

Books in Print

by Yale Law School Alumni, Faculty, Staff, and Students

What is Living For?

Anthony T. Kronman

Education's End: Why Our Colleges and Universities Have Given Up on the Meaning of Life

Yale University Press, 2007

As a sophomore at Williams College in 1965, Sterling Professor of Law and former Dean Anthony T. Kronman '75 enrolled in a course that changed his life. The seminar was called simply "Existentialism." Williams College philosophy chair Nathaniel Lawrence welcomed Kronman and other students into his home once a week for the fall seminar. With Mrs. Lawrence's tea and homemade cookies at the ready and the Lawrences' two golden retrievers sleeping nearby, the professor led his students in passionate discussions about the meaning of life. Kronman spent the fall exploring the ideas of Kierkegaard, Sartre, and Gabriel Marcel, among others, and his view of the world—and of education itself—changed as a result. Among Kronman's most exciting discoveries was that the meaning of life is a subject that can be taught in school.

Fast forward to 2007. Now a professor in Yale College's Directed Studies Program as well as the Law School, Kronman is raising questions about where the most fundamental of all subjects—what living is for—has gone in higher education. It's a question he takes up in *Education's End: Why Our Colleges and Universities Have Given Up on the Meaning of Life*, a 308-page book in which Kronman criticizes what he calls the "research ideal" and calls for the return of a more traditional conception of liberal learning to the heart of undergraduate education.

"A college or university is not just a place for the transmission of knowledge but a forum for the exploration of life's mystery and meaning through the careful but critical reading of the great works of literary and philosophical imagination that we have inherited from the past," he writes.

Kronman traces the history of the question of life's meaning as a subject of academic study, examining the causes for its marginalization through what he identifies as three eras of American higher education. Kronman begins with

the prescribed curriculum of classical Greek, Roman, and Christian texts that dominated college curricula from the early 17th century through the Civil War, when it was considered a faculty's duty to convey to its students the knowledge of how to live. After the Civil War, the focus shifted away from classical texts as American schools began to model themselves on German universities, taking on a decidedly more research-oriented approach. Kronman argues that since 1960 the emphasis on research has continued to grow, and that what remained of the previous era's secular humanism has been continually eroded by careerism and political correctness.

It is the modern research ideal (and its attendant pressures that keep faculty members focused on their own scholarship rather than teaching) that Kronman sees as the real culprit in American higher education.

Ultimately, *Education's End* calls for colleges to again be spiritual leaders; to restore the academic pursuit of spirituality and to give renewed attention to life's big questions. In the book's final page Kronman writes, "With wonder and sobriety and the courage to face our mortal selves: let our colleges and universities be the spiritual leaders they once were and that all of us, teachers, students, parents, citizens of the republic, need for them to be again."

To naysayers who argue that the classical tradition is irrelevant to today's society, Kronman points to the experiences of his Directed Studies students at Yale who spend their freshman year studying the great texts of Western civilization. "The writings of Plato, Descartes, and other long-dead authors touch their lives and speak to their personal struggles," Kronman says. "These works become a storehouse of ideas and images on which the students who study them in college will be able to draw for the rest of their lives as a perennial source of strength and wisdom."

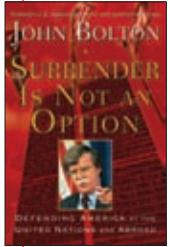
Photograph by Harold Shapiro

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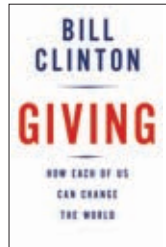
Here's just a sampling of the many other books recently written or edited by our alumni, faculty, staff, and students. We welcome your submissions. If possible, please send us two review copies of your book: one for the Lillian Goldman Law Library and one for the Alumni Reading Room.



John Bolton
Surrender Is Not an Option: Defending America at the United Nations

Threshold Editions, 2007
Bolton '74 recounts his appointment in 2005

as Ambassador to the United Nations, his headline-making Senate confirmation battle, which resulted in his recess appointment, and his sixteen-month tenure at the United Nations. He offers insight into such international crises as North Korea's nuclear test, Iran's pursuit of nuclear weapons, the genocide in Darfur, the month-long negotiation that produced the controversial end of hostilities between Israel and Hezbollah, and more.



Bill Clinton
Giving: How Each of Us Can Change the World

Alfred A. Knopf, 2007
Former President Clinton '73 shares his own experiences and those of other givers, showing that

gifts of time, skills, things, and ideas are as important and effective as contributions of money. From Bill and Melinda Gates to a six-year-old California girl who organized and supervised drives to clean up the beach in her community, Clinton introduces us to both well-known and unknown heroes of giving.



