

Guide to the Alexander Mordecai Bickel Papers

MS 762



compiled by Susan Grigg and Akiba J. Covitz

May 1999

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New Haven, CT 06520-8240
(203) 432-1735
(203) 432-7441
beinecke.library@yale.edu
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Collection Overview

REPOSITORY: Manuscripts and Archives
Yale University Library
P.O. Box 208240
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CALL NUMBER: MS 762

CREATOR: Bickel, Alexander M.

TITLE: Alexander Mordecai Bickel papers

DATES: 1916-1987

BULK DATES: 1930-1975

PHYSICAL DESCRIPTION: 47.13 linear feet (109 boxes)

LANGUAGE: English

SUMMARY: The papers of Alexander M. Bickel include correspondence; writings, both published and unpublished; memoranda on legislation and government policy; papers from his legal practice; papers relating to his teaching at the Yale Law School; and personal papers and photographs. Bickel's writings as well as his legal cases reflect his general political position as a classical liberal, and revolve around such issues as segregation in the schools, racial discrimination, the role of the Supreme Court in American life and politics, separation of powers, freedom of the press, and freedom of speech. From 1958 until his death, Bickel often assisted in drafting social legislation. As the papers document, most prominent among these efforts was his share in the school desegregation legislation (1970-1974). His interest in the reform of the Democratic Party is shown in such materials as drafts of testimony before the Credentials Committee of the Party (1968). His active support for Charles H. Percy in 1967 and Robert F. Kennedy in 1968 is shown by substantive correspondence and memoranda from these years. As an editor of *The New Republic* he wrote on legal and political issues, contributing many signed and unsigned editorials and articles. His extensive writing and reviewing for other popular magazines and in monograph form are supported in the papers with correspondence and drafts. His service in the U. S. Army during World War II and his work with the High Commissioner for Germany and the State Department in the early 1950s are also documented.

ONLINE FINDING AID: To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/mssa.ms.0762>

Requesting Instructions

To request items from this collection for use in the Manuscripts and Archives reading room, please use the request links in the HTML version of this finding aid, available at <https://hdl.handle.net/10079/fa/mssa.ms.0762>.

To order reproductions from this collection, please go to http://www.library.yale.edu/mssa/ifr_copy_order.html. The information you will need to submit an order includes: the collection call number, collection title, series or accession number, box number, and folder number or name.

Key to the container abbreviations used in the PDF finding aid:

b. box
f. folder

Administrative Information

Immediate Source of Acquisition

Gift of Joanne Bickel and Jeannette Hopkins, 1976; Elias Clark, 1982; Boris Bittker, 1984; Joanne Bickel, 1995; and Jeannette Hopkins, 1996. Transfer from Yale Law Library, 1989. All material except Accession 1995-M-136 have been incorporated into the series arrangement of the collection.

Conditions Governing Access

The materials are open for research.

Original audiovisual materials, as well as preservation and duplicating masters, may not be played. Researchers must consult use copies, or if none exist must pay for a use copy, which is retained by the repository. Researchers wishing to obtain an additional copy for their personal use should consult Copying Services information on the Manuscripts and Archives web site.

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Preferred Citation

Alexander Mordecai Bickel Papers (MS 762). Manuscripts and Archives, Yale University Library.

Biographical / Historical

Alexander Mordecai Bickel, professor in Yale Law School and contributing editor of *The New Republic*, was a pre-eminent scholarly and popular authority on the Constitution, the Supreme Court, and the roles of the several branches of government in shaping public policy. Speaking and writing as teacher, scholar, lawyer, journalist, Democrat, and adviser to government officials, he was in the 1960s and early 1970s an important contributor to national discussion of such legal and political subjects as school desegregation, reapportionment, the Electoral College, the interpretation of the First Amendment, the powers of the

President, the significance of the Warren Court, and the meaning of the liberal tradition. These are among the principal events in his personal and professional life:

Date	Event
1924	○ born in Bucharest, Rumania, to Shlomo and Yetta Bickel.
1939	○ immigrated with family to New York City, where his father became a journalist in the Yiddish-language press.
1943-1945	○ served in the U.S Army.
1947	○ received the B.S. in Social Science from the City College of New York.
1949	○ received the LL.B. from Harvard Law School,
1949-1950	○ served as law clerk to Chief Judge Calvert Magruder, U.S. Court of Appeals, First Circuit.
1950-1951	○ employed in the Office of the U.S. High Commissioner in Germany.
1951-1952	○ belonged to the U.S. Observer Delegation to the European Defense Community Conference in Paris.
1952-1953	○ served as law clerk to Associate Justice Felix Frankfurter, U.S. Supreme Court.
1953-1954	○ employed as special assistant to Director Robert R. Bowie, Policy Planning Staff, U.S. State Department.
1954-1956	○ employed as research associate, Harvard Law School.
1956	○ appointed associate professor, Yale Law School.
1957	○ chosen by the Permanent Committee for the Oliver Wendell Holmes Devise to write "Responsible Government and the Judiciary, 1910-1930," a segment of its projected Supreme Court history.
1957	○ published <i>The Unpublished Opinions of Mr. Justice Brandeis</i> .
1959-1960	○ lived in Washington, D.C., during most of sabbatical year.
1959	○ married Josephine Ann (Joanne) Napolino.
1960	○ appointed professor, Yale Law School.
1960	○ first child born, Francesca Ann.
1962	○ second child born, Claudia Rose.
1963	○ published <i>The Least Dangerous Branch: The Supreme Court at the Bar of Politics</i> .
1965	○ published <i>Politics and the Warren Court</i> .
1966	○ appointed Chancellor Kent Professor of Law and Legal History in Yale Law School and Yale University.
1966	○ taught in summer session, Stanford Law School.
1967	○ appointed consultant to the Subcommittee on the Separation of Powers, U.S. Senate Committee on the Judiciary.

Date	Event
1968	○ served on the Democratic Party's Commission on the Democratic Selection of Presidential Nominees (Hughes Commission).
1968	○ published <i>The New Age of Political Reform: The Electoral College, the Convention, and the Party System</i> .
1969	○ appointed consultant to the Democratic Party's Commission on Party Structure and Delegate Selection (McGovern Commission).
1969	○ delivered Holmes Lectures at Harvard Law School.
1970-1974	○ collaborated with U.S. Representative Richardson Preyer on legislation related to school desegregation.
1970	○ published <i>The Supreme Court and the Idea of Progress</i>
1970	○ appointed William C. DeVane Professor, Yale University, for a three-year term (1971-1974).
1970-1971	○ held a fellowship in the Center for Advanced Study in the Behavioral Sciences, Palo Alto, California,
1971	○ published <i>Reform and Continuity: The Electoral College, the Convention, and the Party System</i> , a revision of <i>The New Age of Political Reform</i> .
1971	○ argued for the defense in <i>New York Times Co. v. United States</i> (the Pentagon papers case).
1971-1973	○ participated in the Study Group of the Federal Judicial Center on the Caseload of the Supreme Court.
1973	○ published <i>The Caseload of the Supreme Court: And What, If Anything, to Do About It</i> .
1973 Dec	○ underwent surgery.
1974 Feb	○ returned to professional activity.
1974 Jul	○ appointed Sterling Professor of Law, Yale Law School.
1974 Jul	○ suffered relapse.
1974 Oct	○ completed manuscript of <i>The Morality of Consent</i> .
1974 Nov	○ died.

Scope and Contents

The Alexander M. Bickel Papers consist of eighty-four archives boxes of letters, notes, drafts, and printed and near-print matter related to his work in scholarship, journalism, teaching, politics, government, and law. All phases of his career are well represented from his editing of Brandeis's *Unpublished Opinions* to the posthumous publication of *The Morality of Consent* except that few items document his classroom work. His earlier activities in law and diplomacy are represented thinly or not at all, and there is nothing antedating his clerkship with Judge Magruder.

Arrangement

Arranged in thirteen series and one addition: I. Correspondence, 1950-1975. II. Books, 1956-1977. III. Shorter Writings, 1954-1974. IV. Public Speaking, 1956-1974. V. Senate Judiciary, 1967-1974. VI. Legislation, 1958-1974. VII. Politics, 1967-1969. VIII. Committees, 1966-1974. IX. Conferences, 1967-1972. X. Legal Practice, 1950-1974. XI. Teaching, 1956-1975. XII. State Department, 1950-1954. XIII. Memorabilia, 1941-1976.

Collection Contents

Series I: CORRESPONDENCE, 1953-1975

5 linear feet (12 boxes)

Series I, CORRESPONDENCE, consists of several thousand letters and a few memoranda, of conversations arranged in three sections: *Incoming*, *Outgoing*, and *Invitations Refused*. The outgoing correspondence is fragmentary before 1960. The incoming and outgoing letters have been separated and differently arranged to facilitate retrieval by subject (as suggested by the chronology of Bickel's preoccupations) as well as correspondent. But the papers in this series constitute, at most, a large fraction of the correspondence found in Bickel's files after his death. Many letters have been placed in other series because they belong to the record of some special activity. Cross-references in the folder listing for the *Incoming* section of this series make it possible to locate these by writer except in the case of routine exchanges with editors, secretaries, conference organizers, and congressional committee staff. Requests to speak in public or write for publication that Bickel did not accept have been set aside as *Invitations Refused* along with his replies.

Bickel's varied career before he began teaching at Yale brought him a lasting acquaintance with several prominent men in American law and government. Among his earliest correspondents were Felix Frankfurter, associate justice of the United States Supreme Court; Dean Acheson, former Secretary of State; Calvert Magruder, chief judge of the United States Court of Appeals, First Circuit; and Robert R. Bowie, director of the State Department's Policy Planning Staff and later Assistant Secretary of State. But the letters of these men remaining among his papers may not be of great value to students of their careers. The most important are Acheson's recollections of his participation in *United Mine Workers v. Coronado* and *Duplex v. Deering* as law clerk to Justice Brandeis (1955 Dec 7, 1964 May 27). Bickel gave Frankfurter's letters to Harvard Law School, leaving behind only a few memoranda and some slip opinions, and the Magruder and Bowie letters have little substance. The only letter from John J. McCloy, under whom Bickel served when he was High Commissioner in Germany, is a note transmitting a recent speech.

As Bickel's reputation grew, members of Congress became interested in his opinions, and his correspondence broadened accordingly. Many of the longest and most important sequences of letters in this category have been placed in Series V-VIII. What remains in this series are mainly isolated requests for Bickel's opinion. A few of these letters, such as those by Senators Birch Bayh, Edward M. Kennedy, and Joseph Tydings, bespeak a continuing association, but neither these inquiries nor the occasional form letters from other members of Congress add much to the public record of the writers' activities and opinions.

Bickel was also a friend or occasional correspondent of several members of the Nixon administration. The letters of Daniel P. Moynihan, assistant for urban affairs and ambassador to the United Nations, and Leonard Garment, adviser on civil rights, show that both men provided a channel of communication between Bickel and the President. Other letters of Nixon aides can be found in Series VI. The significance of Bickel's association with Nixon appointees outside the White House is more difficult to estimate. All the correspondence with his friend Robert Bork occurred before he was named Solicitor General, and most of the letters by cabinet member Elliot Richardson merely acknowledge congratulations on his successive appointments. Bickel was also acquainted with men serving in the three previous administrations, but the letters they exchanged provide no evidence of access to the president or influence on his ideas. Texts of speeches accompany the letters of Moynihan, Donald F. Turner, and several other presidential appointees.

Many other incoming letters were written by Bickel's professional colleagues, a few working in the federal government but most teaching or practicing law. These tended to be personal associations as well, and the subjects are correspondingly mixed. Exchanges of ideas and of first-hand information about historically important events are far less common than reports of personal news and transactions of routine professional business, but there are a few exceptions. The letters of Philip Elman include a recollection of the *Rosenberg* case (1966 Jan 20, after he had left the Solicitor General's Office) and several observations about his work as Federal Trade Commissioner. The letters of Eugene V. Rostow include discriminating reactions to Bickel's writings, lengthy expressions of opinion on domestic and foreign policy questions, and texts, of speeches and essays. Those of Frederick B. Wiener are rich in comment on current legal and political events. Among the federal judiciary, Bickel's principal correspondent was Henry J.

Friendly, chief judge of the United States Court of Appeals, Second Circuit, whose letters contain favorable comments on Bickel's writings and other expressions of esteem.

The major letters in the *Outgoing* section are those containing lengthy comments on issues of the day, most addressed to public officials but a few composed for the benefit of friends and colleagues. Most of these were written in response to requests for his opinion. Among the topics are passport regulation (1959 Jul 8, to Senator J. William Fulbright), the presidential succession (1964 Jan 27, to Senator Hubert Humphrey), legislation to limit court-ordered reapportionment (1967 Jun 6, to Senator Howard Baker), judicial rule-making (1970 Jan 22, to Dean Acheson), and congressional imposition of a moratorium on the death penalty (1971 May 6, to Senator Philip Hart). Many of the subjects thus treated he also discussed in *The New Republic*, and some were the focus of special activities documented in other series, but a letter in this series sometimes provides an earlier expression of his ideas. Other outgoing letters mix personal news and routine business in the manner of the incoming letters from friends and colleagues. Bickel rarely discussed with outsiders the details of important events in which he participated, but his letters do afford a few observations about the preliminaries to the Supreme Court decision in *Brown v. Board of Education* (e.g., 1955 Dec 8, 1967 Sep 22, 1971 Mar 18).

Incoming correspondence is arranged alphabetically by writer. Letters are ordered chronologically for each writer. Cross-references consisting only of a name refer to the appropriate location in this section. Cross-references to other series refer to a section or folder in that series. Where the cross-reference is to another series, the items are not necessarily noted on the folder listing but must be located by examining the contents of the folder or folders. *Outgoing* correspondence is arranged chronologically. *Invitations Refused* are arranged alphabetically by the name of the institution or person extending the invitation. The correspondence connected with each invitation is in chronological order. Folders with asterisks(*) contain ten or more items.

	Incoming	
b. 1, f. 1	Ab - Ad	
b. 1, f. 2	Al	
b. 1, f. 3	Am - Ay	
b. 1, f. 4	Abrams, Floyd(*) See also: box 53, folder 120 See also: box 57, folder 161	1960-1973
b. 1, f. 5	Acheson, David	1971
b. 1, f. 5	Acheson, Dean(*) See also: box 26, folder 14	1955-1957, 1964,1968-1970
	Advisory Council on Appellate Justice See: box 36, folder 6 See: box 36, folders 12-13	
b. 1, f. 6	"The Advocates" English	1970, 1974
b. 1, f. 6	Ainsworth, Robert A.	1970-1974
	Allen, Louis C., Jr. See: box 32, folder 13 See: box 32, folder 15 See: box 32, folder 17	
b. 1, f. 6	Alsop, Joseph	1969, 1972
b. 1, f. 6	<i>The Alternative</i>	1971-1974

Incoming (continued)

b. 1, f. 7	American Bar Association(*)	1970-1973
b. 1, f. 8	American Bar Association, Special Committee on Coordination of Judicial Improvements See also: box 37, folder 17	1973-1974
b. 1, f. 8	American Civil Liberties Union See also: box 5, folder 106 See also: box 45, folder 28 See also: box 45, folder 34	1966-1972
b. 1, f. 9	American Histadrut Cultural Exchange Institute	1969-1970
b. 1, f. 9	American Jewish Committee See also: box 1, folder 22	1972
b. 1, f. 9	American Jewish Congress See also: box 5, folder 104 See also: box 7, folder 118	1972-1974
b. 1, f. 10	Anastaplo, George	1971-1972
b. 1, f. 10	Anderson, John B. See also: box 33, folder 28	1974
b. 1, f. 10	Andrews, Earl O.	1974
b. 1, f. 10	Anti-Defamation League of B'nai B'rith See also: box 46, folder 43	1963-1967
	Arnold, Thurman See: box 26, folder 11	
	Ashmore, Harry S. See: box 21, folder 85	
b. 1, f. 10	Association of American Law Schools	1961-1973
	Auerbach, Jerold S. See: box 37, folder 30	
b. 1, f. 11	Ba	
b. 1, f. 12	Be	
b. 1, f. 13	Bi	
b. 1, f. 14	Bl	
b. 1, f. 15	Bn - Bo	
b. 1, f. 16	Bra - Bron	
b. 1, f. 17	Broo - Bu	
b. 1, f. 18	Baker, Howard H., Jr.	1967

Incoming (continued)

	Banzhaf, John F., III See: box 32, folder 5	
b. 1, f. 18	Bard, Robert L.(*)	1961-1972
b. 1, f. 18	Bartley, Robert L.	1972-1974
	Baskir, Lawrence M. See: box 30, folder 1-3	
	Bator, Paul M. See also: box 7, folder 136	1958-1974
	Baxter, William F. See also: box 70, folder 67	1966
b. 1, f. 19	Bayh, Birch	1965, 1969– 1973, undated
b. 1, f. 19	The Benchers	1972-1974
b. 1, f. 20	Berger, Raoul	1970-1974
b. 1, f. 20	Berns, Walter F.(*)	1961-1964, 1969-1974
b. 1, f. 20	Bernstein, Merton C.	1970-1974
	Berry, Mary F. See: box 39, folder 61	
	Beytagh, Francis X. See: box 36, folder 10	
	Bishop, Joseph W., Jr.	1956-1960, 1971
	Bittker, Boris I. See also: box 23, folder 135	1957, 1967–1973, undated
b. 1, f. 21	Black, Charles L., Jr.	1959-1960, 1972
b. 1, f. 21	Black, Hugo	1965-1970
	Black American Law Students Association See: box 2, folder 36	
b. 1, f. 21	Blumstein, James F.	1967-1974
	The Bobbs-Merrill Company See: box 4, folder 73	
b. 1, f. 22	Bok, Derek	1968-1971
b. 1, f. 22	Bookbinder, Hyman	1969-1972
b. 1, f. 22	Bork, Ellen (daughter of Robert H.)	1974

Incoming (continued)

b. 1, f. 22	Bork, Robert H.(*) See also: box 14, folder 45 See also: box 15, folder 67	1966-1969
b. 1, f. 23	Borroff, Marie Bowerman, Richard H. See: box 1, folder 19	1968-1974
b. 1, f. 23	Bowie, Robert R. See also: box 74, folder 1	1966-1974
	Brandeis, Elizabeth See: box 7, folder 12	
	Brandeis, Susan See: box 3, folder 63	
b. 1, f. 23	Brewster, Kingman	1954, 1962-1971
b. 2, f. 24	Brown, Ernest J.(*) See also: box 32, folder 2	1958-1974
b. 2, f. 25	Brown, Ralph S.	1967, 1970
b. 2, f. 25	Buckley, William F., Jr. See also: box 45, folder 28 See also: box 45, folder 34	1973
	Bundy, McGeorge See: box 41, folder 7	
b. 2, f. 25	Bunzel, John H. See also: box 29, folder 52	1969-1970
b. 2, f. 26	Burger, Warren E. See also: box 37, folder 21 See also: box 36, folder 1	1969-1974
	Burling, Edward B. See: box 5, folder 94	
b. 2, f. 26	Burt, Robert A.	1966-1969
b. 2, f. 26	Burton, Harold H.	1958
b. 2, f. 27	CBS - Cal	
b. 2, f. 28	Cam - Ce	
b. 2, f. 29	Ch - Cl	
b. 2, f. 30	Coa - Col	
b. 2, f. 31	Com - Coo	
b. 2, f. 32	Cor - Cu	

Incoming (continued)

b. 2, f. 33	Calabresi, Guido	1966, 1970
b. 2, f. 33	California Rural Legal Assistance	1970-1971
	Campbell, Thomas P. See: box 39, folder 61	
b. 2, f. 33	Cappalli, Richard B. See also: box 52, folders 99-101	1970-1971
b. 2, f. 33	Casper, Gerhard See also: box 32, folder 2	1973
	Celler, Emanuel See: box 3, folder 55 See: box 21, folder 98 See: box 33, folder 24	
b. 2, f. 34-35	Chayes, Abram J.(*)	1956-1970
b. 2, f. 36	Chayes, Antonia (Mrs. Abram)	1957, 1968-1971
b. 2, f. 36	Chayes, Edward (brother of Abram)	1974
	Chertoff, Mordecai S. See: box 1, folder 9	
	Chicago, University of See: box 6, folder 111	
b. 2, f. 36	Christopher, Warren	1968
b. 2, f. 36	Clark, Eli	1965-1970
	Coalition for a Democratic Majority See: box 2, folder 44 See: box 3, folder 49	
b. 2, f. 36	Cochran, Otis C.	1969-1970
b. 2, f. 36	Coffin, Catherine (Mrs. William S., Jr.)	1968
b. 2, f. 36	Coffin, William S., Jr. See also: box 55, folder 143	1970
b. 2, f. 36	Cohelan, Jeffery	1970
b. 2, f. 36	Coleman, William T., Jr.	1965, 1970-1971
b. 2, f. 36	Colson, Charles W.	1970
b. 2, f. 37	<i>Commentary</i> English	1957-1974
	Commission on Party Structure and Delegate Selection See: box 38, folder 39	
	Commission on Rules See: box 40, folder 67	

Incoming (continued)

	Commission on the Democratic Selection of Presidential Nominees See: box 38, folder 34 See: box 38, folder 39	
	Congress of Racial Equality See: box 53, folders 117-118	
b. 2, f. 37	Connecticut Commission for Standards of Decency in Materials Available for Sale to the Public	1969
b. 2, f. 37	Connecticut Secretary of the State	1961
	Cooke, David See: box 34, folder 41	
b. 2, f. 37	Corcoran, Thomas G.	1973
b. 2, f. 37	Corwin, Edward S.	1957
	Cousins, Norman See: box 3, folder 47	
b. 2, f. 38	Cowan, Arthur W. A.(*) See also: box 53, folder 117	1954-1963
	Cowan, Geoffrey See: box 38, folder 38	
	Cramton, Roger See: box 36, folder 2	
	Crangle, Joseph F. See: box 40, folder 67	
b. 2, f. 38	Craven, J. Braxton	1965
	Curzan, Myron P. See: box 32, folder 7	
b. 2, f. 38	Cutler, Lloyd N. See also: box 48, folder 63	1970-1971
b. 2, f. 39	Da	
b. 2, f. 40	De	
b. 2, f. 41	Di - Don	
b. 2, f. 42	Doo - Dr	
b. 2, f. 43	Du	
b. 2, f. 44	Danaher, John A.	1971
	Danelski, David See: box 39, folder 59 See: box 39, folder 61	

Incoming (continued)

b. 2, f. 44	Danzig, Richard	1973-1974
	David, Paul T. See: box 38, folder 41	
b. 2, f. 44	Decter, Midge	1972
	Democratic National Committee See: box 32, folder 3	
	Dempsey, William H. See: box 36, folder 12	
b. 2, f. 44	Dershowitz, Alan R.	1963-1966
b. 2, f. 44	Deutsch, Jan G.(*)	1963-1965, 1968
b. 2, f. 45	Dixon, Robert G., Jr. See also: box 32, folder 2	1968-1973
	Dodd, Thomas J. See: box 33, folder 37	
b. 2, f. 45	Dorsen, Norman	1963-1964, 1971, 1974
b. 2, f. 45	Douglas, Elsie See also: box 39, folders 58,60	1963, 1965
b. 2, f. 45	Douglas, William O.	1960
b. 2, f. 45	Duffey, Joe, Citizens for	1970
	Dulles, Allen W. See: box 23, folder 131	
b. 2, f. 45	Dunne, Gerald T. See also: box 39, folder 61	1971-1973
b. 2, f. 45	Dushoff, Jay	1957-1958
	Dutton, Frederick G. See: box 38, folder 39 See: box 38, folder 41	
b. 2, f. 45	Dworkin, Ronald M. See also: box 7, folder 126	1968-1969
b. 2, f. 46	E	
b. 2, f. 46	Eagleton, Thomas F. See also: box 34, folder 49	1970, 1973-1974
b. 2, f. 46	Eckhardt, Bob	1969

Incoming (continued)

b. 2, f. 46	Edmisten, Rufus L. See also: box 30, folder 1-3	1969-1974
	Ehrenhaft, Peter D. See: box 36, folder 1	
b. 2, f. 46	Ehrlichman, John D. See: box 33, folder 22	
b. 2, f. 46	Ehrmann, Herbert B. See: box 24, folder 162	
b. 2, f. 46	Eisenhower, Dwight D. See: box 6, folder 114	
b. 3, f. 47	Elman, Philip(*)	1956-1966
b. 3, f. 48	Elman, Philip	1967-1971
b. 3, f. 49	Ely, John Hart	1969-1974
b. 3, f. 49	Epstein, Leon D.	1971-1974
b. 3, f. 49	Ervin, Sam J., Jr. See also: box 2, folder 46 See also: box 30, folders 1-3 See also: box 32, folder 8	1969-1975
b. 3, f. 50	Fa - Fe	
b. 3, f. 51	Fi - Fle	
b. 3, f. 52	Fli - Ford	
b. 3, f. 53	Forr - Fra	
b. 3, f. 54	Fre - Fu	
	Federal Trade Commission See: box 3, folder 47	
	Findley, Paul See: box 34, folder 46	
	Fine, Sidney See: box 39, folders 59-60	
b. 3, f. 55	Fiss, Owen M.	1971-1972
	Flynn, John J. See: box 30, folder 13	
	Foran, Thomas A. See: box 23, folder 142	
	Frank, John P. See: box 36, folder 12	

Incoming (continued)

b. 3, f. 55	Frankfurter, Felix See also: box 2, folder 45 See also: box 8, folder 154 See also: box 13, folders 6-9 See also: box 18, folder 26 See also: box 22, folder 111 See also: box 24, folder 155 See also: box 39, folder 58	1954-1957, 1960-1961
b. 3, f. 55	Frankfurter, Marion (Mrs. Felix)	1955
	Fraser, Donald M. See: box 38, folder 41	
	Freund, Arthur J. See: box 36, folder 10	
b. 3, f. 56-57	Freund, Paul A.(*)	1954-1968
b. 3, f. 58	Freund, Paul A.(*) See also: box 36, folder 1 See also: box 39, folders 58-61	1969-1974
b. 3, f. 58	Friendly, Fred W.	1972
b. 3, f. 58	Friendly, Henry J.	1960-1970
b. 3, f. 58	(Wendell) Furry Legal Aid Committee English	1955
b. 3, f. 59	Ga - Ge	
b. 3, f. 60	Gi - Goe	
b. 3, f. 61	Gol - Gow	
b. 3, f. 62	Gr - Gy	
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b. 3, f. 63	Garment, Leonard See also: box 21, folder 102 See also: box 32, folder 2 See also: box 33, folder 22	1969-1974
	Georgetown University See: box 8, folder 139	
b. 3, f. 63	Georgia Law Department	1970
b. 3, f. 63	Gewirtz, Paul	1970
b. 3, f. 63	Gaiamo, Robert N.	1967-1973
b. 3, f. 63	Gilbert, Susan (Brandeis)	1958
b. 3, f. 63	Gilmore, Grant	1957
	Goldberg, Arthur J. See: box 2, folder 44	
b. 3, f. 64	Goldman, Sherwin M.	1968

