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The Book Review Issue: An Owner's Guide

Carl E. Schneider
University of Michigan Law School, carlschn@umich.edu

THE BOOK REVIEW ISSUE: AN OWNER'S GUIDE

*Carl E. Schneider**

Law reviews have short memories. Other institutions count on long-term managers and well-kept files to preserve the experience of the past. But there is no remembrance of things past in an institution whose officers serve — fileless and frantic — for a single year. I want to use the opportunity this volume's editors have kindly given me to contribute to the *Michigan Law Review*'s institutional memory. Editors past, present, and future may be curious about when and why the book review issue was conceived and born. I will briefly tell that story. More significantly, however, I want to relate the goals we originally had for that issue and to reflect on what its goals should be today.

I believe these reflections should also interest readers of the *Review*. Law has confided its scholarly journals to students. But we lawyers and law professors retain a considerable interest in what those journals do, and we owe a considerable duty of aid to the novices on whom we have imposed this odd burden. Both that interest and that duty are well served by conversations in which we ask what law reviews should do and how they should do it. I hope this little essay can be a modest word of that kind.

I. Origins

In 1979 we gave a law review and hardly anyone came. We had, for example, only one articles editor — though his strength was the strength of ten. We few, we nervous few, had just taken over. We were trying to get a grip on things and ourselves when I received a letter from Francis Allen, who had been my Criminal Law professor and whose research assistant I had been. He told me he was sure that, now that I was Editor-in-Chief, I thought I could solve most of the world's problems. He said he had one for me. He pointed out a little acidly that law reviews typically did a disgraceful job of reviewing books, unlike journals in every other discipline. He closed by asking what I was going to do about this.

I had always thought the legal profession had taken leave of its senses when it abandoned its scholarly journals to second-year law students like me, but, as Leo X is supposed to have said, "The

* Professor, University of Michigan Law School. B.A. 1972, Harvard; J.D. 1979, University of Michigan. Editor-in-Chief, *Michigan Law Review*, Volume 77. — Ed.

Papacy is ours. Let us enjoy it." It seemed silly to edit a great law review and do nothing with it. I began to realize that our beleaguered little staff could actually do something of moment while solving some of the immediate, practical problems which beset us. We could, more precisely, establish an annual issue which contained nothing but book reviews.

What were those "immediate, practical problems"? First, I was surprised to find that even well-reputed journals had trouble getting first-rate articles. Good articles, we knew, came from good authors. But good authors didn't come to us. We soon saw that good authors attract good authors; the trick is to get a critical mass. The book review issue looked attractive on this front: A law journal can solicit book reviews far more easily than articles. Good authors often place articles before they write them, and even when they write on spec they have many choices about where to publish. There are few good ways to solicit articles; certainly nothing is more resistible than the law review editors' form letter informing you that you may submit an article to them and that they may reject it. We hoped that by soliciting good authors for book reviews we might lure good authors into our orbit.

After all, why should someone want to publish with us? We were a perfectly respectable law review. But why us instead of another respectable review? If there were some way we could distinguish ourselves, authors might think of us more readily and consider us more warmly. We hoped an issue devoted only to book reviews might imbue us with some of that distinction.

In addition, we wanted to go where the action was. It was clear even twenty years ago that more and more law professors were writing books. They were writing books partly for a reason I'll come to in a moment — because they had had so many miserable experiences with law reviews. But the movement from articles to books is propelled by forces deeper even than misery. Interminable as law articles often are, their compass is too small for some ideas. The increasingly interdisciplinary nature of law and legal studies also impels law professors toward writing books, for many scholars trained in fields other than law were taught to write books. And if lawyers want to reach readers outside law schools, they must usually publish books, since law review articles are hard for nonlawyers to find. Finally, in numerous schools more prestige attaches to one book than many articles.

Our second practical problem was that we needed to show authors that we truly wanted to print many kinds of articles. We did not just want more various article forms, although by law review standards variety seemed a pretty spicy idea. We were trying to escape the tenure-piece form, so ponderous, so portentous, so pe-

dantic. We talked about establishing a correspondence section or an essays section, but we could not devise an effective way to prime the pump and sustain a reliable flow. Book reviews, though, could readily be solicited, even year after year.

