

Law School of Harvard University

Cambridge 38, Mass.

OFFICE OF THE
ASSOCIATE DEAN

February 4, 1955

President Francis P. Gaines
Washington and Lee University
Lexington
Virginia

Dear President Gaines:

I am writing as chairman for 1955 of the Special Committee on Racial Discrimination of the Association of American Law Schools. At its annual meeting for 1951, the Association amended its Articles of Association to specify non-discrimination on grounds of race as one of the objectives to be pursued by member schools. The Special Committee was subsequently created to further that objective.

At the Association's annual meeting for 1954, recently held in New York, the Association voted that copies of the Special Committee's Interim and Final Reports for 1954 be sent "to the deans of member schools not in compliance with the Association's anti-discrimination objective and to the administrations and governing boards of the universities and colleges with which those schools are connected." Pursuant to that action, I am enclosing copies of both reports, together with a copy of the 1951 report on the basis of which the Association acted at that time.

The Association took no action at its 1954 meeting to amend its Articles and Standards to reinforce the objective of non-discrimination; indeed, no amendment was proposed. The Special Committee and, I think it fair to say, the great majority of the faculty members of Association schools have been encouraged by the successful ending of discrimination in a number of member schools. The clear demonstration of the feasibility of this step by law schools has led to the belief that the current year may witness the ending of racial discrimination in admission to the study of law in most, if not all, of the sixteen member law schools which still discriminate on racial grounds.

There has, at the same time, been a growing belief, reflected in the Special Committee's Final Report for 1954, that the Association should consider the further amendment of its Articles and Standards to reinforce its objective, and steps to assure such consideration are outlined in the Final Report. One of these steps, which the 1955 Special Committee has already agreed to take, is to meet in Washington, D.C., in May at the time of the annual meeting of the American Law Institute. We wish to take advantage of that occasion to confer with representatives of those member schools which might be affected by further amendments to the Association's Articles and Standards.

In May, 1951, a committee of the Association which had been appointed to consider a proposal to make non-discrimination a requirement of Association membership, held similar conferences. As a member of that committee (of which Professor Elliot E. Cheatham of Columbia was chairman), I can testify to the helpfulness of the discussions of the discrimination problem which we held at that time. I hope that we may be able to benefit by like discussion in May. Information as to the specific time and place of the meeting will be provided at a later date.

Possibly your university will be considering action with respect to racial discrimination before that time. If, in that connection, there is any way in which the Special Committee or its individual members can be helpful, I hope you will not hesitate to call upon us.

Sincerely yours

David F. Cavers

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Members of the Committee for 1955:

Alfred L. Gausewitz, University of New Mexico
 Frank R. Kennedy, State University of Iowa
 William B. Lockhart, University of Minnesota
 Wex S. Malone, Louisiana State University
 Joseph O'Meara, Notre Dame University
 Antonio E. Papale, Loyola University
 Charles W. Quick, Howard University
 F. Deane G. Ribble, University of Virginia
 David F. Cavers, Harvard University, Chairman