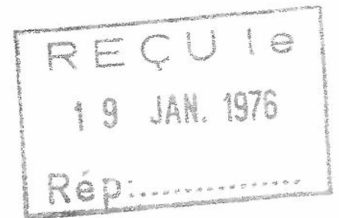


UNIVERSITY OF VIRGINIA

CHARLOTTESVILLE - VIRGINIA - 22901

SCHOOL OF LAW



January 13, 1976

Mr. Ronald P. Sokol
13540 Puyricard
Aix-En-Provence, France

Dear Ron:

Many thanks for your letter of January 3 with the enclosed copy of the letter to Dean Paulsen. I can fully understand the situation, but I do hope that you will not let it languish and that something can eventually be worked out. It seems to me that the ideas submitted are both worthwhile and that funds to implement them would be quite well invested here. After January 15 Emerson Spies is Acting Dean of the Law School, so any further correspondence should be directed to him.

At a faculty meeting yesterday Paulsen announced his resignation as Dean effective January 16. He did not resign as a member of the faculty; thus he still has the option of returning here in 1977 after his year at Yeshiva. The fact of his resignation had been an open secret for several weeks, so there was no surprise. A search committee will now be formed to make recommendations about a new dean. I never look forward to this kind of process in the academic world and do so now with even less than usual enthusiasm.

I am glad to know you have the Black book, and I appreciate your comments. As to your question about lucidity, I confess that I was not altogether aware of this quality to the extent you suggest. As to where it comes from, to the extent that it is there I suppose it comes from nothing more than a long held commitment to attempt to achieve simplicity and clarity. This was surely nurtured and reinforced by Black, but I believe that it was already there. I remember recalling how congenial his views on that subject were with my own, at the time that I was with him.

The absence of Holmes also struck me originally. I share your views about Holmes. When I was in law school I acquired a book by Max Lerner, entitled The Mind and Faith of Justice Holmes. I have reread Holmes' speeches in that book many times, and have often borrowed quotations for use in law school classes. As time has gone on, however, I am less surprised about Black's views on Holmes. They were such totally different people in many ways that it really is hardly surprising. Moreover, I believe that

Mr. Ronald P. Sokol
Page Two
January 13, 1976

Frankfurter chilled whatever interest Black may have had in Holmes. There was an overkill by Frankfurter on matters concerning Holmes. As to The Greek Way you have perhaps put your finger on Black's fascination when you say that he saw the book "as portraying a society that was the ideal of what he believed society should be." In addition, he liked the language and style of expression in the book. After all, Black's mind tended toward the simplistic. He undoubtedly had a powerful intellect, but he tended to see life in rather black and white terms. This can be seen in his views about the conflict between Hamilton and Jefferson, between the rich and the poor, between the powerful and the weak and in his idea that "no law means no law." Nice intellectual distinctions did not appeal to him. Jefferson to a large extent had this kind of mind also, I believe. That is perhaps a major reason why Black was so fascinated with him.

As soon as my exam papers are graded, I am on leave. I have already begun doing some thinking and reading about my proposed book on appellate judges. About the middle of February I shall go to Oxford for three weeks, primarily to get away from the telephone and to have a congenial place in which to think and read. ~~Eventually~~ I shall get into the Continent, but I do not now know exactly when that will be. As far as continental judges are concerned, my primary focus will be on German judges, both West and East. In the course of these wanderings, however, it is entirely possible that I shall get into France. In any event, I will keep you posted on my plans. It would be most pleasant to have an opportunity to get together somewhere along the way.

With best wishes for 1976,

Sincerely,



Daniel J. Meador
Professor of Law

DJM:mwb