

*Curriculum Vitae*

**JAMES BOYD WHITE**

Title: Hart Wright Professor of Law emeritus, Professor of English Language and Literature emeritus, and formerly Adjunct Professor of Classical Studies, The University of Michigan. Chair, Michigan Society of Fellows, 1988-2006.

Address: The University of Michigan Law School, 625 S. State St., Ann Arbor, Michigan 48109-1215.

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**Education:**

College: Amherst College, A.B. 1960, magna cum laude. Major: Classics. Honors: Phi Beta Kappa; Amherst Memorial Fellow; Hutchins Prize (Greek).

Graduate School: Harvard Graduate School of Arts and Sciences, A.M. 1961 (English).

Law School: Harvard Law School, LL.B. 1964, magna cum laude. Treasurer and Book Review Editor of Volume 77 of the Harvard Law Review.

Post Law School: Sinclair Kennedy Travelling Fellow, 1964-65.

**Employment:**

1965-67 Foley Hoag & Eliot, Boston.

1967-75 Assistant, Associate, and full Professor of Law, The University of Colorado.

1975-83 Professor in the Law School, in the College, and in the Committee on the Ancient Mediterranean World, The University of Chicago.

1983-08 Hart Wright Professor of Law, Professor of English, and Adjunct Professor of Classical Studies, The University of Michigan.

2008- present Emeritus

## Visiting

Appointments: Stanford Law School, Spring 1972.  
The University of Chicago Law School, 1973-74.  
The University of Michigan Law School, Fall 1982.  
University of Minnesota Law School, as first Frederick  
Thomas Visiting Professor in Law and Language,  
Winter 1994.  
Phi Beta Kappa Visiting Scholar, 1997-98.

Fellowships: National Endowment for the Humanities, Senior Research  
Fellowships, 1979-80, 1992; Presidential Initiative Fund  
Grant (Kellogg Foundation), 1987-88; Visiting Fellow, Clare  
Hall, Cambridge 1990; Guggenheim Fellowship 1993.

Memberships: American Law Institute, Life Member  
American Academy of Arts and Sciences  
Association of Literary Scholars and Critics  
Clare Hall, Life Member  
Law, Culture, and Humanities Association  
Modern Language Association

**Publications:**

Books: *Quando le Parole Perdono il Loro Significato*, Giuffrè Editore, 2010  
(translation of *When Words Lose Their Meaning*).

*Connecting to the Gospel: Texts, Sermons, Commentaries*, Wipf & Stock, 2010.

*Law and Democracy in the Empire of Force*, University of Michigan Press,  
2009 (edited with Jefferson Powell).

*When Language Meets the Mind*, Montesquieu Lecture, University of  
Tilburg, Wolf Legal Publishers, 2007.

*Living Speech: Resisting the Empire of Force*, Princeton University Press,  
2006. Paperback, 2008.

*How Should We Talk About Religion?*, Notre Dame Press, 2006 (edited  
volume).

*The Edge of Meaning*, University of Chicago Press, 2001. Paperback, 2003.

*From Expectation to Experience: Essays on Law and Legal Education*, University of Michigan Press, 1999. Paperback, 2000.

*Acts of Hope: Creating Authority in Literature, Law, and Politics*, University of Chicago Press, 1994. Paperback, 1995.

*"This Book of Starres": Learning to Read George Herbert*, University of Michigan Press, 1994. Paperback, 1995.

*Justice as Translation: An Essay in Cultural and Legal Criticism*, University of Chicago Press, 1990. Paperback, 1994.

*Heracles' Bow: Essays on the Rhetoric and Poetics of the Law*, University of Wisconsin Press, 1985. Paperback, 1989. (Selected by *Choice* as a distinguished academic book.) (First chapter published as a book in Spanish, *El Arco de Hércules*, trans. Ricardo Alonso García, Thomson-Civitas, 2004.)

*When Words Lose Their Meaning: Constitutions and Reconstitutions of Language, Character, and Community*, University of Chicago Press, 1984. Paperback, 1985. Translated into Italian as part of series *Giuristi Stranieri di Oggi* (Giuffrè), 2010. Chapter 9 translated into Hungarian and published in *Jogállam*, 1999. (Scribes Book Award.)

*Constitutional Criminal Procedure*, (with Scarboro) Foundation Press, 1976, Supplement 1980.

*The Legal Imagination: Studies in the Nature of Legal Thought and Expression*, Little Brown, 1973. Abridged edition, University of Chicago Press, 1985.

