

Anthony T. Kronman
**After Disbelief:
 On Disenchantment,
 Disappointment,
 Eternity, and Joy**
 Yale University Press, 2022

Seeking Eternity in an Age of Disenchantment

Finding a middle road between religion and atheism



The latest book by Anthony T. Kronman '75 is evidence that his parents' plan to shield him from God did not entirely succeed.

"Children are attracted to dangerous things," the Sterling Professor of Law and former Dean writes in the opening of *After Disbelief: On Disenchantment, Disappointment, Eternity, and Joy*. "The more they are warned about them, the more curious they become. That is what happened with me and religion."

Kronman has previously explored the possibility of an alternative to atheism and religion in his book *Confessions of a Born-Again Pagan* (Yale University Press, 2016). In that book, he approached the topic from the top down, using Western philosophy as a guide. Philosophy — particularly Aristotle and Spinoza — is still at the core of his latest book. This time, however, he writes, "I wanted to convey in a more direct and less academic way some sense of the religious humanism that I would call my 'philosophy of life.'"

“Children are attracted to dangerous things... The more they are warned about them, the more curious they become. That is what happened with me and religion.” ANTHONY T. KRONMAN ’75

And so the son of two nonbelievers begins his inquiry with human experience — his own — and works his way up to larger themes. Kronman describes his upbringing by parents who “had an allergy to God.” Despite a nagging curiosity about religion, Kronman eventually adopted his mother’s existentialism. He studied philosophy, earning a B.A. from Williams College and a Ph.D. from Yale before starting his J.D. at Yale Law School. But he later became disenchanted with Camus and Sartre. In middle age, Kronman writes, he came to believe that God has a central, indeed necessary place in human life — though not God in the traditional sense of the word.

Kronman finds his God by means of reason alone. It is not the God of Abraham. Nor is it incompatible with science. “But it is a God nonetheless,” he writes. “It serves as the explanatory ground of everything that happens in time only because it is itself unconditioned by time.”

Kronman acknowledges that his “positive” if somewhat “eccentric” idea of God puts him at odds with most followers of conventional religions. His views are also likely to confound most of his academic peers for whom, Kronman says, “the only respectable view of God is that he doesn’t exist.”

According to the book, the Abrahamic religions, like the pagan philosophical traditions that came before them, promise to fulfill their followers’ spiritual longings — to close the gap between human beings and what Kronman calls the eternal and divine. Atheists, on the other hand, find poignancy and meaning in the fleeting experiences of life; they have no interest in a connection to the eternal and divine. Both worldviews have their limitations, according to Kronman. Atheism’s dismissal of the longing for eternity denies an essential part of the human condition. At the same time, this longing is one that can never be fulfilled so long as we continue to be human at all.

Kronman does not claim to prove the existence of his God. He says, though, that we need the idea of such a God to make sense of our own humanity. He concludes that his idea is “more humane” than the alternatives. Its elaboration, he says, is an ongoing project. “There is always more work to be done,” Kronman writes. “I find the prospect joyful.”

SPOTLIGHT

The Marriage of Psychology and Law

The history of the pedagogical pairing

In his book *Advanced Introduction to Law and Psychology*, Macklin Fleming Professor of Law Tom R. Tyler opens with a story about an experiment conducted by psychologist Hugo Münsterberg.

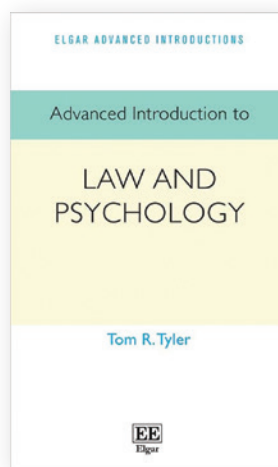


In Münsterberg’s book *On the Witness Stand* (1908), he describes a staged attack in his classroom and the errors his students made in recalling the event. The experiment demonstrated that eyewitnesses could make mistakes in what they see. This was the first experimental research done in the modern field of law and psychology, Tyler writes. That research was immediately critiqued by John Henry

Wigmore, a leading legal scholar and law school dean, beginning a century of at times cooperative, at other times contentious connection between the field of psychology and the legal academy.

Describing psychology and law as an interdisciplinary marriage, Tyler uses relevant historical examples throughout the book to explore the opportunities and limitations of the two fields for students and scholars of law, psychology, and the social sciences.

