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## Linking the Visions

Donald H. Regan

*University of Michigan Law School*, donregan@umich.edu

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By Donald H. Regan • William W. Bishop Jr. Collegiate Professor of Law; Professor of Philosophy

I have been asked for an essay of 500-1,000 words on the question “What issue or issues in law does your multidisciplinary expertise help you to examine? How do your multiple disciplines add to the discussion?” I don’t have 500-1,000 words to say about that. Indeed, I don’t have anything at all to say about it. My non-law appointment is in philosophy. I don’t teach what is standardly thought of as the philosophy of law. Nor am I one of those constitutional lawyers who regard constitutional law as merely political philosophy under another name. Indeed, I often describe myself as having multiple academic personalities — not, I hope, a “disorder.” Sometimes I am a lawyer doing constitutional law or trade law; sometimes I am a philosopher doing moral and political philosophy. And I like it that way. Of course, I am at all times me, with the mental habits and inclinations I have developed over 55 years of training and work in a variety of disciplines. My constitutional law students sometimes complain that my course is too “philosophical.” But so far as I can tell, all they really mean is that I like arguments to be made as explicitly and precisely as possible, and that I seem to care more about this than most of their other teachers. Since they know I am a philosopher, they attribute this predilection to my philosophy background. Perhaps they are right — although I myself should not like to suggest that philosophers have a monopoly on concern for clear thought.

Ironically, the non-law training that seems to me to have the most immediate and obvious impact on my legal work is the graduate degree in economics I did after law school. There are a few basic concepts pioneered by economists — the prisoners’ dilemma, Pareto optimality, externalities, and so on — that ought to be in every educated person’s conceptual tool kit, and that certainly ought to be in every lawyer’s. I have never been tempted to add on the personality of an academic economist, but having done the early stages of their professional training probably makes me more at ease with some of their basic concepts and less likely to be intimidated by overreaching claims than most non-economists. Indeed, I would happily claim to have a better working grasp on the meaning and importance of “efficiency,” that talisman of the law-and-economics set, than many law-and-economists do.

In my case, which may be unusual, the importance of my non-law training and commitments is not in specific contributions they make to my work in law. Rather, it is in their contributions to my being me. For better or worse.