

**BIOGRAPHICAL SKETCH OF
JOHN E. COONS
2007**

Born 1929, Duluth, Minnesota

Married (Marylyn A.) five children

B.A. University of Minnesota (Duluth), 1950

J.D. Northwestern University, 1953

S.J.D. University of Minnesota 1999 (hon.)

1953 - 1955: Trial Attorney, Armed Services Board of Contract Appeals, Pentagon (Army)

1955 - 1967: Professor of Law, Northwestern University

1967 - 1994: Professor of Law, University of California, Berkeley

1994 - Present: Professor Emeritus, UCB

SELECTED PROFESSIONAL COMMITMENTS SINCE 1965

1962-1967: Radio talk show host: WAIT/WFMF, Chicago

1972 - 1980: Co-Principal Investigator, Childhood & Government Project, University of California, Berkeley

1974: Guest Professor, University of Freiburg, West Germany

1979 - 1982: Member, National Advisory Panel on Financing of Elementary and Secondary Education

1983: Guest Professor, University of Cologne, West Germany

1985: Visiting Professor, University of Tokyo, Japan

1988: Scholar in Residence, Rockefeller Center, Bellagio, Italy

1992 - 1993: American member, Commission of Western Advisors to Russian Minister of Education (President Carter)

1998 - Visiting Professor, Arizona State University

1974 - present: Member, The Cleveland Conference

1989 - present: Author-producer, the Berkeley Campus annual faculty club Christmas show

PUBLICATIONS

Books

Freedom & Responsibility in Broadcasting (Ed.), Nw. U. Press, Evanston, 1961.

Handbook for Pre-Law Students, Assoc. of American Law Schools, Washington, D.C., 1967

Private Wealth and Public Education, with W. Clune and S. Sugarman, The Belknap Press of Harvard University Press, Cambridge, 1970.

Family Choice in Education: A Model for State Voucher Systems, with S. Sugarman, Institute for Governmental Studies (jointly with California Law Review), 1971.

Education by Choice: The Case for Family Control, with S. Sugarman (Univ. of California Press, Berkeley, 1978). Republished, 1998, Educator's International Press, Troy, N.Y., 12180. Translation (Japanese) by Yutaka Shiraishi, published (Japan UNI, Tokyo, 1998).

Scholarships for Children (with Sugarman), Institute of Government Studies, University of California, Berkeley, 1992.

Making School Choice Work for All Families (with Sugarman). Pacific Research Inst., 1999.

By Nature Equal: The Anatomy of a Western Insight (with P.M. Brennan) (Princeton: Princeton University Press, 1999).

Articles, (Chapters, Reports, Pamphlets, and Reviews Where Noted)

"Default Termination of Defense Dept. Contracts," with J. Whelan, 32 *Notre Dame Lawyer* 189 (1957).

Review: *Law and Structures of Social Action*, K.S. Carlston, 51 *Nw. U. L. Rev.* 812 (1957).

Review: *The Freedom to Read, McKeon, Merton, and Gellhorn*, 53 *Nw. U. L. Rev.* 126 (1958).

"Non-Commercial Purpose as a Sherman Act Defense," 56 *Nw. U. L. Rev.* 705 (1962).

"Chicago," (Report to U.S. Commission on Civil Rights re Chicago Public Schools) in *Civil Rights, USA, Public Schools North and West*, 1962 (U.S.C.C.R., GPO, 1962).

"Planning School Integration in Chicago," *New City*, August, 1962.

"Motorola and the FEPC," *New City*, April, 1964.

"Lloyd Miller and the Habeas Corpus," *New City*, May, 1964.

"A Symbol of Discrimination," *New City*, July, 1964.

"Approaches to Court Imposed Compromise: The Uses of Doubt and Reason," 58 *Nw. U. L. Rev.* 750 (1965).

"Legalism in Law Making and Law Enforcement," 19 *J. of Legal Ed.* 65 (1966).

"Chicago," "Evanston" (two chapters re school integration) in *Affirmative Integration*, Hill & Feeley, eds. (1968, Sage Press, Beverly Hills).

"Educational Opportunity: A Workable Constitutional Test for State Financial Structures," with W. Clune & S. Sugarman, 57 *Calif. L. Rev.* 65 (1969).

