

WRITINGS OF HARRY KALVEN, JR.

BOOKS

- CASES AND MATERIALS ON TORTS (1st ed. 1959, 2d ed. 1969, Supp. 1974) (with C. GREGORY).
THE AMERICAN JURY (1966) (with H. ZEISEL).
THE NEGRO AND THE FIRST AMENDMENT (1965).
PUBLIC LAW PERSPECTIVES ON A PRIVATE LAW PROBLEM: AUTO COMPENSATION PLANS (1965)
(with W. BLUM).
DELAY IN THE COURT (1959) (with H. ZEISEL & B. BUCHHOLZ).
THE UNEASY CASE FOR PROGRESSIVE TAXATION (1953) (with W. BLUM) (also in 19 U. CHI.
L. REV. 417 (1952)).

ARTICLES

- Pardon Me . . . Mr. President*, 3 *STUD. LAWYER* 9 (1974).
Hans, 41 *U. CHI. L. REV.* 209 (1974).
Tradition in Law, in *THE GREAT IDEAS TODAY* (R. Hutchins & M. Adler eds. 1974).
Jury, in 13 *ENCYCLOPEDIA BRITANNICA* 360 (1974) (with H. Zeisel).
Professor Ernst Freund and Debs v. United States, 40 *U. CHI. L. REV.* 235 (1973).
Ceilings, Cost, and Compulsions in Auto Compensation Legislation, 1973 *UTAH L. REV.* 341
(with W. Blum).
Toward a Science of Impartial Judicial Behavior, 42 *U. CIN. L. REV.* 591 (1973).
Irritation, Indignation, and Injustice in Taxation, in *THE GREAT IDEAS TODAY* (R. Hutchins
& M. Adler eds. 1973) (with W. Blum) (also in *THE ANATOMY OF JUSTICE IN TAXATION*,
Occasional Paper No. 7, The University of Chicago Law School (1973)).
A Step Backwards, in *Has the Supreme Court Saved Us from Obscenity?*, *N.Y. Times*,
Aug. 5, 1973, § 2 (Arts & Leisure), at 11, col. 6.
If This be Asymmetry, Make the Most of It, *CENTER MAG.*, May/June 1973, at 36.
The American Jury: A Critique (Rejoinder to A. Bottoms & M. Walker), 67 *J. AM. STAT.*
ASS'N. 779 (1972) (with H. Zeisel).
Some Observations on Torts Casebooks, 25 *J. LEGAL ED.* 15 (1972).
Foreword: Even When a Nation is at War,—The Supreme Court, 1970 Term, 85 *HARV. L.*
REV. 3 (1971).
Constitutional Twins: Obscenity and Libel, in *THE RIGHTS OF AMERICANS* (N. Dorsen ed.
1971).
Confrontation Comes to the Courtroom, in *HUMAN RIGHTS* (1970) (also in 27 *J. SOC. ISSUES*
219 (1971)).
Confrontation and Contempt, Introduction to TRANSCRIPT OF THE CONTEMPT CITATIONS,
SENTENCES & RESPONSES OF THE CHICAGO CONSPIRACY 10, at 9 (1970) (with R. Clark).
Statistics and the Law, in *THE APPLICATION OF STATISTICS* (F. Mosteller ed. 1970) (with
H. Zeisel).
Chicago Howler—There Was No Conspiracy, *THE NEW REPUBLIC*, March 7, 1970, at 21.
Negligence on the Move, 33 *ATL. L.J.* 1 (1970).
The Grand Jury Panther Report: An Unnerving Story, 3 *CHI. JOURNALISM REV.* 4 (1970).
The Image of Justice—Reflections on the Chicago Conspiracy Trial, *THE NEW REPUBLIC*,
Nov. 8, 1969, at 20.
A Stop-Gap Plan, 5 *TRIAL* 24 (1969) (with W. Blum).
Preface to A Review Study of the California Penalty Jury in First-Degree Murder Cases,
21 *STAN. L. REV.* 1297 (1969).
Comparative v. Contributory Negligence: Should the Court or Legislature Decide?, in
Symposium on Maki v. Frelk, 21 *VAND. L. REV.* 897 (1968).
A Stop-Gap Plan for Auto Accident Victims, 1968 *INS. L.J.* 661 (with W. Blum).
"Uninhibited, Robust, and Wide-Open": A Note on Free Speech and the Warren Court,
67 *MICH. L. REV.* 289 (1968).

