

# UConn | SCHOOL OF LAW

## SUMMER READING LIST

A frequently asked question is what summer reading will best prepare incoming students for law school. In the best Socratic fashion, the response would be to ask what it is that one *wants* to read during the weeks before beginning law school. Is it law-related? Maybe it is a “beach” book or sci-fi fantasy or a thriller that calls your name. We generally suggest that the best way to prepare for law school is to arrive relaxed, focused and ready for the hard work that accompanies the study of law. Should reading a law-related book find its way on to your agenda, the list below represents some of the suggestions from the Law School faculty. As you can see, it comprises a veritable smorgasbord of options, ranging from biography to fiction, from legal theory to legal practice, and includes everything in between. Any of these books, depending on your personal tastes, interests and time, are legitimate choices. Happy reading!

### **USING LAW: WHAT LAW CAN DO FOR US AND TO US**

#### **Asylum Denied: A Refugee's Struggle for Safety in America**

by David Ngaruri Kenney and Philip Schrag

University of California Press, 2008

A compelling account of a refugee's escape from brutal political persecution in Africa and his legal journey through a U.S. immigration system marred by arbitrary decision-making and bureaucratic indifference.

#### **The Buffalo Creek Disaster: How the Survivors of One of the Worst Disasters in Coal-Mining History Brought Suit Against the Coal Company--And Won**

by Gerald M. Stern

Random House, 1976

#### **The Children in Room E4: American Education on Trial**

by Susan Eaton

Algonquin Books of Chapel Hill, 2007

#### **A Civil Action**

by Jonathan Harr

Random House, 1995

#### **Damages: One Family's Legal Struggles in the World of Medicine**

by Barry Werth

Simon & Schuster, 1988

This book is about an actual medical malpractice lawsuit in Connecticut, but it reads like a gripping novel. Note: One of the attorneys in the lawsuit, Michael Koskoff, is a Law School alumnus.

#### **The Day Freedom Died: The Colfax Massacre, the Supreme Court and the Betrayal of Reconstruction**

by Charles Lane

Henry Holt & Company, 2008

#### **Disoriented: Asian Americans, Law and the Nation State**

by Robert Chang

New York University Press, 1999

**Dispensing with the Truth: The Victims, the Drug Companies, and the Dramatic Story Behind the Battle over Fen-Phen**

by Alicia Mundy  
St. Martin's Press, 2001

**Everything in Its Path**

by Kai T. Erickson  
Simon & Schuster, 1976

**Gideon's Trumpet**

by Anthony Lewis  
Vintage Books, 1989

**The Lost Promise of Civil Rights**

by Risa Goluboff  
Harvard University Press, 2007

**The Making of Environmental Law**

by Richard Lazarus  
Chicago Press, 2004

This is an excellent history of modern (post 1969) environmental law making and policy thinking.

**The Medical Malpractice Myth**

by Tom Baker  
University of Chicago Press, 2005

**The New Environmental Regulation**

by Daniel Fiorino  
MIT Press, 2006

**No Equal Justice: Race and Class in the American Criminal Justice System**

by David Cole  
The New Press, 1999

**A Question of Intent: A Great American Battle with a Deadly Industry** by David Kessler Public Affairs Books, 2001 Kessler discusses the FDA's investigation of the tobacco industry and the legal fight over whether the FDA had the statutory authority to regulate cigarettes. A great read.

**Shades of Green**

by Neil Gunningham, Robert A. Kagan and Dorothy Thornton  
Stanford University Press, 2003

This is a careful study of the environmental protection efforts of 14 pulp manufacturers, both efforts aimed at complying with regulations and efforts aimed at going beyond regulations.

**The Showdown at Gucci Gulch**

by Allan Murray  
Random House, 1987

This is the story of the 1986 Tax Reform Act. It provides great insight into the legislative process; it's the concept of "political economy" in narrative form, and a fun read.

**Simple Justice**

by Richard Kluger

Albert A. Knopf, Inc., 1976

One of the best histories of the long road to Brown v. Board of Education.

**And We Are Not Saved: The Elusive Quest for Racial Justice**

by Derrick Bell

Basic Books, Inc., 1987

**Covering: The Hidden Assault on our Civil Rights**

by Kenji Yoshino

Random House, 2006

**Nudge: Improving Decisions about Health, Wealth and Happiness**

by Richard Thaler and Cass Sunstein

Yale University Press, 2008

**The Race Card: How Bluffing about Bias Makes Race Relations Worse**

by Richard Thompson

Ford Farrar, Straus & Giroux, 2008

A semi-popular meditation on what discrimination is and isn't, and what the law can/should do about it. This is a very readable book, with examples drawn from law and popular culture.