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b. 3, f. 64	Goldstein, Abraham S. See also: box 14, folder 48 See also: box 15, folder 67	1963-1971
b. 3, f. 65	Goldstein, Joseph Goldwin, Robert A. See: box 7, folder 135 See: box 35, folder 1	1968, 1973
	Goodale, James C. See: box 54, folder 122 See: box 58, folder 173	
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b. 3, f. 65	Graham, Philip	1954
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	Gressman, Eugene See: box 36, folder 8	
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b. 3, f. 65	Griswold, Erwin N.	1954-1974
b. 3, f. 66	Gunther, Gerald(*) See also: box 32, folder 2	1958-1972
b. 3, f. 67	Hac - Harp	
b. 3, f. 68	Harr - Harv	
b. 4, f. 69	Has - Hel	
b. 4, f. 70	Hen - Hi	
b. 4, f. 71	Hoc - Hof	
b. 4, f. 72	Hol - Hy	
b. 4, f. 73	Hackett, William H. Y., Jr. See also: box 13, folders 13-18	1965-1974
	Hansen, Julia Butler See: box 30, folder 16	
b. 4, f. 74	Harbaugh, William H. See also: box 6, folder 133	1960-1973
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b. 4, f. 74	Harnik, Hans(*)	1955-1973
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	Harrison, Gilbert A. See: box 3, folder 66 See: box 18, folders 1-10 See: box 25, folder 3 See: box 15, folder 67	
b. 4, f. 74	Harvey, William F. See also: box 56, folder 153 See also: box 56, folder 155	1973-1974
	Hayes, Harold See: box 18, folder 36	
	Haynsworth, Clement F., Jr. See: box 36, folder 10	
	Hegarty, William E. See: box 58, folder 173	
b. 4, f. 74	Henkin, Daniel Z.	1972, 1974
b. 4, f. 74	Henkin, Louis See also: box 32, folder 2	[1957?], 1960, [1974?]
	Hiss, Donald See: box 39, folder 58	
b. 4, f. 75	Holton, Linwood	1972
	Hopkins, Jeannette See: box 13, folder 12 See: box 13, folder 20-50	
b. 4, f. 75	Horowitz, Michael J.	1965-1968
b. 4, f. 75	Howe, Mark Dew.	1956-1959, 1966
b. 4, f. 75	Howe (Mark Dew.) family	1967
	Hruska, Alan J. See: box 54, folder 133	
b. 4, f. 76	Hughes, Graham(*)	1959-1961
b. 4, f. 77	Hughes, Graham	1962-1971
b. 4, f. 77	Hughes, Harold E. See also: box 38, folder 38	1970-1973
b. 4, f. 77	Humphrey, Hubert H.	1964
b. 4, f. 77	Humphrey, Citizens for	1968
b. 4, f. 78	I	

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b. 4, f. 79	Jaffa, Harry V.	1963, 1968, 1973
b. 4, f. 79	Jaffe, Louis L.	1959-1972
b. 4, f. 79	Javits, Jacob K. See also: box 29, folder 44	1965, 1973
b. 4, f. 79	Jencks, Christopher See also: box 21, folder 92	1972
b. 4, f. 80	KSPS - Ka	
b. 4, f. 81	Ke	
b. 4, f. 82	Ki - Kl	
b. 4, f. 83	Kn - Ku	
	Karlen, Delmar See: box 37, folder 23 See: box 37, folder 26	
	Kates, Don B., Jr. See: box 2, folder 33	
	Kaufman, Irving R. See: box 1, folder 8	
	Kauper, Paul G. See: box 32, folder 2	
b. 4, f. 84	Kennedy, Edward M.	1969-1971, undated
b. 4, f. 84	Kennedy, John F.	1960
b. 4, f. 84	Kennedy, Robert F. See also: box 8, folder 149 See also: box 18, folder 36	1966-1968
b. 4, f. 84	Kerby, Phil See also: box 24, folder 167	1968
b. 4, f. 85	Kluger, Richard(*) See also: box 39, folder 61	1971-1974
b. 4, f. 86	Kristol, Irving(*)	1969-1974
b. 4, f. 86	Kruskal, William	1972

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b. 4, f. 86	Kuh, Richard H.	1960-1961, 1974-1975
	Kuhn, Roger S. See: box 8, folder 139	
b. 4, f. 87	Kurland, Philip B.(*) See also: box 14, folder 47 See also: box 30, folder 7 See also: box 32, folder 2 See also: box 39, folder 60 See also: box 43, folder 1 See also: box 46, folder 40	1956-1971
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b. 5, f. 89	Le - Li	
b. 5, f. 90	Loc - Lond	
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	La Salle College See: box 7, folder 137	
b. 5, f. 93	Law School Coalition for Peace	1972
b. 5, f. 93	League of Women Voters	1958, 1969
b. 5, f. 93	Lee, Richard C.	1967, 1970, 1974
b. 5, f. 93	Leflar, Robert A. See also: box 37, folder 20	1971
b. 5, f. 94	Lemann, Stephen B.(*)	1961-1972
b. 5, f. 94	Lemann, Thomas B.	1962, 1971-1974
b. 5, f. 95	Leventhal, Harold	1968-1974
b. 5, f. 95	Levin, Betsy(*) See also: box 20, folder 68	1966-1974
b. 5, f. 95	Lewis, Anthony(*) See also: box 22, folder 117 See also: box 23, folder 142	1958-1975
b. 5, f. 96	Linde, Hans	1969-1974
b. 5, f. 96	Lindsay, John V.	1964-1965
b. 5, f. 96	Littell, Richard	1964, 1972
	Lockhart, William B. See: box 32, folder 2	
b. 5, f. 97	Loeb, James I., Jr. See also: box 38, folder 38	1970, 1972

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b. 5, f. 97	Lusky, Louis	1966
b. 5, f. 97	Lyle, David	1965
b. 5, f. 98	Mc	
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b. 5, f. 101	Mi - Mon	
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b. 5, f. 103	McCloy, John J.	1958
b. 5, f. 103	McGee, Gale	1972
b. 5, f. 103	McGovern, George S. See also: box 33, folder 39 See also: box 38, folder 39	1969-1971
b. 5, f. 103	McGowan, Carl See also: box 36, folder 2	1973
b. 5, f. 103	Magruder, Anita (Mrs. Calvert)	[1958-1959?]
b. 5, f. 103	Magruder, Calvert(*) See also: box 13, folder 8 See also: box 43, folder 15	1950-1965
	Marcheschi, Henry See: box 52, folder 107 See: box 53, folder 116 See: box 53, folder 118	
	Marrinson, Allen J. See: box 35, folder 1	
b. 5, f. 103	Marshall, Burke	1964, 1973
b. 5, f. 104	Maslow, Will	1958-1966, 1972
b. 5, f. 104	Mathias, Charles McC., Jr.	1970
b. 5, f. 105	Meagher, Sylvia See also: box 23, folder 128 See also: box 23, folder 130 See also: box 24, folder 167	1967
b. 5, f. 105	Mersky, Roy M.	1961-1972
b. 5, f. 105	Mezvinsky, Edward	1973
	Miller, Arthur R. See: box 37, folder 23	
b. 5, f. 105	Miller, Arthur S. See also: box 36, folder 8	1957, 1971-1974
b. 5, f. 106	Mishkin, Paul J.(*)	1957-1970, 1974

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b. 5, f. 106	Mississippi, University of, Law School See also: box 4, folder 75 See also: box 7, folder 129	1965-1966
b. 5, f. 106	Monagan, John S.	1969-1970
b. 5, f. 106	Morgan, Charles, Jr. Morse, Joshua See: box 5, folder 106	1969-1972
b. 5, f. 107	Moynihan, Daniel P. See also: box 21, folder 95 See also: box 32, folder 14	1969-1972
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b. 6, f. 110	New York U - No	
b. 6, f. 111	NAACP Legal Defense and Education Fund See also: box 21, folder 92 See also: box 32, folder 14 <i>The Nation</i> See: box 4, folder 84	1970
b. 6, f. 111	Navasky, Victor S. See also: box 23, folder 139	1963-1968, 1974
b. 6, f. 111	Neal, Phil C.	1963-1974
b. 6, f. 111	Neiditz, David H.	1969
b. 6, f. 111	New Haven Jewish Community Center(*)	1966-1974
b. 6, f. 112	<i>New York Times</i> English See also: box 3, folder 53 See also: box 3, folder 65 See also: box 5, folder 95 See also: box 7, folder 125 See also: box 8, folder 140 See also: box 8, folder 149	1969
b. 6, f. 112	Newman, Jon O.	1966-1967
b. 6, f. 112	Newman, Roger K.	1971
b. 6, f. 112	<i>Newsweek</i> English	1961, 1964
b. 6, f. 112	Nixon, Richard M. See also: box 2, folder 36 See also: box 2, folder 46 See also: box 3, folder 63 See also: box 5, folder 107 See also: box 7, folder 121 See also: box 21, folder 101 See also: box 32, folders 1-2	1968
b. 6, f. 113	O Oakes, James L. See: box 1, folder 8	

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b. 6, f. 113	Office of Economic Opportunity O'Hara, James G. See: box 40, folder 67	1970-1971
b. 6, f. 113	Owen, Henry	1956-1970
b. 6, f. 114	Pa - Pi	
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b. 6, f. 116	Packer, Herbert L.(*) See also: box 23, folder 128	1957-1972
	Panetta, Leon E. See: box 21, folder 101	
b. 6, f. 116	Parrish, Michael E.	1968-1974
b. 6, f. 117	Paul, James C. N.(*)	1956-1963
	Pell, Claiborne See: box 32, folder 17	
b. 6, f. 117	Pennsylvania, University of(*)	1969-1970
b. 6, f. 117	Percy, Charles H. See also: box 35, folders 1-3 See also: box 58, folder 181	1970
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b. 7, f. 118	Pickett, Henry W., Jr.	1962
b. 7, f. 118	Pierson, George W.	1963-1974
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b. 7, f. 118	Polier, Shad	1963
b. 7, f. 119	Pollak, Louis H.(*) See also: box 33, folder 37	1960-1974
b. 7, f. 120	Polsby, Daniel	1970-1972
b. 7, f. 120	Polsby, Nelson(*)	1964-1970
b. 7, f. 120	Powell, Lewis F., Jr.	1972, 1974
b. 7, f. 121	President's Commission on Law Enforcement and Administration of Justice	1965, 1967
b. 7, f. 121	Prettyman, E. Barrett, Jr. See also: box 54, folder 133	1956, 1962, 1971

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b. 7, f. 121	RAI - Rh	
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b. 7, f. 124	Railsback, Thomas F. Randall, Robert L. See: box 18, folder 36	1970, 1973
b. 7, f. 124	Rankin, Jeannette	1970
b. 7, f. 124	Rauh, Joseph L., Jr. See also: box 18, folder 36 See also: box 38, folder 38	1967, 1971, 1974
b. 7, f. 124	Rauschenbusch, Elizabeth (Brandeis)	1956-1957
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b. 7, f. 125	Reich, Charles Reifsnyder, C. Frank See: box 1, folder 8	1967, 1970
b. 7, f. 125	Ribicoff, Abraham	1968
b. 7, f. 125	Rice, William G.	1956-1957
b. 7, f. 125	Richardson, Elliot L.	1954, 1970-1974
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b. 7, f. 125	Roche, John P. See also: box 24, folder 155	1964
b. 7, f. 125	Rodell, Fred See also: box 3, folder 55 See also: box 18, folder 33	1967-1970
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b. 7, f. 125	Ross, Leonard	1974
b. 7, f. 125	Rosten, Leo	1969-1974
b. 7, f. 126	Rostow, Edna (Mrs. Eugene V.)	1958
b. 7, f. 126	Rostow, Eugene V.(*)	1956-1958
b. 7, f. 127	Rostow, Eugene V.(*)	1959-1966
b. 7, f. 128	Rostow, Eugene V.(*) See also: box 18, folder 28 See also: box 18, folder 36 See also: box 24, folder 145	1968-1972
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b. 8, f. 138	Sacks, Albert M.(*)	1957-1974
b. 8, f. 138	Saltonstall, John L., Jr.	1958
b. 8, f. 138	Saxbe, William B.	1970
b. 8, f. 138	Scammon, Richard	1972
	Schlesinger, Arthur M., Jr. See: box 22, folder 110	
b. 8, f. 138	Schmidt, John R. See also: box 38, folder 38	1973
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b. 8, f. 139	Simon, James F.	1969-1974
b. 8, f. 139	Simon, John G.	1970-1974
b. 8, f. 139	Smith, McNeill	1965-1966
	Southern Regional Council See: box 21, folder 87	
	Sozialwissenschaftliches Forschungsinstitut der Konrad- Adenauer-Stiftung See: box 8, folder 139	
b. 8, f. 139	Spong, William B., Jr. See also: box 32, folder 8 See also: box 32, folder 13	1972
b. 8, f. 139	Statchen, Robert T.	1971
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b. 8, f. 140	Stevens, Robert B.(*)	1963-1971
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b. 8, f. 140	Sulzberger, Arthur Ochs	1973-1974
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b. 8, f. 140	Symington, James W.	1972, 1974
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b. 8, f. 143	Turner, Donald F. See also: box 20, folder 69	1957-1970
b. 8, f. 143	Twentieth Century Fund See also: box 48, folder 65	1974
b. 8, f. 144	Tydings, Joseph D. See also: box 8, folder 154	1969-1974
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	Warren, Earl See: box 36, folder 8 See: box 36, folder 10	
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b. 8, f. 149	Wechsler, Herbert See also: box 13, folder 1 See also: box 32, folder 2	1961-1969
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b. 8, f. 149	Wellington, Harry H.	1957-1974
b. 8, f. 149	Westin, Alan F.	1957-1963
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b. 8, f. 149	Whalen, Wayne W. See also: box 8, folder 138 See also: box 38, folder 38	1970
b. 8, f. 149	White, Theodore H. See also: box 38, folder 45	1970-1971
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b. 8, f. 150-151	Wiener, Frederick B.(*)	1957, 1961-1973
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b. 8, f. 154	Wright, Charles Alan See also: box 32, folder 2 See also: box 36, folder 1 See also: box 37, folder 20	1958, 1965-1974
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Series II: BOOKS, 1956-1977*2.5 linear feet (6 boxes)*

Series II, BOOKS, has items related to every one of Bickel's works. The most common element is correspondence with the publisher, dealing mainly with technical matters. There are also reviews of every volume published through 1975 except *The Caseload of the Supreme Court*. The holdings of drafts are much more variable. There are several posthumous versions of *The Morality of Consent* (edited by friends, as explained in a memorandum by Jeannette Hopkins, 1975 Mar 4) and partial texts of *The Unpublished Opinions of Mr. Justice Brandeis* (annotated by Felix Frankfurter), *Politics and the Warren Court*, and *The New Age of Political Reform*. Earlier versions of parts of most of the books can be found in Series III and IV in the form of speeches and articles. Besides the works published or committed for publication, there is a manuscript, "The Constitutional Law Primer," rejected by Harper & Row. Bickel also planned an American government text with political scientists Nelson Polsby and Aaron Wildavsky, but the venture came to nothing, and the related correspondence has been placed in a closed file (APPENDIX).

Supreme Court History is arranged alphabetically by author of the incoming letters. The other sections are in this order: correspondence (chronologically), reviews and promotional matter, drafts.

The Unpublished Opinions of Mr. Justice Brandeis

b. 13, f. 1	Harvard University Press: correspondence and contract	1956
b. 13, f. 2-3	Harvard University Press: correspondence	1957-1958 June
b. 13, f. 4	Harvard University Press: correspondence	1963-1967
b. 13, f. 4	University of Chicago Press: correspondence	1966-1967
b. 13, f. 5	Reviews and promotional matter	1957-1958, undated
b. 13, f. 6	Introductory matter: outlines and drafts	undated
b. 13, f. 7	Atherton Mills v. Johnston: notes and drafts	undated
b. 13, f. 8	St. Louis, Iron Mountain & Southern Ry. v. Starbird: notes, drafts, and correspondence	1955, undated
b. 13, f. 9	Strathearn S. S. Co. v. Dillon: notes and drafts	undated
b. 13, f. 10	Stratton v. St. Louis Southwestern Ry.: notes and drafts	undated
b. 13, f. 11	Other cases: notes and memoranda	undated

The Least Dangerous Branch

b. 13, f. 11	Draft prospectus	undated
b. 13, f. 12	Jeannette Hopkins, editor, Harcourt, Brace and Company: correspondence	1956-1961
b. 13, f. 13-18	Bobbs-Merrill Co.: correspondence	1961 November-1967 Jan, October-1974 November
b. 13, f. 19	Reviews	1963-1964, 1966, 1970, undated

Politics and the Warren Court

b. 13, f. 20-24	Harper & Row: correspondence	1964 July – 1967 May, 1976
b. 13, f. 25	Assignments of copyright	1965 January- June
b. 13a, f. 25a	Edited typescript, miscellaneous and pages 1-30	1965
b. 13a, f. 25b	Edited typescript, pages 31-120	1965
b. 13a, f. 25c	Edited typescript, pages 121-200	1965
b. 13a, f. 25	Edited typescript, pages 201-270	1965
b. 13a, f. 25e	Edited typescript, pages 271-336	1965
b. 13a, f. 25	Proofs	1965
b. 13a, f. 26	Reviews and promotional matter	1965-1966, undated

The New Age of Political Reform

b. 13a, f. 27	Harper & Row: correspondence and contract	1968
b. 13a, f. 28	Harper & Row: correspondence	1969 February-1970 February
b. 13a, f. 29	Reviews and promotional matter	1969, undated
b. 13a, f. 30	Draft of chapters 1 and 2	1968 pre- November

The Supreme Court and the Idea of Progress

b. 14, f. 31	Harper & Row: correspondence and contract	1968
b. 14, f. 32-37	Harper & Row: correspondence	1969 February - 1973 October
b. 14, f. 38	Reviews in publications for lawyers	1970-1971
b. 14, f. 39	Reviews in other periodicals	1970-1971
b. 14, f. 40	Reviews in newspapers	1970

Reform and Continuity

b. 14, f. 41	Harper & Row: correspondence	1970-1972
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The Caseload of the Supreme Court: And What, If Anything, to Do about it

b. 14, f. 42	American Enterprise Institute: correspondence	1973 June- December
b. 14, f. 42	Publicity	1973 fall

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b. 14, f. 43-46	Jeannette Hopkins: correspondence	1972 December - 1974 Jun, 1974 October- 1975 February
b. 14, f. 47-50	Jeannette Hopkins and Yale University Press: correspondence	1975 March 3-12, March 14-May 30, June-1977 September
b. 14, f. 51	Reviews and promotional matter	1974-1976
b. 15, f. 52	Edited pages from source writings (set A, folder 1 of 3)	1974 October- November
b. 15, f. 53	Edited pages from source writings (set A, folder 2 of 3)	1974 October- November
b. 15, f. 54	Edited pages from source writings (set A, folder 3 of 3)	1974 October- November
b. 15, f. 55	Edited pages from source writings (set B)	1974 October- November
b. 15, f. 56	Edited pages from source writings: "Domesticated Civil Disobedience"	1974 October- November
b. 15, f. 57	Edited pages from source writings: "Civil Disobedience, Revolution, and the Legal Order"	1974 October- November
b. 15, f. 58	Edited pages from source writings: "Moral Authority, the University, and the Intellectual"	1974 October- November
b. 15, f. 59	Copy for first typed draft: "Constitutionalism and the Political Process"	1974 October- November
b. 15, f. 60	Copy for first typed draft: "A Citizen or Person?"	1974 October- November
b. 15, f. 61	Copy for first typed draft: "Domesticated Civil Disobedience"	1974 October- November
b. 15, f. 62	Copy for first typed draft: edited brief in the Pentagon Papers case	1974 October- November
b. 15, f. 63	"First draft," five-chapter version: chapters 1, 3, 5 English	1974 November
b. 15, f. 64	"First Draft," six-chapter version: chapters 1-3 English	1974 November
b. 15, f. 65	"First Draft," six-chapter version: chapter 4 English	1974 November
b. 15, f. 66	"First Draft," six-chapter version: chapters 5-6 English	1974 November

The Morality of Consent (continued)

b. 15, f. 67	"First Draft," six-chapter version, partial, edited, and letters English	1975 January
b. 15, f. 68	Rough copy for revised draft, pages 1-63	1975 January-February
b. 15, f. 69	Rough copy for revised draft, pages 64-128	1975 January-February
b. 15, f. 70	Rough, copy for revised draft, pages 129-148 and following	1975 January-February
b. 15, f. 71	Clean copy for revised draft: chapters 1-2	1975 January-February
b. 15, f. 72	Clean copy for revised draft: chapter 3	1975 January-February
b. 15, f. 73	Clean copy for revised draft: chapters 4-5	1975 January-February
b. 15, f. 74	"Revised Draft," pages 1-70 English	1975 February
b. 15, f. 75	"Revised Draft," pages 71-150 English	1975 February
b. 17, f. 76	"Revised Draft," edited, pages 1-80 English	1975 March
b. 17, f. 77	"Revised Draft," edited, pages 81-150 English	1975 March
b. 17, f. 78	"Revised Draft," edited for printer, pages 1-80 English	1975 post-March
b. 17, f. 79	"Revised Draft," edited for printer, pages 81-150 English	1975 post-March
b. 17, f. 80	Proofs of acknowledgments	undated
<i>Supreme Court History</i>		
b. 17, f. 81	Allaway, Jean, Assistant Librarian's Office, Library of Congress: correspondence	1966, 1970-1971
b. 17, f. 81	Blickensderfer, Joseph, administrative editor, Permanent Committee for the Oliver Wendell Holmes Devise: correspondence	1958-1960
b. 17, f. 82	Dunlap, Lloyd A., administrative editor, Permanent Committee for the Oliver Wendell Holmes Devise: Correspondence	1961-1966
b. 17, f. 83	Library of Congress: correspondence	1965
b. 17, f. 83	Library of Congress, Manuscripts Division: finding aids	1950, 1958-1960, undated
b. 17, f. 83	MacMillan Company: correspondence	1971-1972

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b. 17, f. 84	Mumford, L. Quincy, chairman, Permanent Committee for the Oliver Wendell Holmes Devise: correspondence	1957-1972
Permanent Committee for the Oliver Wendell Holmes Devise:		
b. 17, f. 85	"Report on Meeting of Authors" English	1957-1959
b. 17, f. 85	<i>Annual Report</i> English	1959
b. 17, f. 86	Permanent Committee for the Oliver Wendell Holmes Devise: memoranda for authors	1958-1960
b. 17, f. 87	Research assistants: correspondence	1960-1964
b. 17, f. 88	Research assistants: notes	undated
b. 17, f. 89	U. S. Department of Justice: letters and memorandum	1960
b. 17, f. 90	U. S. Supreme Court: guides to records and personnel	undated
<i>The Constitutional Law Primer</i>		
b. 17, f. 91	Draft, pages 1-65 A copy of this material is available in digital form from Manuscripts and Archives. Contact Manuscripts and Archives at beinecke.library@yale.edu to request access to the digital copy.	undated
b. 17, f. 92	Draft, pages 66-129 A copy of this material is available in digital form from Manuscripts and Archives. Contact Manuscripts and Archives at beinecke.library@yale.edu to request access to the digital copy.	undated

Series III: SHORTER WRITINGS, 1954-1974*.25 linear feet (7 boxes)*

Series III, SHORTER WRITINGS, has three sections: *The New Republic*, *Legal Articles and Journalism*, and *Book Reviews*. The second of these combines "Articles in Legal Periodicals and in Books" and "Articles in Other Publications" in the printed bibliography.[1] "Most of Bickel's works are represented. For every title listed there is at least one form of the text ear sheets, a copy of the manuscript submitted to the editor, or (in relatively few cases) an earlier draft. In most instances there is correspondence with the editor, usually dealing more with technical matters than with content. There are also occasional letters from readers, but the reactions of public figures and of Bickel's friends and colleagues can be found instead in Series I. When an article credited to Bickel in the printed bibliography does not appear in the folder listing, it may be that no text was found in the papers, in which case any correspondence is in Series I; but some publications originated as addresses sponsored by the organizations that published them, in which case a manuscript of the text can usually be found in Series IV. Pieces written for publication but not printed are included in the appropriate sections.

Bickel was an editor of *The New Republic* as well as a contributor of signed articles and book reviews, and he occasionally corresponded with other editors about policy. His authorship of unsigned editorials is almost always shown by the survival of his draft or by his having marked his contribution on a tear sheet, but the appearance of a title in the folder listing should not be taken as proof of even partial authorship. He organized his *New Republic* files by subject, and he may have kept pieces written by others to complete his record of the journal's editorial stance. His editorials cover a wider range of legal subjects than his books, speeches, and signed articles.

The titles in each section are: in chronological order, with unpublished items at the end. The papers related to each title are in this order: correspondence with the publisher, draft (except that multiple drafts may be interfiled with the correspondence), tear sheets, correspondence with readers, published response to critics, and research material. *The New Republic* begins with general correspondence.