David Cole and Jules Lobel
Less Safe, Less Free: Why America is Losing the War on Terror

The New Press, 2007
Cole '84 and Lobel argue that the Bush administration's approach to

domestic and international security has compromised the United States' reputation and made us more vulnerable to terrorist attacks. The authors offer an alternative strategy for keeping America safe and free: prevention that favors noncoercive measures and multilateral cooperation, relies on the "soft power" of foreign relations rather than military force, and treats the rule of law as an asset, not an obstacle.



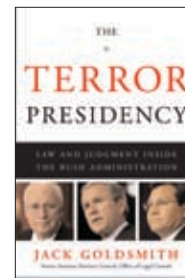
J.A. Cook
Global Government Under the U.S. Constitution

University Press of America, 2007
Cook '98 argues that the international political

system, built on a foundation of sovereign states, has not effectively addressed age-old quandaries of war, crime, poverty, oppression, corruption, and environmental degradation. He proposes a new approach to international governance, arguing that federal democracy provides a better, proven model that should extend globally to address current international social problems.

David M. Driesen and Robert W. Adler
Environmental Law: A Conceptual and Pragmatic Approach

Aspen Publishers, 2007
Driesen '89 and Adler present a structured treatment of federal environmental law that focuses on core concepts rather than individual statutes. Using illustrative cases and statutory provisions, they identify key concepts surrounding environmental goals and responsibility as well as enforcement of the law.



Jack L. Goldsmith
The Terror Presidency: Law and Judgment Inside the Bush Administration

W.W. Norton, 2007
Former head of the Office of Legal Counsel Goldsmith '89 recounts

his days advising President Bush on the legal boundaries of executive power. Goldsmith argues that many of the legal opinions governing the conduct of the military and intelligence agencies in the war on terror are deeply flawed, and suggests that Bush's stance on human rights has damaged his presidency, and, perhaps, his historical legacy.

Are you a YLS graduate who has written a book and is planning a book tour?

Are you an alum who enjoys hearing YLS authors speak about their work?

Details about upcoming alumni and faculty book tours are now available at www.law.yale.edu/alumni. If you'd like your book tour listed on the site, please email Assistant Director of Alumni Affairs Abigail Roth '94 at abigail.roth@yale.edu. If you'd like to hear authors discuss their work, be sure to check out the site!



Amalia D. Kessler

A Revolution in Commerce: The Parisian Merchant Court and the Rise of Commercial Society in Eighteenth-Century France

Yale University Press, 2007

Kessler '99 provides a comprehensive account of the *juridiction consulaire*, or Merchant Court, of eighteenth-century Paris. Drawing on extensive archival research, she reconstructs the workings of the court and the commercial law that it applied, and uses these to shed new light on questions about the relationship between commerce and modernity.



Patricia I. McMahon and

Robert J. Sharpe

The Persons Case: The Origins and Legacy of the Fight for Legal Personhood

University of Toronto Press, 2007

Canada's *Persons* case challenged the exclusion of women

from the country's upper house and the idea that the meaning of the constitution could not change with time. McMahon '04 LL.M. and Sharpe consider the political and social context and examine the lives of the key players in a case now viewed as one of the most important constitutional decisions in Canadian history.



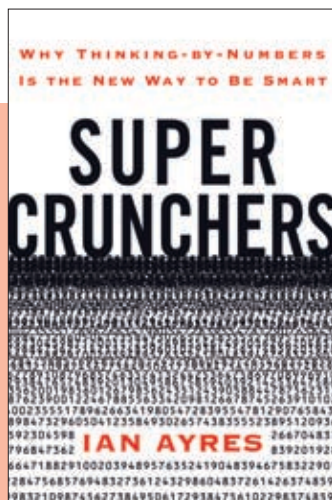
Jaya Ramji and

Beth Van Schaack

Bringing the Khmer Rouge to Justice: Prosecuting Mass Violence Before the Cambodian Courts

Edwin Mellen Press, 2005

Composed of chapters authored by legal academics, lawyers, historians, artists, and others, this book explores the legal issues surrounding accountability for the crimes of the Khmer Rouge and crimes of mass violence more generally. Editors Ramji '99 and Van Schaack '97 present multiple perspectives to offer an analysis of the complex problems inherent to such accountability efforts, and ideas about how to address them.