Third, there was editing. The law review ethos may be captured in one sordid word — *machismo*. When a new editorial board takes office, it is regaled by stories from its predecessors whose gist is, "We took this really crummy piece. You wouldn't believe how bad it was. We just edited the hell out of it. In fact, we completely rewrote it. Hardly one word from the author survived. It was really bad, and now it's really good." While this story gratifies its tellers and inspires its listeners, authors are less charmed.

In fact, a little market research revealed that authors regarded publishing with a law review as on a hedonic par with endoscopy. The faculty bled anguished stories like a stuck pig. Give an article to a law review, they told me, and that's the last you hear for months. Just when the semester is hurriedly ending and you have 150 blue books to grade, you get a FedEx package containing a manuscript and a peremptory command to admire the review's improvements and return the manuscript within four days. You check to see what has been changed and discover that you have only a retyped manuscript. You call the review. Its editors are surprised you want to see the changes, since they edited "lightly." They are also surprised you have something to do that might make it hard to respond in four days. Magnanimously they say they will send a "red-lined version" and that you may have five days. You get the red-lined version and, red-eyed, finally figure out that it does not accurately report all the changes. You put your poor secretary to work tracing what has actually been done.

You are fascinated to learn what the review thinks is a "light" edit. It's a bit like walking down the streets of Cologne after a bombing raid. There is rubble everywhere, but not everything is completely gone. Some of the monuments that were blasted are at least recognizable. And you can still make out the basic plan of the streets. You admit it could have been worse; it could have been Dresden.

None of the changes is explained, so you exert your imagination to construe the principles that guided the editing. You observe, for example, that the number of footnotes has swollen hideously. You find that you have described the holdings in both *Brown v. Board of Education* and *Roe v. Wade* in elaborate parentheticals. You see that all the textual comments in your footnotes have been squeezed between parentheses. You find you have become a monster of explicitness. No principle, however familiar — however banal — goes unexplained (however eccentrically), and "support" for each bro-

mide is demanded. When you pursue this with the review they tell you, touchingly, that their readership is broad and that they want all their readers not only to understand all your arguments but to be referred to each relevant literature in case your article piques their interest.

You also learn that your style was inappropriately light, fresh, clear, and precise. Not to worry. It has been fixed. Everything has been inflated. "Hard" has become "difficult"; "think" is now "deem." Nouns are preferred to verbs, so people "reach a determination" instead of "decide" and "assert a preference in favor of" instead of "choose." If you are really lucky, "I think" will now be "it is the opinion of the present author that." Any unusual words you thought might brighten your pallid prose have been thoughtfully replaced by more conventional near equivalents. Incomprehensible allusions — like "let this cup pass from me" — are stricken (along with your few gems of levity). Your grammar has also been improved, so that you find yourself writing sentences like: "A person wants their life to be orderly." You learn rules you had never learned before, like the since-because rule ("since" refers only to time; if you speak causally you must use "because"), and you will relearn rules you had hoped everyone had forgotten, like the that-which rule.

I soon stopped asking professors how they felt about writing for law reviews unless I had the afternoon free for the answer. I began to think there might be a market niche for a review that did not over-edit, if only we could let authors know that ours was such a review. Where better to start broadcasting this message than with book reviews, which are generally less complex and more personal than articles and thus tend to require less editing anyway?

This leads me to the fourth of the immediate, practical problems that afflicted us: being behind — woefully, desperately behind. (I can't bear to say how far.) What took time, of course, was editing. The less we edited, the more we could catch up. Light editing was a necessity; it was fortunate that it was also a virtue. Book reviews, as I just said, were a natural for light editing. And if they attracted good authors, we could edit even more tolerantly and so attract even better ones. Let the celestial concerts all unite![1]

Our motives for the book review issue, though, were even more Machiavellian than I have so far confessed. Law review students know little about law. How could they? They have just begun to study it. They know less about legal scholarship. How could they?

1. I am delighted to report that we did begin to catch up our year and that my successors in interest — Dean Jeffrey Lehman of the Michigan Law School and Dean Kent Syverud of the Vanderbilt School of Law, to give them their present titles — put the *Review* back on schedule.

They are rarely asked to read it. And editing a law review is much harder than it used to be. If one reads old law reviews, one discovers that their articles were overwhelmingly doctrinal. Editors in those days, then, were asked to do for the review something of what they were taught in class — to analyze doctrinal problems. Today the range of legal doctrine has expanded hugely, just as the scope of government has expanded, so that articles now often discuss subjects students have never met in class. Furthermore, doctrine today widely incorporates ideas from other disciplines about which many students are innocent. Antitrust law, for instance, is now drenched in economics.

