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NOTRE RÉF. Meador, D.
RS/5/76

VOTRE RÉF. :

Professor Daniel J. Meador
University of Virginia
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Charlottesville, Virginia 22901

DATE 3 January 1976

Dear Dan:

I haven't replied to your letter of November 10th for the simple reason that time passes too quickly, and I have only now had a chance to do so. I'm sure you will understand the problem. The copy of my letter to Dean Paulsen which I enclose I believe is clear enough. I hope that we can work something out that will be of genuine interest.

Let me wish you and your family a healthy and happy New Year. I also hope that 1976 will give us a chance to get together again after too long a time. As you can see I am starting out the year by writing you.

I got your book on Justice Black a few months back and read it right through with great interest and considerable surprise. I admire first your idea which was very clever. Few things could give such an insight into the man as a catalogue of his books. I mean of course for a man like Black. In this sense the book is a great success and a very helpful contribution to understanding, and of course it is done with the usual lucidity that marks your style. Incidentally, where does that lucidity come from? I suppose part of it comes from Black as it marks his style as well. How about the rest? It must have been there before you ever met Black.

Apart from a couple of exceptions like Thucydides and Tacitus which I have tried to read but which bore me, I have read the core of Black's library. I am surprised by a couple of things. First, by the absence of Holmes. I can't say in a few lines what Holmes means to me, but with the exception of the Holmes-Einstein Letters and the Holmes-Wu Letters (both of which I have ordered) I have read I think all of Holmes and most everything about him, and his slender volume of Collected Legal Papers was sustenance to me during law school. Holmes means enough to me perhaps to write something about him someday. He is about the only real hero I can find for myself in the American legal past. I admire Brandeis for his power, but he is not a model. Holmes was broad and powerful and wonderfully alive. That he should be entirely absent from Black's library came to me as a great surprise. Secondly, Black's romance with Edith Hamilton's little book on The Greek Way seems to me curious and excessive. I first read it perhaps fifteen or twenty years ago and liked it very much. I recently bought a copy to look it over again. I still think it is good, but I can't read it through. It skitters along the line of a sentimental idealization. It may be that Black saw this book as portraying a society that was the ideal of what he

believed society should be. It is difficult to account for his attraction to the book on any other basis. It is not a profound book; I might almost say it is shallow. It is, however, a clear picture of what Miss Hamilton believed life to be like in ancient Greece. If you took all the ideals of contemporary American life and wrote a book about America based on them citing a few well chosen examples, you could come up with a book about The American Way that would be just as ideal as The Greek Way. (In fact, that is what the high school history books that were inflicted on me actually did, and I suspect they still do the same. I might add that they do the same in every other country as well). Miss Hamilton's picture of ancient Greece is about as close to what, in my view, that life was actually like as would be such an American book.

In sum, I came away from your book feeling that the depth and breadth of Black's vision were narrower than I would have thought, and this surprised me. Despite this I count him among my contemporary legal heroes. I have vivid and happy recollections of seeing him at work on the bench while attending arguments and the penetration of his questions and the civility of his manner.

Unfortunately I must stop. I wish you were not so far away so that we could talk from time to time without the restrictions that the written word imposes upon my thoughts.

My very warmest wishes to you and your family.

Cordially,