**Rebellious Lawyering: One Chicano's Vision of Progressive Law Practice**

by Gerald Lopez

Westview Press, 1992

**Rights of Inclusion: Law and Identity in the Life Stories of Americans with Disabilities**

by David Engel and Frank Munger

University of Chicago Press, 2003

**Sexual Harassment of Working Women: A Case of Sex Discrimination**

by Catharine A. MacKinnon, Thomas I. Emerson (Introduction)

Yale University Press, 1979

**A Failure of Capitalism: The Crisis of '08 and the Descent into Depression**

by Richard A. Posner

Harvard, 2009

A preliminary, non-technical look at possible regulatory failures which may have caused the current financial crisis.

**Love in the Driest Season**

by Neely Tucker

Three Rivers Press

A story of adoption in Zimbabwe. Heart pounding and fascinating tale of the mix of culture and bureaucracy.

**Retaking Rationality: How Cost-Benefit Analysis Can Better Protect Our Environment and Our Health**

by Revesz and Livermore

Oxford Press, 2008

**The Spirit Catches You and You Fall Down: A Hmong Child, Her American Doctors, and the Collision of Two Cultures**

by Anne Fadiman

Farrar, Straus & Giroux, 1998

This book tells the story of a family of Laotian immigrants with an epileptic daughter, and the vastly different world-views and conceptions of disease and treatment held by her family and by the medical establishment. It is a book about the difficulties of cross-cultural communication, with many lessons for lawyers in a multicultural society.

## **LIVES IN LAW**

### **Cardozo**

by Andrew Kaufman  
Harvard University Press, 1998

### **Go East, Young Man**

William D. Douglas  
Random House, 1974

### **John Marshall and the Heroic Age of the Supreme Court**

by Kent Newmyer  
Louisiana State University Press, 2001  
In what has been described simply by G. Edward White, as "the best study of Marshall yet to appear and one of the finest judicial biographies in American literature" Professor of Law and History Kent Newmyer has instructed a wide readership on the philosophy and accomplishments of one of the transformative figures in American history.

### **The Judge in a Democracy**

by Aharon Barak  
Princeton University Press, 2006

### **The Nine: Inside the Secret World of the Supreme Court (2007)**

by Jeffrey Toobin  
Doubleday, 2007  
New Yorker writer Jeffrey Toobin writes a gossipy but fascinating examination of the personalities, biographies, and dynamics between the justices of the Supreme Court, and the ways these influenced judicial decision-making.

### **Supreme Court Justice Joseph Story: Statesman of the Old Republic**

by Kent Newmyer  
University of North Carolina Press, 1985

### **The Supreme Court under Marshall and Taney, 2nd Edition**

by Kent Newmyer  
Harlan Davidson, 2006

### **Thurgood Marshall: American Revolutionary**

by Juan Williams  
Times Books, 1998

## **LAW, JUSTICE, AND POWER: LEGAL THEORY**

### **The Lawyer Myth: A Defense of the American Legal Profession**

by Rennard Strickland and Frank Read  
Ohio University Press, 2008  
A reflection by two former law deans about the world of lawyer jokes and public opinion versus the real and

important work done by lawyers.

**Bad Acts and Guilty Minds: Conundrums of the Criminal Law**

by Leo Katz

University of Chicago Press, 1987

**The Canon of American Legal Thought**

by David Kennedy and William K. Fischer III (2006)

Collection of many of the core writings influencing American Legal thought, from Oliver Wendell Holmes to Robert Cover.

**A Clearing in the Forest: Law, Life, and Mind**

by Steven Winter

University of Chicago Press, 2003

**The Common Place of Law**

by Susan Silbey and Patricia Ewick

University of Chicago Press, 1998

**Freedom's Law: The Moral Reading of the American Constitution**

by Ronald Dworkin

Harvard University Press, 1996

**Justice, Gender & the Family**

by Susan Moller Okin

Basic Books, Inc., 1989

**Justice in Robes**

by Ronald Dworkin

Harvard University Press, 2006

**The Politics of Law: A Progressive Critique, 3rd Ed.**

D. Kairys, ed.

Basic Books, Inc., 1998

**Law and the Fireside Inductions**

by Paul Meehl

The Journal of Social Issues, Vol. 27, no. 4 1971, 65-100

**Lawyers and Justice: An Ethical Study**

by David Luban

Princeton University Press, 1988

**The Lost Lawyer: Failing Ideals of the Legal Profession**

by Tony Kronman

Harvard University Press, 1995

**A Matter of Interpretation: Federal Courts and the Law**

by Antonin Scalia

University Center for Human Values, 1998

A probing examination of methods of Constitutional and judicial interpretation from the Supreme Court's best

known conservative Supreme Court Justice, with critical commentary by leading Constitutional scholars.

