On May 15, 1971, a testimonial dinner was held at the Philadelphia Museum of Art honoring William H. Hastie, the first black judge in the federal system and later the first black Article III judge, upon the occasion of his resignation as Chief Judge of the United States Court of Appeals for the Third Circuit and his taking Senior Status as a judge. William T. Coleman, Jr., Stewart R. Rauch, Jr., Chairman of the Philadelphia Saving Fund Society, and the writer, were Co-Chairmen of the event, and Justice Thurgood Marshall was Toastmaster for the dinner. It was our task to select the person to deliver the principal address on this venerable occasion. Obviously, this would have to be someone who had achieved a unique position in the profession, who we were confident would have a historic message to deliver, and who would do so with the charm and wit called for by such an event. With the judges, law professors, and lawyers of the nation to choose from, our first choice was quickly and unanimously arrived at. Of course, it was Louis Pollak, former Dean of the Yale Law School and at the time the Southmayd Professor of Law at that institution.

There were a number of noteworthy aspects of the Hastie testimonial dinner, but the highlight was the Pollak address. It will live in memory. One statement he made has now assumed special significance. This was that William Hastie represented Professor Pollak's ideal of a federal judge, a prototype for all judges as they took their seats on the Bench.

Three years later, Louis Pollak accepted the invitation of the University of Pennsylvania to become the first Albert M. Greenfield Professor of Human Relations and Law, a University-wide chair without exclusive ties to any school or department but with his office in the Law School. Within approximately a year, Dean Pollak was prevailed upon to accept the post of Dean of the Law School. Not long after that, he was accorded the additional distinction of being named a University Professor.

By now, Dean Pollak had become one of the preeminent professors of law in the United States. He was a superb teacher—clear, perceptive, unassuming. He ran his classroom in an easy,
leisurely manner; yet, he affected the method of thinking and shaped the approach to the law of the young people who sat before him, always with almost casual suggestion and subtle direction. His nonchalant, sometimes earthy, sense of humor attracted his students and he enjoyed a friendly camaraderie with them, yet always maintained the dignity of the teacher-student relationship. It has been said that a teacher affects eternity, that he never can tell where his influence will stop. This is certainly true in fullest measure of Louis Pollak. His teachings of the law, his lessons in the larger dimension of the lawyer's role in society, his underlying philosophy of law and its function in peaceful and turbulent times alike, left their indelible imprint upon those who sat before him in the classroom.

At the same time, his writings both in legal publications and in those of general circulation, together with his monumental two-volume work, *The Constitution and the Supreme Court: A Documentary History*, brought him national recognition. And all the while, he was lecturing both here and abroad.

If Louis Pollak's attention and activities had been restricted to the academic field—to his students, his associates, his administration of Law School affairs, his lectures, and his writings, his would be a highly commendable and enormously satisfying life. However, from the day he became a lawyer, and indeed before, extracurricular activities in the public domain occupied a vast, indeed an incredible, amount of his time. For there has been no stage of his adult career that has not produced wonderment on the part of all who knew him as to how one person could so assiduously attend to his duties as Professor and Dean, and at the same time perform and achieve so much extracurricularly in the public sector.

But this is the story of Louis Pollak's life. Perhaps before, but certainly by the time he had completed his law clerkship for Justice Wiley B. Rutledge of the Supreme Court, and had then become an associate in the excellent law firm of Paul, Weiss, Rifkind, Wharton & Garrison (of which his father was a founder), he began devoting almost all of his leisure time to working in behalf of his consuming interests—civil rights and constitutional protections. Very early in his career, he became a pioneer in the battle to attain equality for all Americans through the processes of law. He started working for the NAACP Legal Defense Fund as a young assistant in developing the policies and arguments, and preparing the briefs, in the leading cases of that day in these critical fields. Later, he became a major participant, and presented argument in appellate
courts, including the Supreme Court of the United States, in landmark cases resulting in the striking down of one after the other of the barriers to the achievement of the objectives which by now had become his passion. The power of his legal reasoning, his rare mixture of brilliance and wit, and his deep and abiding belief in the public causes he was presenting made him a powerful advocate in some of the landmark cases in the establishment of these fundamental rights. In 1970, he became Chairperson of the American Bar Association’s Section of Individual Rights and Responsibilities, and in 1971, he was elected Vice President of NAACP Legal Defense Fund. Despite the time consuming aspects of these positions, he readily accepted them because they afforded him additional opportunities in the areas to which he was devoting so much of his life. In commenting upon his contributions in these areas and in the achievement of these aspirations, Judge A. Leon Higginbotham of the Third Circuit said of him: “No one in this nation has had more wise or penetrating insights on the federal constitutional process than Dean Louis Pollak,” and he emphasized that Dean Pollak was not a casual participant but was “an effective contributor to the improvement of the legal process in its day-to-day operation.”