Articles: "When Words Lose Their Meaning," in *Diritto e Narrazioni: Temi di diritto, letteratura ed altre arti*, Proceedings of the Conference of the Italian Society for Law and Literature, available at:  
<http://www.lawandliterature.org/index.php?channel=PAPERS-ESSAYS>.

And forthcoming in the book of the same title, which translates as: *Law and Narration: Issues in Law, Literature, and Other Arts* (Bologna, 2012).

"An Old-Fashioned View of the Nature of Law," 12.1 *Theoretical Inquiries in Law* (Tel Aviv University), paper 13 (2010). To be reprinted, with permission, in *No Foundations: A Journal of Law and Justice* (Helsinki, 2012)

and in *Readings in Persuasion: Briefs that Changed the World*, ed. Linda Edwards (Aspen, 2012).

"The Cultural Background of The *Legal Imagination*," in *Teaching Law and Literature* eds. Austin Sarat, Cathrine Frank, and Matthew Anderson pages 29-39 (MLA, 2011).

"The Creation of Authority in a Sermon of St. Augustine," 55:6 *Villanova Law Review* (2010).

"The *Legal Imagination* and the Beginning of Modern Law and Literature," in *Teaching Law Through the Looking-Glass of Literature*, Barbara Pozzo ed. (2010).

"Establishing Relations Between Law and Other Forms of Thought and Language," 1:3 *Erasmus Law Review* 3 (2008) (The Netherlands).

"Law, Economics, and Torture" in *Law and Democracy in the Empire of Force* (Powell and White, eds., 2009).

"Homer Clark," 78 *University of Colorado Law Review* 3 (2007).

"The Word and the Law," 41 *Georgia Law Review* 923 (2007).

"Interview Met James Boyd White," 35:2 *Nederlands tijdschrift voor Rechtsfilosofie & Rechtstheorie* 119 (2006). (Published in different form in 105 *Michigan Law Review* 1403 [2007]).

"A Tribute to Lewis H. LaRue," 63 *Washington and Lee Law Review* 7 (2006).

"Translation as a Way of Thinking About Law," in *Ordinary Language and Legal Language*, Barbara Pozzo ed. (Giuffrè, 2005).

"Quand le langage rencontre la pensée: Trois questions," *Revue Interdisciplinaire d'Etudes Juridique*, 2004.53 (2004).

"Meaning What You Say" in *Law and the Liberal Arts*, Austin Sarat ed. (Cornell University Press, 2004).

"Letter on Law and Literature," *Law, Memory & Literature* 61 (2004) (Australian Legal Philosophy Students Association).

- "Schooling Expectations" 54 *Journal of Legal Education*, 499 (2004).
- "Free Speech and Valuable Speech," 51 *U.C.L.A. L. Rev.*, 799 (2004).
- "How Theology Might Learn from Law," 53 *Mercer Law Review* 1009 (2002).
- "What is Wrong With Our Talk About Race?" 100 *Michigan Law Review* 1927 (2002).
- "Legal Knowledge," 115 *Harvard Law Review* 1396 (2002).
- "Human Dignity and the Claim of Meaning: Athenian Tragic Drama and Supreme Court Opinions," 27 *Journal of Supreme Court History* 45 (2002).
- "How Should We Talk About Religion? Inwardness, Particularity, Translation," 7 *Ethical Perspectives* 316 (Leuven, Belgium), 2001 and as an Occasional Paper of the Erasmus Institute (Notre Dame), 2001.
- "The Desire for Meaning in Literature and Law," 53 *Current Legal Problems* 131 (2000).
- "Reading Texts, Reading Traditions: African Masks and American Law," 12 *Yale Journal of Law & the Humanities* 117 (2000).
- "Writing and Reading in Philosophy, Law, and Literature" in *Law and Literature*, Freeman and Lewis eds., (Oxford University Press, 1999).
- "What We Know," 10 *Cardozo Studies in Law and Literature* 151 (1998).
- "A Visiting Scholar's Perspective on the Campus Today and the Relation between Law and the Humanities," *Phi Beta Kappa, Key Reporter*, Summer, 1998.
- Comment, 10 *Yale Journal of Law and the Humanities* 389 (1998).
- "Talking About Religion in the Language of the Law," 81 *Marquette Law Review* 177 (1998).
- "The Mystery of Meaning in Vermeer," 1 *Karakters*, no. 2, pp. 9-24, (1996).
- "Why I Write," 53 *Washington and Lee Law Review* 1021 (1996).