The range of legal scholarship has expanded even more than the range of legal doctrine, so that purely doctrinal work is almost in danger of becoming unfashionable. Two major movements — law and economics and law and society — require their adepts to be comfortable in a discipline other than law. Worse, intellectual fashions change with disconcerting speed. When I started teaching, a taste for the fruits of French philosophy was necessary for the *au courant,* and any serious law school wanted at least a crit or two. *Mais où sont les neiges d'antan?*

What all this suggested was that our staff could use some intellectual help. Unfortunately, the *Law Review* had lost the habit of seeking it. The faculty had other fish to fry and would not venture where they seemed unwanted. Indeed, few of them had any idea what was going on in the *Review,* although several noticed we seemed behind schedule. We wanted the faculty to help us review articles that were submitted to us and to help us attract better submissions. We wanted them to give us their own articles. We wanted them to aid us in organizing good symposia.[2] We even, I am ashamed to say, wanted them to give us academic credit for student notes. (They did, but they repented after one year.) The book review issue offered a way to re-engage the faculty in the work of the *Review.* We dreamed that advising us on books to review and reviewers to invite would intrigue them and that they themselves might occasionally be inveigled to contribute.

I have been frank about some of the tawdrier motives for the book review issue. Let me be even franker. We thought it would be fun. Not all law review articles are completely absorbing; proof-

2. One of our innovations in this respect was to ask a scholar from outside the law school (in our case, Maris Vinovskis, a social historian and demographer from the Institute of Social Research and the Department of History) to be a guest editor for our symposium on abortion. 77 MICH. L. REV. 1569 (1979). He helped us identify and recruit contributors and made substantive comments on their articles. We learned a lot from working with him, we signed up contributors who would otherwise have said no, and the articles benefited from his learning and judgment. This issue was reprinted (with a new introduction) as CARL E. SCHNEIDER & MARIS A. VINOVSKIS, THE LAW AND POLITICS OF ABORTION (Lexington Books, 1980).

reading is frankly boring; collating proofreaders' comments is hardly better. We thought editing book reviews would be diverting: We looked forward to browsing through the *New York Review of Books* for books to review, to creating effective and stimulating combinations of books and reviewers, to reading the reviews as they came in, and to working with engaging and literate authors.

All this makes the book review issue sound merely opportunistic. It was not. We were inspired and inspirited by Professor Allen's arguments and by some substantive arguments of our own. First, Professor Allen, who has himself written many notable books, said something we would not have thought of independently — that book reviews are a service to the authors of books. This service is partly consolatory. Authors labor for years to write a book. When it finally emerges, damp with the author's blood, it can slip silently out of sight, leaving only a trail of the author's tears. Authors yearn to hear what people think of their progeny. Book reviews are almost the only way most authors ever find out (though of course sometimes they are sorry they asked).

But book reviews do more than reward authors for their travail. They also continue the professional discourse of which a book is a part. A book's ideas may eventually influence the work of other scholars. But reviews are often the only forum in which those ideas and their rationales are directly confronted and expressly analyzed. Scholars engaged in their own work will often take a book's arguments at face value; reviewers must ask whether those arguments are convincing.

Book reviews also serve their readers. Most simply, they announce a book's publication. Academic books are rarely lucrative for publishers, and publishers doubt that advertising will make them more so. Yet academic books now stay in print so briefly that unless they are bought quickly they can become, as Amazon.com likes to put it, hard to find. Book reviews also help scholars keep up with their fields. Any serious professional journal should give its readers an intelligent account of what colleagues are saying, and law professors particularly need such guidance. They have long been generalists, which requires staying current in several subjects. They are increasingly interdisciplinary, which means hardly knowing where relevant material will be published. Furthermore, because there is now so much published, no one can read everything; and because much of it is not good, no one would want to. Book reviews, then, help their readers decide which books to buy, which to read, and which to study.

All these are ways books reviews serve even people who do not read the books reviewed. But reviews also serve a book's readers. After completing a book, readers want to hear what someone who

has analyzed it meticulously thinks about it. Readers, that is, get more out of books when they have some help.

There you have it, then. The book review issue was overdetermined. It was the amusing thing to do. It was the practical thing to do. It was the right thing to do. So we set to work.

