

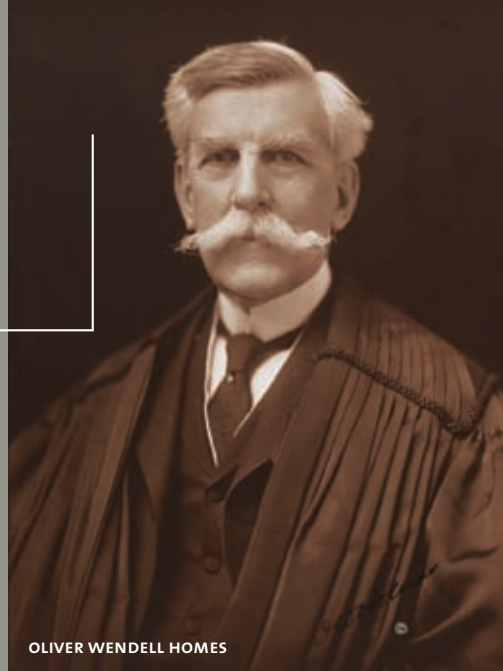
books in print



THURGOOD MARSHALL



SANDRA DAY O'CONNOR



OLIVER WENDELL HOLMES



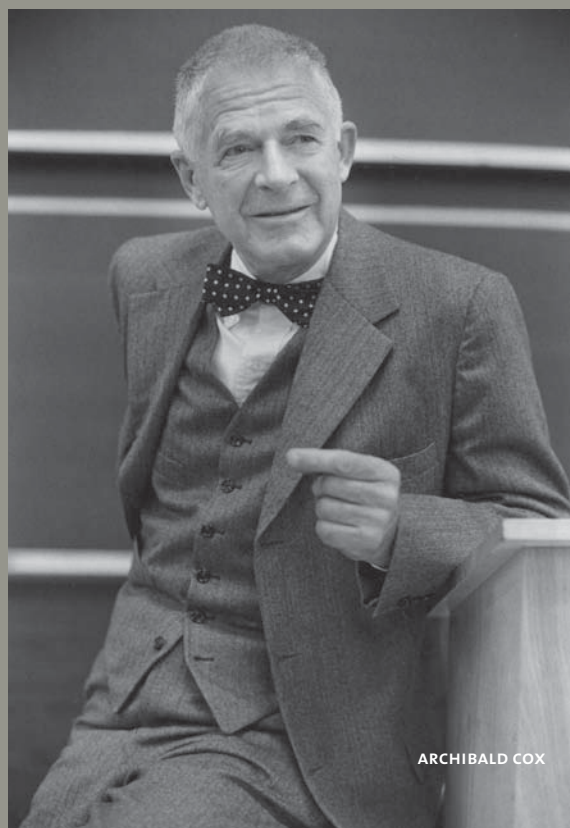
JEROME FRANK



LOUIS BRANDEIS



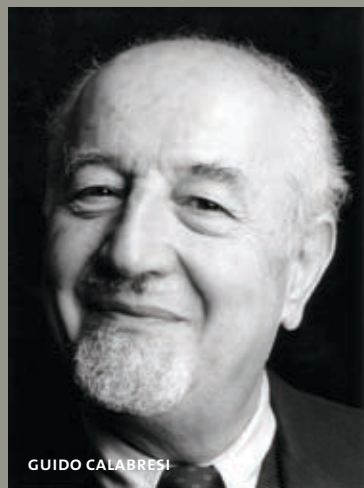
WILLIAM J. BRENNAN



ARCHIBALD COX

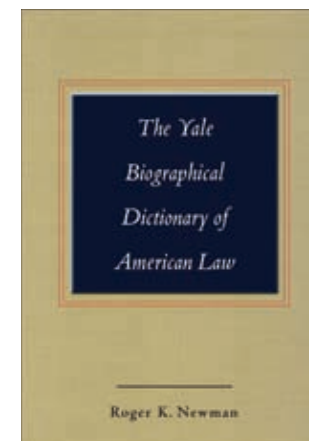


ROBERT BORK



GUIDO CALABRESI

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Focusing on the People of the Law

The Yale Biographical Dictionary of American Law
 Edited by Roger K. Newman
 Yale University Press, 2009

“Law is what made this country,” says Roger K. Newman, editor of *The Yale Biographical Dictionary of American Law*. “It’s the glue that keeps us together...Law is manners and culture and statutes—but it’s also *people*.”