Recreating the Family Role in Education," 3-4 *Inequality of Education* 1 (1970).

"Reslicing the School Pie," with W. Clune & S. Sugarman, *T.C. Record*, May, 1971.

"Community-Controlled Schools: Some Theoretical and Economic Problems," (Review), 23 *Stanford L. Rev.* 846(1971).

"A First Appraisal of Serrano," with W. Clune & S. Sugarman, 2 *Yale Rev. of Law and Social Action*, 111 (1971).

"Fairness in the Distribution of Education," 1972 *U. Ill. L. Forum* 219.

The Serrano Principle: Dollars, Scholars, and the Constitution," with W. Clune and S. Sugarman, *The Nation*, October 1972.

"School Taxing and Spending Systems Valid under Serrano v. Priest," (Published in pamphlet form by Lawyers Comm. On Civil Rights under Law, 1972).

"In a Manner Restrained," *The Nation*, April, 1973.

"School Financing after Rodriguez," *Sat. Rev. World*, October 9, 1973.

"Legal Influences on Education," in *Improving School Effectiveness*, (E.T.S., Princeton, 1973).

"Vouchers for Public Schools," with S. Sugarman, 15 *Inequality in Education* 60 (1973).

"Fiscal Neutrality after Rodriguez," 38 *J. Law and Contemporary Problems* 299 (1974).

"The High Court and Its Three R's: Race, Religion, and Rodriguez," *N.Y. Times*, (Annual Education Issue, 1974).

"To West, Mostly with Love," in West (ed.) *Non-Public School Aid*, (D.C. Heath, Lexington, 1976).

Chapter, "Recent Trends in Science Fiction: Serrano Among the People of Number," in Anson (ed.) *Social Science, Education and the Courts* (GPO, N.I.E., 1976).

"Law and the Sovereigns of Childhood," *The Kappan*, September, 1976.

The Rise of the Parental Class," *The Kappan*, October, 1976.

Chapter, "A Case for Choice," with S. Sugarman, in *Parents, Teachers, and Children*, (Institute for Contemporary Studies, San Francisco, 1977).

Chapter, "Choice and Integration: A Model Statute," with S. Sugarman, in *Parents, Teachers and Children*, (Institute for Contemporary Studies, San Francisco, 1977).

Chapter, Amicus Brief, *Crawford v. Los Angeles Unified School District*, with S. Sugarman in *Parents, Teachers and Children*, (Institute for Contemporary Studies, San Francisco, 1977).

Chapter, "Serrano Among the Social Scientists," *The Educational Forum*, March 1977.

"Toward a Theory of Children's Rights," with Mnookin, *Harvard Law School Bulletin*, Spring (1977).

Chapter, "Choice and the Church," in Tracy, Kung and Metz (eds.), *Toward Vatican III: The Work To Be Done* (Seabury, N.Y., 1978).

"Integration through Carrots, Not Sticks," with Carol Abrams and Stephen Sugarman, *Theory into Practice* (February, 1978).

"School Finance: Can Education be Equal and Excellent?" *4 Journal of Education Finance*, 147 (Fall 1978).

Chapter, "The School Finance Cases as a Window on Judicial Review," in Karpen, (ed.), *Constitutional Aspects of Access to Higher Education*, (Siebeck, Tubingen, 1978).

"Education and Serrano: Three Ways to Do it," with S. Sugarman, *Los Angeles Times* op. ed., Tuesday, August 1, 1978.

"Schools: What's Happening to Local Control?" with Joseph Kul, *Taxing & Spending*, October/November 1978.

"Of Family Choice and 'Public' Education," *The Kappan*, September 1979.

Chapter, "Compromise as Precise Justice," in Pennock and Chapman, (ed.), *NOMOS XXI: Compromise in Ethics, Law and Politics* (N.Y.U. Press, N.Y., 1979).

"The Public School Monopoly," (My Turn) *Newsweek*, June 9, 1980.

"How to End the Public School Monopoly," with Stephen D. Sugarman, *Business and Society Review*, Number 35, Fall 1980.

Chapter, "Making Schools Public," in Gaffney (ed.), *Private Schools and the Public Good* (Notre Dame Press, Notre Dame, 1981).

