Alexander Hamilton

The next book in the 2021 Alternative Reading List is Alexander Hamilton by Ron Chernow. This book is the source of the Broadway musical “Hamilton,” and was a New York Times bestseller, and chosen by the New York Times as one of the ten best books of the year when it was first published in 2004. It is available in paperback from Penguin.

This book was selected by Professor Michael Schwartz. Professor Schwartz directs the Disability Rights Clinic at Syracuse University College of Law, where he supervises students in disability advocacy and teaches clinical skills and disability law. He has a B.A. in English from Brandeis University, an M.A. in Theater Arts from Northwestern University, a J.D. from New York University School of Law, an LL.M. from Columbia University School of Law, and a Ph.D. in Education from Syracuse University School of Education.

Self-Directed Focus Questions

In a departure from the usual process with the Alternative Reading List, there are no prepared focus questions for this book. To be frank, the book is so long that the focus questions themselves would be the length of a regular-length book. This does not mean that the book’s length should deter you from reading it. On the contrary, you should be excited to have the chance to read a book that covers a crucial period of this country’s history in so much depth, because not only is this a biography of a central figure in the founding of this country and the development of the Constitution, it is also a history of that period. Reading it will give you a much greater understanding of the events and decisions that informed the decisions that went into making the country what it is and will make your study of Constitutional law during your first year of law school deeper and richer.

Reading this book also gives you the chance to practice your active reading skills without the training wheels of focus questions. In essence, the art of active reading is to ask yourself the same questions as you would be asked by focus questions prepared by someone else. Broadly speaking, these should be questions that address two large areas: mode of expression and content.
Mode of Expression

When thinking about this topic, ask yourself questions about the author’s writing decisions. Why did the author use this word over other possible choices? Does the author’s choice of words reveal something about the way the author thinks about this subject? Why did the author choose to make this sentence/paragraph/section/chapter the length it is? Would it have been more effective if it was longer or shorter? Is the author using covering words like “perhaps” or “probably” or “surely” that suggest he’s trying to cover-over a lack of knowledge with some assumptions he want you to draw? If so, do you believe these assumptions are correct or does the lack of certainty the author is displaying suggest that the author is reaching for something his sources can’t support? What kind of voice is the author using when writing? Is he being conversational? Scholarly? Aloof and distant? Is the voice appropriate for the material? Would you respond better or worse to a different voice?

Content

When thinking about the content of the book, ask yourself questions about the substance of what the author is writing about. What do you know about this subject already? Is the material adequately sourced or is the author filling in gaps without source support? Are the conclusions the author is drawing properly supported or is he reaching beyond where his source material can take him? How does the substance of what you’re reading at the moment build on what you have already learned from this book? What do you think will happen next? Are you surprised to learn a fact? If so, why? Was your surprise based on something you hadn’t appreciated before or was it because the author had failed to prepare you for what was coming? Was that intentional on the author’s part? If so, was it an effective approach or do you feel let down by the author?

Conclusion

These are only a few of the countless questions you should be asking yourself every second you read any book of substance. It’s certainly more tiring and time-consuming than the passive reading we do for enjoyment but it’s a crucial skill for lawyers to develop and this book is a perfect subject on which to practice and develop these skills: it’s not a casebook that you are required to read for law school and there’s no exam or grade at the end of your reading. What you will get, though, is the satisfaction for getting as much as you can from the book, and a good feeling that your active reading skills are in better shape than they were before you embarked on this voyage of discovery.

It’s possible to feel concerned that active reading requires a degree of cynicism towards the author and the book the author has written. If you are constantly asking if you are learning everything you could, whether the author has made that learning as easy as possible for you, whether the author is injecting his personal beliefs into what purports to be historical truth,
whether the author’s writing style is conducive to learning as much as you can, aren’t you constantly implying that the author could have done better? No, because your answers to these questions might reflect your belief that the author has, in fact, done a good job. Merely to ask the question is not to presuppose the answer, and as lawyers we have to ask the questions in order to be sure we know the answers to them. All writers should be honored to have their work interrogated in the way I encourage you to interrogate this book and should be confident that their work will withstand your detailed scrutiny.

And, of course, the active reading style you are practicing here, and on all the books in the Alternative Reading List, will stand you in good stead when you come to law school. This is the style you will need to employ when you read the cases, statutes, regulations, and other materials you will read during your time in law school and when you are in practice. You need to learn as much as possible from the materials you read, and you need to apply the same approach to reviewing your own writing to make sure it can withstand the same level of scrutiny that others will give to it. This reading style is central to everything you will do as a lawyer, and this book is an excellent subject for field training in it. And on top of that, it’s a fascinating and enjoyable read.