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Harry Kalven, Jr.

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Harry Kalven was a young man, forty years ago, when I first came to know him. He had already entered the world of The University of Chicago, which he came to possess and which possessed him. He was then a student in the College, responding with delight and with a special thoughtfulness to the intellectual and moral excitement of the University, which was attempting in some collective way, but with strong adversary protagonists, to establish an understanding of the shared cultural heritage and to give renewed meaning to the ideas of the good society and a good life. He was fortunate then, as he was later as a student in the Law School, in the guidance of an extraordinary group of teachers, Robert Hutchins, Richard McKeon, Mortimer Adler, Malcolm Sharp, Charles Gregory, Max Rheinstein, Wilber Katz, Sheldon Tefft among them. Fortunate not only because of what they had to give but because of his exceptional capacity for response and for appreciation. Harry always gave a great deal to those who worked with him. A compilation of materials in jurisprudence which I co-edited in 1938, when Harry was a student in the Law School, carries the notation of the editor's gratefulness for the help received from Harry Kalven. I take pride in that most minor, not unusual, acknowledgment, because it came so early in his career. Throughout his life and indeed through a long session

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on the afternoon of the day before he died, I was among the many who were privileged to learn from him.

Harry joined the faculty of the University in the Law School in 1945. It always will be a joy to recall the growth in intellectual power and accomplishment of a mind so creative and so sensitive. His contribution to the understanding of the law and legal institutions is among the most significant of our time. Nothing he touched was left without added insight. There was a toughness of scrutiny and perseverance in him, but it was always marked with grace and inspiration. He was in the grand tradition of the law which he described in one of his last essays, and he was a magnificent collaborator. This was not a collaboration of dependence. Rather it reflected a philosophy about individuals, ideas, and problems. Individuals were seen for the best which was in them; ideas for the brightness which could be coaxed out of them; problems for the way they could be reshaped so new solutions could be found. And his work dramatically moved to new ground. He was a citizen of the University. He knew its better ways. He believed in rational discourse and the kindness and mutual respect essential for our kind of community.

His influence was felt in every corner. He taught in the College; he was a member of the Governing Committee of the Social Science Collegiate Division, and a member of the Council of the University. He accepted assignments during periods of difficulty, when he knew the strains and pressures upon him would be enormous. He represented faculty and students when they were in trouble, as he represented others in the larger society, and always with that kindness and respect which marked his every action. He took on burdens which were not his own. His biography reflects that he was the leader of the University of Chicago Jury Project, an interdisciplinary study of basic issues of modern jurisprudence. The study is the highest achievement of an approach long advocated but never before accomplished. But no complaint from his pen nor otherwise reveals that he took upon himself, in the face of unseemly personal attacks, the defense of the conduct of a prior stage of this study for which he was not responsible and before his leadership. The University of Chicago, as we know, is built upon the strength and quality of unusual men and women. Harry Kalven was a prince among us. His influence and life went beyond the University, but his worlds were interrelated. And he made of them one world. This was his character. With poetic perception, with gaiety and sympathy, he sought and created patterns of coherence. He understood the meaning of form. He found completeness.

In writing of his academic career for the University, he spoke

of his daughter, three sons, and "my lovely wife." When he was made Harry A. Bigelow Professor of Law, he wrote:

In a sense this brings things full cycle. For it was Harry Bigelow who provided importantly my first experience with the distinctive culture of the law.

On the last afternoon when I spoke with him, both of us understood we were rethinking the implications of pioneering work he had accomplished years ago with others. There was great satisfaction in this, and it was usually with others, for his generosity was great. The University of Chicago was a most important part of his life. He gave life to the University. For all his modesty, he would be the first to know and appreciate that his work and his values will be reflected in the better self of the University until the memory of man runneth not to the contrary.