James Parker Hall

Ernst Freund

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A UNIVERSITY ART GALLERY

PUBLISHED BY THE ALUMNI COUNCIL
Dean Hall
Born in 1871 at Jamestown, New York; died in Chicago, 1928.
James Parker Hall

By Ernst Freund

(Reprinted by courtesy of The University Record)

WHEN in 1902 the makeup of the new law faculty of the University of Chicago was discussed, the very first name suggested by Professor Beale, who had undertaken the work of organization, was that of James Parker Hall, then about thirty years old. Hall had been graduated with a brilliant record from the Harvard Law School five years before; he had been graduated with an equally brilliant record in 1894 from Cornell; tradition ranks him as one of the three ablest undergraduates in the history of that university of which in 1922 he was elected the first faculty representative trustee. He had a taste for engineering, and he recently told us that he was offered an instructorship in Greek; but he chose the law. He practiced for a few years in Buffalo, near his native city of Jamestown (also the birthplace of President Judson), teaching at the Buffalo Law School at the same time; and he definitely abandoned practice for teaching when in 1900 he was called to the Stanford University Law School. This preference for an academic career could not have been due to lack of qualification for practice, and there is every reason to believe that he could have risen to eminence at the bar.

From the beginning of his connection with the Law School Dean Hall took interest in administrative work and displayed decided fitness for it, and it soon became manifest that he would become Beale’s successor. He had no hesitation about accepting the deanship when it was offered in 1904, although he realized that it would entail some sacrifice of scholarly productivity. “There is more than one kind of work to do in a law school,” he said. The post he then assumed he held to the end of his life, not counting the months that he served as Major Judge-Advocate during the latter part of the World War. His faith in the future of the school made him decline repeated calls elsewhere, particularly to the law school from which he had been graduated. His academic work was supplemented in later years by activities in connection with legal reform and research organizations, first as member of the Council of the American Judicature Society, then as chairman of the Legal Research Committee of the Commonwealth Fund, finally as member of the executive committee of the American Law Institute. To the ambitious undertaking by the last-named organization of a restatement of the common law he gave a considerable part of his time and attention in the last six years of his life.

Dean Hall’s main legal interest lay in the fields of torts and of constitutional law; he was greatly drawn toward the more fluid problems of the law, where it has to adjust itself to changing social and economic conditions: problems of liability in connection with labor agitation, and problems of constitutional limitations in the control of capital and business enterprise. His students regarded his presentation of these questions as masterly. His gift of lucid exposition was extraordinary, and he had a keen sense of “reasonableness.” His views were liberal and forward-looking, and he stood for that theory of constitutional power which in the decisions of the Supreme Court is now generally associated with the names of Holmes and Brandeis. While he confined his literary production to an elementary book on constitutional law and a collection of cases on the same subject, his teaching gave him the opportunity of molding and influencing the opinions of a considerable number of present practitioners, judges, and law teachers, and that influence was all for the good.

Dean Hall’s personality was in many respects remarkable. He might have appropriated to himself the saying attributed to Harriman, the financier, that all he asked
in order to carry his point was to have a small group of able men around the table. I well remember an incident that happened shortly after he assumed the deanship. The Law School had not fulfilled the expectations that had been somewhat rashly entertained of immediate striking success, particularly in drawing large numbers of students, and the Trustees felt somewhat discouraged. Dean Hall met them and talked to them for several hours. Mr. Charles L. Hutchinson later said that he had never listened to a statement of greater force and vision, and the confidence of the Trustees was entirely restored. He combined gentleness and firmness in a remarkable degree, and it was not easy to resist his persuasiveness; he was always confident that things that he thought necessary or desirable could be managed, and he did manage to have his way. Although he had a winning smile, the students sometimes called him the marble-faced dean, and he was certainly not communicative; but he was capable of inspiring devotion, and of giving affection to a few chosen friends; the charm of his manner, particularly in the days of his physical vigor, will not be easily forgotten.

In the history of the University Dean Hall's name will be identified with the growth of the Law School. That growth under his guidance was steady, and on the whole along traditional lines. He was open to new ideas, but was skeptical of paper schemes that had not been tried out in practice; probably he was wise in making the path of the reformer not too smooth or easy. The handsome portrait in the reading room of the Law School Building will be looked upon with increasing veneration, as the generations go by.