Malcolm Sharp is married to a cousin of mine. Our cousinship is rather remote, but I have always felt at least as close to her as to some of my other cousins to whom I am more nearly related, because, as children, we both used to spend our summers in Talcottville, Lewis County, New York, the locality where my mother’s family, after moving west from New England at the end of the eighteenth century, had for several generations lived. I had met Malcolm Sharp a few times, first in New York, then in Chicago, but I never got to know him well till I inherited a family house in Talcottville and began going there for the summer again, while the Sharps came to spend their summers in another family house. We saw a good deal of one another then, and were in the habit, at the end of the day, of meeting for conversation and drinks at either their house or mine. We enjoyed a pleasant leisure and peace, a freedom from the immediate pressures with which we elsewhere had to contend, as we sat in my ancient living room, with its Boston and Salem rockers and its old-fashioned paintings and engravings, or looking out from the Sharps’ back lawn, on a green and unmowed meadow, now soaked in the golden light of an orange and silver declining sun.

I thus had ample opportunity gradually to become acquainted with Malcolm’s complex and sensitive and acutely conscientious character, which seemed to me unlike that of anyone else I had ever known. The conflicts involved in this character encouraged a tendency to paradox which sometimes took the form of perversity. I found that he was especially fond of startling with the unexpected. When I first began to know him, he would attempt to disconcert me by expressing opinions with which I guessed he had been in the habit of teasing his university colleagues; but I was not an academic and did not think along the lines with which he must have been familiar, so this gambit was entirely futile. It took Malcolm some little time to discover what my prejudices and principles were and to develop a technique for needling them. It was not that this procedure was entirely mischievous,
though mischievousness did play some part in it. It is rather that his flexible mind, in connection with any problem, always makes him see that several different attitudes are possible, and that his instinct is likely to spur him to give preference to the one which will enable him to contradict the opinion expressed by his companion. This must make him, I should think, an admirable teacher of a semi-Socratic kind: he would compel his students to think about commonly accepted assumptions, and thus lead them to become aware of the fundamental problems. For, in spite of Malcolm’s love of paradox, he is never superficial, and his paradoxes actually spring from the paradox inherent in his whole point of view—a point of view which I have never encountered on the part of anyone else. Malcolm Sharp is not assignable to any familiar category and does not lend himself to any known label. He cannot be called a radical or a liberal or a conservative or a middle-of-the-roader. The paradox of his position is that he wants to combine uncompromising vigilance for American civil rights with an almost unshakable confidence in the workings of American business. Both these tendencies have carried him to lengths which must appear outrageous or fantastic to the people who, in dealing with political, social and economic matters, insist upon two mutually hostile camps, to one or other of which everybody must belong.

In defence of the first principle mentioned above, Malcolm Sharp has shown imperturbable courage by joining in a motion for a new trial of the Rosenberg couple, by helping, after their execution, to have the future of the Rosenberg children kept out of the hands of the state and entrusted to the guardianship of their grandmother, and by publishing, despite many discouragements, a book in which he tried to show that the case against the Rosenbergs was dubious and that that against Morton Sobell, on the strength of which he was sent to Alcatraz, had no plausibility at all. Though completely unsympathetic to Communism, he has never allowed himself to be prejudiced against groups including Communist members or against persons who have at some time been attracted to it, and has always made a point of espousing, if he thought their civil rights were threatened, groups and persons against whom this cry had been raised. He loves nothing, in fact, so much as a legal case for which nothing or little can be hoped. He always has several files full of these, which he will nurse along, like pets, for years, for he will never abandon a stand once he thinks he has been justified in making it. On the other side, the pro-business side, he is also unyieldingly logical. Though he worked for a time with the administration in the days of the New Deal, he now disapproves of social security and, so far as I can see, of any of the government subsidies by means of which
Franklin Roosevelt oiled the stalled machinery of the great Depression and thus, for his successors in the presidency, set a precedent for further measures of the same kind. Malcolm is impervious, in this connection, to humanitarian arguments because he is able to produce counter-arguments to demonstrate that these measures do not really help. His sympathy with the sufferings of human beings has made him a hater of war, but here, too, his line is quite unorthodox, and, it seems even to me, rather eccentric. In trying to detach his judgments from the beneficent professions of political claptrap, liberal as well as partisan, to estimate strictly from the point of view of its actual or probable results any step of our foreign policy, he was led to the conclusion that Eisenhower had exercised sound statesmanship in this department whereas Kennedy had been rather dangerous.

I have no doubt that Malcolm, when he reads this, will deny every statement I have made. I have sometimes had the experience of picking up from him some idea that I thought was particularly illuminating and introducing it into something I was writing, only to be told by the Sage himself that this had not been at all what he meant, that he had, in fact, meant the opposite. And if his own writing on nonlegal subjects is not always so effective as I imagine his teaching to be, I believe this is due to the fact that the paradoxical character, the ambivalence, of his thinking prevents him, when he is making an effort to grapple with fundamentals, from expressing himself with lucidity, from arriving at clear-cut conclusions. But this does not at all prevent him from being one of the most stimulating, as well as one of the most delightful, of companions. When I have been working on some special topic of journalistic-historical interest, I have found in Malcolm's conversation an invaluable corrective or caution to whatever line I was taking, because he would invariably suggest objections. One of the only occasions I remember when we found ourselves immediately in full agreement was on a visit to the Saint Lawrence Seaway, when, looking down on the mighty river which this feat of engineering was supposed to control, we independently came to the conclusion that it was flowing in the wrong direction and wondered whether—consistently with our usual procedure—we ought not point this out to the authorities. With his subtle and skeptical mind, he combines, without the practical decisiveness, some of the other superior qualities which have made the great American jurists: subtle intellect, philosophic and literary interests, a long view of human history—extended by the far-ranging studies of his brother, the anthropologist—and a combination of moral anxieties with an ironic sense of humor. Very much an old-fashioned American, a native of the Middle West, there is nothing provincial about him.
In our discussions on the back lawn at Talcottville, in the little trough of rural civilization that lies between the foothills of the Adirondacks and the wilderness of the Tug Hill plateau, we have covered, in our conversations, many aspects of that disturbed and disturbing world that was invisible from where we sat.