II. Operations

As it turned out, editing the book review issue was every bit as much fun as we had hoped, more fun even than, say, scrapping with Christensen and Darby. Since we had no book review editor, the articles editor — Greg Morgan, who is now a partner at Munger, Tolles & Olson — and I arrogated much of the work to ourselves, with a good deal of help from a number of generous and able staff members.

We encountered, to be sure, some unwonted problems. The first was identifying books to review. We amassed shelves of them. We read the *Times* Sunday book review section and the *New York Review of Books*. We ordered catalogs from publishers. We lingered and malingered at Borders (for Ann Arbor is the home of the *ur* Borders). We read reviews in journals in other fields. Obviously we could not review every book that might engage lawyers and law professors. But what was our principle of selection to be? We gradually realized that most bad books weren't worth reviewing, but that bad books by distinguished authors, for example, might justify attention, as might bad books that had provoked a stir. Good books were of course ideal, but how do you know if a book is good until you review it, and how do you know which authors are reliable if you know nothing of their fields? Faced again with our own incompetence, we went to our faculty — which happily included specialists in a number of disciplines related to law. Many of them were splendid. Richard Lempert, to select one name unfairly from among them, was a fountain of imaginative and rewarding ideas on these topics and many more.

Even more quickly we sought faculty help in selecting reviewers, for a good reviewer is hard to find. We had anticipated struggling to match reviewers with books, but that often turned out to be intriguing and diverting. What was harder was persuading candidates to accept our offer. To be sure, our job was delightfully eased by the extraordinary enthusiasm every law professor we approached expressed for the book review issue, and several estimable scholars contributed a review just to encourage a noble project.[3] Still, as we

3. One person from whom we solicited a review did even better, for David F. Cavers wrote an introduction for the issue: *Book Reviews in Law Reviews: An Endangered Species*, 77 Mich. L. Rev. 327 (1979).

had expected, every desirable scholar already had publication plans far into the future.

We had some other problems we had not anticipated. First, we had not understood how little the ethos of legal academia favors reviewing books. In other fields, reviewing is a duty. True, reviews are usually short. But we did not insist on long reviews. In law, we soon discovered, the young recognized that a book review would do them scant good come tenure time, and the old thought a book review took more time than it was worth, time better spent "developing my own ideas than criticizing someone else's." Second, we had not realized how small the world was. The first time someone told me "I will only review that book if I can say something good about it," I was indignant and had dark thoughts about *suppressio veri.* I still do, but now I see the problem.

One solution to these difficulties was to go outside law schools for reviewers. Of course, we sometimes had to do so simply to find people competent to review nonlegal books. But we also benefited from approaching people who worked in a tradition that instructed them that reviewing books was a necessary service to their calling and who were not part of the little world in which law professors live. In addition, nonlawyers often brought fresh and fertile perspectives to law books.

III. Outlook

The book review issue quickly became well-established. That is the advantage of institutions without memories. After two years, no one could remember a time when there had not been a book review issue, and so it rapidly became an institutional duty. Today, it is twenty years old. The need for it is greater than ever and seems destined to burgeon. Law professors are writing books at an ever-brisker rate. Their work grows daily more interdisciplinary, and so does their need to keep abreast of the books published in many fields. And as the practice of law becomes more narrowly specialized, thoughtful lawyers have more reason to cherish a source of information about what is being thought across the profession.

While the need for the book review issue intensifies, so will the challenge of editing it. For the domain of law continues to expand as new fields proliferate, as law raids neighboring disciplines, and as more legal scholarship is published in books. Second- and third-year law students may find it harder and harder to work skillfully in so many specialized fields and to handle so many demanding books. I propose, then, to make a few impertinent suggestions about how these challenges might be met.

I begin with an observation about law reviews. They are strangely conservative institutions. (I say "strangely" because the

institutional conservatism of their editors contrasts with their monotonously anticonservative politics.) For example, I have long tried to convince editorial boards around the country to slay the monster Bluebook and substitute the Chicago Manual of Legal Citation.[4] Every time I try, I am chilled by a response even the Duke of Wellington might have thought made the winds of reaction blow too frostily. What I never hear is an argument about the Bluebook's merits. What I do hear is, "We've always done it this way, and everybody else does it this way."