Chapter, "Credits v. Subsidies: Comment on the California Tuition Tax Credit Proposal" (with Sugarman), in Gaffney (ed.), (see previous item).

Chapter, "Federal Scholarships for Private Elementary and Secondary Education" (with Sugarman) in Gaffney (ed.), (see previous item).

"Shanker Vouchers – Is the Genie Out?" *Kappan* (December 1981)

"Educational Alternatives for the 1980's, Common Schools and the Commoner," 15 *Urban Lawyer*, 77 (1983).

"A Question of Access," Vol. 44 *Independent School* (Feb. 1985).

"Intellectual Liberty and the Schools," 4. *J. of Law, Ethics, and Public Policy* 495-533 (1985).

"Educational Choice and the Courts: U.S. and Germany," 34 *American J. of Comparative Law* 1-43 (January, 1986), translated and published as "Freie Wahl der Schulerziehung in den USA und in Deutschland – zum Prinzip 'fiskalischer Neutralitat' in der Privatschulsubventionierung," *Das Deutsches Verwaltungsblatt* (April 1986).

"Consistency," 75 *Calif. L. Rev.* 59 (1987).

"Choice and Private Schools," op. ed. For *L.A. Times*, January 21, 1989.

"Choice Plans Should Include Private Option," op. ed. For *Education Week*, Vol. IX No. 17 (January 17, 1990).

"Parable from the Prairie," *First Things*, April 1990.

Chapter, "As Arrows in the Hand," in W. Clune and J. Witte (eds.), *Choice and Control in American Education* (1991).

"The Private School Option in Systems of Educational Choice," (with Sugarman), 48 *Educational Leadership* 55 (Dec. 90/Jan. 91 issue).

"The Healthy Burden of Choice," *The ESA Advocate* (January/February 1991).

Chapter, "Perestroika and the Private Provider," in D. Boaz (ed.), *Education and the Inner City* (1992).

"Puzzling over Children's Rights" (with Sugarman and Mnookin), *B.Y.U. Law Review* (1992).

"School Choice as Simple Justice," *First Things*, No. 22, April 1992.

"The Scholarship Initiative: A Model State Law for Elementary and Secondary School Choice," 21 *Journal of Law and Education*, 529 (1992).

Getting Grover's Goat", *First Things*, December, 1992.

"Deciding What's Best for Children" (with Sugarman and Mnookin), *Journal of Law, Ethics, and Public Policy* (1993).

"Social Trust and Family Authority," delivered June, 1993, Civic Institute, Prague, reprinted in English, 12 *Network* 75 (1993).

Chapter, "The New Russian Education Law: An Appreciation and Some Precautions," in (J.De Groff, ed.) *Comments on the Law of Education of the Russian Federation* (1993).

"Value Triage and human Equality," 13 *CCICA Annual* 62 (1994).

Chapter, "Toward a Humane Urban School Policy," in (R.Lovell, ed.) *Quality Education for All*, Drake Constitutional Law Center (1994).

"Choice and Monopoly in American Schools," in (P. Roeder, I.Richter, & H-P Fussel, eds.) *Pluralism and Education* (Institute of Governmental Studies Press, UC Berkeley, Max Planck Institute for Human Development and Education, 1995).

"Nature and Human Equality," (with P.M. Brennan), 40 *American Journal of Jurisprudence* 287 (1995).

"Rights of Children," *Crisis* (November 1995).

"Can Education Create Community?" *LIII Revista Espanola de Pedagogia* 307 (1995).

"The Religious Rights of Children" in (J.Witte, ed.) *Human Religious Rights in Global Perspective: Vol. I. Religious Perspectives* 157 (The Hague, 1996).

"The Idea of A Descriptive Equality: Lonergan Explains Jefferson," (with P.M. Brennan) in 12 *Lonergan Workshop Journal* 45 (1996).

Review Essay: *Beyond Feminism*, by Cornelius Murphy Jr., in 41 *American Journal of Jurisprudence* (1996).

Chapter: "Safe Sex, Safe Religion," in *A Choice for Our Children* (A. Bonsteel and C. Bonilla, eds.) (San Francisco, Institute for Contemporary Studies, 1997), at p. 201.