- A Schema of Alternatives to the Present Auto Accident Tort System*, 1 CONN. L. REV. 33 (1968).
- The Quest for the Middle Range: Empirical Inquiry and Legal Policy*, in LAW IN A CHANGING AMERICA 56 (G. Hazard ed. 1968).
- Our Man from Wall Street (In Memoriam: William Winslow Crosskey)*, 35 U. CHI. L. REV. 229 (1968).
- Reflections on Basic Protection for the Traffic Victim*, 3 TRIAL 35 (1967).
- The Reasonable Man and the First Amendment: Hill, Butts, and Walker*, 1967 SUP. CT. REV. 267.
- Upon Rereading Mr. Justice Black on the First Amendment*, 14 U.C.L.A.L. REV. 428 (1967).
- Broadcasting, Public Policy and the First Amendment*, 10 J. LAW & ECON. 16 (1967).
- The Empty Cabinet of Dr. Calabresi—Auto Accidents and General Deterrence*, 34 U. CHI. L. REV. 239 (1967) (with W. Blum).
- Preface to SIMON, THE JURY AND THE DEFENSE OF INSANITY* (1967) (with W. Blum).
- My Friend Grows No Older (for C.O.G.)*, 53 VA. L. REV. 763 (1967).
- The Problems of Privacy in the Year 2000*, 96 DAEDALUS 876 (1967).
- The American Experiment*, 3 CHI. TODAY, Winter, 1966, at 32 (with H. Zeisel).
- The Right of Privacy in Tort Law—Were Warren and Brandeis Wrong?*, 31 LAW & CONTEMP. PROB. 26 (1966).
- For M.P.S.*, 33 U. CHI. L. REV. 193 (1966).
- Juries in Personal Injury Cases: Their Functions and Methods*, in TRAUMA AND THE AUTOMOBILE 335 (W. Curran & N. Chayet eds. 1966).
- The Concept of the Public Forum: Cox v. Louisiana*, 1965 SUP. CT. REV. 1.
- Right of Privacy: Privacy Tort Shadowed by Constitutional View*, 17 VA. L. WEEKLY, DICTA, March 25, 1965, at 1.
- Torts: The Quest for Appropriate Standards*, 53 CALIF. L. REV. 189 (1965) (essay in honor of Justice Traynor).
- Obscenity*, in 16 ENCYCLOPEDIA BRITANNICA 828 (1965).
- Mr. Justice Holmes: Some Modern Views—Torts*, 31 U. CHI. L. REV. 263 (1964).
- The New York Times Case: A Note on "The Central Meaning of the First Amendment,"* 1964 SUP. CT. REV. 191.
- The Dignity of the Civil Jury*, 50 VA. L. REV. 1055 (1964).
- Introduction to W. BLUM & H. KALVEN, JR., THE UNEASY CASE FOR PROGRESSIVE TAXATION* (1963) (with W. Blum).
- Minow Should Watch His Step in the Wasteland*, 66 FORTUNE MAG., Oct. 1962, at 116 (with M. Rosenfield).
- Administration of the Law of Torts: Report on the 1961 Summer Research Training Institute on the Interrelations of Law and Other Social Institutions*, 14 J. LEGAL ED. 513 (1962) (also in 16 SOCIAL SCIENCE RESEARCH COUNCIL ITEMS 2 (1962)) (with R. Schwartz).
- Congressional Testing of Linus Pauling, Part II: Sourwine in an Old Bottle*, 17 BULL. ATOMIC SCIENTISTS 12 (1961) (also in THE ATOMIC AGE 479 (M. Grodzins & E. Rabinowitch eds. 1963)).
- The Bar Admission Cases: An Unfinished Debate Between Justice Harlan and Justice Black*, 21 LAW IN TRANSITION 155 (1961) (with R. Steffen).
- Congressional Testing of Linus Pauling, Part I: The Legal Framework*, 16 BULL. ATOMIC SCIENTISTS 383 (1960) (also in THE ATOMIC AGE 466 (M. Grodzins & E. Rabinowitch eds. 1963)).
- The Metaphysics of the Law of Obscenity*, 1960 SUP. CT. REV. 1.
- Research in the Field of Torts*, 14 SOCIAL SCIENCE RESEARCH COUNCIL ITEMS 42 (1960) (with B. Wood).
- Mr. Alexander Meiklejohn and the Barenblatt Opinion*, 27 U. CHI. L. REV. 315 (1960).
- The Bar, the Court, and the Delay*, 328 ANNALS 37 (1960).
- A Commemorative Case Note: Scopes v. State*, 27 U. CHI. L. REV. 505 (1960).
- Law*, in THE HUMANIST FRAME (Sir J. Huxley ed. 1960) (with H. Zeisel).

