

## To the Bag

tuning for specific boroughs) and at the time of her appointment sat in that metropolis on the U.S. Court of Appeals for the Second Circuit. New York City is south and west of Justice Souter's birthplace (Melrose, Massachusetts) and appointment location (Concord, New Hampshire) – but only by very small amounts, compared with the majestic vastness of the North American landmass. The Supreme Court's geographic center (lat 40° 18' N, long 83° 00' W) thus shifts a few miles from Pulaskiville, Ohio to Delaware, Ohio, both on the outskirts of Columbus. The town of Delaware is hundreds of miles east of the population center of the American people near Edgar Springs, Missouri (itself subject to adjustment in the 2010 census).

This is the fifth consecutive appointment of an Eastern Seaboarder, drawing yet again on what Benjamin Zuraw and I called the “constitutional lawyer density” of the Northeastern and Washington, DC corridor, or what Adam Liptak dubbed in railroad terms (NEW YORK TIMES, May 1, 2009) the “court of appeals for the Acela circuit.”

In personal terms, the distance from Justice Sotomayor's Bronxdale Houses birthplace to her Second Circuit appointment location on Foley Square (13.6 miles on streets and highways, according to MapQuest) is great indeed. I nonetheless hope that the selection of ensuing nominees will take into account the geographic aspect of diversity.

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## REINTERESTED

To the Bag:

In the Spring 2009 issue, I read a letter from Anthony Lewis on p. 250 faulting an earlier article for misusing the word “disinterested” as uninterested. Coincidentally, I then read Eugene Volokh's article, *Correcting Students' Usage Errors Without Making Errors of Our Own*, 58 J. LEGAL EDUC. 533 (2008). For what it's worth, on p. 539, Volokh writes:

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Don't rely on assumptions about what's an erroneous innovation and what's old and traditional. People commonly condemn usages they dislike as some sort of novel corruption. But that's often false. "Disinterested" meaning "uninterested," for example.

Volokh goes on to cite the OED as proof that the word had that meaning as early as about 1612. I looked it up myself and see that that is indeed the case, though admittedly it is "often regarded as a loose use." Still, the other usage did come later. So apparently the original author, Neal Devins, who employed the word can rest easy.

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