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6-1973

Lawrence Herman Letters

Lawrence Herman

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Law Teachers

June 22, 1973

Professor Larry Herman
Ohio State University
College of Law
1659 North High Street
Columbus, Ohio 43210

Dear Larry:

The issue in your correspondence with Tom Emerson may be merely a matter of emphasis. It is true that the organizers of the American Law Teachers Association (my latest name for it) are largely ACLUers, and therefore their "point of view would be similar to the A.C.L.U. general position", as Tom said. But we all feel, at least I do, that we want as broad a membership as possible consistent with a generally liberal stance.

I have no doubt that other members of the group would phrase their approach differently, and I also have no doubt that if we get going events and personalities will largely determine the group's general direction.

I hope this is somewhat helpful, and that you will give us the benefit of your endorsement.

As ever,

ND:mc

THE OHIO STATE UNIVERSITY

COLLEGE OF LAW
1659 NORTH HIGH STREET
COLUMBUS, OHIO 43210

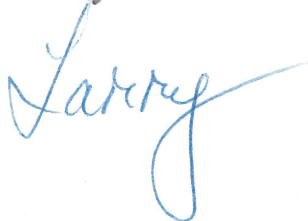
June 19

Dear Norman:

Enclosed is a letter from Tom Emerson which gives the proposed organization a character different from that described in the memorandum. The last sentence of the letter refers to the fact that I had declined to become a signatory until I understood more clearly what the organization was going to do. Now I am even more confused. Which is correct, the letter or the memorandum?

If you have time to set me straight, I would appreciate hearing from you.

Best,

A handwritten signature in blue ink, appearing to read "Larry", with a long, sweeping horizontal stroke extending to the right.

YALE UNIVERSITY
LAW SCHOOL
NEW HAVEN, CONNECTICUT

THOMAS I. EMERSON

June 13, 1973

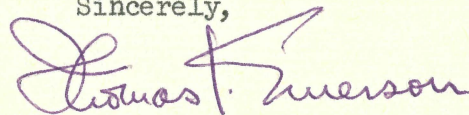
Professor Lawrence Herman
The Ohio State University
College of Law
1659 North High Street
Columbus, Ohio 43210

Dear Professor Herman:

I agree with you that the proposed association of law teachers, in order to operate in the manner contemplated, would have to have a point of view, and that that point of view would be somewhat similar to the A.C.L.U. general position. We had discussed this and thought that the proposition was implicit in the document circulated. Possibly it should have been made more explicit. In any event I understand your feeling about it.

With best regards.

Sincerely,



TIE/llp

THE OHIO STATE UNIVERSITY

COLLEGE OF LAW

1659 NORTH HIGH STREET

COLUMBUS, OHIO 43210

May 29, 1973

Professor Tom Emerson
Yale Law School
New Haven, Connecticut 06520

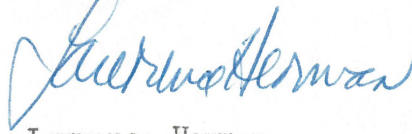
Dear Professor Emerson:

At the April meeting of the ACLU National Board, Norm Dorsen showed me a tentative draft of a proposal for an Association of Law Teachers. My reaction was that the proposed organization would become a mini-ACLU---an ACLU for law teachers. I have now read the proposal of May 15, 1973, and my reaction is the same. I certainly do not question the good faith of the assertions made in the first paragraph on page four, but I don't believe that things will really happen that way. To what extent will the proposed association avoid a "rigid approach" or welcome "disparate views" on matters such as the anti-busing amendment, capital punishment, or the Popkin case?

If the organization is to be more than a debating society--if action is to be taken--the organization must necessarily have a particular slant or focus that will attract some law teachers and repel others. Six of the eight signatories to the letter of May 15, 1973, have strong ACLU ties, and it is inevitable that the proposed organization will have an ACLU slant. That happens to be my slant, and I would support such an organization. But I must decline to join you in transmitting the proposal to other law teachers until the proposal is amended to reflect what I believe reality to be.

I would greatly appreciate receiving any subsequent drafts of the proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lawrence Herman", written over a horizontal line.

Lawrence Herman