- Is the Trial Bar a Cause of Delay?* 43 J. AM. JUD. SOC'Y 17 (1960) (with H. Zeisel & B. Buchholz).
- Some Comments on the Law and Behavioral Science Project at the University of Pennsylvania*, 11 J. LEGAL ED. 94 (1958).
- Strict Liability*, in *Symposium on the Jurisprudential Basis of the Law of Strict Liability*, 9 LOYOLA L. REV. 31 (1958).
- The Jury, the Law, and the Personal Injury Damage Award*, 19 OHIO ST. L.J. 158 (1958) (also in 7 U. CHI. L.S. REC. No. 2 (1958)).
- A View from the Law—Playwright Arthur Miller on Trial*, THE NEW REPUBLIC, May 27, 1957, at 8.
- The Supreme Court's June 17th Opinions*, THE NEW REPUBLIC, July 1, 1957, at 11.
- Compulsory Auto Insurance*, Chicago Sun Times, Nov. 24, 1957, at 3.
- Obscenity and the Law*, 27 LIB. Q. 201 (1957) (also in 24 U. CHI. L. REV. 769 (1957)).
- Law and Education*, SCH. REV. 287 (Autumn 1957).
- The Palo Alto Conference on Law and Behavioral Science*, 9 J. LEGAL ED. 366 (1957) (with R. Tyler).
- The Jury in Auto Cases: Invitation to Research*, 8 VA. L. WEEKLY 22 (1956).
- The Art of Opinion Research: A Lawyer's Appraisal of an Emerging Science*, 24 U. CHI. L. REV. 1 (1956) (with W. Blum).
- A Special Corner of Civil Liberties: A Legal View*, in *Symposium on Morals, Medicine and the Law*, 31 N.Y.U.L. REV. 1223 (1956).
- Introduction to Symposium on Insanity and Criminal Law*, 22 U. CHI. L. REV. 317 (1955).
- The Case of J. Robert Oppenheimer before the Atomic Energy Commission*, 10 BULL. ATOMIC SCIENTISTS 258 (1954) (also in THE ATOMIC AGE 442 (M. Grodzins & E. Rabinowitch eds. 1953)).
- Invoking the Fifth Amendment: Some Legal and Impractical Considerations*, 9 BULL. ATOMIC SCIENTISTS 181 (1953).
- The Uneasy Case for Progressive Taxation*, 19 U. CHI. L. REV. 417 (1952) (with W. Blum).
- Law School Training in Research and Exposition*, 1 J. LEGAL ED. 107 (1948).
- Liberal Education, the Case System and Jurisprudence*, 14 U. CHI. L. REV. 215 (1946).
- The Contemporary Function of the Class Law Suit*, 8 U. CHI. L. REV. 684 (1941) (with M. Rosenfield).
- Parol Evidence and the Bona Fide Purchaser*, 5 U. CHI. L. REV. 656 (1938) (unsigned Comment).