The New Republic

b. 18, f. 1-10	Correspondence	1956 April– 1963 Jan, 1963 April–1966 Jul, September– 1970 Nov, 1971 February–1974 April
b. 18, f. 11	"Chief Justice Warren and the Presidency" English	1956 January 23
b. 18, f. 12	"Ninety-Six Congressmen versus the Nine Justices" English	1956 April 23
b. 18, f. 13	"Integration: The Second Year in Perspective" English	1956 October
b. 18, f. 14	"Passion and Patience: Centennial-year Thoughts on 'The Brandeis Way'" English	1956 November 12
b. 18, f. 15	Letter to the editor in reply to Hans Morgenthau	1956 December 31
b. 18, f. 16	"On the Retirement of Justice Reed" English	1957 March 4

The New Republic (continued)

b. 18, f. 17	"Whittaker to the Court" English	1957 March 18
b. 18, f. 17	"Arkansas" English	1957 September 16
b. 18, f. 17	"Eisenhower, Faubus and the Court" English	1957 September 30
b. 18, f. 17	"The Hearts of Men" (Little Rock) English	1957 October 7
b. 18, f. 18	"Yellow Television" (Little Rock) English	1957 October 14
b. 18, f. 18	"No, Virginia" (school desegregation) English	1957 November 4
b. 18, f. 18	"A Communication: Paths to Desegregation" (reply to Charles L. Black, Jr.) English	1957 November 4
b. 18, f. 19	"Brownell's Departure" English	1957 November 11
b. 18, f. 19	"Justice Frankfurter at Seventy-Five" English	1957 November 18
b. 18, f. 19	"Lecture One" (defense) English	1957 November 18
b. 18, f. 20	"How Far offshore?" (oil) English	1957 December 2
b. 18, f. 20	"Responsible Rule and the President" English	1957 December 16
b. 18, f. 20	"Private Wires" (wiretapping) English	1957 December 23
b. 18, f. 21	"All Save Two" (wiretapping) English	1958 January 27
b. 18, f. 21	"Our Guilty Advertisers" English	1958 February 10
b. 18, f. 21	"Dirty Business" (House investigation of the FCC) English	1958 March 3
b. 18, f. 22	"Misleading the President" (FCC) English	1958 March 17
b. 18, f. 22	"Unevenhanded Justice" (Supreme Court) English	1958 March 17
b. 18, f. 22	"Power of the Police" (<i>Mallory</i>) English	1958 April 7
b. 18, f. 22	"Judge Kaufman's Rise" (<i>Rosenberg</i>) English	1958 April 7

The New Republic (continued)

b. 18, f. 23	"The Butler Bill" (Supreme Court) English	1958 May 26
b. 18, f. 23	"The Court on the Right to a Passport" English	1958 June 30
b. 18, f. 23	"The Rosenberg Case" English	1958 June 30
b. 18, f. 23	"Retreat at Little Rock" English	1958 July 7
b. 18, f. 24	"The Court and Congress" English	1958 July 21
b. 18, f. 24	"Our Algeria" (school desegregation) English	1958 August 18
b. 18, f. 24	"Little Rock" English	1958 September 1
b. 18, f. 24	"Without Eisenhower" (schools) English	1958 September 8
b. 18, f. 25	"Lincoln and Faubus" English	1958 September 15
b. 18, f. 25	"Faubus and Almond" English	1958 September 22
b. 18, f. 25	"Rogers and Rankin" (school desegregation) English	1958 September 29
b. 18, f. 26	"An Inexplicable Document" (report of the Conference of Chief Justices of State Supreme Courts) English	1958 September 29
b. 18, f. 27	"The Court and its Foes" English	1958 October 13
b. 18, f. 27	"The Supreme Court" and correction English	1958 October 20, 27
b. 18, f. 27	Letter to the editor: "Should We Stop Filibusters?"	1958 December 8
b. 18, f. 28	"Where Once the Poor" (Cardinal Cushing) English	1958 December 8
b. 18, f. 28	"Defending the Court" English	1958 December 15
b. 18, f. 28	"Alabama" English	1958 December 22
b. 18, f. 28	"Congressional Review of Passport Policy" English	1958 December 29

The New Republic (continued)

b. 18, f. 29	"Kennedy's Reform" and correction (immigration and naturalization) English	1959 March 2
b. 18, f. 29	"The Bar Association" (on Communism) English	1959 March 9
b. 18, f. 29	"Civil Rights Legislation" English	1959 March 30
b. 18, f. 30	"Enforcing Desegregation" English	1959 April 13
b. 18, f. 30	"Objection Overruled" (judicial review) English	1959 April 27
b. 18, f. 31	"Court-Curbing Time" English	1959 May 25
b. 18, f. 32	"Strauss and Anti-Semitism" English	1959 June 15
b. 18, f. 32	"Barenblatt Case" (Communist party membership) English	1959 June 22
b. 18, f. 32	"Judge Magruder Retires" English	1959 June 29
b. 18, f. 33	"Mr. Justice Black" English	1960 March 14
b. 18, f. 34	"Must Chessman Die?" English	1960 March 28
b. 18, f. 34	"Birth Control and the State" English	1960 August 15
b. 18, f. 34	Supreme Court -- New Term	1960 August 29
b. 18, f. 34	Integration -- The Seven Lean Years	1960 October 10
b. 18, f. 35	"The Next President and Civil Rights" English	1960 October 31
b. 18, f. 35	"Mr. Kennedy and Civil Rights" English	1960 November 21
b. 18, f. 35	"Way Down Yonder" (desegregation) English	1960 November 28
b. 18, f. 35	"Tuskegee's Negro Voters" English	1960 November 28
b. 18, f. 35	"Morton Sobell" English	1960 December 5
b. 18, f. 36	"Robert F. Kennedy: The Case Against Him for Attorney General" English	1961 January 9

The New Republic (continued)

b. 19, f. 37	"Bankrupt Reaction" (Howard W. Smith) English	1961 February 6
b. 19, f. 37	"Censorship of Movies" English	1961 February 27
b. 19, f. 37	"Un-American Activities" English	1961 March 13
b. 19, f. 37	"Parochial and Public" English	1961 March 20
b. 19, f. 38	"School Aid" English	1961 April 3
b. 19, f. 38	"Approaches to Civil Rights" English	1961 May 22
b. 19, f. 38	"Law in Alabama" English	1961 May 29
b. 19, f. 38	"Freedom Riders" English	1961 June 5
b. 19, f. 39	"Standing by [J. Skelly] Wright" English	1961 June 12
b. 19, f. 39	"The Communist Cases" English	1961 June 19
b. 19, f. 39	Bobby Baker's Silence -- Back to the Fifth	1961 September 25
b. 19, f. 39	"Civil Rights Report" English	1961 October 2
b. 19, f. 39	"Civil Rights" English	1961 October 9
b. 19, f. 40	"Mr. Hogan's Decision" (wiretapping) English	1961 November 27
b. 19, f. 40	"They May Not Travel" (passports) English	1961 December 18
b. 19, f. 40	"Who May Sit Down?" English	1961 December 25
b. 19, f. 40	"Wiretap Bill" English	1962 February 12
b. 19, f. 40	"The Great Apportionment Case" English	1962 April 9
b. 19, f. 41	"Mr. Justice White" English	1962 April 9
b. 19, f. 41	"Contempt of Congress" English	1962 June 4

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b. 19, f. 41	"Mr. Justice Goldberg" English	1962 September 10
b. 19, f. 41	"Wiretapping Bill" English	1962 September 10
b. 19, f. 41	"Rebellion in Mississippi" English	1962 October 8
b. 19, f. 42	"Civil Rights: The Kennedy Record" English	1962 December 15
b. 19, f. 42	"The New Court" English	1963 March 16
b. 19, f. 42	"Civil Rights Message" English	1963 March 16
b. 19, f. 42	"Birmingham and the Law" English	1963 May 25
b. 19, f. 43	"Civil-Rights Boil-Up" English	1963 June 8
b. 19, f. 43	"Law and Justice" English	1963 June 22
b. 19, f. 43	"Shall We Pray?" (school prayer) English	1963 June 29
b. 19, f. 43	"Civil Rights Act of 1963" English	1963 July 6
b. 19, f. 43	"Civil Rights and the Congress" English	1963 August 3
b. 19, f. 44	"Wallace Notwithstanding" English	1963 September 21
b. 19, f. 44	"Who's Responsible?" (bombing in Birmingham) English	1963 September 28
b. 19, f. 44	"More on Kennedy's Judges" English	1963 October 26
b. 19, f. 44	"Civil Rights as Amended" English	1963 November 16
b. 19, f. 45	"Liberals and Civil Rights" English	1963 November 23
b. 19, f. 45	"The Succession Law" English	1963 December 14
b. 19, f. 45	"Presidential Succession" English	1963 December 21
b. 19, f. 45	"The McCarran Act" English	1963 December 28

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b. 19, f. 46	"Liberals and Civil Rights" English	1963 December 28
b. 19, f. 46	"Beyond. Tokenism The Civil Rights Task That Looms Ahead" English	1964 January 4
b. 19, f. 46	"Succession Law" English	1964 January 4
b. 19, f. 47	"Naming a Successor" English	1964 January 25
b. 19, f. 47	"Warren Commission" English	1964 February 29
b. 19, f. 47	"The Court Intervenes" (reapportionment) English	1964 February 29
b. 19, f. 47	"Sleepers in the Civil Rights Bill" English	1964 February 29
b. 19, f. 48	"Presidential Succession" English	1964 March 7
b. 19, f. 48	School Aid Bill -- Segregation (unpublished)	1964 March 21
b. 19, f. 48	"Picking a Vice-President" English	1964 March 21
b. 19, f. 48	"Immunity from Criticism" (<i>Times</i> libel case) English	1964 March 21
b. 19, f. 49	"Vice Presidential Vacancy" English	1964 March 28
b. 19, f. 49	"Trial Without Jury" (Ross R. Barnett) English	1964 April 18
b. 19, f. 49	"Integrated Cohabitation" English	1964 May 30
b. 19, f. 49	"Opening School Doors" English	1964 June 6
b. 19, f. 50	"Dirksen Amendments" English	1964 June 6
b. 19, f. 50	"The Bill as Amended" (civil rights) English	1964 June 20
b. 19, f. 50	"Communist Cases" English	1964 June 20
b. 19, f. 50	"Reapportionment and the Courts" English	1964 June 27
b. 19, f. 51	"Supreme Court Fissures: Seeds of Discord in the New Majority" English	1964 July 11

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b. 19, f. 51	"One Man, One Vote" English	1964 September 26
b. 19, f. 51	"Is it Constitutional?" (Civil Rights Act of 1964, Public Accommodations title) English	1964 October 3
b. 19, f. 52	"Reapportionment Rider" English	1964 October 10
b. 19, f. 52	"Barry Fights the Court" English	1964 October 10
b. 19, f. 52	"Homosexuality as Crime in North Carolina" English	1964 December 12
b. 19, f. 52	"II. The Case of New York" (reapportionment) English	1964 December 26
b. 19, f. 53	"Is the Federal Government Helpless?" English	1964 December 26
b. 19, f. 53	"Homosexuality, Cont'd" English	1965 January 9
b. 19, f. 53	"What Has Been Done Is Prologue: Carrying Out the Civil Rights Act" English	1965 January 9
b. 19, f. 54	"Objections to the Bayh Amendment" English	1965 February 13
b. 19, f. 55	"Registering Negro Voters in the South" English	1965 February 20
b. 19, f. 55	"Felix Frankfurter 1882-1965" English	1965 March 6
b. 19, f. 55	"The Power to Protect" (Selma, Alabama) English	1965 March 20
b. 19, f. 55	"A Continuing Battle" (civil rights) English	1965 March 27
b. 19, f. 56	"The Voting Rights Bill is Tough" English	1965 April 3
b. 19, f. 56	"Investigating the klans" English	1965 April 10
b. 19, f. 56	"Why the Delay?" (Civil Rights Act of 1964, Fair Employment title) English	1965 April 24
b. 19, f. 57	"Fifth Circuit Vacancy" English	1965 April 24
b. 19, f. 57	"Congress and the Poll Tax" English	1965 April 24

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b. 19, f. 57	"Amending the Voting Rights Bill" English	1965 May 1
b. 19, f. 57	"Judicial Appointments" English	1965 May 8
b. 19, f. 58	"Speeding Up School Integration" English	1965 May 15
b. 19, f. 58	"Voting Rights Bill - Third Edition" English	1965 May 22
b. 19, f. 58	"Judge Coleman?" English	1965 May 29
b. 19, f. 59	"Freedom of the Mails" English	1965 June 5
b. 19, f. 59	"The Kennedy-Javitz Voting Amendment" English	1965 June 5
b. 19, f. 59	"Liberals and John Lindsay" English	1965 July 3
b. 19, f. 59	"House and Senate Voting Bills" English	1965 July 24
b. 19, f. 60	"Fortas to the Court" English	1965 August 21
b. 19, f. 60	"Sex and Nonsense" (Civil Rights Act of 1964) English	1965 September 4
b. 19, f. 60	"Impeach Judge Cox" English	1965 September 4
b. 19, f. 60	"Fighting Crime" (<i>Mallory</i>) English	1965 September 18
b. 19, f. 61	"Beyond the Law" (recidivism) English	1965 October 2
b. 19, f. 61	"Lowering the Bench" (Francis X. Morrissey) English	1965 October 9
b. 19, f. 61	"Justice in the South" English	1965 November 6
b. 19, f. 61	"Off and On the Bench" (Francis X. Morrissey) English	1965 November 6
b. 19, f. 62	"Negro Registration" English	1965 November 13
b. 19, f. 62	"The Last Act" (McCarran Act) English	1965 November 27
b. 19, f. 62	"After the Arrest: Interrogation and the Right to Counsel" English	1966 February 12

The New Republic (continued)

b. 19, f. 63	"Making the Best Use of the Police Force" English	1966 March 12
b. 19, f. 63	"Four-Year Term" (House of Representatives) English	1966 March 12
b. 19, f. 63	"Obscenity and the Law" English	1966 April 3 (sic)
b. 19, f. 63	"Forcing Desegregation through Title VI" English	1966 April 9
b. 19, f. 64	"LBJ's Civil Rights Bill" English	1966 May 21
b. 19, f. 64	"Station House Confessions" English	1966 June 25
b. 19, f. 64	"Housing in the House" English	1966 July 30
b. 19, f. 64	"Civil Rights' Dim Prospects" English	1966 September 17
b. 19, f. 65	"Courts and the Press" English	1966 October 15
b. 19, f. 65	"Backlash Jitters" English	1966 October 22
b. 19, f. 65	"Kennedy Assassination" English	1966 November 12
b. 19, f. 65	"What is the Law?" (Georgia election law) English	1966 December 24
b. 20, f. 66	"Reexamining the Warren Report" English	1967 January 7
b. 20, f. 66	"The Case for the Electoral College" English	1967 January 28
b. 20, f. 67	"Law and Prudence in the Powell Case" English	1967 February 25
b. 20, f. 68	"Hospital Segregation" English	1967 March 25
b. 20, f. 69	"Antitrust Slowdown?" English	1967 May 20
b. 20, f. 70	"Obscenity Cases" English	1967 May 27
b. 20, f. 70	"Thurgood Marshall" English	1967 June 24
b. 20, f. 70	"Skelly Wright's Sweeping Decision" (school desegregation) English	1967 July 8

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b. 20, f. 71	"CBS on the Warren Report," with transcripts of the broadcasts English	1967 July 15
b. 20, f. 72	"Death Penalty Litigation" English	1967 August 19
b. 20, f. 73	"Death Penalty Litigation": briefs English	1967 August 19
b. 20, f. 74	"Death Penalty Litigation": petition for certiorari English	1967 August 19
b. 20, f. 74	"Gone North" (voter registration in Gary) English	1967 November 18
b. 20, f. 74	"Hershey and the Draft" English	1967 December 2
b. 20, f. 74	"Supreme Court: Internal Security Cases" English	1968 January 6
b. 20, f. 75	"Unconstitutional Bugging" English	1968 January 6
b. 20, f. 75	"The Fearsome Five" (Coffin, Spock et al.) English	1968 January 20
b. 20, f. 75	"What Dirksen Knows" (electoral reform) English	1968 January 27
b. 20, f. 75	"Spock-Coffin Case" English	1968 March 2
b. 20, f. 76	"Answer to Wallace" (electoral reform) English	1968 March 9
b. 20, f. 76	"The Belated Civil Rights Legislation of 1968" English	1968 March 30
b. 20, f. 77	"The Senate Judiciary's Abominable Crime Bill" English	1968 May 25
b. 20, f. 78	"Crime Bill" English	1968 June 8
b. 20, f. 78	"The Kennedy Cause", last four paragraphs English	1968 June 15
b. 20, f. 78	"Crime, the Courts, and the Old Nixon" English	1968 June 15
b. 20, f. 78	"Spock-Coffin" English	1968 June 29
b. 20, f. 79	"Charge at the Court" English	1968 July 6
b. 20, f. 79	"The Chief Justice" English	1968 July 20

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b. 20, f. 79	"A Communication: The Kennedy Cause" English	1968 July 20
b. 20, f. 79	"There Comes a Time..." (third parties) English	1968 August 3
b. 20, f. 80	"Fortas, Johnson and the Senate" English	1968 September 28
b. 20, f. 80	"Race and Schools" English	1968 October 12
b. 20, f. 80	"Schools and Title VI" English	1968 October 19
b. 20, f. 80	"After Fortas" English	1968 October 19
b. 21, f. 81	"Electing Presidents" English	1968 November 30
b. 21, f. 81	"Electoral College" English	1968 December 14
b. 21, f. 81	"Equity and Electoral Reform" English	1969 January 11
b. 21, f. 82	"Caretakers of Justice" English	1969 February 1
b. 21, f. 82	"JFK Assassination" English	1969 February 1
b. 21, f. 82	"Democratic Reform" English	1969 February 8
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b. 21, f. 83	"Politics for Every Man" English	1969 March 8
b. 21, f. 83	"Electoral Reform" English	1969 March 15
b. 21, f. 83	"Conscientious Objection" English	1969 May 3
b. 21, f. 84	"Wait a Minute!" (electoral reform) English	1969 May 10
b. 21, f. 84	"Mr. Justice Fortas" English	1969 May 17
b. 21, f. 84	"Fortas Resignation" English	1969 May 24
b. 21, f. 85	"The Chief Justice" English	1969 May 31

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b. 21, f. 85	"Outside Income" (William O. Douglas) English	1969 June 7
b. 21, f. 85	"Earl Warren vs. Warren Earl" English	1969 June 28
b. 21, f. 86	"Bugging 'Subversives'" English	1969 July 5
b. 21, f. 86	"Robert Kennedy as History" English	1969 July 5
b. 21, f. 87	"Close of the Warren Era" English	1969 July 12
b. 21, f. 87	"Invisible Appointments" (G. Harrold Carswell) English	1969 July 12
b. 21, f. 88	"Spock-Coffin" English	1969 July 26
b. 21, f. 88	"How to Beat Crime" English	1969 August 30
b. 21, f. 88	"Nixon's Court" English	1969 August 30
b. 21, f. 88	"Student Demands and Academic Freedom" English	1969 September 20
b. 21, f. 89	"Misreading Democracy" (electoral reform) English	1969 September 27
b. 21, f. 89	"Haynsworth Nomination" English	1969 October 4
b. 21, f. 89	"Does It Stand Up?" (Haynsworth) English	1969 November 1
b. 21, f. 90	"What the Court Said" (school desegregation) English	1969 November 15
b. 21, f. 90	"After Haynsworth" English	1969 December 13
b. 21, f. 90	"The Right to Vote" English	1970 January 3
b. 21, f. 91	"Haynsworth to Carswell" English	1970 January 31
b. 21, f. 91	"About Democracy" (McGovern Commission) English	1970 February 7
b. 21, f. 92	"Desegregation: Where Do We Go From Here?" English	1970 February 7
b. 21, f. 93	"No to Carswell" English	1970 February 28

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b. 21, f. 93	"Stennis and Schools" English	1970 February 28
b. 21, f. 93	"Realistic, Sensible" (school desegregation) English	1970 April 4 & 11
b. 21, f. 93	"Consent to Carswell" English	1970 April 4 & 11
b. 21, f. 94	"On the Bench" English	1970 April 25
b. 21, f. 94	"Eighteen-year-old Vote" English	1970 May 2
b. 21, f. 94	"The War-Making Power" English	1970 June 6
b. 21, f. 95	"The Tolerance of Violence on Campus" English	1970 June 13
b. 21, f. 96	"Wallace in '72" English	1970 June 20
b. 21, f. 96	"Keep It Brief" (18-year-old vote) English	1970 June 20
b. 21, f. 96	Reply to "The Urban Vote" (electoral reform)	1970 June 27
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b. 21, f. 97	"Direct Election of the President" English	1970 September 26
b. 21, f. 97	"The Revolution of Unreason" English	1970 October 17
b. 21, f. 98	"Canada Can, Can We?" (martial law) English	1970 October 31
b. 21, f. 98	"Justice Douglas" English	1971 January 9
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b. 21, f. 98	"Filibusters" English	1971 February 20
b. 21, f. 99	"Conscientious Objection" English	1971 March 27
b. 21, f. 99	"Swing of the Pendulum" (President and Congress) English	1971 March 27
b. 21, f. 99	"Busing" English	1971 May 1

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b. 21, f. 99	"War Power" English	1971 June 12
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b. 21, f. 100	"Vacancies on the Court" English	1971 October 2
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b. 21, f. 103	"Listen Here, John Mitchell" English	1972 July 8
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b. 21, f. 103	"Untangling the Busing Snarl" English	1972 September 23, 30
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b. 22, f. 105	"Abortion" English	1973 February 10
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b. 22, f. 107	"The Agnew Baltimore Brief" English	1973 October 13
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b. 22, f. 108	"How Might Mr. Nixon Defend Himself?" English	1974 June 1
b. 22, f. 108	"Should Rodino Go to Court?" English	1974 June 8
b. 22, f. 108	"Nelson Case Bill" (subversive activities; unpublished) English	1959
b. 22, f. 108	Civil Rights -- Labor Unions (unpublished)	1961 May 19
b. 22, f. 109	"Freedom Rides Injunction" (unpublished) English	1961 June 3
b. 22, f. 109	"Adam Clayton Powell" (unpublished) English	1961 July 22
b. 22, f. 109	"School Prayers" (unpublished) English	1961 July 28
b. 22, f. 109	"Macy's and the New York Post" (unpublished) English	1963 March 23
b. 22, f. 109	Ellsberg -- Byrne -- Watergate (unpublished)	1963 July 1
b. 22, f. 109	"Webster's Reply to Hayne" (reply to Robert Bork on civil rights; unpublished) English	1963 August 1
b. 22, f. 109	"Supreme Court" (unpublished) English	1964 post- March 16
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b. 22, f. 109	"Birth Control and Trial TV" (unpublished) English	1965 June 9
b. 22, f. 110	"The Relevance of Nuremberg" (unpublished) English	1967 July 8
b. 22, f. 110	Untitled draft (school desegregation; unpublished)	1970 March 12
b. 22, f. 110	"Busing Reply" (unpublished) English	1971 December 18
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b. 22, f. 110	The Supreme Court, 1960 Term -- Foreword: The Passive Virtues,	1973 October 8
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b. 22, f. 111	"The Original Understanding and the Segregation Decision," <i>Harvard Law Review</i> : memorandum for Felix Frankfurter English	1955
b. 22, f. 112	"The Original Understanding and the Segregation Decision," <i>Harvard Law Review</i> : first draft English	1955
b. 22, f. 113	"The Original Understanding and the Segregation Decision," <i>Harvard Law Review</i> : second draft English	1955
b. 22, f. 114	"The Original Understanding and the Segregation Decision," <i>Harvard Law Review</i> : third draft English	1955
b. 22, f. 115	Reply to James F. Byrnes, "The Supreme Court Must Be Curbed," <i>U. S. News & World Report</i>	1956 June 15
b. 22, f. 116	A. Bickel and Harry Wellington, "Legislative Purpose and the Judicial Process: The Lincoln Mills Case," <i>Harvard Law Review</i>	1957 November
b. 22, f. 117	"The Court: An Indictment Analyzed," <i>New York Times Magazine</i> English	1958 April 27
b. 22, f. 117	"Introduction," <i>Louis Dembitz Brandeis, 1856-1941: A Bibliography</i> English	1958
b. 22, f. 117	Reply to Arthur Settler, "The Night Seven Nazis Were Hanged," <i>Commentary</i>	1960 July
b. 22, f. 118	Letter to the editor in reply to Pat Watters, "Southern Integrationists Feel Betrayed -- by the North," Harvard Law Review	1961 November
b. 22, f. 118	A. Bickel et al., "The Problem of Reapportionment: A Symposium on Baker v. Carr," Yale Law Journal	1962 November
b. 22, f. 119	"Reapportionment and Liberal Myths," <i>Commentary</i> English	1963 January
b. 22, f. 119	A. Bickel et al., letter to the editor (appearance of George Wallace at Yale) <i>Yale Daily News</i>	1963 September 24

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b. 23, f. 120	"The Decade of School Desegregation: Progress and Prospects," <i>Columbia Law Review</i> English	1964 February
b. 23, f. 121	A. Bickel et al., "Arthur Garfield Hays Conference: The Proper Role of the United States Supreme Court in Civil Liberties Cases," <i>Wayne Law Review</i>	1964 spring
b. 23, f. 122	"Much More than Law Is Needed," <i>New York Times Magazine</i> English	1964 August 9
b. 23, f. 123	"The Civil Rights Act of 1964," <i>Commentary</i> English	1964 August
b. 23, f. 124	"Applied Politics and the Science of Law: Writings of the Harvard Period," in Wallace Mendelson, ed. <i>Felix Frankfurter: A Tribute</i> English	1964
b. 23, f. 125	"John Marshall," <i>Collier's Encyclopedia</i> English	1964
b. 23, f. 125	A. Bickel et al., "In Memoriam: Felix Frankfurter," <i>Harvard Law Review</i>	1965 June
b. 23, f. 126	"The Role of the Supreme Court of the United States," <i>Texas Law Review</i> English	1966 April
b. 23, f. 126	A. Bickel et al., "Symposium: Southern Justice: Justice and Compassion," <i>Mississippi Law Journal</i>	1966 May
b. 23, f. 127	"Is the Warren Court Too 'Political'?" <i>New York Times Magazine</i> English	1966 September 25
b. 23, f. 128	"The Failure of the Warren Report," <i>Commentary</i> : correspondence English	1966 April-October
b. 23, f. 129	"The Failure of the Warren Report," <i>Commentary</i> : drafts English	1966 pre-October
b. 23, f. 130-131	"The Failure of the Warren Report," <i>Commentary</i> : correspondence English	1966 November-1967 March
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b. 23, f. 133	"The Failure of the Warren Report," <i>Commentary</i> : research materials English	1966 pre-October
b. 23, f. 134	"Leo Sauvage and the Warren Commission," <i>New Leader</i> English	1966 November 21
b. 23, f. 135	"The Voting Rights Cases," <i>Supreme Court Review</i> English	1966
b. 23, f. 136	"Topics: Reforming the National Conventions," <i>New York Times</i> English	1968 October 19
b. 23, f. 137	"Is Electoral Reform the Answer?" <i>Commentary</i> English	1968 December

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b. 23, f. 138	Letter to the editor, "How Democrats Divide," <i>Washington Post</i>	1969 October 20
b. 23, f. 138	"The Case for the Electoral College," <i>American Zionist English</i>	1969 December
b. 23, f. 139	"The Carswell Nomination: Strict Constructionist or Racist?" <i>Yale Daily News English</i>	1970 February 2
b. 23, f. 139	Letter to the editor, "Carswell's Deeds," <i>New York Times</i>	1970 March 12
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b. 23, f. 139	"The Making of Supreme Court Justices," <i>New Leader English</i>	1970 May 25
b. 23, f. 140	Letter to the editor in reply to Pat Watters, "Southern Integrationists Feel Betrayed — by the North," <i>New York Times Magazine</i>	1970 June 7
b. 23, f. 140	Letter to the editor in reply to editorial on "The President as Educator," <i>Fortune</i>	1970 July
b. 23, f. 141	"The Courts: The Need of Change," <i>New York Times English</i>	1970 October 22
b. 23, f. 141	"What is John Gardner Up To?" <i>New York Times English</i>	1970 December 21
b. 23, f. 142	"Judging the Chicago Trial," <i>Commentary English</i>	1971 January
b. 23, f. 143	Concurrence with Walter Berns, "Pornography vs. Democracy: The Case for Censorship," <i>Public Interest</i>	1971 winter
b. 24, f. 144	"Congress, the President and the Power to Wage War," <i>Chicago-Kent Law Review English</i>	1971 fall-winter
b. 24, f. 144	"The Supreme Court and Reapportionment," in Nelson W. Polsby, ed. <i>Reapportionment in the 1970s English</i>	1971
b. 24, f. 145	A. Bickel and Eugene V. Rostow, "The Power to Make War: A Debate," <i>Yale Law Report</i>	1971-1972 fall-winter
b. 24, f. 145	"The Constitution and the War," <i>Commentary English</i>	1972 July
b. 24, f. 145	Letter to the editor, "View on the War," <i>New York Times</i>	1972 August 28
b. 24, f. 146	"The 'Uninhibited, Robust and Wide Open' First Amendment: From Sullivan to the Pentagon Papers," <i>Commentary English</i>	1972 November
b. 24, f. 146	"Civil Disobedience and the Duty to Disobey," <i>Gonzaga Law Review English</i>	1973 Spring
b. 24, f. 146	"Press and Government: Adversaries without Absolutes," <i>Freedom at Issue English</i>	1973 May-June