**The Nature of the Judicial Process**

by Benjamin Cardozo

Yale University Press, 1921

Nobody should graduate from law school without reading the best of the books on the craft of judging by one of the great ones.

**The Practice of Justice: A Theory of Lawyers' Ethics**

by William Simon

Harvard University Press, 1998

**Race and the Alchemy of Rights**

by Patricia Williams

Harvard University Press, 1991

**The Structure of Liberty: Justice and the Rule of Law**

by Randy E. Barnett

Oxford University Press, 2000

**Simple Rules for a Complex World**

by Richard A. Epstein

Harvard University Press, 1995

**Taking Rights Seriously**

by Ronald Dworkin

Harvard University Press, 1977

**A Theory of Justice**

by John Rawls

Harvard University Press, 1971

**Democracy and Distrust: A Theory of Judicial Review**

John Hart Ely

Harvard University Press, 1980

**Original meanings: Politics and Ideas in the Making of the Constitution**

Jack Rakove

Knopf, 1996

**The Least Dangerous Branch**

Alexander M. Bickel

Yale University Press, 1962

**Pictures at an Execution: An Inquiry into the Subject of Murder**

Wendy Lesser

Harvard University Press, 1993

**Natural Law and Natural Rights**

John Finnis

Oxford University Press, 1980

**Beyond All Reason: The Radical Assault on Truth in American Law**

Daniel Farber and Suzanna Sherry  
Oxford University Press, 1997

**Playing by the Rules**

Frederick Schauer  
Oxford University Press, 1991

**The Concept of Law**

H.L.A. Hart  
Oxford University Press, 1960

**Ages of American Law**

Grant Gilmore  
Yale University Press, 1977

**LAW IN FICTION**

**A Clockwork Orange**

Anthony Burgess (many editions)

**Bleak House**

Charles Dickens (many editions)

**Crime and Punishment**

Fyodor Dostoyevsky (many editions)

**The Brothers Karamazov**

Fyodor Dostoyevsky (many editions)

**The Fall**

Albert Camus  
Knopf, 1956

**The Heather Blazing**

Colm Toibin  
Penguin, 1995

**The Trial**

Franz Kafka  
Schocken, 1965

**A Man for All Seasons**

Robert Bolt (several editions)

**Measure for Measure**

William Shakespeare (many editions)

**The Merchant of Venice**

William Shakespeare (many editions)

**Judge on Trial**

Ivan Klima

Harcourt Brace, 1991

**A Frolic of His Own**

William Gaddis

Poseidon Press, 1994

**The Book of Daniel**

E.L. Doctorow

Random House, 1971

**In Cold Blood**

Truman Capote

Random House, 1966

**Presumed Innocent**

Scott Turow

Farrar, Straus, Giroux, 1987

A number of series of crime fiction give an entertaining and sophisticated view of law and lawyering:

**The Matthew Hope series**

Ed McBain

Holt Publishers

**The John Marshall Tanner series**

Stephen Greenleaf

Simon and Schuster

**The Brady Coyne series**

William Tapply

various publishers

and various crime novels by Julian Symons, Michael Gilbert, Arthur Maling, and Sarah Caudwell (esp. *The Shortest Way to Hades*, Penguin Books)

**LAW SCHOOL: MYTHS, REALITIES, METHODS**

**Making Your Case: The Art of Persuading Judges**

Antonin Scalia and Bryan A. Garner

**Framing Contract Law: An Economic Perspective**

by Victor Goldberg

Harvard University Press, 2007

Looks at some famous cases, combining background research with simple economic reasoning. Written for lawyers and law students.