But perhaps it's not so strange that law reviews are so stodgy. Consider what I said a moment ago about the cruelty of the editors' situation. We ask them to edit our scholarly journals. But they are not scholars. They are not studying to be scholars. They don't want to be scholars. They are just trying to learn a little law, finish their notes, get clerkships, and move on to real jobs. Few editorial staffs are trained, even informally, by their faculty. Well, if you doubt you know what you're doing, and if the daily demands of work press hard upon you, safety will seem to lie in the familiar. It's like buying Intel if you're a mutual fund manager; it may not be a winner, but people won't blame you for owning it. Certainly editors feel they are being watched and might be criticized. It hardly seems kind to say that no one follows most journals carefully enough to notice if things go wrong.

What's perverse about this conservatism is that one can hardly imagine an institution in which boldness is safer. The market will not punish reviews whose experiments fail because there is no market. Subscribers will not cancel their subscriptions because there are no subscribers. Deans will not withhold funding, because they think law reviews are prestigious and pedagogical. (Why else would deans support five or six of them at a time?) This means that experiments that fail can safely be reversed (or even continue unmolested).

Law reviews, then, have a wonderful freedom to make themselves good. It would be wicked not to exploit it. How might book review editors do so? Let me count a few ways. First, they might countenance reviews of all sizes. Over the last twenty years, the average length of a faculty review has swollen from twelve pages to twenty-four pages. One of the issue's first purposes was to permit — to prod — people to shed the shackles of the tenure-piece form, to write essays, comments, causeries or what have you, to fit the form to the substance. Essays — even essays that barely nod to the book nominally being reviewed — are richly desirable. But the book review issue should also tell readers about books. Twenty-

4. For my reasons, see Richard A. Posner, *Goodbye to the Bluebook*, 53 U. CHI. L. REV. 1343 (1986).

four pages per book is more than most of us have the heart or humor for.[5]

Second, editors might broaden the range of reviewers. As I said, our year had good luck with nonlaw reviewers. They were somehow even pleased to be asked to write for a law review (although they were nervous about the stories they had heard from legal colleagues). My survey of the table of contents of each issue, however, suggests that few nonlaw reviewers have recently been recruited. This is understandable, since they are hard to identify. But Michigan is a great university whose resources are surprisingly accessible: knock, and it shall be opened unto you.

Editors might also resurrect the student reviewer. For some years the *Review* had all its second-year students write a short book note which described and briefly evaluated a book. Such book notes give novices a chance to write one easy piece and see it published. In addition, they help the issue survey the literature more thoroughly. Occasionally, too, students might venture more challenging projects. For instance, we had one exceptionally strong tax student review the Kahn and Gann corporate tax casebook.

Third, editors might experiment with different kinds of reviews. This is half the fun of running the issue. For example, one can often assemble imaginative collections of related books. This allows an issue to cover more books and reviewers to make profitable comparisons. For instance, we asked a historian to review a spate of books on the three great political *causes célèbres* of the century — Sacco and Vanzetti, the Rosenbergs, and Hiss. His review was fascinating because it showed that the contemporary trend in each case is to conclude that the accused were in fact guilty.

Editors might equally ask more than one reviewer to examine meritorious books and even make a miniature symposium for momentous ones. For my own part, I would treat books reporting on extensive empirical projects this way, for these rare treasures often present reviewers with challenging technical questions about research design while inspiring bountiful speculation about what the findings mean. Part of any such project should be a response from the book's author. For that matter, authors might regularly be asked to comment on reviews, since the issue should want to stimulate exchanges about the ideas in books and since authors usually have no other dignified way to respond to their critics.

5. The growing length of book reviews may be recapitulating the history of giantism in faculty articles. My secretary has kindly calculated the average length of articles in a series of volumes of the *Michigan Law Review* and reports that in Volume 5 (published in 1906-07) articles averaged 5 pages; Volume 15, 12 pages; Volume 25, 20 pages; Volume 35, 28 pages; Volume 45, 28 pages; Volume 55, 22 pages; Volume 65, 24 pages; Volume 75, 32 pages; Volume 85, 45 pages; and Volume 95, 58 pages.