People—seven hundred of them—are the focus of Newman’s latest book, which he describes as a book of “legal Americana...a cultural history without being overly academic.” With a cross section of humanity—from the rarified theory of Wesley Hohfeld to Isaac C. Parker, “the hanging judge of Arkansas”—*The Yale Biographical Dictionary of American Law* focuses on the personal and professional histories of some of the country’s most famous (and infamous) lawmakers.

The idea for *The Yale Biographical Dictionary of American Law* was first born at a conference eight years ago when YLS Associate Law Librarian and Lecturer in Legal Research Fred Shapiro suggested the loose concept for a biographical reference book of law to Newman. A self-described “biographical nut” who has spent much of his writing career focused on U.S. Supreme Court Justice Hugo Black, Newman (who teaches at the Columbia University Graduate School of Journalism) ran with the idea. Six years and 600 pages later, *The Yale Biographical Dictionary of American Law* has hit the bookshelves.

The book begins with Shirley Abrahamson, chief justice of the Supreme Court of Wisconsin, and ends with public interest pioneer Ronald Zumbun. In between are hundreds of biographies of people who have had a significant impact in the world of law.

Coming up with a list of those to profile was a project unto itself. “The first four hundred entries, anyone who teaches at a law school could have come up with,” Newman says. But beyond that, Newman had to make some tough decisions in order to end up with a book that includes regional, chronological, age, gender, and ethnicity balance.

Another challenge came with deciding who should write the entries. Newman’s first list of potential contributors was 3,000 names long. In an effort to be apolitical, the book includes contributors from both the ACLU and the Conservative Legal Foundation. Newman tried, whenever possible, to have contemporaries of the subjects write the entries. The entry for Nicholas deB. Katzenbach ’47, for example, was written by Jack Rosenthal of *The New York Times*, who was a prep school classmate of Katzenbach’s.

The book is teeming with Yale history. “It’s a massive web of connections,” Newman says. The seeming emphasis on Yale-related profiles and contributors likely has to do, Newman suggests, with the small size of the school and the fact that much of the faculty—particularly in the middle of the 20th century—became so legendary.

Twenty-eight YLS faculty members, including giants like Alexander Bickel and Boris Bittker ’41, are profiled. Among Newman’s favorite profiles are those of Professor Fred Rodell ’30 (who is described as an incurable “enfant terrible”) and Professor Guido Calabresi ’58 (the entry ends: “... he has externalized his reliance on and commitment to family by embracing an entire community at Yale. A positive externality, one might say.”).

“The unfolding of great lives can provide enjoyment as well as enlightenment,” Newman writes in the book’s introduction. “Readers will, I hope, discover that they share similar human emotions and, alas, frailties with the people profiled within; that those whom we often imagine as larger than life were at heart much like the rest of us, ordinary human beings (although of extraordinary talent) who sought fulfillment and happiness in their own ways.”

The Yale Biographical Dictionary of American Law is part of the Yale Law Library Series in Legal History and Reference, which is a collaboration of the Yale Law Library and Yale University Press.

Here's just a sampling of the many other 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.

Amy Bach

**Ordinary Injustice:
How America Holds Court**
Metropolitan Books, 2009

With accounts from small-town Georgia to upstate New York, from Chicago to Mississippi, Amy Bach '95 MSJ reveals a judicial process so deeply compromised that it constitutes a menace to the people it is designed to serve. Here is the public defender

who pleads most of his clients guilty; the judge who sets outrageous bail for negligible crimes; the prosecutor who brings almost no cases to trial; the court that works together to achieve a wrong verdict. It is time, Bach argues, to institute a new method of checks and balances that will make injustice visible.

