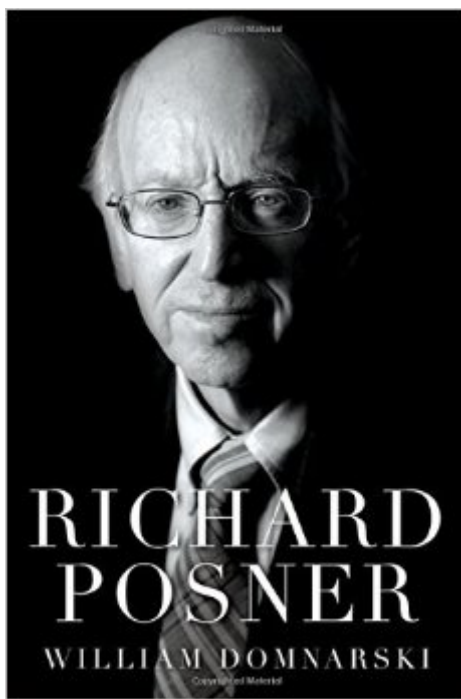


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Richard Posner



Synopsis

Judge Richard Posner is one of the great legal minds of our age, on par with such generation-defining judges as Holmes, Hand, and Friendly. A judge on the U.S. Court of Appeals for the Seventh Circuit and the principal exponent of the enormously influential law and economics movement, he writes provocative books as a public intellectual, receives frequent media attention, and has been at the center of some very high-profile legal spats. He is also a member of an increasingly rare breed-judges who write their own opinions rather than delegating the work to clerks-and therefore we have unusually direct access to the workings of his mind and judicial philosophy. Now, for the first time, this fascinating figure receives a full-length biographical treatment. In *Richard Posner*, William Domnarski examines the life experience, personality, academic career, jurisprudence, and professional relationships of his subject with depth and clarity. Domnarski has had access to Posner himself and to Posner's extensive archive at the University of Chicago. In addition, Domnarski was able to interview and correspond with more than two hundred people Posner has known, worked with, or gone to school with over the course of his career, from grade school to the present day. The list includes among others members of the Harvard Law Review, colleagues at the University of Chicago, former law clerks over Posner's more than thirty years on the United States Court of Appeals for the Seventh Circuit, and even other judges from that court. *Richard Posner* is a comprehensive and accessible account of a unique judge who, despite never having sat on the Supreme Court, has nevertheless dominated the way law is understood in contemporary America.

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Customer Reviews

This is quite simply a remarkable book. Richard Posner, from his perch (since 1981) on the United States Court of Appeals for the Seventh Circuit in Chicago, and his position as Senior Lecturer at the Law School of the University of Chicago (since 1969), has become one of our leading "public intellectuals." Having written over 43 books, and some five hundred articles, and being frequently designated as the most cited author for his academic work, Posner has had the opportunity to address a breathtaking range of topics, legal and otherwise, including economic analysis of law, Antitrust, American federal courts, law and literature, Old Age, Aids, moral theory, the Clinton impeachment, "Sex and Reason," the deadlocked presidential election of 2000, Jurisprudence, intellectual property law, theories of interpretation, and Justice Scalia, to identify just a partial list. The challenge to encompass all this mass of significant work into one biographical volume has been well met in this book, although it is more an intellectual biography than a complete one. Virtually every important Posner book, article and speech is analyzed by the author in the sequence in which they appear: a major contribution of the book. The author, a California attorney well acquainted with Posner, follows generally a chronological design, which turns out to be a helpful approach given the mass of material to be covered. The first chapter, for example, traces Posner's first 30 years (1939-1969).

Judges are generally pretty boring. They don't typically live exciting lives because exciting lives don't typically lead to judgeships. It's even worse for appellate judges, who don't even have the excitement, such as it is, of presiding over dramatic trials. Their main output as judges consists of written opinions, which inspire excitement among relatively few people. So the judicial biographer starts with a challenging task, one that is harder still if the judge doesn't have an exciting personal life outside of his judging. Add to that the necessity of describing the judge's jurisprudence and there arises an acute danger of writing something that's very boring or that slides into sticky fandom. William Domnarski meets the challenge with his biography of Richard Posner. It would be easy for this book to be boring: Posner has not led a particularly exciting life and he does not have an exciting personal life. (Like Posner himself, Domnarski does not mention Posner's family other than his parents and his cats.) He has written a lot judicial opinions (more than 3,000); describing them could be very tedious even without getting to Posner's many books and articles. It would also be easy to write a fan book about Posner, whose outsized intellect, rationality, and writing skills are unquestionable, or a slam book: Posner is not known for his warmth and modesty. Domnarski manages to avoid these traps and make some sense of perhaps the most fascinating judge alive.

He was given remarkable access to Posner's archive and to Posner himself, which he supplements with interviews of the judge's contemporaries in early life, college, law school, and beyond. Through Domnarski's sifting of these materials we get an idea of what Posner was up to during all those years.

I had not considered just how intimidating a figure Richard Posner really is until I sat down to write this review. I am apparently to be the first to review this biography and I am sitting here knowing that Posner will most certainly read it even though he is not the author. I've criticized and praised many authors without wondering if they might actually read what I wrote or even if I strongly suspected that the person will read it. Posner with his keen eye for grammar and style is a different matter. Regardless I was quite happy to have the chance to read this biography in pre-publication form (ebook). Posner has been well known to me since law school where I first learned of him in my torts class. He was associated with the "Chicago school" of economics as it applied to tort claims. It's been a number of years, so I won't try to formulate what this means to cases of consumer/civil tort claims. However, I did not care for the heartless quality to the theory. This book does not dispel some of my concerns about what I perceive as the coldness of some of Posner's views. In the final chapter, the author quotes Posner on his being perplexed as to why those he knows would be sad at the deaths of their parents. For example, "Shock, fearful coming of age, full of premonitions, etc., but why sad?" To a colleague who was upset at her mother's death and whom she described to him as being "wonderful", he wrote, "[W]hat was wonderful about your mother? I don't think there was anything wonderful about mine although I loved her much when I was a child and indeed until I was about 20. I mean seriously, who would write such a thing?"

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