Editors like to review only the newest books, and with reason. But often a serious book goes unreviewed for several years because it was overlooked in the flood or because a reviewer reneged on a promised review. I can't see why such a book should not be reviewed several years later. Editors could profitably venture even deeper into the past. For example, the author of an influential book of five or ten years earlier might be asked to reflect on how it came to be written, what response it met, and how its teachings now look. A regular "classics revisited" feature would also be welcome. It might, for instance, rescue some worthy books from obscurity and allow us to revalue books whose reputation exceeds their merit.[6]

Fourth, editors of the issue might profitably expand its coverage of foreign books. Recent numbers treat American books almost exclusively; even English books seem oddly scanted. Of course, foreign books are hard to manage. What American knows what is published abroad? What American can read it? What American can review it? Often the answer is "none." But American law schools now aspire to be global. Each year, then, why not ask an eminent scholar from a foreign country to review notable books by several compatriots or to assess trends in monographic work in that country? (And why not ask foreign specialists in American law to review books by American writers, so that we might see ourselves as others see us?)

Fifth, the editors might reinstitute coverage of casebooks. It is fashionable to sneer at casebooks and to think them arid and empty. As the author of a casebook, I would prefer to think that is not so. But even if it is, casebooks should still be reviewed. First, choosing a casebook is a hazardous business, and law teachers need all the help we can get. Furthermore, we all welcome ideas for using casebooks, and reviews can provide them. Second, if casebooks are bad they should be improved. Criticism is the path toward improvement. It gives casebook authors an incentive to do better. More, it points the way to the better. We need a forum for discussing what makes a casebook good in these almost postdoctrinal days. The book review issue was made for just such discussions.

This leads me to my sixth point. Editors of the book review issue might usefully revive the introductory essay. The first few issues contained one, but then it vanished until today. This is a pity. We need a place to consider the kind of scholarship we do today in particular fields, in movements like law and society, or in legal

6. An editor might combine the idea of retrospection with the idea of the group review and solicit an essay on the volumes of the Holmes Devise. Was that imaginative gift well-spent? What can we make of the books as history? What can we learn from the sorry story of the attempts to get them written?

scholarship generally. The introductory essay could nicely furnish one.

I have a final suggestion. I have contended that the task of a book review editor is hard. I have argued that the direction of legal scholarship will make it harder. I have proposed six ideas for making it harder yet. The task challenges mature scholars. It should dismay novices, who need to be bold but can only be cautious. Law faculties bitterly criticize law reviews, but they bitterly resist doing anything about them. At long last, law reviews are entitled to ask for help, and law faculties are obliged to impose it.

This would be to the good of all parties. Indeed, were I today the Editor-in-Chief of the *Michigan Law Review,* I would go to the Dean of the Law School and say something like this:

> We share an interest in our law review, you and I. But you know as well as I — for were you not Editor-in-Chief in your day? — that the job has gotten beyond the unaided ability of law students. In fact, editors of scholarly journals in other fields, who are ordinarily scholars of standing, do not work unaided. They select articles only after consulting experts in the article's subfield, and those experts make extensive comments that do much of the editor's work. (For that matter, authors in other fields are supposed to submit publishable manuscripts.) It is bizarre that we, the editors with the least experience, have the most responsibility.
>
> It's time to think about how to make law reviews work sensibly. I suggest we start with the book review issue. I am asking you to appoint a new faculty committee. (I know, I know. But it would be one of the few committees that actually had interesting work.) It would generate a list of books worth reviewing and reviewers worth soliciting. It would also be a board of peer reviewers for pieces that came in over the transom and that the student editors thought were promising. The committee would approve invitations to review a book and decisions to print unsolicited reviews. With the student editors, they would report annually to the faculty on the issue's success and on plans to improve it.
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> Some of my colleagues think I am betraying the principle of law review independence. Between you and me and the fence post, I've never understood that tradition. But I'm not worried. The day-to-day running of the review will remain in the hands of the students, and the faculty is too distracted by other things for a *coup d'état.* On the contrary, the problem is to get them involved at all. In any event, the risk must be taken as the first step in reforming and revivifying law reviews for the turbulent times in which we live.

Well, I have made many proposals. I confess I am not certain all of them would work. Many of them would avowedly be experiments. But as Holmes said, all life is an experiment. The book review issue itself was an experiment. I hope it is not merely vanity that leads to me to think it a successful one.

We had many ambitious goals for the book review issue. Interestingly enough, the goals that may have been best served were our least selfish ones. I believe that over the last twenty years, the book review issue has been a rich source of fruitful discussion of the books that most affect the way we think about the law. Its roll of reviewers contains a startling proportion of the country's most thoughtful legal scholars. And it is read. Indeed, I suspect it is the best-read issue of any law review in the country. It is certainly the only one that may sometimes be found on the towel at the beach, the counter in the bathroom, and the table by the bed. What more could we have hoped for?