"Rhythms of Hope and Disappointment in the Language of Judging," 70 *St. John's Law Review* 45 (1996).

"Meaning in the Life of the Lawyer," 26 *Cumberland Law Review* 763 (1996).

"The Shape of 'Easter Wings': Have We Got It Wrong?" forthcoming in *The George Herbert Newsletter*.

"A Dialogue," (with Milner Ball), 8 *Yale Journal of Law and the Humanities*, 465 (1996).

"On the Virtues of Not Understanding," in C. Maier and A. Needham eds., *Between Languages and Cultures*, University of Pittsburgh Press, 1996.

"Reading One Poet in Light of Another: Herbert and Frost," in *George Herbert in the Nineties: Reflections and Reassessments*, J.S.F. Post and S. Gottlieb eds., (1996) and in 18 *George Herbert Journal* 59-80 (1996).

"What's an Opinion For?" 62 *University of Chicago Law Review* 1363 (1995).

"Plato's *Crito*: The Authority of Law and Philosophy," 63 *The University of Cincinnati Law Review* 11 (1994) and in *The Greeks and Us: A Festschrift in Honor of Arthur W.H. Adkins*, University of Chicago Press, 1996.

"Teaching Law and Literature," *MOSAIC*, vol. 27, no. 4, pages 1-13 (1994).

"The Ethics of Meaning," in *The Happy Couple: Law and Literature*, J. Neville Turner and Pamela Williams eds., 1994.

"Imagining the Law," in *The Rhetoric of Law*, A. Sarat ed., University of Michigan Press, 1994.

"Antigone's Reply," (with J. Vining and W. Albright) Edition Peters: No. 67291 (New York: C.F. Peters, 1994) (Text of Sophocles, translated from the Greek by Joseph Vining and J. B. White).

"Law Teachers' Writing," 91 *University of Michigan Law Review* 1970 (1993).

"Translation as a Mode of Thought," 77 *Cornell Law Review* 1388 (1992).

"Our Meanings Can Never Be the Same: Reflections on Language and Law," 21 *Rhetoric Society of America Quarterly* 68 (1991).

"The Constitution as Literature," in *The Encyclopedia of the American Constitution* (1991).

"Translation, Interpretation, and Law," in *Textual Fidelity and Textual Disregard*, B. Dauenhauer, ed. (Peter Lang, 1990).

"Judging the Judges: Three Opinions," 92 *West Virginia Law Review* 697 (1990).

"What Can a Lawyer Learn From Literature?" 102 *Harvard Law Review* 2014 (1989).

Comment, "Intellectual History and Intellectual Community in the Public University," *Rackham Reports*, 1988-89.

"The *Odyssey*," *Raritan*, Vol.8, No.2., pages 102-116.

"Law and Literature: 'No Manifesto,'" 39 *Mercer Law Review* 739 (1988).

"Intellectual Integration," 82 *Northwestern Law Review* 1 (1987); reprinted in *Issues in Integrative Studies*.

"Constructing a Constitution: 'Original Intention' in the Slave Cases" (Sobeloff Lecture), 47 *Maryland Law Review* 239 (1987).

"Thinking About Our Language," 96 *Yale Law Journal* 1960 (1987).

"Economics and Law: Two Cultures in Tension" (Alumni Distinguished Lecture in Jurisprudence), 54 *Tennessee Law Review* 161 (1987).

"Judicial Criticism" (Sibley Lecture), 20 *Georgia Law Review* 837 (1986). Reprinted in *Interpreting Law and Literature: A Hermeneutic Reader*, Levinson and Mailloux eds., 1988.

"Response to 'Beyond the Ordinary Religion,'" 37 *Journal of Legal Education* 533 (1987).

"Is Cultural Criticism Possible?" 84 *Michigan Law Review* 1373 (1986).

"Doctrine In a Vacuum: Reflections on What a Law School Ought (and Ought Not) To Be," 18 *Michigan Journal of Law Reform* 251 (1985). Reprinted in 36 *Journal of Legal Education* 155 (1986).

"Law as Rhetoric, Rhetoric as Law: The Arts of Cultural and Communal Life" (Borchers Lecture at the University of Wisconsin), 52 *University of Chicago Law Review* 684 (1985). Reprinted (in Japanese) in *Gendai Shiso*, June 1986; in *The Rhetoric of Human Sciences*, J. Nelson ed., (University of Wisconsin Press, 1987); in *The Kettering Review*, December, 1997; (in Danish) in *Lov og litteratur*, (Aarhus University Press, 2007).