BOOK REVIEWS

- Review of P. STERN, THE OPPENHEIMER CASE, SCIENCE, Feb. 20, 1970, at 1114.
- Review of R. HARRIS, JUSTICE, BOOK WORLD, March 20, 1970, at 5.
- Review of L. BAKER, FELIX FRANKFURTER, BOOK WORLD, Nov. 16, 1969, at 19.
- Review of A. COX, THE WARREN COURT, 23 VAND. L. REV. 191 (1969).
- Review of A. WESTIN, PRIVACY AND FREEDOM, 23 RECORD OF N.Y.C.B.A. 185 (1968).
- Review of T. SZASZ, PSYCHIATRIC JUSTICE, 40 SOCIAL SERVICE REV. 106 (1966).
- Review of W. MENDELSON, FELIX FRANKFURTER: A TRIBUTE, 152 N.Y.L.J. 4 (1964).
- Review of J. PAUL & M. SCHWARTZ, FEDERAL CENSORSHIP: OBSCENITY IN THE MAIL, 61 MICH. L. REV. 414 (1962).
- Review of W. MENDELSON, JUSTICES BLACK AND FRANKFURTER: CONFLICT IN THE COURT, 37 IND. L.J. 572 (1962).
- Review of A. BARTH, THE PRICE OF LIBERTY, 18 BULL. ATOMIC SCIENTISTS 39 (1962).
- Review of F. ROURKE, SECRECY AND PUBLICITY, 29 U. CHI. L. REV. 601 (1962).
- Review of E. STASON, S. ESTEP & W. PIERCE, ATOMS AND THE LAW, 59 MICH. L. REV. 472 (1961).
- Review of S. ELLIOT, IMPROVING OUR COURTS, 55 AM. POL. SCI. REV. 169 (1961).
- Review of LAGGING JUSTICE (ANNALS SYMPOSIUM), 43 J. AM. JUD. SOC'Y 210 (1960).

- Review of J. COHEN, R. ROBSON & A. BATES, PARENTAL AUTHORITY, 14 RUTGERS L. REV. 843 (1960).
- Review of L. GREEN, TRAFFIC VICTIMS, 26 U. CHI. L. REV. 679 (1959).
- Review of R. HUTCHINS, FREEDOM, EDUCATION AND THE FUND, 10 J. LEGAL ED. 141 (1957).
- Review of S. HOOK, COMMON SENSE AND THE FIFTH AMENDMENT, SAT. REV. LIT., Aug. 10, 1957, at 32.
- Review of A. EHRENZWEIG, "FULL AID" INSURANCE FOR THE TRAFFIC VICTIM, 33 TEXAS L. REV. 778 (1955).
- Review of J. DEAN, HATRED, RIDICULE, OR CONTEMPT, 22 U. CHI. L. REV. 582 (1955).
- Review of C. PRITCHETT, THE VINSON COURT AND CIVIL LIBERTIES, U. CHI. MAG., Nov. 1954, at 24.
- Review of E. BONTECOU, THE FEDERAL LOYALTY-SECURITY PROGRAM, 29 IND. L.J. 647 (1954).
- Review of C. MORRIS, MORRIS ON TORTS, 32 TEXAS L. REV. 629 (1954).
- Review of Y. SMITH & W. PROSSER, CASES AND MATERIALS ON TORTS, 47 NW. U.L. REV. 132 (1953).
- Review of A. PEKELIS, LAW AND SOCIAL ACTION, 19 U. CHI. L. REV. 406 (1952).
- Review of H. JONES, PRIMER OF INTELLECTUAL FREEDOM, 17 U. CHI. L. REV. 554 (1950).
- Review of R. WEST, THE MEANING OF TREASON, 16 U. CHI. L. REV. 378 (1949).
- Review of B. MILLER & J. NEWMAN, THE CONTROL OF ATOMIC ENERGY, 15 U. CHI. L. REV. 999 (1947).
- Review of E. MAYO, THE POLITICAL PROBLEMS OF INDUSTRIAL CIVILIZATION, 15 U. CHI. L. REV. 243 (1947).
- Review of M. COHEN, THE FAITH OF A LIBERAL, 14 U. CHI. L. REV. 142 (1946).
- Review of M. ERNST, THE BEST IS YET, 13 U. CHI. L. REV. 114 (1945).
- Review of E. MAYO, THE SOCIAL PROBLEMS OF AN INDUSTRIAL CIVILIZATION, 13 U. CHI. L. REV. 393 (1945).

