly, and that we may be paying the way for similar measures against American citizens.
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Austin Sarat and Jonathan Simon, Editors

Cultural Analysis, Cultural Studies, and the Law: Moving Beyond Legal Realism
Truman University Press, 2003
Sarat ‘88 and Simon demonstrate that scholars of law have begun to mine the humanities for new theoretical tools and kinds of knowledge. Drawing on legal scholarship, literary criticism, psychoanalytic theory, and anthropology, the essays collected exemplify the contributions cultural analysis and cultural studies make to interdisciplinary legal study.

Ian Shapiro
The State of Democratic Theory
Princeton University Press, 2003
Shaprio ‘88 offers a critical assessment of contempo-
ay answers to questions such as: what should we expect from democracy? And, how likely is it that democracies will live up to those expectations? In this wide-
ranging discussion, the author lays out his distinctive alternative, and explores its implications for policy and political action.

Bruce Shnitz, Editor
The Man I Might Become: Gay Men Write about Their Fathers
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Eric W. Sievers
The Post-Soviet Decline of Central Asia: Sustainable Development and Comprehensive Capital
RoutledgeCurzon, 2003
Sievers’ 00 takes on the task of explaining the remarkable economic declines of the post-Soviet Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) in the past decade, and the turn of these states toward despotism, challenging readers to realize the implications of globalization and the challenges of sustainable development.

Daniel I. Solove and Marc Rotenberg
Information Privacy Law
Aspen Publishers, 2003
Solove ‘97 and Rotenberg survey the field of information privacy law, covering pri-
vacy issues involving the media, health and genetic privacy, law enforcement, freedom of association, anonymity, identi-
fication, computers, records, cyberspace, home, school, workplace, and international privacy.

James Gustave Speeth, Editor
Worlds Apart: Globalization and the Environment
Island Press, 2003
Speeth ‘69, dean of the Yale School of Forestry and Envi-
ronmental Studies, examines the social and environmental dimensions of globalization and the evolution of global environmental governance. The book addresses the econ-
omy’s globalization and the need to make the transition to sustainability. An essay by Daniel Esty ’86, Clinical Professor of Environmental Law and Policy, is also included.

Lee Strobel
The Case for Christ: A Journalist’s Personal Investigation of the Evidence for Jesus
Zondervan Publishing House, 1998
Strobel ‘78 crosses-examines a dozen experts with doctors from schools like Cambridge, Princeton, and Brandeis with questions about whether evidence exists for Jesus outside the Bible, in a quest for the truth about history’s most compelling figure.

Allan Topol
Conspiracy
OxBox Books, 2004
Topol ’65 produces another thriller with his third spy novel. In this one, the action leads from the power corridors of Washington, D.C., to the streets of Japan, as a senator and promising presidential candidate is found dead and rumors swirl.

Brandt Goldstein ‘92, Dahlia Lithwick
Me v. Everybody:
Absurd Contracts for an Absurd World
Workman Publishing Company, 2003
Goldstein and Lithwick survey the field of legal theory to problems common to most Euro-

pean legal systems, enlarging the scope of legal theory in this new approach to include not just the application of law by the judge, but the creation of law by the legislator.

Luc Wintgens
Legisprudence: A New Theoretical Approach to Legislation
Hart Publishing, 2002
Wintgens’ 90 LLM applies the tools of legal theory to problems common to most Euro-

dean legal systems, enlarging the scope of legal theory in this new approach to include not just the application of law by the judge, but the creation of law by the legislator.

Adir Waldman
Arbitrating Armed Conflict: Decisions of the Israel-Lebanon Monitoring Group
Waldman ‘02 deals with an unprecedented event in international law: the 1996 Grapes of Wrath Agreement between Israel and Lebanon, where the two governments agree not to end the conflict but to pursue it under a specific set of restrictions. His work casts light on this unique instrument of international and military law.

Janet S. Wong
Minn and Jake
Francis Foster Books, 2003
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Books in Print

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Thomas Jefferson as we have rarely seen him before. Beran uncovers the originality of one Founder’s genius. Beran ‘93 illuminates an optimistic man’s darker side—his triumphs and failures, humor and pomposity, inspired tragedies and comic failures, and promises presidential candidate is found dead and rumors swirl.

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Joseph L Lieberman ‘67 and Hadaassah Lieberman
An Amazing Adventure: Joe and Hadaassah’s Personal Notes on the 2000 Campaign
Simon & Schuster, 2003

Minoru Yokotomo ’94 LLM
The Legal Theory of Hostile Takeovers

Detlev F. Vagts, William S. Dodge ’91, and Harold Hongju Koh, Gerard C. and Bernice Latrobe Smith Professor of International Law
Transnational Business Problems, Third Edition
Foundation Press, 2003

Janet S. Wong
Minn and Jake
Fawcett Crest Books, 2003

Through her poetry, Wong ’87 tells a story for children about friendship—how to choose a best friend, how not to choose a best friend, and how to let friendships develop on their own. The book complements another of Wong’s books recently published by Simon & Schuster Children’s Publishing Division, titled Knock on Wood: Poems About Superstitions.