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b. 24, f. 147	"Should the President Testify? No: Preserve the Executive's Independence," <i>Los Angeles Times</i> English	1973 July 15
b. 24, f. 147	"Wretched Tapes (cont.)," <i>New York Times</i> English	1973 August 15
b. 24, f. 148	A. Bickel and Arthur Goodhart, "The Arguments for and against Presidential Secrecy," <i>Times</i> (London)	1973 September 3
b. 24, f. 148	A. Bickel, et al., "The Constitution: A Colloquy on the Unresolved Issues," <i>Time</i>	1973 October 8
b. 24, f. 148	"Press and Government: Aspects of the Constitutional Position," <i>Freedom at Issue</i> English	1973 September- October
b. 24, f. 149	"Willis Van Devanter," <i>Dictionary of American Biography</i> English	1973
b. 24, f. 149	Foreword to Jacob Javits, <i>Who Makes War?</i>	1973
b. 24, f. 150	"Watergate and the Legal Order," <i>Commentary</i> English	1974 January
b. 24, f. 151	"Pornography, Censorship and Common Sense: An Interview," <i>Reader's Digest</i> English	1974 February
b. 24, f. 151	"On Mr. Jaworski's Quarrel with Mr. Nixon," <i>New York Times</i> English	1974 May 23
b. 24, f. 152	"Rodino Should Take Nixon to Court," <i>Washington Star-News</i> English	1974 June 9
b. 24, f. 152	"Notes on the Constitution," <i>Commentary</i> English	1975 August
b. 24, f. 152	"The American Situation in Europe," <i>New York Times Magazine</i> , (unpublished) English	1954 September 21
b. 24, f. 153	Letter to the editor rebutting Fred Rodell, <i>New York Times Magazine</i> , (unpublished)	1960 June 12
b. 24, f. 153	"Justice and Protection in the South," <i>New York Times Magazine</i> , (unpublished) English	1965 November
b. 24, f. 153	"Should the Warren Report Be Re-Examined?" <i>New York Times Magazine</i> , (unpublished) English	1966 November- December
b. 24, f. 153	"Supreme Court Essay," <i>Life</i> , (unpublished) English	1971
b. 24, f. 153	"School Integration," <i>Los Angeles Times</i> , (unpublished) English	1972 January- July

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b. 24, f. 154	<i>Mr. Justice</i> , by A. Dunham and P. Kurland, eds., <i>Harvard Law Review</i> English	1957
b. 24, f. 154	<i>The Legacy of Holmes and Brandeis</i> , by S. Konefsky, and <i>The Brandeis Reader</i> , by E. Pollack, <i>New England Quarterly</i>	1957 June
b. 24, f. 155	<i>Mr. Baruch</i> , by M. Coit, <i>Yale Law Journal</i> English	1958 January
b. 24, f. 155	<i>The Bill of Rights</i> , by L. Hand, <i>New Republic</i>	1958 May 12
b. 24, f. 156	<i>Marble Palace — The Supreme Court in American Life</i> , by J. Frank, <i>New Republic</i> English	1958 November 3
b. 24, f. 156	<i>Douglas of the Supreme Court</i> , by V. Countryman, ed., and <i>The Public Papers of Chief Justice Earl Warren</i> , by H. Christman, <i>New Republic</i> English	1959 September 14
b. 24, f. 157	<i>The Supreme Court from Taft to Warren</i> , by A. Mason, <i>Journal of Legal Education</i>	1959
b. 24, f. 157	<i>Legacy of Supression</i> , by L. Levy, <i>New Republic</i> English	1960 July 18
b. 24, f. 157	<i>The American Supreme Court</i> , by R. McCloskey, and <i>Felix Frankfurter: Scholar on the Bench</i> , by Ho Thomas, <i>New Republic</i>	1960 December 19
b. 24, f. 158	<i>The Legal Conscience: Selected Papers of Felix S. Cohen</i> , by L. Cohen, ed., <i>New Republic</i>	1961 April 24
b. 24, f. 158	<i>Principles, Politics and Fundamental Law</i> , by H. Wechsler, <i>New York Post</i>	1961 May 7
b. 24, f. 158	<i>The Faces of Justice</i> , by S. Bedford, <i>New Republic</i>	1961 June 26
b. 24, f. 159	<i>Felix Frankfurter: Scholar on the Bench</i> , by H. Thomas, <i>Mississippi Valley Historical Review</i> English	1961 June
b. 24, f. 159	<i>Justice Holmes, Natural Law, and the Supreme Court</i> , by F. Biddle, <i>New Republic</i> English	1961 November 6
b. 24, f. 159	<i>The Predicament of Democratic Man</i> , by E. Cahn, <i>New Republic</i>	1962 February 5
b. 24, f. 160	<i>Portrait of a Philosopher: Morris R. Cohen in Life and Letters</i> , by L. Rosenfield, <i>Law Library Journal</i>	1963 May
b. 24, f. 160	<i>A Commentary on the Constitution of the United States</i> , by B. Schwartz, <i>New York Times</i> English	[1963?]
b. 24, f. 160	<i>A Commentary on the Constitution...</i> , by B. Schwartz, <i>Columbia Law Review</i> English	1963
b. 24, f. 161	<i>Justice on Trial</i> , by A. L. Todd, <i>New Republic</i> English	1964 August 8

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b. 24, f. 161	<i>Federalism and Civil Rights</i> , by B. Marshall, <i>New Republic</i> English	1964 October 31
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b. 24, f. 163	<i>Law and Politics in the Supreme Court</i> , by M. Shapiro, and <i>Elements of Judicial Strategy</i> , by W. Murphy, <i>Political Science Quarterly</i> English	1966 March
b. 24, f. 163	<i>Protest: Sacco-Vanzetti and the Intellectuals</i> , by D. Felix, <i>New Republic</i>	1966 April 2
b. 24, f. 164	<i>The Death of a President</i> , by W. Manchester, <i>New Haven Register</i>	1967 April 9
b. 24, f. 164	<i>The Law at Harvard</i> , by A. Sutherland, <i>New York Times Book Review</i>	1967 June 25
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b. 24, f. 165	<i>Warren: The Man, The Court, the Era</i> , by J. Weaver, <i>New Republic</i>	1967 October 7
b. 24, f. 165	<i>Six Seconds in Dallas</i> , by J. Thompson, and <i>Accessories After the Fact</i> , by S. Meagher, <i>New Republic</i>	1967 December 23
b. 24, f. 166	<i>Search and Seizure and the Supreme Court</i> , by J. Landynski, <i>Annals of the American Academy of Political and Social Science</i>	1968 January
b. 24, f. 166	<i>Roosevelt and Frankfurter</i> , by M. Freedman, <i>New Republic</i>	1968 February 3
b. 24, f. 167	<i>After the Assassination</i> , by J. Sparrow, <i>New Republic</i> English	1968 March 23
b. 24, f. 167	<i>A Citizen's Dissent</i> , by M. Lane, <i>New Republic</i> English	1968 June 22
b. 24, f. 168	<i>The End of Obscenity</i> , by C. Rembar, <i>Commentary</i>	1968 November
b. 24, f. 168	<i>The Garrison Case</i> , by M. Brener, <i>New York Times Book Review</i>	1969 November 30
b. 24, f. 168	<i>Justice</i> , by R. Harris, <i>New Republic</i> English	1970 April 18
b. 24, f. 169	<i>Congress v. The Supreme Court</i> , by R. Berger, <i>American Historical Review</i> English	1970 June
b. 24, f. 169	<i>Justice Joseph Story</i> , by G. Dunne, <i>New York Times Book Review</i> English	1971 May 30
b. 24, f. 169	<i>Foreign Affairs and the Constitution</i> , by L. Henkin, <i>National Review</i> English	1973 August 17
b. 24, f. 169	<i>Three Faces of Power</i> , by A. Berle, <i>Book World</i> (not published)	1968 January

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b. 28, f. 32	"The Supreme Court and the Idea of Progress": requests for copies, Holmes Lectures, Harvard Law School English	1969 October 1-21
b. 28, f. 33	"The Supreme Court and the Idea of Progress": requests for copies, Holmes Lectures, Harvard Law School English	1969 October 22 - 1970 March 5
b. 28, f. 34	"Caesar's Wife, Congress and the Court": transcript of discussion with David Danelski, "Yale Reports" English	1969 October 29
b. 28, f. 34	"Electoral College Revision": notes for address, Council of State Governments English	1969 November 24
b. 28, f. 35	"The Supreme Court and Trends in Public Law": notes for address, Brookings Institution, Roundtable on Selected Issues in Public Law English	1970 January 23
b. 28, f. 35	The New Supreme Court -- Prospects and Problems: address, Tulane University Law School	1970 February 11
b. 28, f. 35	"Congress, the judiciary, and the Separation of Powers": notes for address, U. S. Civil Service Commission, Institute on the Separation of Powers English	1970 March 20
b. 28, f. 35	Friedrich Kessler: notes for tribute, retirement dinner	1970 spring
b. 28, f. 36	"Limits of Judicial Action": address, Bar Association of the Seventh Federal Circuit English	1970 May 12
b. 28, f. 36	"Electoral College": address, Temple Israel of Greater Miami English	1970 October 25

"The Militant Faith of Mr. Justice Brandeis": address, Yale Univ [...] (continued)

b. 28, f. 37	Intergovernmental Balance -- The Judicial Role: address, 1970 Assembly of the States	1970 October 27
b. 28, f. 37	Campus unrest: notes for remarks, Peninsula Harvard Club, California	1970 November 4
b. 28, f. 38	"Political Involvement": address, American Academy of Arts and Sciences, Conference on the Rules of Scholarly Self-government English	1970 November 13-14
b. 28, f. 39	N. J. Supreme Court: transcript of proceedings -- special session	1970 November 20
b. 28, f. 39	Repression: remarks, "Comment!", NBC News	1971 February 21
b. 28, f. 40	"Congress, the President and the Power to Wage War": lecture, Elon college English	1971 April 28
b. 28, f. 40	"Schools": draft statement, NBC English	1971 pre-May
b. 28, f. 40	Miscellany: notes for remarks, Yale Club, Sacramento	1971 May 14
b. 29, f. 41	Campaign financing: notes for comment on paper by Albert Rosenthal, Citizens' Research Foundation	1971 May 19
b. 29, f. 42	Busing and repression: notes for panel discussion, American Jewish (Committee? Congress?)	post-1971 June
b. 29, f. 42	"The Question of Repression": notes for address, conference (on <i>The Alternative?</i>), Cambridge, Massachusetts English	1971 November
b. 29, f. 43	"The Supreme Court and Trends in Public Law": notes for address, Brookings Institution, Joint Conference on Issues in Public Law English	1972 February 6
b. 29, f. 43	"The Busing Controversy": Currie Lecture, Duke university English	1972 April 8
b. 29, f. 44	"Who's Breaking the Law?": notes for address, League of Women Voters of Massachusetts English	1972 May 10
b. 29, f. 44	"Busing Controversy": notes for address, Law Librarians of New England English	1972 May 19
b. 29, f. 44	The law school and the Supreme Court: notes for address, American Bar Association, Yale alumni dinner	1972 August 15
b. 29, f. 45	"The United States Constitutional Structure and National Power": lecture, National War College English	1972 September 20
b. 29, f. 46	"The 'Uninhibited, Robust and Wide-Open' First Amendment": Morrison Lecture, State Bar of California English	1972 September 28

"The Militant Faith of Mr. Justice Brandeis": address, Yale Univ [...] (continued)

b. 29, f. 47	The legal profession in a time of change: notes for address, Connecticut Bar Association	1972 October 2
b. 29, f. 47	"The Busing Controversy": address, National Organization on Legal Problems of Education English	1972 November 10
b. 29, f. 47	First Amendment: notes for address, Twentieth Century Fund board meeting	1972 November 16
b. 29, f. 48	"Impact Decisions" of the Supreme Court: notes for address, Federal Judicial Center English	1972 November 30
b. 29, f. 48	"Should We Create a National Court of Appeals to Ease the Burden on the Supreme Court?": transcript of debate with Alan Dershowitz, "The Advocates," WGBH English	1973 February 8
b. 29, f. 49	"Citizenship in the American Constitution": address, University of Arizona College of Law English	1973 February 8
b. 29, f. 50	D. Halberstam, <i>The Best and the Brightest</i> : notes for review, New Haven Free Public Library, Books Sandwiched In	1973 March 8
b. 29, f. 51	"The Long War: Congress vs. the President": transcript of interview, "Special Report," CBS News English	1973 March 19
b. 29, f. 51	Presidential powers: notes for lecture, Columbia Law School Forum	1973 April 4
b. 29, f. 51	"The New Federalism": notes for presentation, Woodrow Wilson International Center for Scholars English	1973 May 2
b. 29, f. 52	Robert Bork: notes for remarks, farewell dinner	1973 May 5
b. 29, f. 52	"Freund Report": address, Federal Bar Association English	1973 May 7
b. 29, f. 52	Artopé, Joseph Henry. 1892d	1973 June 1
b. 29, f. 53	"The U. S. Political System": lecture, National War College English	1973 September 10
b. 29, f. 53	"Does Executive Privilege Justify the President's Withholding of the Watergate Tapes?": transcript of debate, "The Advocates," WGBH English	1973 post-October 11
b. 29, f. 54	"The Aims of Education and the Proper Standards of the University": address, International Council on the University Emergency English	1973 October 14
b. 29, f. 55	"Conscience, Power, and the Duty to Obey Law": address, American Academy of Arts and Sciences English	1973 November 14

"The Militant Faith of Mr. Justice Brandeis": address, Yale Univ [...] (continued)

b. 29, f. 55	"On the Special Prosecutor": transcript of statement, televised debate English	1973 November 18
b. 29, f. 56	"Watergate and the Political Process": notes for discussion, American Enterprise Institute Round Table English	1974 March 13
b. 29, f. 56	"Watergate and the Law": notes for discussion, American Enterprise Institute Round Table English	1974 March 14
b. 29, f. 57	"Who Is Killing the Bill of Rights?": unidentified text English	post-1970 December 15
b. 29, f. 57	Supreme Court: unidentified notes	[1972?]
b. 29, f. 57	"Impeachment": unidentified draft English	1974 March 4
b. 29, f. 57	Repression: unidentified notes	undated

Series V: SENATE JUDICIARY, 1967-1974*1 linear foot (2 boxes)*

Series V, SENATE JUDICIARY, documents Bickel's service as consultant to the United States Senate Committee on the Judiciary, Subcommittee on the Separation of Powers, chaired by Sam J. Ervin, Jr., and administered by Rufus L. Edmisten. Bickel helped plan the subcommittee's program and contributed opinions on topics under investigation. The papers consist of correspondence, memoranda, committee prints, and prepared statements by Bickel and other witnesses (often printed after delivery) on these subjects: committee veto as a means of legislative oversight, constitutional amendment by state convention, executive privilege, impoundment of appropriated funds, and several topics related to the federal judiciary. Ervin's letters in this series and in Series I show his respect for Bickel but add little to the public record of his own constitutional thinking.

The general correspondence is at the beginning in chronological order. The topical headings that follow are in alphabetical order, and the arrangement of papers related to each topic is roughly chronological.

b. 30, f. 1-3	Correspondence	1967-1968, 1970-1973 Jul, 1973 September-1974
b. 30, f. 4	Committee veto: correspondence and statement by A. Bickel	1967 August-1968 January
b. 30, f. 5	Committee veto: printed testimony	1967 September 15
b. 30, f. 6	Committee veto: correspondence and draft report by committee staff	1969 January
Constitutional convention (S. 2307):		
b. 30, f. 7	staff correspondence	1967 August- November
b. 30, f. 7	memorandum by Philip B. Kurland	1967 post- October 2
b. 30, f. 8	Constitutional convention (S. 2307): printed testimony	1967 October 30-31
b. 30, f. 9	Constitutional convention (S. 2307): draft bills and staff memorandum	1967 Aug, 1968 January-March
b. 30, f. 10	Constitutional convention (S. 623): press releases and committee prints	1969 January- Jul, 1971 January
b. 30, f. 11	Constitutional convention (S. 215): critique by Charles L. Black, Jr.	1972 February
Executive privilege:		
b. 30, f. 12	congressional survey of abuses	1973 March 12
b. 30, f. 12	statement by Attorney General Richard G. Kleindienst	1973 April 10
b. 30, f. 12	draft statement by A. Bickel	undated

b. 30, f. 13	Extra-judicial activities: correspondence, prepared statement by A. Bickel, printed bills and press releases	1969 February-July
b. 30, f. 14	Impoundment: Bureau of the Budget statements of procedure	1969 May, September
b. 30, f. 15	Impoundment: correspondence and press releases	1971 February 10-March 18, June 9
b. 30, f. 16	Impoundment: notes, prepared statements, and other papers relating to hearings	1971 March 23-25
b. 30, f. 17	Impoundment: "Department of Justice Answers to Questions Concerning Impounding of Appropriated Funds by Senator Ervin in his Letter of February 14, 1973, to the Deputy Attorney General" and prior testimony	1973 February-March
b. 30, f. 18	Impoundment: correspondence with Carl Albert and related press releases	1973 March-April
b. 31, f. 19	Impoundment: research materials	1962-1973, undated
b. 31, f. 20	Judicial Conference of the United States: memoranda and related government publications	1969-1970
b. 31, f. 21	Pocket veto: printed record of hearings	1971 January 26
b. 31, f. 22	Pocket veto: background material and committee prints	1971 January-April
b. 31, f. 23	Pocket veto: mailing from Edward M. Kennedy	1972 August 11
b. 31, f. 24	Supreme Court: correspondence, notes on hearings, and committee prints	1968 June-July

Series VI: LEGISLATION, 1958-1974*1 linear foot (3 boxes)*

Series VI, LEGISLATION, documents Bickel's collaboration with members of Congress and the executive branch in drafting legislation. As with Series V, the content of the papers overlaps considerably with newspaper accounts and government publications. There are letters, memoranda, congressional committee prints, and drafts of testimony in sections on these topics: *Eighteen-year-old Vote*, *Electoral College*, *Executive Agreements*, *Executive Information*, *School Desegregation*, *Standing to Sue*, *Subversive Activities*, *War Powers*, and *Wiretapping*.

The section *School Desegregation* adds most to the public record. The major activity is Bickel's collaboration between 1970 and 1974 with United States Representative Richardson Preyer in developing legislation to provide alternatives to court-designed plans of school desegregation. Among the papers are some of Bickel's draft bills and his correspondence with Preyer and other members of Congress, especially William B. Spong, who sponsored similar measures in the Senate. A number of the remaining items relate to other congressional efforts to deal with school desegregation. These include Bickel's prepared statements for the Senate Select Committee on Equal Educational Opportunity and the House Committee on Education and Labor and his correspondence with Daniel P. Moynihan and other White House aides in a period when they were helping President Nixon develop a position on court-ordered busing.

The other sections show Bickel in a more limited advisory role. *War Powers* and *Executive Agreements* document his assistance to several senators as draftsman, witness, and correspondent in legislating an increase in Congress's control over the President's use of military force abroad. *Electoral College* shows his collaboration with members of Congress, lawyers, and political scientists to develop proposals for reform as an alternative to abolition. *Eighteen-year-old Vote* reveals his assistance, in association with other constitutional scholars, to President Nixon and members of his staff in contending that the federal government could not impose this measure on the states except by constitutional amendment. *Standing to Sue* has Bickel's testimony opposing on constitutional grounds a bill designed to create citizen and taxpayer standing to bring suit to enforce the "establishment of religion" and "free exercise thereof" clauses of the First Amendment. *Wiretapping* has Bickel's endorsement (1958) of legislation to prevent wiretapping by private persons and regulate its use by government officials. *Executive Information* has his analysis of the problems of standing likely to occur in achieving enforcement of legislation to facilitate congressional access to information from the executive branch. *Subversive Activities* has a memorandum (1959) for Senator Thomas Dodd.

The sections are in alphabetical order. The arrangement within each section is roughly chronological except that closely related items have been kept together and research material not related to any particular phase of the activity has been placed at the end.

Eighteen-year-old Vote

b. 32, f. 1	U. S. Justice Department: statements before the U. S. Senate Judiciary Committee	1970 February-March
b. 32, f. 1	Richard M. Nixon: draft statement	1970 April 1
b. 32, f. 1	Richard M. Nixon: press release	1970 April 27
b. 32, f. 1	Edward M. Kennedy, U. S. Senate: press release	1970 April 28
b. 32, f. 2	A. Bickel and other law professors: letters to the President and the <i>New York Times</i>	1970 April
b. 32, f. 2	A. Bickel: draft statement for White House use and related correspondence	1970 April-May

Eighteen-year-old Vote (continued)

b. 32, f. 3	Joseph A. Califano, Jr., general counsel to the Democratic National Committee: memorandum	1971 January 8
b. 32, f. 3	Memorandum, "Lowering the Voting Age," "prepared in the last days of the Johnson administration"	[1968-1969?]
b. 32, f. 3	U.S. Justice Department: draft letter to the Speaker of the House	undated
b. 32, f. 3	Louis H. Pollak: Senate testimony	undated
Electoral College		
b. 32, f. 4	A. Bickel: statement before the U.S. Senate Judiciary Committee, Constitutional Amendments Subcommittee	1967 July 18
b. 32, f. 5	John F. Banzhaf III: correspondence and related papers	1967-1968
b. 32, f. 6	A. Bickel: statement before the U. S. House Judiciary Committee	1969 February 27
b. 32, f. 7	Myron P. Curzan: draft proposals and correspondence	1969 October 15-1970 January 29
b. 32, f. 7	Working dinner: memorandum	1969 December 17
b. 32, f. 8	Sam J. Ervin, Jr., U. S. Senate: correspondence	1970 January-November
b. 32, f. 8	A. Bickel: statement before the U. S. Senate Judiciary Committee	1970 April 15
b. 32, f. 8	William B. Spong, Jr., U. S. Senate: correspondence	1970 October-November
b. 32, f. 9	Printed bills and research material	1969-1971, undated
Executive Agreements		
b. 32, f. 10	A. Bickel: statement before the U. S. Senate Foreign Relations Committee on S. 596	1971 October 20
b. 32, f. 10	Ruhl J. Bartlett: "The Foreign Relations Committee of the U. S. Senate"	1971 October 20
b. 32, f. 10	U. S. State Department: statement of policy on transmission to Congress of executive agreements	1971 October 15
b. 32, f. 11	U. S. Senate Judiciary Committee: draft report, "Congress and, International Executive Agreements: The Need for Change"	1972 August 21
Executive Information		
William V. Roth, Jr., U. S. Senate:		
b. 32, f. 12	correspondence	1973 November-December

Executive Information > William V. Roth, Jr., U. S. Senate: (continued)

b. 32, f. 12	two drafts of S. 2432, "a bill to establish a procedure assuring Congress the full and prompt production of information requested from Federal officers and employees"	1973 November 16
b. 32, f. 12	Civil Rights-Civil Liberties Research Committee, Harvard Law School: memorandum on "Production of Information Bill"	1973 pre-November 16
b. 32, f. 12	U. S. Senate: S. 2432, amended, and accompanying report	1973 December 11
School Desegregation		
b. 32, f. 13	Louis C. Allen, Jr.; letter enclosing draft bill	1970 February 20
b. 32, f. 13	Frank Dunbaugh, U. S. Justice Department: critique of draft bill	1970 February 20
b. 32, f. 13	Martin H. Gerry and Bertram W. Carp: "Comments on Draft Provisions Proposed by Professor Bickel"	[1970 Feb?]
b. 32, f. 14	Richardson Preyer, U. S. House: speech, "What Happens Next in our Schools?"	1970 March 2
b. 32, f. 14	A. Bickel: "Revised Draft"	1970 March 4
b. 32, f. 14	Jack Greenberg, director-counsel, NAACP Legal Defense and Educational Fund: critique of A. Bickel's first draft	1970 March 5
b. 32, f. 14	Daniel P. Moynihan, White House staff: letters	1970 March 5-11
b. 32, f. 15	R. Preyer: H. R. 16484	1970 March 16
b. 32, f. 15	"Statement by the President on Elementary and Secondary School Desegregation" and "Background Briefing" English	1970 March 24
b. 32, f. 15	U. S. Commission on Civil Rights: "Statement ... Concerning the 'Statement by the President...'"	1970 April 12
b. 32, f. 15	R. Preyer: correspondence	1970 April-May
b. 32, f. 15	L. Allen: correspondence	1970 April-May
b. 32, f. 16	Richard M. Nixon: message to Congress on the Emergency School Aid Act of 1970	1970 May 21
b. 32, f. 16	U. S. House: H. R. 17846	1970 May 27
b. 32, f. 16	A. Bickel: statement before the U. S. House Education and Labor Committee	1970 June 24
b. 32, f. 17	R. Preyer: correspondence and testimony	1970 July-August
b. 32, f. 17	William B. Spong, Jr., U. S. Senate: correspondence enclosing testimony of Clarence Mitchell, director, Washington Bureau, NAACP	1970 August
b. 32, f. 17	Claiborne Pell, U. S. Senate: correspondence	1970 August
b. 32, f. 17	L. Allen: letter enclosing desegregation plan of Burlington, N. C.	1970 August 19

School Desegregation (continued)

b. 32, f. 17	U. S. Commission on Civil Rights: "Analysis of S. 4167 ..., Introduced by Senator Spong"	1970 August 21
b. 32, f. 18	Internal Revenue Service: press releases on tax exemption of private schools	1970 July 10- August 6
b. 32, f. 18	Randolph W. Thrower, Commissioner of Internal Revenue: "Advance Draft" of statement before the U. S. Senate Select Committee on Equal Educational Opportunity	1970 post- August 10
b. 33, f. 19	A. Bickel: statement before the U. S. Senate Select Committee on Equal Educational Opportunity	1970 September 24
b. 33, f. 19	A. Bickel: "Comments and Criticisms of the Preyer-Spong Bill, S. 4167 and H. R. 16484, and Some Suggested Perfecting Amendments," before the U. S. Senate Select Committee on Equal Educational Opportunity	1970 October 8
b. 33, f. 20	W. Spong: correspondence	1970 September-1971 January
b. 33, f. 21	A. Bickel: statement before the U. S. Senate Select Committee on Equal Educational Opportunity	1971 June 15
b. 33, f. 22	A. Bickel: "Busing and the Problems of Primary and Secondary Education"	1971 November 22
b. 33, f. 22	Leonard Garment, White House staff: correspondence	1971 November-1972 January
b. 33, f. 22	John Ehrlichman, White House staff: letter	1971 December 29
b. 33, f. 22	R. Preyer: letter enclosing "(Tentative Draft): A Bill to provide for affording equal educational opportunities for students in the Nation's public elementary and secondary schools"	1971 December 2
b. 33, f. 22	"(Tentative Draft) #2: A Bill to provide for affording equal educational opportunities..." English	1971 December
b. 33, f. 23	R. Preyer: correspondence	1971 February- September
b. 33, f. 23	Morris K. Udall, U. S. House: correspondence	1971 May
b. 33, f. 23	W. Spong: correspondence	1971 July
b. 33, f. 23	A. Bickel: "National Educational Opportunities Act: Tentative First Outline Draft"	1971 August 30
b. 33, f. 24	Emanuel Celler, chairman, U. S. House Judiciary Committee: correspondence	1972 January- March
b. 33, f. 24	A. Bickel: statement before the U. S. House Judiciary Committee on "H. J. Res. 620 and Related Measures Proposing Amendments to the Constitution with Respect to the Transportation and Assignment of Public School Pupils"	1972 March 2