Benjamin L. Berger, A.R. Buck, Hamar Foster

The Grand Experiment: Law and Legal Culture in British Settler Societies
University of British Columbia Press, 2009

Exploring themes of legal translation, local understandings, judicial biography, and "law at the boundaries," the editors, including Berger '04 LL.M., '08 JSD, examine the legal cultures of dominions in Canada, Australia, and New Zealand to provide a contextual

and comparative account of the "incomplete implementation of the British constitution" in these colonies.

Roy L. Brooks

Racial Justice in the Age of Obama
Princeton University Press, 2009

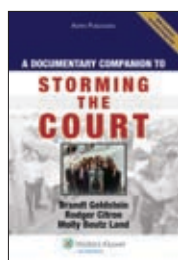


With the election of Barack Obama as the first black president of the United States, the issue of racial justice in America occupies center stage. Have black Americans finally achieved racial justice?

Is government intervention no longer required? Brooks '75 considers contemporary civil rights questions and theories, and offers insights and remedies for race issues in America today.

Rodger Citron, Brandt Goldstein, Molly Beutz Land

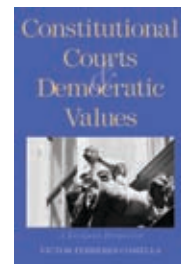
A Documentary Companion to Storming the Court
Aspen Publishers, 2009



Goldstein '92 first tracked the lawsuit filed by human rights lawyers and Yale Law students on behalf of Haitian refugees detained at Guantanamo in his non-fiction work, *Storming the Court*. For this companion to that earlier work, Goldstein collaborated with Citron '92 and Land '01. This book uses the real case to illustrate a wide array of important legal concepts, and includes key litigation documents and other original materials from the case along with notes, comments, hypotheticals, and questions that serve as teaching tools.

Victor Ferreres Comella

Constitutional Courts and Democratic Values: A European Perspective
Yale University Press, 2009



Comella '92 LL.M., '96 JSD contrasts the European "centralized" constitutional court model, in which one court system is used to adjudicate constitutional questions, with a decentralized model, such as that of the United States, in which

courts deal with both constitutional and nonconstitutional questions.

Stephen Garvey, Paul Robinson, Kimberly Ferzan

Criminal Law Conversations
Oxford University Press, 2009



Garvey '92 and his co-editors provide an overview of contemporary criminal law debates in the United States. This collection of papers showcases essays by some of the leading scholars in the field, and provides insight into the most fundamental and provocative questions of modern criminal law.

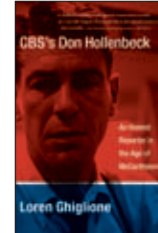
Joshua A. Geltzer

U.S. Counter-Terrorism Strategy and al-Qaeda: Signaling and the Terrorist World-View
Routledge, 2009

An examination of the communicative aspects and implications of U.S. counter-terrorist policies towards al-Qaeda, this book investigates in what ways, and to what extent, U.S. officials believed that the signals sent by what America did and said could influence the behavior of the terrorist and would-be terrorist. Geltzer '11 concludes that America's signaling strategy proved largely counter-productive to the objective of undermining al-Qaeda's strategic narrative, instead serving in many ways to validate it.

Loren Ghiglione

CBS's Don Hollenbeck: An Honest Reporter in the Age of McCarthyism
Columbia University Press, 2008



Ghiglione '66 recounts the fascinating life and tragic suicide of Don Hollenbeck, the controversial newscaster who became a primary target of McCarthyism's smear tactics. Drawing on unsealed FBI records, private family correspondence, and interviews

with Walter Cronkite, Mike Wallace, Charles Collingwood, Douglas Edwards, and more than one hundred other journalists, Ghiglione writes a biography that cuts close to the bone of this complicated newsman and chronicles the stark consequences of the anti-Communist frenzy that seized America in the late 1940s and 1950s.

Bruce Judson
It Could Happen Here: America on the Brink
Harper, 2009



Though many believe that America will never face a second revolution, that our politics are stable, Judson '84 makes the case that revolution is a real possibility in the U.S., driven by a thirty-year, unprecedented rise of inequality through six presidencies, three

Fed chairmen, three recessions, and many years of expansion.