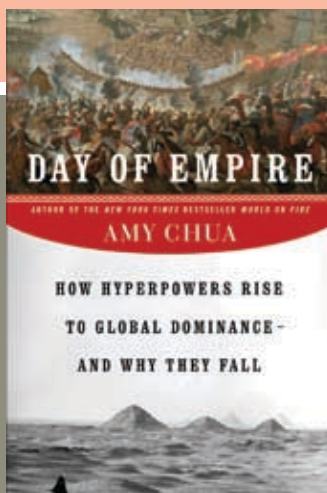
Ian Ayres '86

Super Crunchers: Why Thinking-By-Numbers is the New Way to Be Smart

Bantam Books, 2007

In *Super Crunchers*, William K. Townsend Professor of Law Ian Ayres '86 takes a long and lively look at the evolving nature of decision making. Ayres explains how decisions once based on expertise and intuition are increasingly being made by individuals and organizations crunching massive amounts of data.

Ayres calls these data-driven decision makers "Super Crunchers" and argues that their work affects society and individual lives in ways we don't even realize. This global decision-making revolution can appear in everything from the diagnosis your physician makes to the search results you receive from Internet sites such as Google and Amazon, to the policies your government creates.

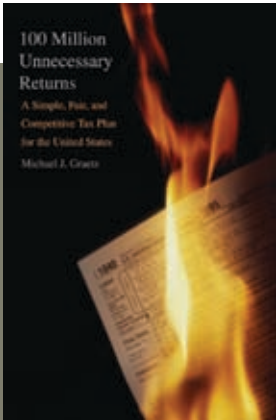


Amy Chua

Day of Empire: How Hyperpowers Rise to Global Dominance—And Why They Fall

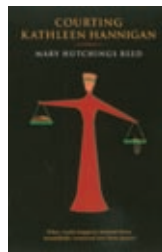
Doubleday, 2007

Chua draws on deeply researched case studies and her personal experiences as the daughter of immigrants in this historical examination of hyperpowers. The empires of Persia, Rome, Tang China, the Mongols, the Dutch, the British, and the United States each rose to power, Chua argues, because each was relatively pluralistic and tolerant during its rise to power. But, according to *Day of Empire*, while multiculturalism led to power, it also sowed the seeds of decline by way of conflict, hatred, and violence. Chua describes her book as part tribute to America's tolerance, part examination of colossal power and ethnic "purity" and pluralism, and part warning. "Tolerance," she writes in the book's preface, "has always been the true secret to America's success, and today, more than ever before, we are in danger of losing our way."



Michael Graetz
100 Million Unnecessary Returns:
A Simple, Fair, and Competitive Tax
Plan for the United States
Yale University Press, 2007

Justus S. Hotchkiss Professor of Law Michael Graetz takes on the U.S. tax code, suggesting that the American system should be completely restructured. With the current tax code measuring four times longer than *War and Peace*, and the instructions for Form 1040 alone counting more than 100 pages long, Graetz argues that the modern American tax system is a confusing, inconsistent tangle of code that has failed to keep pace with the country's changing economy. Graetz proposes restructuring the tax system by replacing the income tax for the majority of Americans with a value-added tax. *100 Million Unnecessary Returns* details this plan and Graetz's argument that this type of overhaul would be simpler, less costly to comply with, and more favorable to savings, investments, and economic growth for individual families and the country as a whole.

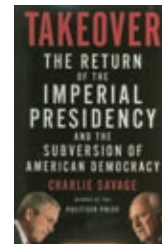


Mary Hutchings Reed
Courting Kathleen Hannigan
Amersand, Inc., 2007
 Drawing from her experience being among the first wave of female lawyers to join old-line law firms, Reed '76 offers an insider's view of how large law firms work, and what it was like to be among the first big wave of women in law firms—before maternity leaves, diversity programs, alternative work schedules, and the discovery of glass ceilings.



Robert B. Reich
Supercapitalism:
The Transformation of
Business, Democracy,
and Everyday Life
Alfred A. Knopf, 2007
 In this book about the clash between capital-

ism and democracy, Reich '73 explains how widening inequalities of income and wealth, heightened job insecurity, and the spreading effects of global warming are the logical outcomes of supercapitalism. He argues that the tools traditionally used to temper America's societal problems—fair taxation, well-funded public education, trade unions—have withered as supercapitalism has burgeoned, and that—going forward—the spheres of business and politics must be kept distinct.