School Desegregation (continued)

b. 33, f. 24	U. S. House: printed bills on busing	1971-1972
b. 33, f. 25	R. Preyer: speech, press release, and H. R. 13552 ("A Bill to provide for affording equal educational opportunities ...")	1972 March 2
b. 33, f. 26	Richard M. Nixon: press releases on busing and school desegregation	1972 March 17
b. 33, f. 26	U. S. House: H. R. 13915, 13916	1972 March 20
b. 33, f. 27	Lawyers' Committee for Civil Rights under law: "Constitutionality of Student Transportation Moratorium Act of 1972"	1972 April 5
b. 33, f. 28	Dave Stockdon, assistant to John B. Anderson, U. S. House: "The Nixon Equal Educational Opportunities Act, the Bickel draft and possible compromise"	[1972 March-Apr?]
b. 33, f. 28	Irene Schecter, assistant to R. Preyer: letter	1972 April 6
b. 33, f. 28	[D. Stockdon?]: "A Bill to provide for affording equal educational opportunities ..." English	[1972 Apr?]
b. 33, f. 29	Charles Alan Wright: "Statement ..., on President's Program Concerning School Desegregation Remedies"	1972 April 27
b. 33, f. 29	U. S. Justice Department: press release on benefits of proposed legislation	1972 April 29
b. 33, f. 29	Elliot L. Richardson, Secretary, U. S. Department of Health, Education, and Welfare: correspondence	1972 May-June
b. 33, f. 29	A. Bickel: statement before the U. S. House Education and Labor Committee	1972 June 15
b. 33, f. 30	R. Preyer: correspondence	1973 February-April
b. 33, f. 30	Albert H. Quie, U. S. House: letter	1973 March 7
b. 33, f. 30	J. Bennett Johnson, Jr., U. S. Senate: letter	1973 March 30
b. 33, f. 30	R. Preyer, N. Udall, J. B. Anderson, and others: press release and subsequent correspondence with Clarence Mitchell, director, Washington Bureau, NAACP	1973 July 31-August 7
b. 33, f. 31	U. S. House Education and Labor Committee: <i>Elementary and Secondary Education Amendments of 1973</i>	1973 September 5
b. 33, f. 31	Charles W. Radcliffe, minority counsel, U. S. House Education and Labor Committee: "Description of Draft of Proposed Substitute for 'Anti-Busing' Amendments"	1973 October 3
b. 33, f. 32	R. Preyer: H. R. 10991	1973 October 17
b. 33, f. 32	"Amendment to be Offered by Messrs. Esch, William, Ford, Huber and O'Hara to H. R. 69.." English	pre-1974 January 31
b. 33, f. 32	J. Anderson: H. R. 13341 and speech	1974 March 7
b. 33, f. 32	R. Preyer: letters	1974 March 27-June 10

School Desegregation (continued)

b. 33, f. 33	A. Bickel: notes and memorandum	1971-1972, undated
b. 33, f. 33	Miscellaneous mimeographed matter	1970-1971, undated
b. 33, f. 33	Clippings	1970-1972
b. 33, f. 34	U. S. Supreme Court and U. S. Court of Appeals, Fifth Circuit: printed opinions with passages marked	1970-1971
b. 33, f. 35	U. S. Congress: printed bills	1970-1971
Standing to Sue		
b. 33, f. 36	A. Bickel: statement before the U. S. House Judiciary Committee on "a bill to provide effective procedures for the enforcement of the establishment and free exercise clauses of the First Amendment to the Constitution"	1968 March 28
Subversive Activities		
b. 33, f. 37	A. Bickel: memoranda on pending bills for Thomas J. Dodd, U. S. Senate	1959 May
War Powers		
b. 33, f. 38	George T. McKahin: "Cambodia: The Administration's Version and the Historical Record"	1970 post-May 1
b. 33, f. 38	William H., Rehnquist, Assistant Attorney General: "The President's Constitutional Authority to Order the Attack on the Cambodian Sanctuaries," speech before the New York City Bar Association	1970 May 28
b. 33, f. 39	George S. McGovern, U. S. Senate: letters	1970 May 15, August 28
b. 33, f. 39	A. Bickel: draft proposal for American withdrawal from Indochina	1970 May 27
b. 33, f. 39	G. McGovern: press releases	1970 August 26-28
b. 33, f. 40	A. Bickel: statement before the U. S. House Foreign Affairs Committee	1970 June 23
b. 34, f. 41	David Cooke et al.: "Indochina: The Constitutional Crisis," Parts I and II	1970
b. 34, f. 42	Steering Committee of the Congressional Committee for a Vote on the War: publications	1970
b. 34, f. 43	Research materials	1970
b. 34, f. 44	Jacob K. Javits, U. S. Senate: address, "Who Makes War?"	1970 December 8
b. 34, f. 44	Jacob K. Javits; correspondence	1970 December 10-1973 June 21
b. 34, f. 45	A. Bickel; statement before the U. S. Senate Foreign Relations Committee on S. 731, S. J. Res. 59, S. J. Res. 18, S. 95, and S. 1880 See also: tape recordings of this meeting transferred to the Historical Sound Recordings Collection	1971 July 26

War Powers (continued)

b. 34, f. 45	Jim _____: annotated draft, "War Powers Act of 1971"	[1971?]
b. 34, f. 45	Jim _____: annotated State Department memo, "Talking Points on S. 2956: War Powers"	1972 March 8
b. 34, f. 46	A. Bickel and Arthur Schlesinger, Jr.; statements before the U. S. House Foreign Affairs Committee, National Security Policy Subcommittee	1973 March 14
b. 34, f. 46	U. S. House Foreign Affairs Committee, National Security Policy Subcommittee: correspondence	1973 February 28-October 2
b. 34, f. 47	A. Bickel: statement before the U. S. Senate Foreign Relations Committee on S, 440	1973 April 11
b. 34, f. 48	U. S. Senate Foreign Relations Committee; hearings on S. 440	1973 April 11-12
b. 34, f. 49	Thomas F. Eagleton, U. S. senate: correspondence	1973 April 5-Oct 30
b. 34, f. 50	Richard M. Nixon: veto message on House Joint Resolution 542	1973 October 24
b. 34, f. 50	Thomas E. Morgan and Clement J. Zablocki, U.S. House: "Reply to the President's Veto Message"	1973 November 1
b. 34, f. 51	U. S. Senate Foreign Relations Committee: bills, reports, and press releases	1969-1973
b. 34, f. 52	H. S. Foreign Affairs Committee: bills, reports, and leaflets	1970-1973
Wiretapping		
b. 34, f. 53	Thomas C. Hennings, Jr., U. S. Senate: correspondence	1958 October-November
b. 34, f. 53	U. S. Senate Judiciary Committee: <i>Hearing</i> with Hennings-Bickel correspondence appended	1959 July 9

Series VII: POLITICS, 1967-1969*0.25 linear feet (1 box)*

Series VII, POLITICS, deals with Bickel's support for the presidential aspirations of Senators Charles H. Percy and Robert F. Kennedy in 1967 and 1968. His association with Percy (in conjunction with other Yale professors) was not a commitment to his hypothetical candidacy but merely an exploratory response to President Johnson's anticipated pre-emption of the Democratic nomination. The major items are Bickel's own writings: a lengthy letter naming the leading domestic and international problems of the nation and suggesting responses to them (1967 Oct 18), a defense of the negative income tax (1967 Nov 10), and three memoranda on crime control and civil disobedience. Percy responded favorably (Nov 3) to his moderate stance on withdrawal from Vietnam but criticized his ideas on race and poverty as narrowly economic and insufficiently sensitive to the value of local and personal initiative and participation.

Bickel's support for the candidacy of Robert Kennedy was deep and unqualified, but the papers in this series reveal little about this foremost commitment of his political life. The major item is his memorandum for the senator's use, "Implementation of Federal Civil Rights Legislation." He explained his admiration for Kennedy and offered his final assessment of his career in several pieces in *The New Republic* (Series III, 1968-1969) and an address before the Consular Law Society (Series IV, 1968 Oct 30). He had opposed Kennedy's nomination as Attorney General, and the file for that article has notes on Kennedy's response in conversation with Gilbert A. Harrison and Bickel's undated reassessment in the light of Kennedy's performance in the office (Series III, *The New Republic*, 1961 Jan 9).

Bickel occasionally recommended a colleague for a judicial or legal appointment, but the only other evidence of political activity on behalf of an individual is a letter to Connecticut Democratic leader Emilio Q. Daddario urging support of Joseph Duffey for the Senate nomination (Series I, 1970 Jun 4),

Charles H. Percy

b. 35, f. 1	Correspondence	1967 October-1968 August
b. 35, f. 2	A. Bickel: "Law and Order"	1967 November 29
b. 35, f. 2	A. Bickel: "Law, Order, and Civil Disobedience"	1968 January 11
b. 35, f. 2	A. Bickel: "The Safe Streets and Omnibus Crime Act of 1968"	1968 May 4
b. 35, f. 3	Addresses and statements	1967-1968, undated

Robert F. Kennedy

b. 35, f. 4	A. Bickel: "Implementation of Federal Civil Rights Legislation"	1968 March 19
b. 35, f. 4	California campaign: correspondence, notes, clippings	1968 May 17-29
b. 35, f. 4	Funeral memorabilia	1968 June, 1969 June
b. 35, f. 5	Position papers	undated
b. 35, f. 5	Statement at Kansas State University	1968 March 19

Series VIII: COMMITTEES, 1966-1974

2 linear feet (5 boxes)

Series VIII, COMMITTEES, consists of correspondence, memoranda, draft and final reports, speeches, and clippings documenting the activities of legal, political, and academic advisory bodies to which Bickel belonged or rendered aid. Several of these committees were created to propose reform of the Democratic Party or the federal courts. The others merely performed routine chores.

Bickel was a member of the Democratic Party's *Hughes Commission* on the Democratic Selection of Presidential Nominees, but the papers in this section document little of its activity independent of his contribution. The major items are three drafts (the first not written by him) of his testimony on the Commission's behalf before the Credentials Committee of the 1968 Democratic National Convention; his memorandum on "Reforming the National Convention"; a preliminary version of the Commission's report, *The Democratic Choice*; and letters written during the following year by persons interested in implementing its proposals. Among Bickel's correspondents was Geoffrey Cowan, associate director of Commission staff, who transmitted a copy of his lengthy letter to Theodore H. White disputing White's account of Cowan's participation in *The Making of the President, 1968*.

Roughly concurrent with his membership on the Hughes Commission in the summer of 1968, Bickel took part in the efforts of the *Committee for the Formation of the New Party* to offer an alternative to the anticipated choice between major-party presidential candidates Richard Nixon and Hubert Humphrey. The papers in this section consist of letters, committee mailings, research material on state election laws, and a Bickel memorandum on "Fourth Party Legal problems." It is not apparent how large a part he played in the committee's organization, but he met with members before July 31, recommended it to several correspondents, and agreed to serve as one of its candidates for presidential elector. He also supported a third-party candidacy in a speech before the Coalition for an Open Convention (Series IV, 1968 Jun 29) and in two final paragraphs he contributed to a *New Republic* editorial (Series III, 1968 Aug 3).

Bickel was merely a consultant to the party's *McGovern Commission* on Party Structure and Delegate Selection, formed early in 1969, but the papers in this section provide a fairly full record of its activities as well as showing his personal contribution. Most of the items are letters, reports, and memoranda prepared by the Commission staff in multiple copies for the information of commissioners and consultants and sometimes the press as well. The memoranda for internal use supplement the public record by showing the staff's contributions to the development of proposals that eventually carried the endorsement of the entire Commission.

Bickel's participation is documented mainly in a packet of materials he culled from his own Commission files and reproduced for the use of Theodore H. White in writing *The Making of the President, 1972*. His purpose was to trace the development of ideas about representation of minority groups and minority political views prior to the adoption in November 1969 of quotas for delegate selection, at which time he stopped collaborating with the Commission. (But see his *New Republic* editorial, Series III, 1970 Feb 7.) The items he selected have been kept with the covering letter. They include correspondence with Senator George McGovern and a memorandum of a conversation with him, notes on Commission and Commission staff meetings, and an exchange of letters with fellow consultant Richard Wade.

Bickel was not affiliated with the party's *O'Hara Commission* on Rules, mate to the McGovern Commission, but merely testified before it. The papers in this section include his prepared statement, an exchange of letters with chairman James G. O'Hara, press releases, staff memoranda, reports, and copies of other witnesses' testimony.

Bickel's other major stints of committee service were performed on behalf of the federal courts. In 1971 he participated in the Chief Justice's Special Advisory Group on Federal Civil Litigation; the following year, in the Study Group of the Federal Judicial Center on the Caseload of the Supreme Court. Notwithstanding the difference in name, both were formed at the request of Chief Justice Warren E. Burger, and both met under the auspices of the Federal Judicial Center. Bickel's participation began in the summer of 1970, when he helped Burger develop ideas for an address before the American Bar Association. His contribution is documented in a memorandum of a telephone conversation (Jul 20) and an eight-page letter (Jul 23). There is no copy of the draft he annotated and returned to Burger. Their correspondence on court reform

extended through the life of both committees, though concentrated in the second half of 1970. Their letters on other subjects are in Series I.

Both committees met several times in Washington but transacted much of their business by mail. The papers related to their activities (in the sections *Civil Litigation Advisory Group* and *Caseload Study Group*) consist mainly of research material, letters and memoranda exchanged among members and with Federal Judicial Center staff, Bickel's notes on group meetings, and draft and final recommendations. The notes on meetings of the caseload study group include summaries of statements made by Supreme Court justices appearing before the committee.

There is no evidence of reaction to the civil litigation advisory group's "Suggestions for Improving the Process of Federal Civil Litigation," nor of efforts to implement its proposals except Burger's speeches and his correspondence with Bickel. The case is very different for the caseload study group's recommendation of a National Court of Appeals. Among the items documenting reception of this proposal are clippings from newspapers, magazines, and legal periodicals; letters of former Chief Justice Earl Warren and Circuit Judge Clement F. Haynsworth responding to premature revelations of the group's conclusions; a transcript of the press conference releasing the finished report; and speeches and reports by justices, lawyers, and professional associations. Bickel's efforts on behalf of the recommendations included collaborating with the American Bar Association's Special Committee on Coordination of Judicial Improvements (reports in this series; correspondence in Series I), taking part in a televised debate on "The Advocates" (Series IV, 1973 post-Oct 11), and writing *The Caseload of The Supreme Court* (Series II).

The sections are in alphabetical order, as are the activities in Miscellaneous. The papers for each of those activities and the papers in every other section are in roughly chronological order except that items not related to any particular phase are at the end.

Caseload Study Group

b. 36, f. 1	Warren E. Burger: correspondence	1971 August-September
b. 36, f. 1	Bernard G. Segal: correspondence	1971 December
b. 36, f. 1	Paul A. Freund: correspondence	1971 December-1972 January
b. 36, f. 2	Members and staff: letters and memoranda	1972 February 11-April 26
b. 36, f. 2	Carl McGowan: letters	1971 October 12 -1972 March 29
b. 36, f. 3	A. Bickel and Robert L. Stern: notes on meetings	1972 May, June
b. 36, f. 3	Members: letters and memoranda	1972 May 8-June 28
b. 36, f. 4	Robert L. Stern: "RLS Section with Respect to the Elimination of Appeals"	1972 July 11
b. 36, f. 4	A. Bickel: draft recommending a National Court of Appeals	1972 July 11
b. 36, f. 4	Peter D. Ehrenhaft: "Proposed chapter on internal improvements of the Court"	1972 July 12
b. 36, f. 4	Staff: memorandum on statistics	1972 July 14

Caseload Study Group (continued)

b. 36, f. 4	Peter D. Ehrenhaft: "Foreword"	1972 July 17
b. 36, f. 4	A. Bickel: "Second Draft"	1972 July 24
b. 36, f. 4	Paul A. Freund: "Draft"	[1972 Jul?]
b. 36, f. 5	Draft report	1972 August 31
b. 36, f. 6	Members: correspondence	1972 September 6-25
b. 36, f. 6	Albert Tate, Jr., member, Advisory Council on Appellate Justice: letters and memorandum	1972 April 1-September 7
b. 36, f. 7	Draft report	1972 October 11
b. 36, f. 8	Members: letters	1972 October 18-November 15
b. 36, f. 8	Eugene Gressman: letter	1972 October 31
b. 36, f. 8	Warren E. Burger: letter	1972 November 8
b. 36, f. 8	Arthur S. Miller: letter	1972 November 8
b. 36, f. 8	Earl Warren: letter	1972 November 8
b. 36, f. 9	Draft report	1972 November 17
b. 36, f. 10	Members: letters	1972 November 20-December 11
b. 36, f. 10	Earl Warren: memorandum	1972 November 8
b. 36, f. 10	Clement F. Haynsworth: letters	1972 November 20, December 11
b. 36, f. 11	Transcript of press conference	1972 December 19
b. 36, f. 12	Frank J. Whalen, Jr.; letters	1972 December 18, 20
b. 36, f. 12	William H. Dempsey, chairman, National Railway Labor Conference: correspondence	1972 December 27-1973 January 8
b. 36, f. 12	Warren E. Burger: letter	1973 January 2
	Advisory Council on Appellate Justice:	
b. 36, f. 12	"The Structure of the Federal Courts: Committee Draft No. 2" English	1973 January 3

Caseload Study Group (continued)

b. 36, f. 12	John P. Frank, member, Advisory Council on Appellate Justice: "Freund Committee Report"	1973 January 9
b. 36, f. 12	Members: letters	1972 December 20-1973 February 5
b. 36, f. 13	Warren E. Burger: correspondence	1973 February 10-16, June 6
Advisory Council for Appellate Justice:		
b. 36, f. 13	"Expediting Review of Felony Convictions after Trial: Report No. 1 of the Committee on Criminal Appeals" English	1973 February
b. 36, f. 13	"Unification of the National Appellate Courts: A Statement to the Congressional Commission on the Organization of the Federal Courts" English	1973 March 6
b. 36, f. 13	Members: correspondence	1973 March 13-December 6
b. 36, f. 13	A. Bickel: notes	1972-1973, undated
b. 36, f. 14	William O. Douglas: "Remarks" before the New York City Bar Association	1970 March 19
b. 36, f. 14	Charles A. Wright: statement to the Senate Judiciary Subcommittee on Improvements in Judicial machinery	1972 May 16
b. 36, f. 14	Warren E. Burger: "Has the Time Come?"	1972 May 16
b. 36, f. 14	Lewis F. Powell, Jr.: "An Overburdened Supreme Court"	1972 June 30
b. 36, f. 14	Warren E. Burger: "Report on the Problems of the Judiciary"	1972 August 14
b. 36, f. 15	Lewis F. Powell, Jr.: excerpts from informal talk, Fifth Circuit Judicial Conference	1973 April 11
b. 36, f. 15	Carl McGowan: remarks before the New York City Bar Association	1973 April 23
b. 36, f. 15	Earl Warren: address to the New York City Bar Association	1973 May 1
b. 36, f. 15	Warren E. Burger: "Observations on the Report of the Study Group on the Caseload of the Supreme Court"	1973 May 15
b. 36, f. 16	William J. Brennan, Jr.: "The National Court of Appeals: Another Dissent"	1973 May 23
b. 36, f. 16	Chicago Council of Lawyers: "Report on the Proposals of the Study Group ..." and related letters	1973 pre-July 31
b. 36, f. 16	Warren E. Burger: "Report on the Federal Judicial Branch"	1973 August 6
b. 36, f. 16	Paul A. Freund; "A National Court of Appeals"	1973 August 7
b. 36, f. 16	Erwin N. Griswold: "The Supreme Court's Case Load: Civil Rights and Other Problems"	1973 November 8

Caseload Study Group (continued)

b. 37, f. 17	American Bar Association, Special Committee on Coordination of Judicial Improvements: reports	undated
b. 37, f. 18	Clippings	1972 August-1973 November
b. 37, f. 19	U. S. Supreme Court: caseload statistics	1971-1973, undated
Civil Litigation Advisory Group		
b. 37, f. 20	Warren E. Burger: correspondence and speeches	1968 September 4, 1970 July 20– 1971 January 12
b. 37, f. 21	Warren E. Burger: letters and speeches	1971 Apr, September
b. 37, f. 22	Members and staff: letters and memoranda	1971 January- February
b. 37, f. 23	Members: memoranda	1971 February 18-March 8
b. 37, f. 23	"Exchange of correspondence between Professor Charles Alan Wright and William Eldridge re the Time Burden of Jury and Non-Jury Cases" English	1971 February 1- March 5
b. 37, f. 24	Jack B. Weinstein: letters	1971 March 1-18
b. 37, f. 25	Federal Judicial Center: "Third Midyear Report"	1971 March 1
b. 37, f. 25	Shirley M. Hufstедler: "New Blocks for Old Pyramids: Reshaping the Judicial System"	1971 March 18
b. 37, f. 26	Members and staff: letters and working outlines	1971 March 22- May 10
b. 37, f. 27	"Free Bird's' Report on Civil Litigation: Initial Draft" English	1971 May 28
b. 37, f. 27	Members: letters	1971 June 2, 9
b. 37, f. 28	"Suggestions for Improving the Processes of Civil Litigation in the Federal Courts: Third Draft" English	1971 June 15
b. 37, f. 28	Jack B. Weinstein: letter	1971 June 22
b. 37, f. 29	"Suggestions for Improving the Processes of Civil Litigation in the Federal Courts ...: A Tentative Report by the Chief Justice's Special Advisory Group on Federal Civil Litigation" English	1971 June 30

Committee for the Formation of the New Party

Committee for the Formation of the New Party (continued)

b. 37, f. 30	Correspondence and memoranda	1968 July 28-September 26, undated
b. 37, f. 31	A. Bickel: "Fourth Party Legal Problems"	1968 July 31
b. 37, f. 31	A. Bickel: notes	undated
b. 38, f. 32	Charles Fishman, research assistant, Institute for Policy Studies: "The Election Laws of the Fifty States"	undated
b. 38, f. 33	Judicial opinions related to state election laws	1966-1968
Hughes Commission		
b. 38, f. 34	Organizational papers and research material	1968 August 2-September 6, undated
b. 38, f. 35	A. Bickel: three drafts of testimony before the Credentials Committee of the Democratic National Convention	1968 August 19
b. 38, f. 35	A. Bickel: memorandum, "Reforming the National Convention"	undated
b. 38, f. 36	"Commission Report: Working Draft" English	1968
b. 38, f. 37	"Summary of Findings and Advisory Report" English	1968
b. 38, f. 37	<i>The Democratic Choice: A Report of the Commission...</i>	1968
b. 38, f. 38	John R. Schmidt and Wayne W. Whalen: correspondence	1968 October
b. 38, f. 38	Joseph L. Rauh, Jr.: correspondence	1969 January-February
b. 38, f. 38	Harold E. Hughes; correspondence	1969 January-March
b. 38, f. 38	James Loeb, Jr.: correspondence	1969 February
b. 38, f. 38	Geoffrey Cowan: correspondence	1969 August-October
McGovern Commission		
b. 38, f. 39	Thomas P. Alder: letter	[1969 February 26?]
b. 38, f. 39	George S. McGovern: correspondence	1969 March 6-12
b. 38, f. 39	Frederick G. Dutton: correspondence	1969 March 7-28
b. 38, f. 40	Organizational papers	1969 Feb, undated
b. 38, f. 40	Summaries and transcripts of first meeting	1969 March 1

McGovern Commission (continued)

b. 38, f. 40	Press releases	1969 March 21– April 25
b. 38, f. 41	G. McGovern: correspondence	1969 June
b. 38, f. 41	Staff: correspondence	1969 June– October
b. 38, f. 41	Donald M. Fraser: draft finding on “Proportionality”	[1969 Oct?]
b. 38, f. 41	A. Bickel: notes	[1969 Jul?, Oct?]
b. 38, f. 42	A. Bickel: “Fair Representation of Minority Political Views”	1969 October 13
b. 38, f. 42	Richard C. Wade: “Apportionment”	[1969 Oct?]
b. 38, f. 43	Draft findings	[1969?]
b. 38, f. 44	G. McGovern: letters	1970 June 29, July 9
b. 38, f. 44	A. Bickel: memorandum for file	1971 post– February 19
b. 38, f. 44	Chicago Challengers: request for ruling	1972 May 10
	A. Bickel to Theodore H. White:	
b. 38, f. 45	letter	1972 October 3
b. 38, f. 45	testimony before the Credentials Committee of the Democratic National Convention	1968 August 19
b. 38, f. 45	memorandum of conversation with G. McGovern	1969 March 5
b. 38, f. 45	staff memorandum, “Task Force Hearing Themes”	1969 May 27
b. 38, f. 45	“First Report Outline” English	1969 July 31
b. 38, f. 45	notes on meeting	1969 September 23
b. 38, f. 45	letter to G. McGovern	1969 October 24
b. 38, f. 45	circular letter by G. McGovern	1969 October 3
b. 38, f. 45	letter to G. McGovern	1969 August 19
b. 38, f. 45	correspondence with R. Wade	1969 October 22–November 5
b. 38, f. 45	staff memorandum, “Clarifying language and suggested substantive changes”	1969 November 13
b. 38, f. 45	chairman’s memorandum, “Representation of Women, Young People and Minorities”	1971 December 9

McGovern Commission (continued)

b. 38, f. 46-48	Staff: memoranda	1969 June–Nov, [1969?], 1969 December–1970 Jan, 1970 July– 1972 June
b. 38, f. 49	Memorandum for state organizations, "Model of Party Rules"	1971 post- February 19
b. 39, f. 50	"The Party Reformed: Final Report" English	1972 July 7
b. 39, f. 51	Reports on delegate selection procedures, Connecticut to Massachusetts	1969
b. 39, f. 52	Reports on delegate selection procedures, Michigan to Missouri	1969
b. 39, f. 53	Reports on delegate selection procedures, New York to Rhode Island	1969
b. 39, f. 54	Reports on delegate selection procedures, South Dakota and Wisconsin	1969
Miscellaneous		
Brandeis Papers Commission:		
b. 39, f. 55	correspondence	1967 August 4-1971 February 3
b. 39, f. 55	note by A Bickel	undated
b. 39, f. 56	memoranda by William M. Goldsmith, acting director of the editorial project	pre-1968 February 29
b. 39, f. 57	Connecticut Bar Association, Judiciary Committee, Judicial Selection Subcommittee: letters and minutes	1966 November 15-1967 May 15
Frankfurter Papers:		
b. 39, f. 58-60	correspondence	1954, 1959, 1965- 1970 May
b. 39, f. 61	correspondence	1970 June-1972 October
Harvard Law School, Visiting Committee:		
b. 39, f. 62	correspondence and memoranda	1968 January 31- June 21
b. 39, f. 63	correspondence, leaflets, and memoranda	1968 December 9-1969 June 24
b. 39, f. 64	correspondence, leaflets, and reports	1970 February 17-1974 June 14
b. 40, f. 65	Harvard University Press, Faculty Prize Committee: correspondence and notes	1969 February 20-May 23

Miscellaneous (continued)

b. 40, f. 66	Lehrman Institute, Board of Trustees: correspondence and memoranda	1972 October 6-1974 December 9
O'Hara Commission		
b. 40, f. 67	James G. O'Hara: correspondence	1969 April 24- May 13
b. 40, f. 67	Leaflets	1969 May 17
b. 40, f. 67	Paul T. David: prepared statement	1969 May 17
b. 40, f. 67	A. Bickel: prepared statement	1969 May 17
b. 40, f. 67	Robert G. Dixon, Jr.; prepared statement	1969 May 17
b. 40, f. 67	List of procedures	1969 May 17
b. 40, f. 67	J. O'Hara: letter	1969 May 22
b. 40, f. 67	Joseph F. Crangle, chairman, Erie County [New York] Democratic Committee: correspondence	1969 May 29- June 6
b. 40, f. 67	J. O'Hara: correspondence	1969 October 22-1970 April 28
b. 40, f. 68	<i>Issues and Alternatives: A Study Guide of Democratic National Convention Procedure and Practice</i> English	1969 October
b. 40, f. 69	Memoranda, testimony, press releases, and clippings	1969 December 7-1972 Mar, undated

Series IX: CONFERENCES, 1967-1972*1 linear foot (2 boxes)*

Series IX, CONFERENCES, relates to meetings sponsored by foundations and study centers for discussion of legal, political, and social problems: planning for the year 2000, medical experimentation on humans, government reorganization, civil disorder, the electoral process, and regulation of the press. The papers consist of correspondence with conference organizers, working papers prepared by participants, and transcripts of proceedings. The transcripts of the Conference on the Ethical Aspects of Experimentation with Human Subjects and the two meetings of the Working Party on Rights and Values of the Commission on the Year 2000 show Bickel as a major contributor to the discussion.