Laura DeNardis

Protocol Politics: The Globalization of Internet Governance
The MIT Press, 2009



"THE INTERNET IS approaching a critical point. The world is running out of Internet addresses." So begins *Protocol Politics*, a new book by Laura DeNardis, Research Scholar in Law, Lecturer in Law, and Executive Director of Yale Law School's Information Society Project. Internet engineers developed a new technical protocol, IPv6, to address this problem but IPv6 adoption has barely begun because of technical, cultural, and economic constraints. DeNardis's key insight is that technical standards are political. IPv6 serves as a case study for how protocols more generally are intertwined with socioeconomic and political order. IPv6 intersects with provocative topics including Internet civil liberties, U.S. military objectives, globalization, institutional power struggles, and the promise of global democratic freedoms. DeNardis offers recommendations for Internet standards governance, based not only on technical concerns, but also on principles of openness and transparency, and examines the global implications of looming Internet address scarcity versus the slow deployment of the new protocol designed to solve this problem.

Ben Kerschberg

Three Angels—For the Love of Dogs: Tributes to Three Amazing Pups
Aelis Books, 2009



Kerschberg '98 shares his love of three dogs who changed his life: Phoebe, a German Shepherd; Promise, a Doberman Pinscher; and Steady, a Lab-Retriever-Hound mix. The book includes original color photographs that

capture essential moments in the dogs' lives, as well as that of the author.

Patrick Radden Keefe

The Snakehead: An Epic Tale of the Chinatown Underworld and the American Dream
Doubleday, 2009



Based on hundreds of interviews and thousands of pages of previously undisclosed government documents, this book tells the story of Sister Ping, an unlikely international crime boss. Keefe '05 offers an intimate tour of life on the

mean streets of Chinatown, a vivid blueprint of international organized crime in an age of globalization, and an exploration of the ways in which illegal immigration affects us all.

Joanna Norland

Lizzy, Darcy, and Jane
Samuel French, Ltd., 2009



In her first full-length play, Norland '01 explores the question as to whether the author determines her characters' fates, or whether, sometimes, it works the other way around. Heady with her first taste of romance, young Jane Austen creates the feisty Elizabeth in an exuberant moment of inspiration. But

when Jane is crossed in love, she sentences Elizabeth to marry the odious Mr. Collins, and herself to an equally disastrous marriage. The fates of the author, the novel and its heroine are at stake—Elizabeth Bennett must take action.

Paul R. Rice

Through Yesterday's Window
Finishing Line Press, 2009



In his second book of poetry, Rice '72 LL.M. writes about his formative years in West Virginia and on his grandmother's farm in Louisa, Kentucky, where most roads were dirt, farming was for subsistence, and farm implements were powered by horses and mules.

Arthur Ripstein

Force and Freedom: Kant's Legal and Political Philosophy
Harvard University Press, 2009



Ripstein '94 M.L. gives an account of Kant's political philosophy, showing that Kant's thought is organized around two central claims. First, that legal institutions are not simply responses to human limitations or circumstances; indeed the requirements of

justice can be articulated without recourse to views about human inclinations and vulnerabilities. Second, Kant argues for a distinctive moral principle, which restricts the legitimate use of force to the creation of a system of equal freedom.

Gretchen Rubin

The Happiness Project:
Or, Why I Spent a Year Trying to
Sing in the Morning, Clean My Closets,
Fight Right, Read Aristotle, and
Generally Have More Fun
Harper, 2010



Rubin '94 chronicles a year-long quest to learn how to better enjoy the life she already had. Each month she pursued a different set of resolutions—go to sleep earlier, tackle a nagging task, bring people together, take time to be silly—along

with dozens of other goals. She kept track of which resolutions worked and which didn't, sharing her stories and collecting those of others through her blog, which now ranks in the prestigious Technorati "Top 2k."

Anatoly Adamishin, Richard Schifter
Human Rights, Perestroika, and the
End of the Cold War
USIP Press Books, 2009



This diplomatic memoir takes the reader behind the scenes on both sides of the Cold War as two men form an unlikely partnership to help transform Soviet-American relations. When U.S. Assistant Secretary

of State Schifter '51 met Soviet Deputy Foreign Minister Adamishin, they became partners in the process of rapprochement. Together, they helped free political prisoners, spur Jewish emigration, support perestroika against its domestic enemies, and contribute to the mutual trust that allowed the Cold War to end swiftly and peacefully.

