



Ex Ante

Correction: Misnominator

IN OUR WINTER 2006 issue we incorrectly described the nomination of Carl McGowan to the U.S. Court of Appeals for the D.C. Circuit. For an authoritative explanation, see page 215.

Carolina Promotional Press

HEIGHTS OF JUSTICE: Discourse from Boston College Law School (Carolina Academic Press 2006) came with a note from Lawrence Cunningham, a professor at Boston College Law School and editor of the book:

The book is a way to synthesize some major themes in our faculty's scholarship, to recognize how individual contributions gel among colleagues as a school, and to share resulting knowledge and ideas with others. We hope that the volume will be of intellectual interest and practical use.

So, what's inside? For starters, the book contains no synthesis of themes or gellin' of individual contributions. It consists of roughly 600 pages of excerpts of articles by members of the Boston College law faculty. Cunningham's introduction does a nice job of categorizing and summarizing the excerpted works.

Why did Carolina publish this book? It must have seen something special about BC Law, its faculty, or

these excerpts. Let's take them in order.

First, BC undoubtedly has a very good law school. But why a collection of works springing from *that* institution? What would make such a collection usefully distinctive? Cunningham gives us one clue in his introduction, explaining that these excerpts “seek[] to foster legal arrangements imbued by values associated with the Jesuit tradition.” And what are those values? Unspecified, except that they “includ[e] dignity of persons, advancing the common good and compassion for the underprivileged.” With all due respect to Jesuit tradition, these values cannot plausibly be claimed as distinctively Jesuit. Besides, we can't help wondering how strong the influence of Jesuit tradition can be in a book whose index features Cicero, Jefferson, George Gallup, and the *Bluebook*, but not Christ, Jesus, God, or the *Holy Bible*.

Second, BC Law undoubtedly has a very good faculty. But why a collection of works by *that* faculty? There is only the one clue, covered above.

Third, the BC Law faculty undoubtedly produces some very good scholarship. But why a collection of *that* scholarship? Besides our solitary clue, the book suggests one other possibility. *Heights of Justice* features 45 articles spanning a quarter-century, written by 45 different people, all of whom are current members of the BC Law faculty. In fact, the book appears to contain a single excerpt from each *current* faculty member, but nothing from any *former* faculty member who worked at BC during the period covered by the book. It is distinctive – we can't find any book like it. But neither Cunningham nor Carolina mentions this feature, so perhaps it is just a coincidence.

Final clue: we receive review copies of many books, but did not get *Heights of Justice*. The copy we saw was sent to someone who generally doesn't review books and has no academic specialty relating to *Heights of Justice*. He does, however, hold a title normally associated with receipt of surveys from *U.S. News*. ¶