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## Preface

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## PREFACE

Ken I. Kersch and Linda C. McClain \*

In an essay in the *Texas Law Review* not too long ago, Sandy Levinson lamented the degree to which law reviews—most prominently the *Michigan Law Review*—were sharply cutting down on the space they were devoting to book reviews.<sup>1</sup> This was especially unfortunate as law professors were publishing more and more books. The publication of a book, as opposed to a journal article, was for many a deliberate choice involving an effort to address subjects at greater length, in greater depth, and on a broader scale for a wider scholarly (and perhaps educated popular) audience. Thematic review essays on books, whether on a single book or on several books brought into dialogue with each other, are a way of giving books the sustained critical attention they deserve, of integrating them into broader scholarly (and public) conversations and debates, within law and across disciplines, and showing how they matter. Sandy thus had good reasons for lamenting the shrinking space devoted to them by the legal profession’s chief scholarly fora. Fortunately, at the invitation of the *Tulsa Law Review*, Sandy (soon joined by Mark Graber, who, like Sandy, was dually trained in both law and political science) started the annual book review edition of the *Tulsa Law Review*. This new annual review was their way of sparking such conversations anew, in a professional landscape that increasingly seemed to promote specialization and hyper-professionalization over creative, generative interaction and engagement. In their preface to the first issue, Sandy and Mark expressed confidence that these reviews would play a useful role in liberally educating the profession, providing law professors, political scientists, philosophers, and historians, the opportunity to engage each other “on subjects of mutual interest and concern.”<sup>2</sup> They also saw such reviews as part of an important movement away from disciplinary divides and toward broader conversation among “scholars of law in a variety of disciplines and institutional locations” who increasingly viewed each other as a “relevant” reference group and audience.<sup>3</sup> We believe that the three issues that Sandy and Mark edited have vindicated their expectations.

What follows is the first book review edition of the *Tulsa Law Review* that we have co-edited since Sandy and Mark passed the baton to us. We are delighted that the more than two dozen review essays in this volume continue the interdisciplinary conversation that Sandy and Mark envisioned. As in prior issues, while law professors remain a major part of that conversation, in the essays that follow, both the books under review and re-

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1. Sanford Levinson, *The Vanishing Book Review in Student-Edited Law Reviews and Potential Responses*, 87 TEX. L. REV. 1205 (2009).

2. Mark A. Graber & Sanford Levinson, *Selection Biases*, 45 TULSA L. REV. 575, 575 (2010).

3. *Id.* at 577.

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viewers come from an array of disciplinary backgrounds—from law, to be sure, but also from political science, history, philosophy, and sociology. Continuing our predecessors' practice, when books address similar questions, or different questions that speak to each other in interesting ways, we have paired them, so that a reviewer may be considering books by legal scholars together with those from other disciplines, in ways that, we hope, raise novel questions and yield original insights. To the extent possible, we have encouraged our reviewers to write for a general scholarly audience, with the hope that by doing so, all of the essays may be read with profit—and enjoyment—by scholars from just about any discipline with an interest in law and related subjects. We aspire, in this issue of the *Tulsa Law Review*, and those we edit together in the future, to give readers a sense of the multifaceted richness and dynamism that scholars from across the university and the wider intellectual world continue to generate that can inform and deepen our thinking about law.