"Jury Discrimination"; "Arrest"; "Burden of Proof"; and "The Federal Rules of Criminal Procedure," in *Encyclopedia of The American Constitution*, Levy and Karst eds., (1986).

"How We Should Talk About Corporations: The Languages of Citizenship and Economics," 94 *Yale Law Journal* 1416 (1985).

"The Judicial Opinion and the Poem: Ways of Reading, Ways of Life" (Katerina Gibson Memorial Lecture, Queens University), 82 *Michigan Law Review* 1669 (1984). Reprinted in *Mississippi College Law Review* (1986); in *Law and Literature: Text and Theory*, L. Ledwon ed. (1995).

"Legal Writing," in *Thinking About Law School*, Gillers ed. (1984 and subsequent editions).

"The Ethics of Argument: Plato's *Gorgias* and the Modern Lawyer," 50 *University of Chicago Law Review* 849 (1983).

"Forgotten Points in the Exclusionary Rule Debate," 81 *Michigan Law Review* 1273 (1983).

"Search and Seizure: Tangible Evidence," in *Encyclopedia of Crime and Justice*, S. Kadish, et al. eds. (Free Press 1983).

"Law as Language: Reading Law and Reading Literature," 60 *Texas Law Review* (1982).

"The Invisible Discourse of the Law: Reflections on Legal Literacy and General Education," *Michigan Quarterly Review*, Summer 1982, reprinted in: *Literacy for Life*, Bailey and Fosheim eds. (1983); *Forum: Essays on Theory and Practice in the Teaching of Writing*, P. Stock ed. (1983); 54 *University of*

*Colorado Law Review* 143 (1983); L.H. LaRue, *A Student's Guide to the Study of Law* (1987); and *The Critical Reader, Thinker, & Writer*, W. Winterrowd ed. (1992).

"Homer's Argument with Culture," *Critical Inquiry*, Summer, 1981.

"A Response to 'The Rhetoric of Powell's Bakke'", 38 *Washington and Lee Law Review* 73 (1981).

"Making Sense of the Criminal Law" (John R. Coen Lecture), 50 *Colorado Law Review* 1 (1978), reprinted in *Criminal Law*, Morawetz ed. (International Library of Essays in Law and Legal Theory, 1991).

"Address to Entering Students" (University of Chicago Law School Occasional Paper No. 13, 1977), reprinted in *The Journal of Legal Education* (1982) as "The Study of Law as An Intellectual Activity."

"The Fourth Amendment as a Way of Talking About People: A Study of *Robinson and Matlock*," 1974 *Supreme Court Review* 164.

"Processing Conscientious Objector Claims: A Constitutional Inquiry," 56 *California Law Review* 652 (1968).

#### Book Reviews:

Glendon, "Rights Talk," 90 *University of Michigan Law Review* 1262 (1992).

Posner, "Law and Literature: A Misunderstood Relation," 102 *Harvard Law Review* 2014 (1989).

Allen, "The Dialogues of Plato," 97 *Ethics* 304 (1986).

Gilmore, "Humanists and Jurists," 78 *Harvard Law Review* 1713 (1965).

#### **Prizes and Awards:**

*When Words Lose Their Meaning* won the 1985 Book Award annually presented by Scribes (The Society of Writers on Legal Subjects).

*Heracles' Bow* was selected by Choice as one of the "outstanding academic books" of 1986.

The Association for the Study of Law, Culture, and Humanities has named its annual prize for the best work in the field the "James Boyd White Award."

**Lectureships:**

Alumni Distinguished (Tennessee)  
Bell Lecture in Law (The College of Wooster)  
Bush Foundation (Hamline)  
Borchers (Wisconsin)  
Casson (Western New England)  
Cegla (Tel Aviv)  
Coen (Colorado)  
Gibson (Queens)  
Margaret Howard (University College London)  
Lansdowne (Victoria)  
Lane Foundation (Nebraska)  
Mack (Oberlin)  
Marx (Cincinnati)  
Mellinkoff (UCLA)  
Montesquieu (Tilburg)  
Shumiacher (Saskatchewan)  
Sibley (Georgia)  
A. Frank Smith (Southwestern)  
Sobeloff (Maryland)  
Stresa (Italy)