Preeminent as activist and scholar, as advocate in the appellate courtroom and philosopher in the areas of civil rights and constitutional guarantees, it was no surprise that Dean Pollak was selected as the one American lawyer to attend the Stephen Bantu Biko Inquest on behalf of the Southern Africa Project of the Lawyers’ Committee for Civil Rights Under Law. He attended five days of the Inquest from November 18 to 25, 1977. It is an inspiration, and an enlightening experience, to read his thirty-two page report (which is bound to become a classic) on that Inquest.

When the Federal Judicial Nominating Commission of Pennsylvania proposed Dean Pollak as one of the five nominees from among whom the President would make his selection, many of us were confident President Carter, at the instance of Attorney General Bell, would select him as the potential nominee. However, the discussion then centered on the question how he would fare when, as invariably occurs, the Associate Attorney General would request the eminent and enormously useful American Bar Association Standing Committee on Federal Judiciary to investigate and report upon his qualifications to be a District Judge. For the formal statement by the Committee recites, “Substantial trial experience (as lawyer or trial judge) is important for appointees to both the United States

Courts of Appeals and the District Courts.” Dean Pollak would be the first to concede that, despite his involvement in important appellate litigation, he could not begin to meet the test of “substantial trial experience.” However, the Committee, in defining its evaluation criteria, adds a modification of this otherwise uniformly applied rule: “In exceptional cases, when there is a significant evidence of distinguished accomplishment in the field of law, an individual with limited trial experience might be found qualified.” As a result, the Committee gave Dean Pollak a rating that the Committee’s standards delineate as a “strong affirmative endorsement” and a conclusion that the prospective nominee is “one of the best available for the vacancy involved.”

Louis Pollak’s career up to now gives extremely great promise for his career on the Bench. As much as any person the writer knows, he has demonstrated a sure awareness of the larger functions of law in a modern democratic society, and a consistent willingness to undertake those functions, awesome as the responsibility often may be. He epitomizes those qualities that we lawyers prize most in a judge. His is the endowment of an open mind, of a capacity to hear patiently, to probe deeply, to explain lucidly, to decide wisely, and to write brilliant and exciting opinions.

We at the University of Pennsylvania feel that we have suffered a very substantial loss in the departure of Louis Pollak as Dean and as Professor. Further, the critical causes to which reference has been made have lost one of their most articulate, talented, and dedicated advocates. But given the urgent needs and the enormous problems confronting our judicial system, it is clear that this is the right time for Louis Pollak to embark on his new career. With his intellectual capacity, his interest in and understanding of people, his dedication and zeal, and his demonstrated versatility in the law, I have no doubt that he will be a great trial judge if he remains on the trial bench. In this Circuit, we have had as Judges of the Court of Appeals two great law school deans, who after they were on the bench became great judges as well—Herbert F. Goodrich and William H. Hastie. My own hope, and my conviction, too, is that before very long, under the increasing emphasis upon merit selection in the federal judicial process, Judge Pollak will be on the federal appellate bench. And as vacancies occur on the Supreme Court, and the Attorney General in behalf of the President begins scouring the country to find someone eminently qualified for the post, Judge Pollak is bound to be one of those in the forefront for consideration.
At the Joint Judicial-Lawyers Session of the Annual Judicial Conference of the Third Circuit of the United States held in St. Thomas, Virgin Islands, on Tuesday, October 24, 1978, Judge Pollak presented what was titled in the program, *Tribute to Judge Hastie*. It proved to be a memorable tribute indeed. Simply, yet with an eloquence that pervaded the large room and captivated judges, lawyers, spouses, and others in the audience, he did full justice to the grandeur and the dignity of the life of that great jurist, who so ideally combined his work on the bench as a great judge with his leadership in the noble endeavor to achieve for all Americans justice and equality in our time, which has occupied so much of Judge Pollak's time and energies. When Judge Pollak completed his magnificent eulogy, he was greeted with thunderous and prolonged applause.

I was particularly struck by two paragraphs of Judge Pollak's masterful portrayal of Judge Hastie, for it seems to me to be a very apt forecast of Louis Pollak as he will develop on the bench:

I ask you to celebrate with me not the brilliant and demanding teacher of law, nor the lawyer who was master of trial and appellate courtrooms, nor the principled and dedicated public official, but the great judge . . . . As his opinions demonstrate, Hastie was a judge of great intellectual power, rare sensitivity, and a long view of the law and its unfolding. But there was more. There was demeanor. There was a sense of judicial role which put him in place with the Hands and with Cardozo. Which is to say that, once a judge, Hastie knew no client but the law. His duty: to interpret the law without fear or favor—he was the archetype of neutral principles years before Professor Herbert Wechsler invented the phrase—and to protect and defend legal institutions and the legal process.