**Getting to Maybe: How to Excel on Law School Exams**



by Michael Fischl & Jeremy Paul  
Carolina Academic Press, 1999

**Law 101: Everything You Need to Know About the American Legal System**

by Jay M. Feinman  
Oxford University Press, 2006

**Legal Education and the Reproduction of Hierarchy: A Polemic against the System**

by Duncan Kennedy  
New York University Press, 2004

**One L: The Turbulent True Story of a First Year at Harvard Law School**

by Scott Turow  
Farrar, Straus & Giroux, 1977

**MOVIES FOR LAWYERS: ASPECTS OF LAW AND CONTEXTS OF JUSTICE**

The following movies are diverse; some are about lawyers and lawyering, while others are about laypersons whose lives are shaped by legal predicaments. Still others raise questions about justice in the creation and enforcement of law.

**The Accused** (1988) - Jodie Foster's Oscar winning role as a rough-trade rape victim looking for vindication.

**Body Heat** (1981) - A Florida lawyer is seduced by his mistress into killing her husband in this retelling of Double Indemnity; the story is an exercise in using legal skills to evade the law.

**Boy A** (2008) - English movie about a working-class youth returning to society after serving an extended term for homicide, and about the efforts of the social system to facilitate his rehabilitation.

**Breaker Morant** (1980) - Landmark Australian movie about officers court-martialed for killing prisoners to cover up war crimes by their superiors.

**Capturing the Friedmans** (2003/documentary) - Record of the investigation of a suburban New York family accused of molesting children in their neighborhood, a wrenching dissection of family dynamics.

**Dead Man Walking** (1995) - Fact-based story of a killer on death row and the efforts of a crusading nun to save his life; extraordinary performances by Sean Penn and Susan Sarandon.

**Doubt** (2008) - Meryl Streep and Philip Seymour Hoffman in the film adaptation of a play about turmoil at a parochial grade school when a priest is suspected of sexual malfeasance on the basis of insubstantial evidence

**Enron: The Smartest Guys in the Room** (2005/documentary) - In-depth exhumation of the economic and political hubris that produced the Enron scandal and the company's dissolution, a sly and brilliant commentary

**Erin Brokovich** (2000) - Julia Roberts won her Oscar for portraying this real-life legal assistant who was instrumental in bringing Pacific Gas & Electric to justice in an archetypical David/Goliath story.

**4 Months, 3 Weeks and 2 Days** (2007) - Award-winning Romanian film about two college-age women and their

efforts to obtain an abortion in a totalitarian society where abortions are severely punished.

**The Informant!** (2009) - Matt Damon's stellar portrayal of the least reliable of whistleblowers in a breakdown of the Archer Daniels Midland scandals; a dark comedy about lawyers struggling to master their case

**Judgment at Nuremberg** (1961) - A monumental reconstruction of the post-World War Two trials of German officers and political leaders for Nazi war crimes; a turning point in the history of international criminal law

**Kramer vs. Kramer** (1979) - Among the most acclaimed of Meryl Streep's and Dustin Hoffman's movies, with a perceptive portrayal of a custody battle in which the father struggles to retain control of his young son's life.

**The Magdalene Sisters** (2003) - A scathing depiction and indictment of the system of punitive schools for "wayward" girls, schools that were widespread in Ireland through most of the twentieth century and were notorious for their cruelty

**Michael Clayton** (2008) - One of George Clooney's most engaging roles as a "fixer" whose role in his firm is to plan strategy when normal lawyering fails, in this case when a senior lawyer has a breakdown while managing a losing claim.

**Mugabe and the White African** (2010/documentary) - A brilliant documentary about the search for legal justice by a white farmer in Zimbabwe whose life as well as his livelihood are under threat because of government policies.

**The Social Network** (2010) - Mark Zuckerberg's legal confrontation with those who accused him of appropriating their ideas and efforts is a central theme of this film, considered by many the best American movie of recent years.

**12 Angry Men** (1957) - Widely considered the most subtle and revealing movie ever made about the deliberations of a jury and the trade-offs between emotion and reason in the context of decision.

**The 25<sup>th</sup> Hour** (2002) - A profound look at the last day of freedom for a New York drug dealer facing seven years in prison, an incisive look at the psychology of incarceration (with a fine performance by Edward Norton).

**The Verdict** (1982) - One of Paul Newman's career-defining performances was as a failing litigator who chooses to take a malpractice case to trial to salvage his career, when the interests of his client favor settlement.

**Witness for the Prosecution** (1957) - An extraordinary adaptation of a story by Agatha Christie featuring some of the most remarkable actors of their day (Marlene Dietrich, Charles Laughton, Tyrone Power) in a story about a barrister struggling to defend his client on a homicide charge when the circumstantial evidence strongly favors the prosecution.