Peter M. Shane

Madison's Nightmare:
How Executive Power Threatens
American Democracy
University of Chicago Press, 2009

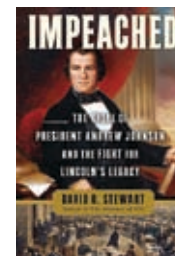


The George W. Bush administration's claims of unilateral executive authority raised deep concerns among constitutional scholars, civil libertarians, and ordinary citizens alike. Shane '77 argues that Bush's

attempts to assert his power are only the culmination of a near-thirty-year assault on the basic checks and balances of the U.S. government—a battle waged by presidents of both parties, and one that threatens to utterly subvert the founders' vision of representative government.

David O. Stewart

Impeached: The Trial of
President Andrew Johnson and
the Fight for Lincoln's Legacy
Simon and Schuster, 2009

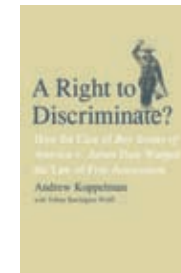


Stewart '78 challenges the traditional version of a pivotal moment in American history. Rather than seeing Johnson as Abraham Lincoln's political heir, Stewart explains how the Tennessean squandered Lincoln's

political legacy of equality and fairness and helped force the freed slaves into a brutal form of agricultural peonage across the South. When the clash between Congress and president threatened to tear the nation apart, the impeachment process substituted legal combat for violent confrontation.

Andrew Koppelman and Tobias Barrington Wolff

A Right to Discriminate?:
How the Case of Boys Scouts
of America v. James Dale Warped
the Law of Free Association
Yale University Press, 2009



This book demonstrates that the "right" to discriminate has a long and unpleasant history. Koppelman '89 and Wolff '97 bring together legal history, constitutional theory, and political philosophy to analyze how the law ought to deal with discriminatory private organizations.

Stephen Carter
Jericho's Fall
Knopf, 2009

WILLIAM NELSON CROMWELL Professor of Law Stephen L. Carter '79 has published his fourth book of fiction—a thriller that takes readers on a fast-moving journey through the secretive world of intelligence operations and the meltdown of the financial markets.

In *Jericho's Fall*, Carter turns his attention to the shadowy world of spies, official secrecy, and financial fraud. In an imposing house in the Colorado Rockies, Jericho Ainsley, former head of the Central Intelligence Agency and a Wall Street titan, lies dying. He summons to his bedside Beck DeForde, the younger woman for whom he threw away his career years ago, mirroring them both in scandal. Beck believes she is visiting to say farewell. Instead, she is drawn into a battle over an explosive secret that foreign governments and powerful corporations alike want to wrest from Jericho before he dies.



A synopsis of *For the Common Good: Principles of American Academic Freedom* (Yale University Press, 2009) which appeared in the Summer 2009 issue of the *Yale Law Report* failed to note that co-author Matthew W. Finkin is a graduate of Yale Law School. Finkin received a LL.M. degree from Yale in 1973.

ALSO OF NOTE

C. Stephen Baldwin '65
Shadows over Sundials
iUniverse, 2009

Hugo Cyr '99 LL.M.
Canadian Federalism and Treaty Powers:
Organic Constitutionalism at Work
P.I.E. Peter Lang, 2009

Lucas S. Grosman '00 LL.M., '06 JSD
Escasez e Igualdad (Scarcity and
Equality)
Libreria, 2008

Vicki C. Jackson '75 and Judith Resnik
Federal Court Stories
Foundation Press, 2009

Monroe E. Price '64
Objects of Remembrance:
A Memoir of American Opportunités
and Viennese Dreams
Central European University Press, 2009

Paul R. Rice '72 LL.M.
Evidence: Common Law and Federal
Rules of Evidence, 6th ed.
LexisNexis, 2009

Peter H. Schuck
Foundations of Administrative Law,
Second Edition (Chinese Translation)
China Law Press, 2009

Irwin Stotzky
Law as Justice: The Moral Imperative of
Owen Fiss's Scholarship
Twelve Tables Press, 2009