Chapter: "Free Market, Fair Market in *A Choice for Our Children* (A. Bonsteel and C. Bonilla, eds.) (San Francisco, Institute for Contemporary Studies, 1997), at p. 177.

Chapter: "Of Crucifixes and Community," in *Verfassungstaatlichkeit: Festschrift fur Klaus Stern* (J. Burmeister, ed.), (Munchen, Beck, 1997), at p. 927.

Chapter: "Nature, Nurture, and Gnosis," in (D.Forte, ed.) *Natural Law and Public Policy* (Washington, D.C., Georgetown University Press, forthcoming, 1998).

Chapter: "Confessions of a Semi-Pelagian," in (K.Ryan and M. Ryan, eds.) *Why I am Still a Catholic* (NY., Riverhead, Putman, 1998).

"On School and School Choice," 79 *Social Science Quarterly*, 534 (1998).

Review: Rego (ed.) *Education Policy in the European Union After Maastricht*, 46 in *American J. of Comparative Law* 397 (1998).

Op. Ed. (with S. Sugarman) "It's Not a Good Choice for Our Poor Families," *L.A. Times* 7/27/2000.

Op. Ed. (with S. Sugarman) "Vouchers, Prop 38 – and a Populist Hope Betrayed," *Sacramento Bee* 9/24/2000.

"The Pro-Voucher Left and the Pro-Equity Right," *The Annals* (November, 2000) 98, London, Sage Publications (2000).

"Populism and Parental Choice," *First Things* (November, 2000) 16.

"The Populist Movement in American Education," *58 Revista Espanola de Pedagogia*, 197 (2000).

Review: Charles Glenn, *The Ambiguous Embrace* (Princeton, Princeton U. Press, 2000), *Journal of Law and Religion* (2001).

Review: Kevin Boyle and Juliet Sheen (eds.), *Freedom of Religion and Belief: A World Report*, (London, Routledge, 1997), *American J. of Comparative Law* (2001).

Essay, "Rescuing School Choice from Its Friends," *America* (August 13, 2001).

Review of R. Kahlenberg, *All Together Now, in Education Matters* (Fall, 2001).

(With P. Brennan), "School Choice Among Competing 'Catholic' Philosophies," *Catholic Education*, 2001.

Review: W.G. Howell and Paul Peterson, *The Education Gap: Vouchers and Urban Schools*, (*Education Next*, Fall 2002).

"A Grammar of the Self", *First Things* (January, 2003), 37.

Review Essay: Jeremy Waldron, *God, Locke and Equality: Christian Foundations in Locke's Political Thought*, *XIX J. of Law and Religion*, 491.

"Good Selves and Just Wars," *19 Notre Dame J. of Law, Ethics and Public Policy* (2005), 71.

"Dodging Democracy: The Educator's Flight from the Specter of Choice," *Am. J. of Education* (August, 2005), 596.

"Give Us Liberty and Give Us Depth," Chapter 5 in *Liberty and Learning*, Enlow and Ealey eds. (Cato Institute, D.C., 2006).

"Other Windows on Family Choice in Education," *Monitor* (Fall, 2006).

"Does Authority Command or Invite," Chapter, forthcoming in P. Brennan, ed., (_____, _____, 2007).

"Luck, Obedience and the Vocation of the Child", Chapter, forthcoming in P. Brennan, ed., *The Vocation of the Child* (_____, _____, 2007).

TEACHING AREAS

Contracts, theories of justice, real property, government contracts, law and society, law and psychiatry, law and anthropology, law and education, children and the law, law and religion, jurisprudence.

CONSULTANT (since 1970 – selected)

New York State Committee on Elementary and Secondary Education
The Urban Institute
Urban Coalition
National Committee for Support of Public Schools
National Education Association
National Catholic Education Association
N.A.A.C.P. Legal Defense Fund, Inc.
National Crime Commission
Southern Christian Leadership Conference
Office of Economic Opportunity
California Teachers' Association
Institute for Contemporary Studies
Ford Foundation
Carnegie Corporation of New York
California Committee on Economic Development
Illinois Coalition of Low-Wealth School Districts