The conference sponsors are in alphabetical order. The papers related to any particular conference are in chronological order except that items not connected with any particular phase of the activity are at the end.

	American Academy of Arts and Sciences, Commission on the year 2000, Working Party on Rights and Values:	
b. 41, f. 1-2	transcript of meeting	1967 May 12-13, November 10-11
b. 41, f. 3	Aspen Workshop on Communications and Society, Seminar on Government and Media Relations: correspondence and memoranda	1972 June 13- September 6, undated
	Brookings Institution, Conference on the Report of the President's Advisory Commission on Executive Organization:	
b. 41, f. 4	correspondence, memoranda, and summary of discussion	1971 March 9- April 23
b. 41, f. 5	Roger G. Noll, <i>Summary</i> of the report	1971 April
b. 41, f. 6	<i>Daedalus</i> and the National Institutes of Health, Conference on the Ethical Aspects of Experimentation on Human Subjects: correspondence and transcript of proceedings English	1967 November 3-4
	Ford Foundation and Carnegie Foundation, Electoral Process Conference:	
b. 41, f. 7	correspondence and minutes of meeting	1969 January 7- February 4
b. 41, f. 8	Institute of Public Affairs, "Interim Report: Electoral Process Study"	1969 January 20
	Kenyon College, Public Affairs Conference Center, Conference on Civil Disobedience:	
b. 42, f. 8a	readings	1968
	Kenyon College, Public Affairs Conference Center, Conference on Censorship and Freedom of Expression:	
b. 42, f. 9	correspondence and readings	1969 August 22-1970 June 18
b. 42, f. 10	readings	1970 pre-April 20

Kenyon College, Public Affairs Conference Center, Conference on Civil Disorder
and Violence in the United States:

b. 42, f. 11

correspondence, notes, and readings

1970 October
9-1971 May 3

Series X: LEGAL PRACTICE, 1950, 1954, 1967-1974

7 linear feet (16 boxes)

Series X, LEGAL PRACTICE, consists of correspondence among lawyers, drafts of briefs and other legal writings, notes for oral argument, and legal papers and research material forwarded to Bickel by the attorneys with whom he collaborated and by others concerned in the cases. The correspondence is mainly routine, and neither the letters nor the enclosures add much to the formal statements of the facts. The special value of these papers lies rather in their resources for the study of Bickel's legal work. His service as law clerk is represented by his memorandum, "The Search and Seizure Issue," for Judge Magruder in *Best v. United States*. (His better-known memorandum for Justice Frankfurter in *Brown v. Board of Education* is in Series IV with other papers related to his law review article, "The Original Understanding and the Segregation Decision" [1955].) The rest of the papers relate to his own formal and informal practice.

The cases that most concerned Bickel as journalist and adviser to government officials were suits brought on behalf of black children to achieve desegregation of public schools. He was reluctant, however, to take part in such litigation because he did not want to risk compromising his reputation as a disinterested observer (*United States v. Indianapolis School Board*, 1972 Mar 16). When he did participate, he did so as a consultant, not appearing as a witness or being named as attorney of record. This series has sections related to three cases involving school desegregation; *Swann v. Charlotte-Mecklenburg*, *United States v. Indianapolis School Board*, and *Spangler v. Pasadena City Board of Education*.

Bickel participated in *Swann v. Charlotte-Mecklenburg* by providing the Congress of Racial Equality (CORE) with an "Outline and Prospectus" of a brief *amicus curiae* to be filed with the United States Supreme Court. He argued that the constitutional obligation of "disestablishment of legally enforced segregation" did not require "enforcement by law of racial dispersal in the schools." The papers in this section include the "Outline and prospectus," CORE's brief *amicus curiae*, the Supreme Court's slip opinion annotated by Bickel, and his correspondence with Roy Innis, national director of CORE. Bickel elaborated the distinction in the prospectus and interpreted the Supreme Court's decision for the Senate Select Committee on Equal Educational Opportunity (Series VI, *School Desegregation*, 1970 Sep 24, 1971 Jun 15).

In January 1970, the United States District Court closed the first phase of *Spangler v. Pasadena City Board of Education* by requiring the board to arrange that no minority constitute a majority in any Pasadena public school. The documentation of Bickel's interest begins a year later, with his first exchange of letters with Henry Marcheschi, a Pasadena businessman then conducting a successful campaign for a seat on the board as an opponent of forced busing away from neighborhood schools. His correspondence with Bickel between 1971 and 1974 deals with developments in Pasadena and with Bickel's collaboration with Congressman Richardson Preyer in drafting legislation to foster alternatives to the sort of plan the District Court had prescribed for Pasadena. Marcheschi also transmitted legal papers connected with the case and his own exposition of a plan to achieve "Voluntary Integration and Equal Educational Opportunity" while respecting the principle of neighborhood schools.

When the Pasadena School Board decided in October 1973 to petition for modification of the District Court order, its attorneys began consulting with Bickel. From then until his death, Bickel was kept informed about the progress of the case, and he advised intermittently on its management. The papers belonging to this period of collaboration consist almost exclusively of letters addressed to Bickel and documents connected with the litigation. With the exception of an analysis (1974 May 18) of the court's opinion and order in response to the board's petition (May 3), Bickel's advice must be reconstructed from references in the letters he received.

Bickel agreed to participate in *United States v. Indianapolis School Board* following an interim order (1973 Jul 20) of the United States District Court that certain suburban school districts assist in desegregating the Indianapolis public schools by accepting black children transferred from the city. The attorneys for the affected school districts had immediately begun an appeal, but at his suggestion they applied for a stay of proceedings pending the entry of a final order by the District Court. To this application he contributed a critique of a motion for stay and supporting brief drafted by the Office of the Attorney General of Indiana. His other contributions, made in person or by telephone, can only be inferred from incoming letters. It was also at his suggestion that the Indiana attorneys decided to contribute a brief *amicus curiae* to the

Detroit school desegregation case *Bradley v. Milliken*, but his final illness prevented his own participation. Nowhere in the papers does he discuss the District Court's desegregation plan.

Closely related to the school desegregation cases was *De Funis v. Odegaard*, in which a white citizen of Washington State sued for admission to the state university law school, claiming that in denying his application it had unconstitutionally discriminated against him because of his race. Bickel first took part in the summer of 1973, when De Funis's attorneys were preparing to appeal the decision of the Washington State Supreme Court to the Supreme Court of the United States. He was retained by the Anti-Defamation League of B'nai B'rith, on whose behalf he drafted two briefs *amicus curiae*. The first supported the appeal and the alternative petition for certiorari; the second, finished by a colleague, argued the case on the merits. Among the papers are attorneys' correspondence, briefs filed with the Supreme Court by the Anti-Defamation League and several other *amici*, and some of the documents filed with the state courts at various stages in the litigation. The United States Supreme Court remanded the matter to the Supreme Court of Washington for further proceedings, but Bickel did not take part in this later stage of the case.

Two other matters raised Fourteenth-Amendment questions in contexts having nothing to do with race. The more substantial of these was the *New Jersey Contingent Fees* case, a pair of suits brought by trial lawyers to oppose the State Supreme Court's recently established schedule for determining the amount due the attorney when the fee was contingent on the size of the settlement. Bickel participated virtually from the beginning and played a large role in the day-to-day management of the case. The litigation followed a complicated course, moving repeatedly between the state and federal courts and up and down within each system, and procedural and jurisdictional problems were correspondingly prominent. Bickel was equally concerned with these matters and with the constitutional questions the new regulation raised, particularly with regard to the equal protection and due process clauses of the Fourteenth Amendment and the clause in the New Jersey Constitution regarding judicial rule-making. The principal items documenting his contribution are letters, drafts, and notes for oral argument. Much of the consultation with fellow attorneys took place in meetings or over the telephone, but the letters are more informative than most of his legal correspondence. The papers also include briefs, motions, and opinions pertaining to every stage in the litigation.

Some of the same constitutional questions were considered in the *Connecticut Credit Rate Research Project*, in which Bickel was retained with another lawyer to study the prospects for successful litigation against a state statute allowing retailers to charge no more than one per cent monthly interest in open-credit plans. They concluded that the statute might be held to violate the equal protection clause of the Fourteenth Amendment by not imposing the same requirement on other lenders, but advised that the courts would probably reject this interpretation. The papers in this section consist of research material, correspondence, and draft and final versions of the commissioned memorandum.

The free-speech and free-press guarantees of the First Amendment were a second focus of Bickel's legal career. In *New York Times Co. v. United States* (the Pentagon Papers case) and in several other matters commanding national attention, he argued for the protection of the First Amendment. In *Buckley v. AFTRA* and *Lewis v. AFTRA*, he defended the position of the American Federation of Television and Radio Artists that it could require commentators on public affairs to pay membership costs without abridging their First Amendment rights.

Most of the papers related to *New York Times Co. v. United States* are part of the formal record of the case: transcripts of proceedings in the United States District Court and the United States Court of Appeals, the government brief filed with the latter, briefs of both parties filed with the United States Supreme Court, the Supreme Court opinion, and various orders, memoranda, affidavits, and petitions. The principal items documenting Bickel's contribution are his preliminary outline (with Floyd Abrams, of counsel to the *New York Times*) of the oral argument before the District Court and his notes for oral argument before the Court of Appeals. His name precedes that of William E. Hegarty (another attorney for the *Times*) on the brief supporting the *New York Times's* petition to the Supreme Court opposing the Appellate Court's restraining order, but there is nothing to show their respective contributions. The correspondence, all of it following the Supreme Court decision, is routine except for an exchange between Bickel and Hegarty (1971 Jul 19-28) on the merits of leaving it to the political process to prevent undue exercise of prior restraint. Bickel's letter to Judge Henry J. Friendly explains his unsuccessful request for a Sunday session, comments

on the significance of the provenance of the disputed documents, and makes a comparison with Justice Frankfurter's position in the *Rosenberg* and *Steel Seizure* cases.

Bickel's efforts on behalf of Earl Caldwell, a reporter for the *New York Times*, began in May 1971, when the *Times* was preparing to oppose the government's petition to the Supreme Court (in *United States v. Caldwell*) to reverse an order of the United States Court of Appeals. That court had itself reversed a District Court order compelling Caldwell to reveal to a grand jury the source of his news information. Bickel cooperated not only with the *Times* but also with counsel to several publishing and broadcasting companies that were interested in the *Caldwell* case or in concurrent litigation (*Branzburg* and *Pappas*) raising similar questions. The major items showing Bickel's contribution to *Caldwell* are his drafts of the brief filed with the United States Supreme Court by the *New York Times* as *amicus curiae*. The most important letters are those of E. Barrett Prettyman, Jr., attorney for Paul Pappas, enclosing a letter from the *Washington Post* explaining its unwillingness to associate itself with Bickel's argument for a limited journalist's privilege. Also among the papers are briefs filed with the Court of Appeals (in *Caldwell*) and the Supreme Court (in *Caldwell*, *Branzburg*, and *Pappas*).

Another case involving First Amendment claims was *Oliver et al. v. Postel*, in which a group of newspaper reporters brought an action against a New York Supreme Court justice who had, at the defendant's request, barred press and public from his courtroom during a criminal trial. The reporters first asked the Appellate Division of the same court to direct the judge to reopen the proceedings. When this petition was dismissed, they applied to the United States District Court for a restraining order. Bickel apparently made his main contribution to the federal proceedings, supplying the plaintiffs' attorneys with a lengthy memorandum arguing First Amendment and Sixth-Amendment questions. The papers in this section include Bickel's memorandum, the brief subsequently filed by the plaintiffs' attorneys, and other documents connected with the litigation. Earlier that year Bickel had advised the publishers of the *Norfolk Virginian-Pilot* on the constitutionality of an injunction forbidding publication of the names of juveniles charged with crime, but the correspondence and research materials (in the section *Norfolk Juvenile Injunction*) do not show what advice he gave.

Bickel played a similar advisory role for the defense in *United States v. Coffin et al.*, in which the government charged William Sloane Coffin, Jr., chaplain of Yale University, and four other men with counseling Selective Service registrants to evade military service and with conspiring to create nationwide resistance to the Selective Service System. He contributed four memoranda (1968 Feb 2 - Jun 9) mainly concerned with defining "speech" and "incitement" and applying the test of "clear and present danger." Other papers in this section include a critique of Bickel's first memorandum by a fellow Yale law professor, tests of Coffin's speeches and writings, the indictment, the government's memorandum opposing its dismissal, and the opinion of the United States Court of Appeals reversing the conviction obtained in the District Court. Bickel also wrote about the case in *The New Republic* (Series III, 1968-1969).

Bickel first took part in *Buckley v. AFTRA* in February 1973, when AFTRA's attorney was preparing to appeal the decision of the United States District Court finding unconstitutional any provisions of the National Labor Relations Act authorizing AFTRA to require broadcasters William F. Buckley, Jr., and M. Stanton Evans to belong to the union, pay it dues, or conform to its regulations. The major items showing Bickel's contribution are his draft brief and his notes for oral argument before the Court of Appeals. Besides his cooperation with AFTRA's attorney, he was interested in the refusal of the American Civil Liberties Union (ACLU), subsequently *amicus* in the case, to associate itself with Buckley's position, and the papers in this section include copies of correspondence between Buckley and the ACLU and two ACLU memoranda on the constitutionality of the union shop. Finally, there are copies of most important papers filed with both federal courts.

Lewis v. AFTRA had the same attorneys arguing similar questions at the state level. The record of Bickel's participation begins in March 1973, with the ruling of the New York Supreme Court, Appellate Division, that the National Labor Relations Act was not, as the lower court had held, unconstitutional in requiring Fulton Lewis, III, to pay dues to AFTRA as a condition of his employment as a broadcaster. The major items documenting Bickel's contribution are memoranda prepared by his research assistants before the brief was written and his own notes for oral argument. There are briefs, opinions, and other legal papers from all stages of the litigation. Bickel also assisted in the AFTRA case *CBS v. Baldwin*, but the issues there were not constitutional.

Bickel concerned himself with freedom of the press as a practical and political problem when he evaluated certain proposals for self-regulation of news publishing and broadcasting. The papers in the section *National Media Council* consist of correspondence and of draft proposals and memoranda produced by the parties he advised. His involvement began in 1971, when the Columbia Broadcasting System (CBS) became interested in establishing an internal review board to entertain charges of bias in its reporting and to forestall an anticipated demand for government regulation. Lloyd N. Cutler, counsel to CBS, transmitted its draft proposal to Bickel, who accepted the idea of self-regulation as useful and reasonable but suggested modifications to increase its effectiveness and inspire public confidence (1971 Aug 7, 17). The following year Bickel gave advice to the director of the Twentieth Century Fund, whose task force on such proposals had recently issued its report. He suggested how such a body might, in its own investigations, respond to claims of the confidentiality of news sources (1972 Sep 26), and he commented on a draft charter and by-laws for a National Media Council (Oct 27).

The other papers in this series command less attention because the questions raised are of narrower interest or there is little evidence of Bickel's contribution. His articles on the Special Prosecutor's standing to sue the President prompted a member of the Watergate Special Prosecution Force to thank him for thus contributing "the single most important factor in stimulating attention to these issues" (*Watergate*, 1974 Jun 21). In a matter connected with *Villanova University*, he wrote a memorandum showing how its defense of a legacy might be affected by the evolution of inheritance law in Pennsylvania and New York. In response to another inquiry he discussed how Puerto Rico might achieve statehood without immediately forfeiting all the tax advantages of Commonwealth status. In a matter that became *Kerbs v. Watson*, he advised on the prospects of forcing the Postmaster General to investigate the client's charges of tampering with her mail. On several other occasions he received material from lawyers and advised them on the questions they raised, but the letters he wrote in connection with these matters do not include the advice he gave.

The sections are in alphabetical order. The papers within each section are in chronological order, with these exceptions: closely related items have been grouped, covering letters have been kept with their enclosures, and items not related to any particular phase of the activity have been placed at the end.

American Can Co. v. Oregon Liquor Control Commission

b. 43, f. 1	Oregon Circuit Court: opinion	1972 September 1
	Philip B. Kurland [and others?]:	
b. 43, f. 2	draft "Appellants' Brief"	1973 pre-May 25
b. 43, f. 2	draft "Intervenors' Brief"	1973 June 6
b. 43, f. 2	draft "Intervenors' Brief"	1973 June 7
b. 43, f. 2	draft sections of the plaintiff's brief	1973 pre-June 8
b. 43, f. 3	draft brief of intervenors-appellants	1973 pre-June 18, 22
	Oregon Court of Appeals:	
b. 43, f. 4	defendants-respondents' brief	[1973?]
b. 43, f. 5	brief of amici curiae National Resources Defense Council and People's Lobby Against Non-Returnables	1973 August 17
b. 43, f. 6	George L. Wagner: parts of draft reply brief of plaintiffs-appellants	1973 post-August 17

American Can Co. v. Oregon Liquor Control Commission (continued)

Oregon Court of Appeals:

b. 43, f. 7	reply brief of intervenors-appellants	1973 pre- November 2
b. 43, f. 7	opinion	1973 December 17
b. 43, f. 8	Oregon Supreme Court: joint petition for review	1974 January 15
b. 43, f. 8	Memorandum to plaintiff's attorney, "Discussion of the relevant Oregon 'severability' cases"	1971 December 17
<i>Atomic Energy Commission</i>		
New York City Bar Association, Committee on Atomic Energy:		
b. 43, f. 9	draft memorandum, "Proposed Regulations Affecting Privately Developed Data"	1967 June 2
b. 43, f. 9	correspondence	1967 June-Jul, 1968 March
<i>Barron v. Brown</i>		
b. 43, f. 10	California Supreme Court: petition for writ of mandate and memorandum of points and authorities in support of petition	1972 April 21
b. 43, f. 10	Marvin S. Shapiro, attorney for petitioners: memorandum re "McGovern-Winner-Take-All Primary"	1972 April 26
California Supreme Court:		
b. 43, f. 11	memorandum of respondent in opposition to issuance of alternative writ of mandate	1972 pre-May 1
b. 43, f. 12	memorandum on behalf of amici curiae in opposition to issuance of alternative writ of mandate	1972 May 2
b. 43, f. 12	A. Bickel: notes	undated
b. 43, f. 13	Democratic National Committee: "Preliminary Call for the 1972 Democratic National Convention"	1971 February 19
b. 43, f. 13	Eliza Whitehead et al.: "A Challenge to the Proposed California Delegation ..."	1972 June 9
b. 43, f. 13	U.S. District Court, District of Columbia (Keane v. National Democratic Party): order related to delegate selection	1972 June 19
b. 43, f. 14	Lewis J. Paper: draft reply to credentials challenges	1972 June 19
b. 43, f. 14	California Delegation to the Democratic National Convention: "Amended Answer to Credentials Challenges"	1972 June 23
<i>Best v. United States</i>		
b. 43, f. 15	A. Bickel: "The Search and Seizure Issue," "Search and Seizure Issue: Supplementary Memorandum," and "The Motion to Inspect FBI Reports on the Venire"	1950 January 14, February 27

Best v. United States (continued)

b. 43, f. 15	U.S. Court of Appeals, First Circuit: opinion	1950 July 6
<i>Buchanan v. O'Brien</i>		
b. 43, f. 15	A. Bickel: list of citations, "Right to Counsel in Non-Capital Cases in State Courts"	1950 April 13
b. 43, f. 15	U.S. Court of Appeals, First Circuit: opinion	1950 July 6
<i>Buckley v. AFTRA</i>		
U. S. District Court:		
b. 44, f. 16	order to show cause why summary judgement should not be entered, with annexed affidavits and statement of material facts	1971 April 8-1972 March 3
b. 44, f. 17	brief for plaintiffs on motion for summary judgement	1972 March
b. 44, f. 17	defendant's cross-motion for summary judgement with annexed affidavits and counter-statement of material facts	1972 May 3
b. 44, f. 18	brief for defendant on motion and cross-motion for summary judgement	1972 May 3
b. 44, f. 19	plaintiff's reply affidavits	1972 June 7, 9
b. 44, f. 19	plaintiff's reply brief on motion for summary judgement	1972 June 20
b. 44, f. 19	defendant's reply brief on cross-motion for summary judgement	1972 June 22
b. 44, f. 19	affidavit of defendant's counsel	1972 June 22
b. 44, f. 20	opinion	1973 January 23
b. 44, f. 21	plaintiff's memorandum in support of proposed judgement	1973 January
b. 44, f. 21	defendant's memorandum in opposition to plaintiff's proposed judgement and in support of defendant's counter order and judgement	1973 pre-February 16
b. 44, f. 21	plaintiff's memorandum in opposition to form of judgement proposed by defendants	1973 February 16
b. 44, f. 21	order and judgement	1973 February 22
b. 44, f. 22	Edward Schlesinger, counsel for defendant: memoranda	1973 January 24
b. 44, f. 22	Letters	1973 February 15-March 28
b. 44, f. 22	U. S. District Court: notice of appeal	1973 March 22
b. 44, f. 23	A. Bickel: memorandum of conversation with Clyde Summers	1973 February 16
b. 44, f. 23	Daniel Kornstein, assistant to A. Bickel: memoranda	1973 April 2-26
b. 44, f. 23	Peter Rossiter, assistant to A. Bickel: memoranda	1973 April 4-30
b. 44, f. 23	A. Bickel and others: notes	undated

Buckley v. AFTRA (continued)

b. 44, f. 24	Letters	1973 April 26- July 30
b. 44, f. 25	A. Bickel: draft brief for defendant-appellant	[1973 pre-May 9?]
b. 44, f. 25	" <i>Buckley v. AFTRA</i> : Notes from the Record" English	[1973?]
U. S. Court of Appeals:		
b. 45, f. 26	brief for defendant-appellant	1973 June 8
b. 45, f. 27	joint appendix	1973 post-May 22
b. 45, f. 28	Letters	1973 August 22- September 25
b. 45, f. 28	National Labor Relations Board: draft of brief as <i>amicus curiae</i>	1973 pre- September 25
U. S. Court of Appeals:		
b. 45, f. 29	plaintiff's brief, "Prior Restraint of Speech under the National Labor Relations Act," and supplemental appendix	1973 September 28
b. 45, f. 30	brief for American Civil Liberties Union <i>amicus curiae</i>	1973 September
b. 45, f. 30	reply brief for defendant-appellant	1973 October 10
b. 45, f. 31	A. Bickel: notes for argument	1973 pre- November 7
b. 45, f. 32	U. S. Court of Appeals: majority and concurring opinions	1974 April 30
b. 45, f. 32	Correspondence	1974 April 30- May 17
U. S. Court of Appeals:		
b. 45, f. 33	plaintiffs -appellees petition for rehearing or clarification of opinion	1974 May 28
b. 45, f. 33	motion to disallow AFTRA's bill of costs	1974 June 11
b. 45, f. 33	denial of petition for rehearing	1974 July 1
b. 45, f. 34	William F. Buckley, Jr., and American Civil Liberties Union (ACLU): correspondence	1971 October 13-1972 January 13
b. 45, f. 34	Clyde W. Summers: "ACLU Policy on the Union Shop"	1972 April 19
b. 45, f. 34	ACLU Free Speech/Association Committee: "Proposed Policy on Union Shop"	1973 February 2
b. 45, f. 35	AFTRA: articles of agreement, constitution, and by-laws	undated
b. 45, f. 36	<i>Federal Reporter</i> and <i>Labor Laws Reports</i> : tear sheets English	1973

<i>CBS v. Baldwin</i>		
b. 45, f. 37	Correspondence	1973 May 8-18
<i>Connecticut Credit Rate Research Project</i>		
b. 45, f. 38	A. Bickel: memorandum of telephone conversation	1972 May 23
b. 45, f. 38	John D. Fassett: memorandum of meeting	1972 June 29
b. 45, f. 38	J. M. E.: memoranda of research	1972 August 15, 25
b. 45, f. 38	A. Bickel: draft opinion	1972 September 13
b. 45, f. 38	A. Bickel and J. Fassett: "Prospects for Possible Litigation of the Constitutionality of Connecticut Public Act No. 40, an Act Concerning the Maximum Finance Charge on Open-End Credit Plans, approved April 11, 1972, effective January 1, 1973"	1972 September 18
b. 45, f. 39	A. Bickel: notes	undated
b. 45, f. 39	Connecticut Retail Merchants Association: "Study of Finance Charges and Related Expenses of Revolving Credit Accounts of Four Connecticut Retailers for the year Ended January 31, 1971"	1972 January
<i>De Funis v. Odegaard</i>		
Washington State Supreme Court:		
b. 46, f. 40	brief of defendants-appellants	post-1971 October 18
b. 46, f. 40	majority, concurring, and dissenting opinions	1973 March 8
b. 46, f. 40	plaintiffs-respondents' petition for rehearing	1973 pre-May 16
b. 46, f. 40	order denying petition for rehearing	1973 May 16
b. 46, f. 40	remittitur to Superior Court	1973 May 16
b. 46, f. 40	notice of appeal to U. S. Supreme Court or in the alternative notice of application for writ of certiorari	1973 May 23
b. 46, f. 41	U. S. Supreme Court: order staying execution of Washington State Supreme Court judgement	1973 June 5
b. 46, f. 41	Correspondence	1973 June 27- September 19
U. S. Supreme Court: jurisdictional statement or petition for certiorari, supporting brief, and motion of dismissal See: box 47, folder 51		
U. S. Supreme Court:		
b. 46, f. 41	appellees-respondents' memorandum on the question of mootness	1973 October 31