Advanced Introduction to Law and Psychology outlines the main areas of research, their relevance to law and the way that psychological findings have shaped — or failed to shape — areas of law. Tyler focuses on the relevance of psychological theories to topics in law, emphasizes the institutional realities within which law functions, and discusses the problems of bringing research findings into the legal system. The book covers major topics in the field, including eyewitness identification; interrogation; forensic science; racism and sexism; criminal responsibility; sentencing; rehabilitation; risk assessment; civil justice; decision-making by judges, prosecutors, and juries; and managing subjective harm.

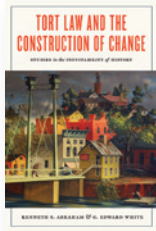


Tom R. Tyler
**Advanced
Introduction to Law
and Psychology**

Edward Elgar Publishing, 2022

SURVEY OF BOOKS

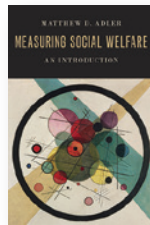
Here's just a sampling of the many other books recently written or edited by our alumni, faculty, staff, and students. We welcome your submissions. Please contact us: lawreport@yale.edu.



Kenneth S. Abraham and
G. Edward White
**Tort Law and the
Construction of Change:
Studies in the
Inevitability of History**

University of Virginia Press, 2022

Abraham '71 and White document how social change and tort law influence one another. To bring tort law into focus, the co-authors employ two lenses: a traditional account, which considers how judges interpret precedent, and their novel approach, which situates legal doctrine within its social context. The book traces how distinct facets of tort law, such as liability for nonphysical harm, reflect an ever-changing social landscape.



Matthew D. Adler
**Measuring Social Welfare:
An Introduction**

Oxford University Press, 2019

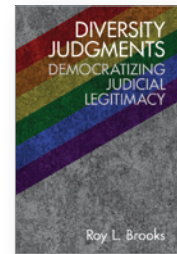
Adler '91 explains how the social welfare function framework, a tool from theoretical economics, can guide governmental policy-making. According to Adler, the framework is more unbiased than a cost-benefit analysis and allows policymakers to consider both efficiency and equity. By combining economic and philosophical scholarship, Adler illuminates the framework's three dimensions: a well-being measure, a rule for ranking outcomes, and an uncertainty module.



Michael J. Bean
**Melville's Mistake:
Essays in Defense
of the Natural World**

Texas A&M University Press, 2022

Melville's Mistake reprints seminal texts and includes unpublished writings from Bean '73, whose work underpins the field of wildlife law. Bean, formerly Principal Deputy Assistant Secretary for Fish and Wildlife and Parks at the Department of the Interior, gives an intimate history of the people, places, and events that have shaped wildlife law. Nearly 50 years after the Endangered Species Act became law, Bean recalls his career and takes stock of legal conservation efforts today.



Roy L. Brooks
**Diversity Judgments:
Democratizing
Judicial Legitimacy**

Cambridge University Press, 2022

Brooks '75 contends that the Supreme Court's decision-making process, designed to protect the interests of straight white male insiders, underpins its current legitimacy crisis. The traditional methods by which justices decide cases, Brooks writes, fail to uphold the democratic commitment that U.S. institutions have made to diversity and inclusion. The author proposes that the Court adopt "critical process," a judicial decision-making philosophy that includes so-called outsiders — particularly people of color, women, and the LGBTQ community.



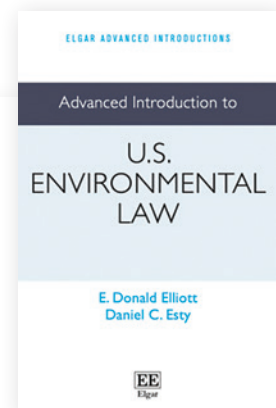
A Comprehensive Overview of Environmental Governance

The law of the globe from pole to pole

Two leading environmental law scholars — Hillhouse Professor at Yale University Daniel Esty '86 and E. Donald Elliott '74 — have published a textbook on how environmental law is made as well as a comprehensive overview of the current and developing state of environmental governance in the United States.

Advanced Introduction to U.S. Environmental Law explores how federal environmental law is established and how it interacts with state law, highlighting the important role that administrative agencies play in the creation, implementation, and enforcement of U.S. environmental law.

Geared toward environmental lawyers, business executives, NGO leaders, policymakers, and think tank analysts who work on environmental issues, the book covers major topics of environmental law including the Clean Air Act, climate change, the Safe Drinking Water Act, hazardous waste, chemical regulation, and occupational safety and health.