Charlie Savage
Takeover: The Return
of the Imperial
Presidency and
the Subversion of
American Democracy
Little, Brown and
Company, 2007

Pulitzer Prize-winning journalist Charlie Savage '03 *MSL* investigates what he sees as the Bush-Cheney administration's success in seizing vast powers for the presidency by throwing off many of the restraints placed upon it by Congress, the courts, and the Constitution. Savage delves into the links between warrantless wiretapping and President Bush's Supreme Court nominees and between the secrecy surrounding Cheney's energy task force and the holding of U.S. citizens without trial as "enemy combatants."



Barry R. Schaller
Understanding
Bioethics and the
Law: The Promises
and Perils of the
Brave New World of
Biotechnology
Praeger Publishers,
2007

Schaller '63 examines the impact of biotechnology and biomedical advances on people's everyday lives, including issues in the physician-patient relationship, informed consent, confidentiality and privacy, reproductive choices, end-of-life choices, health care, drug choices, and the allocation of human tissues. The book provides a guide to understanding the intersection of public policy, law, medicine, and ethics.



Daniel J. Solove

The Future of Reputation: Gossip, Rumor, and Privacy on the Internet

Yale University Press, 2007

Solove '97 offers an account of how the Internet is transforming gossip, the way we shame others, and our ability

to protect our own reputations. Focusing on blogs, Internet communities, cyber-mobs, and other current trends, he argues that, ironically, the unconstrained flow of information on the Internet may impede opportunities for self-development and freedom.



Mark Tushnet

Weak Courts, Strong Rights: Judicial Review and Social Welfare Rights in Comparative Constitutional Law

Princeton University Press, 2007

Tushnet '71 uses a comparative legal perspective to show how creating weaker forms of judicial review may actually allow for stronger social welfare rights under American constitutional law. He describes how "weak-form" review works in Great Britain and Canada, and discusses the extent to which legislatures can be expected to enforce constitutional norms on their own. He ultimately argues that there is a clear judicial path—not an insurmountable judicial hurdle—to better enforcement of constitutional social welfare rights.

ALSO OF NOTE

Attila de Souza Leão Andrade Jr. '72 LL.M., '77 JSD

USA 2030—Predictions

Astemari Publisher, 2007

J. William Callison '00 LL.M. and

Maureen A. Sullivan

Limited Liability Companies,

Volumes 1-3

Thomson/West, 2007

Jianmei Feng '02 LL.M.

Yale's Spirit—

A Wonderful Year at Yale Law School

Law Press China

Vincent Johnson '79 LL.M. and

Susan S. Fortney

Legal Malpractice Law: Problems and Prevention

Thomson West, 2007

Michael J. Kelly '67

Lives of Lawyers Revisited: Transformation and Resilience in the Organizations of Practice

The University of Michigan Press, 2007

Carlos F. Rosenkrantz '87 LL.M., '89 JSD

La responsabilidad extracontractual (Extracontractual Responsibility)

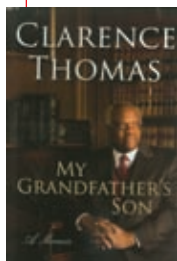
Gedisa Editorial, 2005

Beth Van Schaack '97 and

Ronald C. Slye '89

International Criminal Law and Its Enforcement: Cases and Materials

Foundation Press, 2007



Clarence Thomas

My Grandfather's Son: A Memoir

HarperCollins, 2007

Supreme Court Justice

Thomas '74 tells the story of his life, beginning with his childhood of poverty in rural Georgia when his father left

his family, leaving Thomas's mother to raise her three children alone. At age seven, Thomas and his younger brother were sent to live with his maternal grandfather, Myers Anderson, and his wife, in Savannah. In this memoir, Thomas pays homage to his grandfather, while also recounting his years in college, law school, and the polarizing Senate hearing prior to his confirmation as a Supreme Court Justice.



Stephen L. Carter '79

New England White

Alfred A. Knopf, 2007

A murder mystery steeped in issues of political and racial power, *New England White* is the much anticipated second novel by William Nelson Cromwell Professor of Law Stephen L. Carter '79. Set in a fictional New England University town named "Elm Harbor," the book delves into the lives of characters Lemaster Carlyle, a university president, and his wife, Julia Carlyle, herself the dean of the university's divinity school. The

Carlyles (who appeared as minor characters in Carter's bestselling *Emperor of Ocean Park*) are among the African-American bourgeoisie living in "the heart of whiteness." The novel's central plot begins when the couple discovers the body of Kellen Zant, an African-American professor at the university who happens to be a former lover of Julia's, and she becomes immersed in the hunt for the killer.