De Funis v. Odegaard > U. S. Supreme Court: (continued)

b. 46, f. 41	petitioner's memorandum on mootness	1973 pre- November 2
b. 46, f. 41	Correspondence	1973 November 19-1974 January 25
b. 46, f. 42	Lisa M. Hill, assistant to A. Bickel: memoranda	1973 December 5-16
b. 46, f. 42	Dominic J. Campisi, assistant to A. Bickel: memorandum	1973 December 21
b. 46, f. 43	Larry M. Lavinsky, attorney for the Anti-Defamation League: packet of memoranda and League correspondence on reverse discrimination	1973 December 19
b. 46, f. 44	A. Bickel and Philip B. Kurland: drafts and proof of brief of the Anti-Defamation League amicus curiae	pre-1974 January 17, 1974 January 21
b. 46, f. 45	U. S. Supreme Court: motion of the Equal Employment Opportunity Commission for leave to file a memorandum as amicus curiae and memorandum	1974 January
b. 46, f. 45	U. S. Department of Justice: letter	1974 February 1
b. 46, f. 45	U. S. Supreme Court: motion of the Anti-Defamation League of B'nai B'rith amicus curiae for leave to present oral argument in support of petitioners	1974 February 1
	U. S. Supreme Court: briefs and opinion See: box 47, folder 52	
b. 46, f. 46	Correspondence	1974 February 6- May 2
	Washington Supreme Court:	
b. 46, f. 46	plaintiffs-respondents' motion to constitute case a class action and reinstate the judgement of the Superior Court	1974 May 1
b. 46, f. 46	brief in support of motion to make the above case a class action and reinstate Superior Court judgement	1974 May 1
b. 46, f. 47	A. Bickel and others: notes for research	[1973?]
b. 46, f. 48	Washington State courts: transcripts and exhibits	1971, undated
b. 46, f. 48	Notes on the case record	1973 July 25
b. 46, f. 49	Cases and authorities	1970-1973
b. 46, f. 50	Clippings	1972-1973
	U. S. Supreme Court:	
b. 47, f. 51	jurisdictional statement or in the alternative petition for certiorari	1973 August

De Funis v. Odegaard > U. S. Supreme Court: (continued)

b. 47, f. 51	brief of Anti-Defamation League of B'nai B'rith as amicus curiae in support of jurisdictional statement or in the alternative petition for certiorari, annotated by A. Bickel and another person	1973 August
b. 47, f. 51	motion of dismissal of appeal or in the alternative affirmance of the judgement below and statement in opposition to certiorari	1973 September
b. 47, f. 52	petitioners' opening brief	1973 October term
b. 47, f. 52	brief of respondents	1974 January 29
b. 47, f. 52	brief of the American Jewish Congress amicus curiae in support of petitioners	1974 January
b. 47, f. 52	brief of Anti-Defamation League of B'nai B'rith amicus curiae in support of petitioners	1973 October term
b. 47, f. 52	brief of Advocate Society, American Jewish Committee, Joint Civic Committee of Italian Americans and Unico National as amici curiae in support of petitioners	1973 October term
b. 47, f. 52	brief of the Association of American Law Schools amicus curiae in support of respondents	1974 February 1
b. 47, f. 52	brief of the National Organization for Women Legal Defense and Education Fund, Inc., and the National Education Association as amici curiae in support of respondents	1974 February 1
b. 47, f. 52	brief for the Board of Governors of Rutgers the state university and the Student Bar Association of Rutgers School of Law at Newark as amici curiae in support of respondents	1973 October term
b. 47, f. 52	brief of the Council on Legal Education Opportunity as amicus curiae in support of respondents	1973 October term
b. 47, f. 52	brief of the NAACP Legal Defense and Educational Fund, Inc., as amicus curiae in support of respondents	1973 October term
b. 47, f. 52	brief of amici curiae: the Mexican American Legal Defense and Educational Fund; the Puerto Rican Legal Defense and Education Fund; the American Civil Liberties Union; and others in support of respondents	1973 October term
b. 47, f. 52	brief of respondents in opposition to amicus curiae briefs of the Anti-Defamation League of B'nai B'rith and the American Federation of Labor and the Congress of Industrial Organizations	1974 February 19
b. 47, f. 52	slip opinion	1974 April 23
<i>Kerbs v. Watson</i>		
b. 48, f. 53	Correspondence	1967 November 6-22
b. 48, f. 53	A. Bickel: "Memorandum Concerning Possible Equity Action by Mrs. Jeanne E. Kerbs Against the Postmaster General"	1967 November 22

Kerbs v. Watson (continued)

b. 48, f. 53	Correspondence	1967 December 1-1968 February 12
b. 48, f. 53	T. S. L. Perlman: draft complaint	1968 February 12
b. 48, f. 53	A. Bickel: criticism of draft complaint	1968 February 19
b. 48, f. 53	T. S. L. Perlman: revised draft complaint	1968 March 13
b. 48, f. 53	U. S. District Court, District of Columbia: complaint (injunction, declaratory judgement)	1968 March 18
b. 48, f. 53	Correspondence	1968 March 19-May 21
b. 48, f. 53	U. S. District Court, District of Columbia: defendant's motion to transfer action and enlarge time to answer, and supporting memorandum of points and authorities	1968 May 20
b. 48, f. 53	Correspondence	1968 May 23-June 20
	T. S. L. Perlman:	
b. 48, f. 53	draft of plaintiff's affidavit in opposition to defendants' motion	1968 June 20
b. 48, f. 53	draft of plaintiff's points and authorities in opposition to defendants' motion	1968 June 20
b. 48, f. 54	Correspondence	1968 July 1-16
	U. S. District Court, District of Columbia:	
b. 48, f. 54	motion for rehearing of oral argument	1968 July 16
b. 48, f. 54	defendants' opposition to plaintiff's motion for rehearing on oral argument	1968 July 18
b. 48, f. 54	Letters	1968 August 20-October 1
	U. S. District Court, District of Columbia:	
b. 48, f. 54	defendants' answer to complaint	1968 September 27
b. 48, f. 54	notice to transfer to Southern District of New York	1968 September
b. 48, f. 54	Letters	1968 October 3-28
	U. S. District Court, Southern District of New York:	
b. 48, f. 54	affidavit in opposition to defendants' motion to quash notice of deposition of Henry B. Montague and subpoena duces tecum	1968 October 28
b. 48, f. 54	plaintiff's memorandum in opposition to defendants' motion	1968 October 30

Kerbs v. Watson > U. S. District Court, Southern District of New York: (continued)

b. 48, f. 54	stipulation on withdrawal of defendants' motion	1968 November
b. 48, f. 54	T. S. Perlman: letters	1971-1972
b. 48, f. 54	U. S. District Court, Southern District of New York: final judgement on consent	1972 December 14
b. 48, f. 54	A. Bickel: notes on authorities	[1967-1968?]
<i>Lewis v. AFTRA</i>		
N. Y. Supreme Court, New York County:		
b. 48, f. 55	examination before trial of plaintiff Fulton Lewis III	1971 November 24
b. 48, f. 55	examination before trial of defendant Mutual Broadcasting System, by and through Charles King	1971 November 24
b. 48, f. 55	brief for defendant on motion and cross-motion for summary judgement	1972 May 3
N. Y. Supreme Court, Appellate Division:		
b. 48, f. 56	brief for plaintiff-appellant, and appendix	1972 October
b. 48, f. 56	brief for defendant-respondent	1972 December 19
b. 48, f. 57	appendix to respondent's brief	[1972 December 19?]
b. 48, f. 57	reply brief for plaintiff-appellant	1972 December 27
b. 48, f. 57	order modifying order of Supreme Court, New York County	1973 March 8
b. 48, f. 57	Letters	1973 March 12- June 4
N. Y. Court of Appeals:		
b. 48, f. 58	brief for plaintiff-appellant	1973 June 4
b. 48, f. 58	appendix to appellant's brief	[1973 Jun?]
b. 48, f. 58	brief for defendant-respondent	1973 July 3
b. 48, f. 58	reply brief for plaintiff -appellant	1973 November 15
b. 48, f. 59	Letters	1973 December 19-1974 May 9
b. 48, f. 59	A. Bickel: notes for argument	1974 March 27
b. 48, f. 59	N. Y. Court of Appeals: opinion	post-1974 March 27

Lewis v. AFTRA (continued)

b. 48, f. 60	A. Bickel and others: notes and memoranda	undated
b. 48, f. 61	Exhibits	1967-1971
<i>McBride Sugar v. Robinson</i>		
Hawaii Supreme Court:		
b. 48, f. 62	opinion	1973 January 10
b. 48, f. 62	motion for partial vacation of opinion or for opportunity to present evidence and argument, and memorandum in support of motion	1973 post-January 10
b. 48, f. 62	motion for leave to file, as amicus curiae, a petition for rehearing or a brief in support of a party's petition	1973 March 29
b. 48, f. 62	Cades Schulte Fleming & Wright: draft of petition for rehearing, annotated by A. Bickel	1973 pre-April 10
b. 48, f. 62	A. Bickel: notes	1973
<i>National Media Council</i>		
b. 48, f. 63	Lloyd N. Cutler, counsel to CBS: correspondence	1971 July 31-September 13
b. 48, f. 64	A. M. Rosenthal, managing editor, New York Times: critique of the Council idea	1972 June 29
b. 48, f. 64	Al Balk: memorandum on Rosenthal critique	1972 August 1
b. 48, f. 64	"Report of the Twentieth Century Fund Task Force for a National Press Council" English	1972 pre-September 4
b. 48, f. 65	M. J. Rossant, director, Twentieth Century Fund: correspondence and memoranda	1972 September 14-November 9
<i>National Organization for Women v. Little League</i>		
b. 49, f. 66	N. J. Department of Law and Public Safety, Civil Rights Division: transcript of decision of hearing officer	1973 November 7
N. J. Superior Court, Appellate Division:		
b. 49, f. 66	respondent-appellant's motion for ad interim relief	1974 February 4
b. 49, f. 67	brief in support of motion by respondent-appellant	1974 February 7
b. 49, f. 67	brief on behalf of Division on Civil Rights opposing motion for stay	[1974 Feb?]
b. 49, f. 67	brief for respondent-appellant	1974 pre-March 26
<i>New Jersey Contingent Fees</i>		
b. 49, f. 68	Correspondence	1972 January 18-February 15

U. S. District Court, docket no. 64-72:

New Jersey Contingent Fees > U. S. District Court, docket no. 64-72: (continued)

b. 49, f. 69	plaintiffs' brief in support of their motion for preliminary injunction	1972 post-January 29
b. 49, f. 69	affidavits in support of motion for preliminary injunction	1972 post-January 29
b. 49, f. 70	brief for defendant in opposition to motion for convening of three judge court and preliminary injunction, and in support of motion to dismiss complaint	1972 post-January 29
b. 49, f. 70	plaintiffs' reply memorandum	1972 post-January 29
b. 49, f. 71	U. S. District Court, docket nos. 64-72, 142-172: motion to consolidate	1972 February 15
	U. S. District Court, docket no. 142-72:	
b. 49, f. 71	motion to dismiss complaint	1972 February 17
b. 49, f. 71	brief in support of motion to dismiss complaint	[1972 February 17?]
b. 49, f. 72	A. Bickel: "Draft Amended Complaint"	1972 February 20
	U. S. District Court, docket no. 64-72:	
b. 49, f. 72	amended complaint	1972 February 29
b. 49, f. 72	plaintiffs' motion for an order that the action proceed as a class action	1972 February 29
	U. S. District Court, docket no. 142-72:	
b. 49, f. 72	plaintiffs' notice of motion relative to procedure	1972 February 29
b. 49, f. 72	plaintiffs' memorandum on jurisdictional issues	1972 March 7
b. 49, f. 72	U. S. District Court, docket nos. 64-72, 142-72: reply brief for defendant on jurisdictional issues	1972 pre-March 22
	U. S. District Court, docket no. 142-72:	
b. 49, f. 73	brief for plaintiffs	1972 April 5
b. 49, f. 73	plaintiffs' supplemental memorandum on jurisdictional issues	1972 post-April 11
b. 49, f. 73	U.S. District Court, docket nos. 64-72, 142-72: reply to brief of plaintiffs	1972 post-April 5
b. 49, f. 74	A. Bickel: notes for argument	1972 April 19
	U. S. District Court, docket nos. 142-72, 64-72:	
b. 49, f. 74	order constituting a three-judge court	1972 May 2
b. 49, f. 74	amended complaints	1972 May 11, undated

A. Bickel:

New Jersey Contingent Fees > A. Bickel: (continued)

b. 49, f. 74	Memorandum, "Present Position on the Merits"	1972 May 25
b. 49, f. 74	memorandum, "Current Status of Three-Judge Court Issue, and Appellate Problems"	1972 May 25
b. 49, f. 75	A. Bickel: notes for argument	1972 June 8
b. 49, f. 75	U. S. District Court, docket nos. 64-72, 142-72: opinion	1972 June 20
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b. 49, f. 75	draft "Motion to Alter or Amend the Judgement Under Rule 59(e), Federal Rules of Civil Procedure"	1972 June 24
b. 49, f. 75	draft "Memorandum in Support of Motion to Alter or Amend the Judgement under Rule 59(e)"	1972 June 24
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b. 49, f. 75	notice of motion to alter or amend judgement	1972 June 28
b. 49, f. 75	plaintiffs' brief in support of their motion to alter or amend the judgement	1972 June 28
b. 49, f. 75	defendants' brief in response to motion to alter or amend judgement	1972 July 13
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b. 49, f. 75	notice of appeal to the U. S. Supreme Court	1972 October 2
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b. 49, f. 75	order on the judgement of the U. S. Supreme Court	1973 March 12
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b. 49, f. 76	draft appeal in lieu of prerogative writs	1972 July 14
b. 49, f. 76	appeal in lieu of prerogative writs	1972 July 21
b. 49, f. 76	answer to appeal in lieu of prerogative writs and counterclaim for declaratory judgement as to validity of R. 1:21-7(c)	1972 September 18
b. 49, f. 76	draft amended appeal in lieu of prerogative writs	1972 October 4
b. 49, f. 76	draft answer to counterclaim	1972 October 4
b. 49, f. 76	amended appeal in lieu of prerogative writs	1972 October 4
b. 49, f. 76	answer to counterclaim	1972 October 10
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b. 49, f. 77	decision	1973 January 15
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b. 50, f. 78	brief in support of the plaintiff's motion	1972 pre- November 10
b. 50, f. 78	answer to amended appeal in lieu of prerogative writs and counterclaim for declaratory judgements as to validity of R. 1:21-7(c)	1972 November 2
b. 50, f. 78	answer to amended counterclaim	1972 November 13
b. 50, f. 79	brief in response to motion for an order that the amended appeal proceed as a class action	1972 November 17
b. 50, f. 79	draft reply brief in support of the appellants' motion	1972 December 12
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b. 50, f. 79	notes for argument	1973 January 15
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b. 50, f. 79	letter in response to supplemental memorandum	1973 January 31
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b. 50, f. 80	notice of appeal from order of N. J. Superior Court, Law Division, Hudson County	1972 December 18
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b. 50, f. 81	draft brief	1973 post-February 7
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b. 50, f. 82	defendant-appellant's application for temporary stay pursuant to R. 2:9-8 of judgement of Superior Court, Law Division	1973 July 20
b. 50, f. 82	defendant-appellant's motion for stay pending appeal and for accelerated schedule for the filing of briefs on appeal, supporting brief, affidavit and appendix	1973 July 20
b. 50, f. 83	brief on behalf of the plaintiffs-respondents in opposition to the motion of the defendant-appellant for a stay pending appeal	1973 August 2
b. 50, f. 83	reply to brief in opposition to motion for stay pending appeal	[1973 post-August 2?]
b. 50, f. 83	grant of motion for stay pending appeal	1973 August 6
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b. 50, f. 84	reply brief for defendant-appellant	[1973 pre- November 27?]
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b. 51, f. 87	Tom Chesson: memorandum, "State Supreme Court Proposed Rule Changes (What form and what procedure for redress)"	1971 September 20
b. 51, f. 87	testimony, "Forced Busing to Achieve Racial Balance -- The False Promise, The Cruel Hoax," before the U. S. House Judiciary Committee	1971 November 6
b. 51, f. 88	A. Bickel and research assistants: notes	undated
b. 51, f. 89	Joseph M. Lynch: "The New Jersey Supreme Court and the Counsel Fees Rule: Procedure or Substance and Remedy?" <i>Seton Hall Law Review</i> , vol. 4, nos. 1,2	1972-1973
b. 51, f. 90	<i>Federal Supplement</i> : tear sheets English	1971-1973
b. 51, f. 90	U. S. Supreme Court: slip opinions	1972-1973
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b. 51, f. 92	New York City Legal Action Center: news release and letter	1973 August 10, November 7
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b. 51, f. 95	Don Nunes, reporter, <i>Virginian-Pilot</i> : statement	1971 September 9
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b. 51, f. 95	Norfolk Juvenile and Domestic Relations Court: injunction	1971 September 7
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b. 51, f. 96	notice of petition	1971 November 18
b. 51, f. 97	petitioners' brief	[1971 November 18?]
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b. 52, f. 97	memorandum of law for respondent	1971 November 22
b. 52, f. 97	opinion	1971 November
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b. 52, f. 97	plaintiffs' memorandum in support of motion for restraining order	[1971 Nov?]
b. 52, f. 97	memorandum of law for defendant in opposition to plaintiffs' motion for temporary injunction and in support of defendant's motion to dismiss	1971 November 30
b. 52, f. 98	A. Bickel: "Memorandum for Jacob D. Fuchsberg, Esq."	1971 December 6
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b. 52, f. 108	supporting affidavits	1973 December 19
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b. 53, f. 116	"The New Pasadena Plan ...: Part III - Reprise" English	1971 December 21
b. 53, f. 116	A True Alternative to Segregation -- A. Proposal for Community School Districts: Preliminary Proposal	1972 May 3
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b. 53, f. 117	Memoranda to Floyd Abrams, "NBC -- Matter of Pappas"	1970 February
b. 53, f. 117	press releases	1970 February-March
b. 53, f. 117	U. S. Supreme Court: motion for leave to file brief amicus curiae in support of petition for writ of certiorari and brief amicus curiae for National Education Association	1970 June 25
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b. 53, f. 118	A. Bickel: "Outline and Prospectus" of motion for leave to file brief amicus curiae and brief amicus curiae for CORE	1970 August 31

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b. 53, f. 118	Henry Marcheschi: letter to Roy Innis	1970 September 16
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b. 54, f. 121	brief of New York Times Company as amicus curiae	1970
b. 54, f. 122	James C. Goodale, vice president and general counsel, New York Times: correspondence	1971 May 26-1972 January 27
b. 54, f. 123	Floyd Abrams, attorney for NBC: correspondence	1971 May 27-1972 January 27
b. 54, f. 124	Memoranda to Floyd Abrams, "NBC - General"	1970 February 24, March 30
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b. 54, f. 128	Paul Nejelski, Institute of Judicial Administration: memorandum, "Filing an amicus brief in Caldwell on behalf of the criminal justice research community"	[1971 July 26?]
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b. 54, f. 131	brief of the New York Times Co., etc., as amici curiae, final draft	1971 September 8
b. 54, f. 132	memoranda	1971 May 28, August 2
b. 54, f. 132	notes	undated
b. 54, f. 133	E. Barrett Prettyman, Jr., attorney for Paul Pappas: correspondence	1971 August 10- September 28
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b. 54, f. 134	brief for respondent, Earl Caldwell	1971 October term
b. 55, f. 135	brief of the New York Times Co. ... as amici curiae	1971 post- September 8
b. 55, f. 136	brief of the Washington Post Co. and Newsweek as amici curiae in support of respondent	1971 September 17
b. 55, f. 137	brief for Radio Television News Directors Association as amicus curiae	1971 September
b. 55, f. 137	brief for Chicago Tribune Co. as amicus curiae	1971 September
b. 55, f. 137	reply brief for the United States	1972 February
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b. 55, f. 144	A. Bickel: memorandum, "The First Amendment Issue"	1968 February 2
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b. 55, f. 144	Alex Capron: memorandum	1968 February 20
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b. 55, f. 144	"Comments on Government's Memorandum in Opposition to Defendant's Motion to Dismiss the Indictment in <i>United States v. Coffin</i> " English	1968 April 1
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b. 56, f. 149	transcript of proceedings on trial, Vol. XV, pp. 2650-2842	1973 July 6
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b. 56, f. 150	brief for added defendant the Metropolitan School District of Perry Township answering brief submitted by amicus curiae	1973 July 17
b. 56, f. 150	answer brief of certain defendants to brief of amicus curiae	1973 July 18
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b. 56, f. 153	Correspondence	1973 August 2-30
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b. 56, f. 158	motion for temporary stay of appellate proceedings and an enlargement of time	1973 October 22
b. 56, f. 158	brief in support of motion	1973 October 22
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b. 58, f. 178	brief in opposition	1973 August 7
b. 58, f. 178	reply brief	1973 August 17
b. 58, f. 179	U. S. District Court (<i>Nader v. Butz</i>): memorandum of law in support of motion to remand or in the alternative to supplement the record	1973 September 14

Watergate (continued)

b. 58, f. 179	U. S. District Court (<i>Nixon v. Sirica, U. S. v. Sirica</i>): reply brief of Richard M. Nixon	1973 September 19
b. 58, f. 180	U. S. District Court (<i>Senate Select Committee v. Nixon</i>): brief of Richard M. Nixon in opposition to plaintiffs' motion for summary judgment	1973 September 24
b. 58, f. 181	Charles H. Percy: staff memorandum, "Constitutional background for limiting the dismissal power of the President"	1973 October 31
b. 58, f. 181	Clippings	1973
b. 58, f. 181	Watergate Special Prosecution Force: correspondence	1974 May 24-July 3

Williams v. U. S.

U. S. Supreme Court:

b. 58, f. 182	petition for writ of certiorari	1971 post-November 4
b. 58, f. 182	brief for the United States	1972 January

Series XI: TEACHING, 1956-1975*5.5 linear feet (15 boxes)*

Series XI, TEACHING, consists of correspondence, examinations, lectures, teaching material, and faculty and committee memoranda arranged in four sections: *Yale Law School*, *Yale University*, *DeVane Lectures*, and *Other Institutions*. The major items connected with Bickel's own teaching are these: his manual, "Constitutional Law," for the Clark-Whitman Bar Review Course; printed matter compiled for his courses in Yale Law School; and texts of his DeVane Lectures, delivered in Yale College in 1972 and 1973. The second set of DeVane Lectures was a major source for *The Morality of Consent* (Series II).

The principal items unconnected with his own teaching relate to policy development in the university and the law school. Between 1967 and 1970 Bickel served on several university committees: the Advisory Committee on Education, the Committee on Disciplinary Policy, the Faculty Advisory Committee on the Colleges. There are letters, memoranda, and reports documenting the work of these bodies, but it is not evident that Bickel played a major role. Among the law school papers, the outstanding items are Bickel's memoranda on curriculum and discipline, written in 1968 and 1969 to counter laxity in faculty opinion. Most of the other papers in this series deal with routine business of institutional management and alumni relations. Bickel's correspondence with presidents of the university, deans of the law school, and many other Yale professors and administrators is in Series I.

TEACHING has four sections: *Yale Law School*, *Yale University*, *DeVane Lectures*, and *Other Institutions*. *DeVane Lectures* is in chronological order. The other sections are in alphabetical order.