Daniel Esty and
E. Donald Elliott
**Advanced Introduction
to U.S. Environmental Law**

Edward Elgar Publishing, 2021



Scott Hershovitz
**Nasty, Brutish, and Short:
Adventures in Philosophy
with My Kids**

Penguin Press, 2022

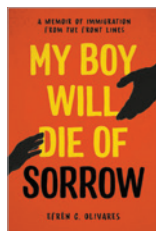
Hershovitz '04 joins his young sons, Rex and Hank, to ponder questions of philosophy, ranging from the lighthearted to the profound. According to Hershovitz, kids think philosophically all the time, and he suggests that parents take their sense of intellectual wonder seriously. *Nasty, Brutish, and Short* recounts how Hershovitz and his sons explore philosophy's fundamental concerns.



Gerard N. Magliocca
**Washington's Heir:
The Life of Justice
Bushrod Washington**

Oxford University Press, 2022

Magliocca '98 documents the life of Bushrod Washington, the often-overlooked Supreme Court Justice who inherited his uncle George Washington's estate. The first published biography of Bushrod Washington, *Washington's Heir* traces its subject's influence on constitutional jurisprudence while also centering his enslavement of hundreds of human beings. Magliocca follows Washington's rise alongside the nation's, considering how his landmark decisions — including *Corfield v. Coryell*, later a blueprint for the 14th Amendment — shaped the United States' earliest decades.



Efrén C. Olivares
**My Boy Will Die of Sorrow:
A Memoir of Immigration
from the Front Lines**

Hachette Books, 2022

Olivares '08 weaves his experiences representing immigrant families separated at the U.S. border together with his childhood — much of which he spent apart from his own father, who migrated to the U.S. to seek work. Olivares, who immigrated to the U.S. at 13, argues that to the extent America is composed of immigrants, so too does it persecute immigrants, denying their humanity in its perpetual construction of the “other.”



Kermit Roosevelt III
**The Nation That Never Was:
Reconstructing America's Story**

University of Chicago Press, 2022

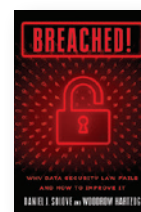
Roosevelt '97 argues that the conventional story of the United States, which credits the Founders for inaugurating the American project, is false. Equality, he contends, had no place in their vision. Rather, it was Reconstruction, which followed the Civil War and pursued the ideals of liberty and equality, that forged the nation Americans today inherit.



Peter M. Shane
**Democracy's Chief Executive:
Interpreting the
Constitution and Defining the
Future of the Presidency**

University of California Press, 2022

Shane '77 argues that an “originalist” conception of the presidency threatens American democracy. *Democracy's Chief Executive* tells how four decades of jurisprudence have exempted the nation's executive branch from accountability and compounded the risk of authoritarian rule. To counter the danger of “presidential entitlement,” Shane outlines a framework that prioritizes democratic principles and subjects the presidency to judicial oversight.



Daniel J. Solove
and Woodrow Hartzog
**Breached!
Why Data Security Law
Fails and How to Improve It**

Oxford University Press, 2022

To rectify shortcomings in data security law, Solove '97 and Hartzog argue that policymakers, software developers, and device manufacturers must heed the lessons that recent data breaches have revealed. By studying real-world examples, the co-authors conclude that privacy law, which concentrates on the breaches themselves, neglects the factors that fuel them. *Breached!* takes stock of the growing threat and lays out how private and public actors can respond.

ALSO OF NOTE

Matthew D. Adler '91 and
Ole F. Norheim, eds.
Prioritarianism in Practice
Cambridge University Press, 2022

Gourab Banerji, Promod Nair,
George Pothan Poothicote,
and Ashwita Ambast '14 LLM, eds.
**International Arbitration
and the Rule of Law: Essays in
Honour of Fali S. Nariman**
International Bureau of the Permanent
Court of Arbitration, 2022

Wei Cui '02
**The Administrative
Foundations of
the Chinese Fiscal State**
Cambridge University Press, 2022

David Klingsberg '57
**And You Shall Be Heard:
In the Courts
of Law and Beyond**
Mountrint, 2021

Bernie Lambek '88
An Intent to Commit
Rootstock Publishing, 2021

Robert J. Pekkanen and
Saadia M. Pekkanen '04 MSL, eds.
**The Oxford Handbook
of Japanese Politics**
Oxford University Press, 2021

John Witte Jr., Joel A. Nichols,
and Richard W. Garnett '95
**Religion and the American
Constitutional Experiment,
Fifth Edition**
Oxford University Press, 2022