INFORMAL MATERIALS

- On Presidents and Pardons (unpublished) (written for N.Y. Times Sunday Mag., 1974).
- Access and the First Amendment, Feb. 1971 (memorandum prepared for CBS).
- The Right Kind of Anarchy, Commencement Address, Brown University, June 2, 1969 (also in U. CHI. L.S. REC. No. 17, at 7 (1969)).
- Violence, the Media, and the American Tradition of Free Press, 1968 (paper prepared for the Nat'l Comm'n on the Causes and Prevention of Violence).
- PRIVACY AND THE PRESIDENCY (U. Chi. Round Table No. 16, 1968) (with P. Salinger, C. Daly & K. Northcutt).
- A Soliloquy on Comparative Negligence*, in PROC. OF THE SECOND ANN. LOYOLA SYMPOSIUM ON COMPARATIVE NEGLIGENCE IN SEVERAL STATES (1968).
- THE AMERICAN JURY: NOTES FOR AN ENGLISH CONTROVERSY (U. Chi. Round Table No. 226, 1967) (with H. Zeisel).
- Advocacy and the Jury System: The Impact of the Trial Lawyer*, in PROC. OF THE THIRTEENTH ANN. JUDICIAL CONF., THIRD JUDICIAL CIRCUIT OF THE UNITED STATES 169 (Sept. 1967).
- THE SUPREME COURT AS LEGISLATOR (U. Chi. Round Table No. 3, 1967) (with P. Kurland, R. Lerner & K. Northcutt).
- Testimony Before the U.S. Senate Committee on the Judiciary on Bills Concerning Improvements in Judicial Machinery, March, 1967 (with H. Zeisel).
- On Thoreau*, in CIVIL DISOBEDIENCE 25, 1966 (Occasional Papers on the Free Society, Center for The Study of Democratic Institutions).
- ALEXANDER MEIKLEJOHN: A MEMORIAL, Jan. 31, 1965 (Berkeley Memorial Service) (privately published).
- CONSCIENCE OF A NATION, 1965 (series of transcripts of dialogues on recent Supreme Court cases).

- ILLINOIS PATTERN JURY INSTRUCTIONS—CIVIL, 1960 (as member of the Illinois Supreme Court Committee on Instructions).
- The Elimination of the Jury Instructions*, 1959 ANN. REPORT OF THE ILLINOIS JUDICIAL CONF. 82.
- A Report of the Jury Project*, U. CHI. MAG, Feb. 1956, at 1 (also in U. MICH. CONF. ON LEGAL RESEARCH (1957)).
- THE SENATE TRIES ITSELF: THE WATKINS COMMITTEE (U. Chi. Round Table No. 863, 1954) (with A. Jenner, Jr. & R. Redfield).
- THE IMPLICATIONS OF THE OPPENHEIMER CASE (U. Chi. Round Table No. 844, 1954) (with J. Arnold & H. Urey).
- THE TRIAL IN THE HEARING ROOM: THE McCARTHY-ARMY HEARINGS (U. Chi. Round Table No. 839, 1954) (with B. Currie & B. Meltzer).
- Come Back, Little A.B. (or The Petrified Campus) (play performed at The University of Chicago by the Quadrangle Club Revels, March 12-13, 1954) (with J. Hutchens).
- Memorandum of Law Regarding the Power of Congressional Investigating Committees to Compel Testimony, April 8, 1953 (with W. Ming, Jr.).
- Birth of a Salesman: A Sort of Beggar's Opera Featuring Academics Anonymous (play performed at The University of Chicago by the Quadrangle Club Revels, May 9-10, 1952) (with J. Hutchens).
- A LOOK AT CIVIL LIBERTIES (U. Chi. Round Table No. 760, 1952) (with W. Ming, Jr. & M. Sharp).
- DEFAMATION AND THE FIRST AMENDMENT (U. Chi. L.S. Conf. Series No. 10, 1952).

BRIEFS

- Brief for the American Civil Liberties Union, as Amicus Curiae, *In re Anastaplo*, 366 U.S. 82 (1960).