

IN MEMORY OF PROFESSOR HAROLD BERMAN

*Lloyd W. Weinreb**

Harold Berman, who preceded me at Dartmouth College by nineteen years and on the faculty of Harvard Law School by seventeen, was a benign and wise counselor over much of my professional career. We were drawn together by a shared interest in the humanities, which became an association and friendship sustained over many years.

As a member of the Harvard faculty, Harold was exceptional, one of the few members of the faculty at that time who placed himself on the academic side of the divide between academy and professional school. Law's place was for him firmly within the humanities, to be studied for its intellectual content and not, or not only, for its instrumental value. In his courses, in his relationships with students, and as a member of the faculty, he encouraged others to view law as he did.

Soon after I came to Cambridge as a young member of the faculty, he took note of my attraction to the humanities and, befriending me, encouraged me to find a prominent place for them in my work. We talked often about common interests, which touched mostly on philosophy and religion, including particularly the philosophy of Eugen Rosenstock-Huessy, who had taught us both at Dartmouth College. Harold was then a strong supporter of the Law School's Program of Liberal Arts Fellowships in Law, which each year brought five or six scholars in the humanities and social sciences to the law school to attend classes and study legal materials. As chairman of the Program, Harold provided a bridge between the scholars' own work and the concepts and techniques of the law. Later, he recruited me to take on that rewarding role. In the early 1970s, he became one of the original trustees of Vermont Law School and was the source of much of its intellectual foundation. During its first years, he taught entering students a course on the western legal tradition. Later, he solicited me to teach a course that introduced students to fundamental jurisprudential issues. When the Soviet Union opened to Western scholars, he seized the opportunity to promote Russian-American intellectual exchanges, and he invited me twice to participate in a series of lectures about

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American law in Moscow, for an audience of Russian lawyers. Harold approached new ventures of this kind enthusiastically, with a generous confidence that he could communicate his own love of learning to others. I was always glad to be included.

When, later, Harold joined the faculty at Emory University School of Law, our friendship and association continued. It was through his good graces that I became acquainted with, and a friend of, the law school and its Center for the Study of Law and Religion. During the summers, when he came north to Martha's Vineyard, he visited with me, told me about his projects, and asked about mine.

Harold's encouragement and guidance was a constant strand running through my professional and intellectual life, as it was for many others, yet so gently and amiably given that it might easily pass unnoticed. At a time when the academic side of legal education is under siege, the recollection of his unfaltering commitment to the humanities and his generous sharing of them with others is all the more precious.