**Talks given at:**

Agnes Scott College; Alma College; Amherst College; Boston College; Bowling Green State University; Brown University; Cambridge University; Carnegie Mellon University; Clark Library (Los Angeles); Colorado College; Columbia University; Cornell University; Cumberland Law School; Erasmus University (Rotterdam); Georgetown University; Hamline University; Harvard University; Insubria University (Como, Italy); University of Idaho; University of Leuven (Belgium); Marquette University; McGill University; Mercer University; Mississippi College School of Law; New York University; Ohio Wesleyan University; Pennsylvania State University; Princeton University; St. John's University (Minnesota); St. John's University (New York); Seattle University; Stresa Institute; Sydney University; Tel Aviv University; Tulane University;

University of British Columbia; University of California (Berkeley); University of Chicago; University of Georgia; University of Iowa; University of Maryland; University of Michigan; University of Milan; University of Minnesota; University of Nebraska; University of New South Wales; University of North Carolina; University of Saskatchewan; University of South Dakota; Southwestern University; Supreme Court Historical Society; University of Tennessee; University of Toronto; University College London; University of Washington; University of Wisconsin; University of Wyoming; Vanderbilt University; Victoria University; Villanova University; Washington and Lee University; West Virginia University; Western New England College School of Law; College of Wooster; Yale University.

Talks at national meetings of scholarly associations: American Law Schools (plenary); Modern Language; Integrative Studies (plenary); Asian Studies; Simone Weil (plenary); Speech and Communication; Law & Literature Association of Australia (plenary); Law, Culture, and Humanities (plenary).

Phi Beta Kappa Visiting Scholar, 1997-98.

### **Courses Taught:**

Law School: Constitutional Law; Criminal Law; Criminal Procedure; Civil Procedure; Copyright; Family Law; First Amendment; Legal Process; Rhetoric, Law, and Culture; Studies in Argument; The Legal Imagination; Greek Law and Rhetoric (seminar); Religious Law (seminar); Learning Foreign Law (seminar); Meaning in Law and Literature (seminar).

College & Graduate School: Argument about Justice in Greece; The Analysis of Intellectual Texts; Greek Thought and Literature; The Sentence as a Cultural Artefact; Studies in Argument; Criminal Law; Introduction to Poetry; The Poetry of George Herbert.

### **Committees:**

At Chicago: The University Library Board; the Clinical Investigation Committee; the Governing Board of the Humanities Collegiate Division; the Commission on Graduate

Education; the Council of the University Senate; and the Committee of the Council. In the Law School: Chairman of the Appointments and Library Committees; advisor to the Bigelow Fellowship program.

At Michigan:

In the Law School: Chair, Curriculum Committee; Chair, Sunderland Fellows Committee; Chair and member, Faculty Appointments Committee; Chair, Admissions Policy Committee; Chair, Admissions Search Committee; Member, Placement Search Committee; Chair, Clinical Advisory Committee; Chair, Committee on Public Interest Requirements; Member, Tenure Committee; Member, Committee on Racial Environment; Chair, Professional Responsibility Committee.

In the University: Member, Search Committee for Vice-President for Research; Member, Advisory Committee to the English Composition Board; Chair, Michigan Society of Fellows; Executive Committee, Humanities Institute; Member, Senate Committee on the Future of the University; Member, English Department committees on development and undergraduate curriculum; numerous Ph.D. committees.

**Other Activities:**

At various times: Director of two Summer Seminars for the National Endowment for the Humanities; Consultant to the NEH; Consultant to the English Composition Board, University of Michigan; Member of the Visiting Committee for the Jurisprudence and Social Policy Program at the University of California, Berkeley; Board of Governors, Chicago Council of Lawyers; Associate Editor, then member of the Board of Editors of *Ethics: An International Journal of Social, Political and Legal Philosophy*; Member of Advisory Board, *The Journal of Legal Education*; Member of the National Advisory Board of the Project on the Rhetoric of Inquiry; Member of Advisory Board, *The Yale Journal of Law and Humanities*; Member, Advisory Council, Department of Anthropology, Princeton University; Member, Advisory Board to the Department of Law, Jurisprudence, and Social Thought at Amherst College; Member, Advisory Board of *Karakters*; Member, Editorial Board of *Argumentation and Advocacy*; Member, Editorial Advisory Board, *Law & Society*

*Review*; Director of Faculty Seminar at Notre Dame (on talking about religion).

Chair, University of Michigan Society of Fellows, 1987–2005.

Member, Ph.D. Committees at The European University Institute, Florence; Erasmus University, Rotterdam; and The University of Chicago, as well as Michigan. Directed three S.J.D. dissertations, member of several S.J.D. committees.