

PRESIDENT'S MESSAGE

Harry Kalven's death deprives us of a fine scholar and a great human being. By universal agreement of those who knew him, he uniquely combined extraordinary qualities of head and heart. For those of us who labor to combine law and social science, his life and work bear special significance. We are lucky to have lived in his time and to have had him as a companion for as many years as we did.

Harry was a master of the traditional, and a confident initiator of the innovative. His torts casebook with Charles Gregory, the best of that genre, opens and exposes the subject, exploring doctrinal questions with all the analytic skill and love of detail that one finds in a first-year socratic classroom. In addition, the work shows an uncommonly broad interest in social context and a skill at relating it to doctrinal development. Similarly, the monograph with Walter Blum on *The Uneasy Case for Progressive Taxation*, a masterpiece of close analytic reasoning, explores with remarkable thoroughness the social implications of tax policy.

Harry's interest in empirical matters came to fullest development in the work with Hans Zeisel and others in the University of Chicago Jury Project. The two books that he co-authored from that project, *Delay in the Court* and *The American Jury*, represent extraordinary contributions toward an understanding of what is really going on in our courts. The works themselves are methodologically rigorous and substantively interesting. Their greatest value, however, may well derive from their persuasive reminder that good empirical work is central to sound legal scholarship. For some reason, this message has had to be repeated during every previous scholarly generation. Harry may have at last made it clear, once and for all.

Perhaps he was so persuasive because all who knew him respected and liked him. He was very sharp, but had an extraordinarily light touch. In speech as in writing, he was a master of style, able to express complex ideas with astonishing clarity. Though he usually won his arguments, his adversaries on such occasions—and I am proud to have been one—felt not defeated but enlightened. In his final years, as he held off the effects of a stroke, he was able to handle physical problems in stride while retaining his marvellous mental agility. His last days were

spent, like most of the rest of his life, at the work he loved. We salute him on his passing and thank him for the legacy he has left.

Richard D. Schwartz

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