Yale Law School

b. 59, f. 1	[Administrative Law course?]: Jaffe and Nathanson, <i>Administrative Law and Supplement</i> (annotated and interleaved) English	[post-1968, post-1972]
b. 59, f. 2	Administrative Process course: exams	1957-1973
	"Advisory Opinions": research assistant's notes	
b. 59, f. 3	General	undated
b. 59, f. 4	Foreign	undated
b. 59, f. 5	Alabama-Florida	undated
b. 59, f. 6	Hawaii-Vermont	undated
b. 60, f. 7	Alumni Association: correspondence	1957-1971
b. 60, f. 8	Assignment book and class lists	1960-1961
b. 60, f. 9	Assignment book	1961-1962
b. 60, f. 10	Bickel, A.: "Memorandum to the Faculty" on curriculum	1968 November 6
b. 60, f. 10	Bickel, A., et al.: memorandum to the faculty on discipline	1969 November-December
b. 60, f. 10a.	Bittker-Clark Bar Review Course (Tape of Lecture)	1968 June
b. 60, f. 11	Black Panther Trial Report Committee: memorandum	1970 April 29
b. 60, f. 12	Class schedules and course lists	1956-1967

Yale Law School (continued)

Constitutional Law course		
b. 60, f. 13	Teaching material	1957 undated
b. 60, f. 14	Exams	1957-1972
b. 60, f. 15	Teaching material	1968
b. 61, f. 16	List of cases	1968
b. 61, f. 16	Teaching material	undated
b. 61, f. 17-19	Teaching material	undated
b. 62, f. 20	Gunther and Dowling, <i>Constitutional Law</i> , 8th ed. (annotated and interleaved)	undated
b. 63, f. 21	Curriculum Committee: reports and memoranda	1955-1957
b. 63, f. 22	Disciplinary Panel: report and memoranda	1969 October-December
Disciplinary Policy, Committee on		
b. 63, f. 22	"Report" English	1970 April 29
b. 63, f. 22	"Code of Rights and Duties" English	1970 post-May 11
b. 63, f. 23	Faculty:	minutes of meetings
b. 63, f. 23	Faculty: miscellaneous reports and memoranda	1956-1964, undated
b. 63, f. 24	File headings	1967, undated
b. 63, f. 25	"Government Regulation": notes English	undated
b. 63, f. 26	Grading Committee: memoranda and correspondence	1968 February-June
b. 63, f. 27	Intensive Semester Program: letters from Dan Freed	1971
b. 63, f. 27	Law and the Problem of Industrial Concentration course: notes	undated
b. 64, f. 28	Library: correspondence and memoranda	1964-1974
b. 64, f. 28	Library: miscellaneous correspondence	1960-1970
b. 64, f. 28	Public Law course: exams	1956-1959
Public Schools course		
b. 64, f. 29	"Table of Contents for Seminar Materials" English	1966-1967

Yale Law School > Public Schools course (continued)

b. 64, f. 30	Teaching material, Part III	1968
b. 64, f. 31	Teaching material, Part IV	1968
b. 64, f. 32-33	Teaching material	1969-1970
b. 65, f. 34-35	Teaching material	1969-1970
b. 66, f. 36-38	Teaching material	1969-1970, undated
b. 67, f. 39	Teaching material, Part V, pp. 980-1120	1969-1970
b. 67, f. 40	Teaching material, Part V, pp. 1121-1302	1969-1970
b. 67, f. 41	Teaching material, Part V, pp. 1303-1480	1969-1970
b. 67, f. 42	Teaching material, Part V, supplements 1 and 2	1969-1970
b. 67, f. 43	Teaching material, Part VI, pp. 1904-2085	1969-1970
b. 67, f. 44	Teaching material, Part VI, pp. 2086-2166	1969-1970
b. 67, f. 45	Teaching material, Parts V-VI, supplement, draft and revised draft	1970
b. 68, f. 46-47	Teaching material	undated
b. 68, f. 48	Teaching material, pp. 1-200	undated
b. 68, f. 49	Teaching material, pp. 201-371B	undated
b. 68, f. 50	Teaching material	undated
b. 69, f. 51	Printed matter	undated
Race Relations Law course		
b. 69, f. 52	Teaching material, pp. 394-604	1965
b. 69, f. 53	Teaching material, pp. 605-765	1965
b. 70, f. 54	Student Association, Academic Committee: "A Vigorous and Fruitful Tree" (first annual report)	1967 May
b. 70, f. 55	Teaching materials	undated
Yale University		
b. 70, f. 56	Alumni Communications and Public Information: correspondence	1974-1975
b. 70, f. 56	Alumni Fund: correspondence	1971
b. 70, f. 56	Club: correspondence	1969, 1973
b. 70, f. 56	College, Dean's Office: letter	1968
b. 70, f. 57	Colleges, President's Committee on: reports, memoranda, and correspondence	1966-1968
Disciplinary Policy, Committee on		

Yale University > Disciplinary Policy, Committee on (continued)

b. 70, f. 58-59	Reports, memoranda, and letters	1968 December-1970 Oct, undated
b. 70, f. 60	Education, Advisory Committee on: memoranda	1969 October- November
b. 70, f. 61	History department: correspondence	1963-1968
b. 70, f. 61	Jewish Appeal: correspondence	1971-1973
b. 70, f. 61	Library: correspondence	1963-1973
b. 70, f. 61	Midwestern Office: correspondence	1968-1970
b. 70, f. 62	Press: correspondence	1962-1974
b. 70, f. 62	ROTC: correspondence	1970
	Research and Development, University Library, Faculty Advisory Committee for	
b. 70, f. 63	Reports and memoranda	1967 May-July
b. 70, f. 64	Memoranda	1967 August- Oct, 1968 March-April
b. 70, f. 65	Reports and memorandum	1968 May
b. 70, f. 66	Reports	1968 November-1969 January
b. 70, f. 67	Secretary: correspondence and M.A. diploma	1960-1974
b. 70, f. 67	Western Office: correspondence	1970-1971
	DeVane Lectures	
b. 70, f. 68	Correspondence	1970 December-1972 February
b. 70, f. 68	Source materials	undated
b. 71, f. 69	Research paper on the concept of citizenship	1970
b. 71, f. 70	Reading list and final exam	1972 Jan, May
b. 71, f. 70	Text no. 1, draft and transcript	1972
b. 71, f. 71	Text no. 2, draft and transcript	1972
b. 71, f. 72	Text no. 3, draft and transcript	1972
b. 71, f. 73	Text no. 4, draft and transcript	1972
b. 71, f. 74	Text no. 5, draft and transcript	1972

DeVane Lectures (continued)

b. 71, f. 75	Text no. 6, draft and transcript	1972
b. 71, f. 76	Text no. 7, draft and transcript	1972
b. 71, f. 77	Text no. 8, draft	1972
b. 71, f. 78	Text no. 9, draft and transcript	1972
b. 71, f. 79	Text no. 10, draft and transcript	1972
b. 71, f. 80	Text no. 11, draft and transcript	1972
b. 71, f. 81	Text no. 12, draft and transcript	1972
b. 71, f. 82	Text no. 13, draft	1972
b. 71, f. 83	Administrative and research material	1973
b. 71, f. 84	Syllabus and teaching material	undated
b. 72, f. 85	"Introduction and Citizenship" English	1973 January 23
b. 72, f. 86	"Citizenship (cont'd)" English	1973 January 30
b. 72, f. 87	"The Duty to Obey: English	Conscientious Objection"
b. 72, f. 88	"The Duty to Obey: Civil Disobedience" English	1973 February 13
b. 72, f. 89	"The First Amendment" English	1973 February 20
b. 72, f. 90	"The First Amendment" English	1973 February 27
b. 72, f. 91	"The Duty to Obey: Civil Disobedience and Its Limits" English	1973 March 6
b. 72, f. 92	"Constitutionalism and the Political Process: The System Sketched in the Round" English	1973 April 3
b. 72, f. 93	"Constitutionalism and the Political Process (cont'd)" English	1973 April 10
b. 72, f. 94	"The Making of Supreme Court Justices" English	1973 April 17
b. 72, f. 95	"A Case Study: The War Power" English	1973 April 24
b. 72, f. 96	"A Case Study: English	The Busing Controversy"

Other Institutions

Other Institutions (continued)

b. 73, f. 97	Center for Advanced Study in the Behavioral Sciences: correspondence	1969-1971
	Clark-Whitman Bar Review Course	
b. 73, f. 98	Correspondence and schedules	1967-1974
b. 73, f. 99	Syllabuses	1968, 1973
b. 73, f. 100	"Constitutional Law" (manual) English	1972-1973
b. 73, f. 101	Connecticut, University of, Law School: correspondence and schedules	1969-1970
b. 73, f. 102	Stanford University: correspondence	1965-1966

Series XII: STATE DEPARTMENT, 1950-1954*0.5 linear feet (1 box)*

Series XII, STATE DEPARTMENT, consists of drafts, memoranda, and miscellaneous papers related mainly to Bickel's service with the U.S. Observer Delegation to the European Defense Community Conference and the Policy Planning Staff of the Department of State, Bickel himself prepared many of the drafts and memoranda for the use of his superiors, John J. McCloy and Robert R. Bowie. Within the first few years after leaving government service, he sought publication of a manuscript on "The American Situation in Europe" (Series III, folder 152), contributed articles on foreign policy to *The New Republic* (Series III, 1956-1957), and recommended disengagement from Quemoy and Matsu to the President and several senators (Series I, 1958 Oct 10), but after 1958 he did not publicize his positions on foreign affairs except in connection with the constitutional ramifications of the war in Vietnam (Series VI)

STATE DEPARTMENT has three sections: *Germany*, *European Defense Community*, and *Policy Planning Staff*. The papers in each section are in chronological order. Bickel was the author of most of the drafts and memoranda that are not credited to anyone else on the folder listing.

Germany		
b. 74, f. 1	Personnel records	1950-1951
b. 74, f. 2	Memoranda and miscellaneous papers re: Germans convicted of war crimes and other legal matters connected with the Occupation	1951, undated
b. 74, f. 3	"Prestige and Security of the Allied Forces" (mimeo) English	undated
b. 74, f. 4	"Legal Status of Allied Personnel in Germany" (mimeo) English	undated
European Defense Community		
b. 74, f. 5	"Draft Memorandum: Admittance of the Federal Republic to NATO" (carbon) English	1951 October 23
b. 74, f. 6	Memorandum to William M. Tomlinson re: "EDF Matters to be Taken up with the French"	1951 November 15
b. 74, f. 7	"Treaty Outline: Preamble as in 17 November draft ..." (carbon) English	[post-1951 November 17]
b. 74, f. 8	Memorandum to McCloy re: "Developments of the EDC Conference" (carbon)	1951 December 22
b. 74, f. 9	Memorandum to McCloy re: "EDF Conference - Dutch Position on EDF-NATO Relations" (carbon)	1952 January 11
b. 74, f. 9	Memorandum to McCloy re: "EDF Conference Developments - January 4 to January 13" (carbon)	1952 January 13
b. 74, f. 10	"Memorandum for the File" re: conversation with "Blank and Vielon of the German delegation" (carbon) English	1952 January 18
b. 74, f. 10	Memorandum to McCloy re: "EDF Conference - Developments since Lisbon" (carbon)	1952 March 7

European Defense Community (continued)

b. 74, f. 10	"Memorandum for the Files" re: conversation with McCloy about the Saar (carbon) English	1952 March 10
b. 74, f. 11	Memorandum to McCloy re: "European Defense Forces Conference: Developments Week of March 8-15" (carbon)	1952 March 17
b. 74, f. 11	"Memorandum for the Ambassador" re: "European Defense Forces Conference: EDC-NATO Relations and Use of Forces" (carbon) English	1952 March 17
b. 74, f. 12	Memorandum re: "Loss of Citizenship through Residence Abroad" (carbon)	undated
b. 74, f. 13	Memoranda re: organization of the EDC (ditto)	undated
b. 74, f. 14	"Draft Memorandum: Distribution of Powers among Institutions of the European Defense Community" (carbon) English	undated
Policy Planning Staff		
b. 74, f. 15	"Federalism Project: Bibliography (First Draft)" (mimeo) English	1952 July 21
b. 74, f. 16	Robert R. Bowie and Carl J. Friedrich: "Studies in Federalism: Defense: Working Draft" (mimeo, with covering letter by William J. Schrenk, Jr.)	1952 September 15
b. 74, f. 17	Memorandum, "For the Record," on Felix Frankfurter's relations with Robert Bowie and the circumstances surrounding Bickel's employment by Bowie	[post-1953 May]
b. 74, f. 18	Edmund A. Gullion: memoranda re: control of nuclear weapons (carbons)	1953 October 8, 12
b. 74, f. 19	Memorandum re: "Paper for Columbia Conference on Federalism"	1953 November 2
b. 74, f. 20	Robert R. Bowie: "The Process of Federating Europe," for Bicentennial Conference II, "Federalism" (ditto)	1954 January 11-14
b. 74, f. 21	"II. Pressures Militating for Unity" English	1953 November 28
b. 74, f. 22	"Analysis of the EDC Treaty" with covering memoranda English	1953 November
b. 74, f. 23	"Arden House" address re: European federation (edited carbon) English	[1953?] December 2
b. 74, f. 24	"Memorandum for Mr. Bowie" re: "Letter by James R. Newman, entitled 'Toward Atomic Agreement'" English	1954 January 12
b. 74, f. 25	"Memorandum for Mr. Beam" re: "Senator George's Substitute for Bricker Amendment"(carbon) English	1954 January 28
b. 74, f. 26	"Secretary's Caracas Address: Initial Draft, Part I, Inserts I-II" (carbon) English	1954 February 16

Policy Planning Staff (continued)

b. 74, f. 26	"Secretary's Caracas Address: Draft" (carbon) English	1954 February 18, 19
b. 74, f. 27	"Memorandum for Mr. Bowie" re: "Secretary's Foreign Affairs article entitled 'National Security Policies of the United States'" (carbon) English	1954 February 24
b. 74, f. 27	"Memorandum for Mr. Bowie" re: "Second Circulated Draft on Secretary's Article for <i>Foreign Affairs</i> " (carbon) English	1954 March 2
b. 74, f. 27	State Department: press release re: the Secretary's article in <i>Foreign Affairs</i> (mimeo)	1954 March 16
b. 74, f. 28	Memoranda and drafts re: Bowie's speech on American foreign policy at John Hopkins University (carbons)	1954 March- April
b. 74, f. 29	Memorandum for Bowie re: lecture on the economy by Arthur Burns	1954 April 5
b. 74, f. 30	Valedictory memorandum to Bowie re: how he should allocate his time to advance the cause of disarmament (carbon)	1954 June 18
b. 74, f. 31	"Draft, 31 July. Appendix - Australia - Defense" English	[1953?] July 31
b. 74, f. 32	Miscellaneous papers re: European federation	1953-1954
b. 74, f. 33	Essay re: European federation	[1954?] January 7
b. 74, f. 34	Personnel forms	1953-1954
b. 74, f. 35	"Atomic Energy Control - Where Do We Stand: I. Introduction; II. Ownership and Operation" (carbons) English	undated
b. 74, f. 36	Memorandum, "Thoughts for a Speech," re: American foreign policy (carbon)	undated
b. 74, f. 37	Draft re: the Western coalition	undated
b. 74, f. 38	State Department: press releases and briefing papers (mimeos)	1953-1954
b. 74, f. 39	Miscellaneous letters and papers	1953-1954, undated

Series XIII: MEMORABILIA, 1941-1976

2.5 linear feet (7 boxes)

Series XIII, MEMORABILIA, consists of law school notes, photographs, bibliographies, biographical data, and miscellaneous mementoes spanning from Bickel's days as a high school student to the establishment of the Alexander M. Bickel Professorship of Public Law.

The papers listed in the APPENDIX have been set aside because they were formerly closed, even to users with general permission from the donor. Most were written under an assumption of confidentiality. The rest have been specially restricted to protect the privacy of Bickel, his correspondents, and persons named in their letters.

Tape recordings of two of Bickel's public appearances (Series IV, folder 26; Series VI, folder 45) have been transferred to the Historical Sound Recordings Collection.

The Alexander M. Bickel papers were given to Yale University Library by his widow, Josephine Ann Bickel, who donated his office files, and his editor, Jeannette Hopkins, who contributed her Bickel correspondence and drafts of *The Morality of Consent*.

MEMORABILIA is in rough chronological order except that papers of a single kind (e.g., photographs) are grouped together under the date of the earliest item.

b. 75, f. 1	Christopher Columbus High School and City College: report cards and diplomas	1941-1947
b. 75, f. 2	Short stories, essays, notes	1944-1951, undated
Harvard Law School notebooks		
b. 75, f. 3	Admiralty	undated
b. 75, f. 4	Agency	undated
b. 75, f. 5	Business associations	undated
b. 75, f. 6	Conflicts	undated
b. 76, f. 7	Contracts	undated
b. 76, f. 8	Criminal law	undated
b. 76, f. 9	Equitable remedies	undated
b. 77, f. 10	Equity	undated
b. 77, f. 11	Evidence	undated
b. 77, f. 12	Federal jurisdiction	1948
b. 77, f. 13	Government regulation of business	undated
b. 78, f. 14	Judicial remedies	undated
b. 78, f. 15	Labor law	1948
b. 78, f. 16	Property I	[1947]
b. 79, f. 17	Property II	undated

Harvard Law School notebooks (continued)

b. 79, f. 18	Property II	undated
b. 79, f. 19	Taxation	1948
b. 79, f. 20	Torts	undated
b. 80, f. 21	Trusts	undated
b. 80, f. 22	Unfair competition	undated
b. 80, f. 23-24	<i>Harvard Law School Yearbook</i> English	1946-1947, 1949
	Felix Frankfurter	
b. 81, f. 23-24	Miscellaneous publications	1945, 1954-1956
b. 81, f. 26	Photostat of Lincoln's Special Message to Congress, 1861 Jul 4	1951
b. 81, f. 27	Memorandum re: vote on whether to grant a stay or hear arguments for a stay of execution in the Rosenberg case	undated
b. 81, f. 28	Printed parody of the <i>Harvard Law Review</i>	1956
b. 81, f. 29	Biographical data	1956-1974
	Photographs	
b. 81, f. 30	A. Bickel and an unidentified woman	1958
b. 81, f. 30	Bickel family	1966
b. 81, f. 30	A. Bickel and others at Kenyon College Public Affairs Conferences	1968, 1970
b. 81, f. 30	A. Bickel, Joanne Bickel, and DeVane Lectures staff	1972
b. 81, f. 30	A. Bickel at meeting of the State Bar of California	1972
b. 81, f. 31	Bibliographies	1958-1974
b. 81, f. 32	Guggenheim Foundation fellowship application	1969
b. 81, f. 33	Clippings	1972-1974
b. 81, f. 34	Memorials and obituaries	1974-1975
b. 81, f. 35	Publicity for the Alexander M. Bickel Professorship of Public Law	1976
b. 81, f. 36	Certificate appointing A. Bickel as a Reserve Commissioned Officer in the United States Army	1952

APPENDIX*1 linear foot (2 boxes)*

b. 82, f. 1	Admissions: correspondence	1965-1973
	American government text:	
b. 82, f. 2-4	correspondence	1966 September-1967 Jun, July-1970 April
b. 82, f. 5	correspondence and notes	1972 January- November
b. 82, f. 6-9	correspondence	1972 December- 1973 Apr, June- December
b. 82, f. 10	contract and memoranda	1967, undated
	Appointments Committee:	
b. 82, f. 11-22	correspondence and memoranda	1963-1966, 1970-1972 January-Sep, October 1-10, 12- 28, November 3-10, 12-16, 17- December 27, 1973 January 2- 8, 9-February 9, 20-July 13
b. 82, f. 23	Bickel, A.: letters to Abraham S. Goldstein and Friedrich Kessler	1964 September-1965 February
b. 82, f. 23	Bickel, A.: memorandum of conversation with Abraham Sofaer	1968 November 2
b. 82, f. 23	Bork, Robert H.: letter	1970 October 18
b. 82, f. 24-25	Friendly, Henry J.: correspondence	1970 November 17-1971 February 18, 22- November 28
b. 82, f. 26	Lehrman Institute: fellowship applications	1973
	Recommendations:	
b. 83, f. 27	A	
b. 83, f. 28	Ba	
b. 83, f. 29	Be - Bra	
b. 83, f. 30	Bre - Coh	

Recommendations: (continued)

b. 83, f. 31	Coo - D	
b. 83, f. 32	E - Fo	
b. 83, f. 33	Fr - Gol	
b. 83, f. 34	Goo - Gu	
b. 83, f. 35	H	
b. 83, f. 36	J - K	
b. 83, f. 37	L	
b. 83, f. 38	Ma - Me	
b. 83, f. 39	Mo - P	
b. 83, f. 40	Ra - Rose	
b. 83, f. 41	Ross	
b. 83, f. 42	Sa - Schr	
b. 83, f. 43	Schw - So	
b. 83, f. 44	St - Suc	
b. 83, f. 45	Sus - T	
b. 83, f. 46	U - V	
b. 83, f. 47	Wa - We	
b. 83, f. 48	Wh - Z	
b. 83, f. 49	Rehnquist, William H.: letter	1969 November 5
b. 83, f. 49	Salary notifications	1956-1974
b. 83, f. 50	Student evaluation: correspondence and printed forms	1963-1973

Accession 1995-M-136: Additional Material, 1916-1975

There are four series in this addition: Correspondence, Writings and Teaching, Personal Papers, and Oral Histories and Photographs. They document Alexander Mordecai Bickel's earliest years, including aspects of his childhood in Romania and the Bronx, his years at the City College of New York, and his service as a combat soldier in the United States Army during World War II. Unlike the main accession of the Bickel Papers, which primarily documents his professional career, this addition contains many photographs and other materials that shed light on Bickel's personal life.

The Correspondence Series contains the richest materials in this addition, and fills a number of gaps in the main body of the Bickel Papers, especially Alexander M. Bickel's relationship to his parents, Shlomo and Yetta Bickel. A significant portion of the correspondence between Bickel and his parents is in Yiddish. Bickel's frequent correspondence (especially during his days in the military) with his parents declined in the late 1950s and was largely taken on by his wife, Joanne Bickel, beginning in the early 1960s. In these letters, Bickel often jotted a few personal lines. There are also many hundreds of condolence letters that were sent to Joanne Bickel and to the Yale Law School upon Bickel's death, as well as correspondence related to various obituaries and tributes. This correspondence from colleagues, students, and a wide variety of dignitaries from the educational, legal, judicial, and political worlds speaks to Bickel's significant influence. The series is arranged alphabetically. Included among these tributes to Bickel is an audio tape made by Professor Charles L. Black, Jr. of the Yale Law School and his son, Gavin B. Black.

Series I: CORRESPONDENCE

Bickel, Alexander M.

Incoming

b. 1, f. 1-5	Bickel, Shlomo and Yetta	1939-1959
b. 1, f. 6	Chertoff, Mordecai S.	1943-1944
	Frankfurter, Felix [almost exclusively photocopies; also includes some correspondence from A.M. Bickel to Frankfurter, and from Frankfurter to Joanne Bickel]	
b. 1, f. 7-11	1952-1956	1952-1956
b. 2, f. 12-21	1957-1962	1957-1962
b. 3, f. 22-23	1963-1965, 1969	1963-1965, 1969
b. 3, f. 24	Harvard Law School	1947- 1954
b. 3, f. 25	Magruder, Calvert	1949- 1954
	Outgoing	
	Bickel, Shlomo and Yetta	
b. 3, f. 26-37	1939-1947 August	1939-1947 August
b. 4, f. 38-49	1947 September-1971, undated	1947 September-1971, undated
b. 4, f. 50	Miscellaneous [incoming and outgoing]	1937-1975

Series I: CORRESPONDENCE (continued)

Bickel, Joanne

	Letters of condolence for Alexander M. Bickel	1974-1975
b. 4, f. 51-52	A-D	
b. 5, f. 53-57	E-Z, unidentified	
b. 14	Tribute to Bickel by Charles L. Black, Jr. and Gavin B. Black <i>1 Audiocassette</i> Original audiovisual materials, as well as preservation and duplicating masters, may not be played. Researchers must consult use copies, or if none exist must pay for a use copy, which is retained by the repository. Researchers wishing to obtain an additional copy for their personal use should consult Copying Services information on the Manuscripts and Archives web site.	
b. 5, f. 58-60	Obituaries and tributes [includes correspondence]	1974-1975
b. 5, f. 61-62	Bickel, Shlomo and Yetta	1959-1971, undated
b. 5, f. 63	Bickel, Shlomo and Yetta [incoming and outgoing; family and friends except Alexander M. Bickel and Joanne Bickel]	1916-1942, 1971, undated

Series II: WRITINGS AND TEACHING

1939-1985

The series contains shorter writings; materials relating to two of Bickel's books; and teaching files. Shorter writings contains what appear to be some of Bickel's earliest writings, dating back to his teenage years, and is arranged chronologically. Included are some unpublished stories, as well as newspaper and literary magazine pieces published while he was still a student at Christopher Columbus High School in the Bronx. There are also articles written by Bickel for a variety of Jewish and Zionist journals.

Books is largely composed of reviews and correspondence related to Bickel's monograph, *The Morality of Consent*, posthumously published by the Yale University Press. There is extensive correspondence between Joanne Bickel; the book's editor, Jeanette Hopkins; and Yale University Press, particularly its director, Chester Kerr. In addition, there is correspondence from many others involved in the completion, publication, and promotion of the book, including Robert H. Bork, Bickel's colleague at the Yale Law School, Gilbert A. Harrison, of *The New Republic*, and Norman Podhoretz, of *Commentary*. There is also one folder on a book that Bickel undertook as part of the Oliver Wendell Holmes Devise. This volume was nearly finished when Bickel died in 1974, and was to be completed shortly thereafter by Benno C. Schmidt, Jr., Bickel's former student at the Yale Law School. The correspondence contained in this folder, including letters from Paul A. Freund and Stanley N. Katz, documents the completion of this work, finally published in 1984 as *The Judiciary and Responsible Government, 1910-1921*.

Teaching files contains a variety of materials related to Bickel's teaching of two courses at the Yale Law School. Included are handwritten and typed notes on cases and subjects, questions to ask students in class, and announcements of assignments.

b. 6, f. 1-8	Shorter writings	1939-1975
	Books	
	<i>The Morality of Consent</i>	

Series II: WRITINGS AND TEACHING > Books > The Morality of Consent (continued)

b. 7, f. 9-10	Correspondence	1974-1976
b. 7, f. 11-14	Book reviews	1975-1976
b. 7, f. 15	<i>The Judiciary and Responsible Government</i>	1910-1921, 1980-1985
Teaching		
b. 7, f. 16	Administrative Process	1957-1958
b. 7, f. 17	Constitutional Law	1957, 1965, undated
Series III: PERSONAL PAPERS		1935-1987
<p>The series is arranged by type of material: appointment books; diaries; memorabilia; military papers; and student papers. Appointment books document Bickel's daily travels, meetings, personal contacts, and other activities, whereas the diaries are filled with Bickel's personal thoughts and reflections, as well as selections from his favorite poems and passages. The diary entries begin in April 1941, during Bickel's first year as a student at the City College of New York. He recounts his classes and teachers, as well as ideas for newspaper articles, short stories, plays, and novels. This first diary is identified in Bickel's hand on the inside cover as "Volume III," implying the creation of earlier volumes. There are no earlier volumes, however, in the addition. Later diaries document Bickel's years in the United States Army and at the Harvard Law School, although over time the entries begin to diminish in number and depth. Of most significance in the military papers are security questionnaires completed by Bickel while he was serving under John J. McCloy and Robert R. Bowie, and a detailed memorandum written by Bickel discussing one of these security interviews in May 1954. In these materials, Bickel details his membership in various organizations, and also speaks to his political leanings at the time. Bickel took copious notes as a student at the City College of New York. He preserved his notes from many courses, including economics, history, legal history, and sociology, as well as papers written on Judah P. Benjamin, Benjamin N. Cardozo, Nazism, Daniel Webster, and world federalism.</p>		
b. 8, f. 1-3	Appointment books	1963-1973
b. 8, f. 4-7	Diaries	1941-1950, 1958-1959
Memorabilia		
Bickel, Alexander M.		
b. 8, f. 8	General	1938-1974, undated
Awards and certificates See also: box 16, folder 1		
b. 9, f. 9	General	1945-1976
b. 9, f. 10	Christopher Columbus High School	1941
b. 9, f. 11	City College of New York [Distinguished Alumni Medal]	1973
b. 9, f. 12	Hofstra University School of Law [named professorship]	1984

Series III: PERSONAL PAPERS > Memorabilia > Bickel, Alexander M. > Awards and certificates
(continued)

b. 9, f. 13-14	Yale Law School [named professorship and memorial portrait]	1975, 1979, 1982
b. 10, f. 15	Clippings	1951-1987
	Education	
b. 10, f. 16	Romania [one school transcript includes an early photograph of Bickel]	1935-1938
b. 10, f. 17-19	Columbus High School [report cards and yearbook]	1940-1941
b. 10, f. 17-19	City College of New York [yearbook]	1947
b. 10, f. 20	Bickel, Shlomo and Yetta	1936-1971, undated
	Military papers	
b. 10, f. 21-22	United States Army [including packet of essays and notes]	1943-1945, undated
b. 10, f. 23	Department of State	1950-1954, 1960
	Student papers	
	City College of New York [course materials]	
b. 11, f. 24-28	1940-1943	1940-1943
b. 12, f. 29-32	1946-1947, undated	1946-1947, undated

Series IV: ORAL HISTORIES AND PHOTOGRAPHS

1930-1975

The oral history section of this series contains transcripts and tapes. The series also contains a wide variety of photographs of Bickel at many stages of his life, which are valuable because there are so few photographs of Bickel or others elsewhere in the papers.

Bickel undertook a succession of oral history interviews near the end of his life. The first interview was conducted by Edna G. Rostow in 1973, under the auspices of the William E. Wiener Oral History Library of the American Jewish Committee. Only the uncorrected transcript is contained here. The subjects covered include Bickel's childhood, his days at the Harvard Law School, his early interest in studying history, his Jewish identity, his early attempts at finding, getting, and then rejecting a job at a law firm in New York, and his feelings about such figures as Felix Frankfurter, Paul A. Freund and Erwin N. Griswold of the Harvard Law School, and Abe Fortas and Harry Shulman of the Yale Law School. The beginning of this oral history is a transcription and then appears to become a summary.

The second oral history interview was conducted by Yale University's Stanley Flink, apparently in early 1974. Only the uncorrected transcript is contained here. The subjects covered include the Watergate scandal, Felix Frankfurter, interaction between members of the Supreme Court and the political branches of government, and Bickel's service under John J. McCloy and Robert R. Bowie in the State Department.

Maggie Scarf conducted the last and most extensive interview, which began in October 1974 and ended on 4 November 1974, just three days before Bickel's death. The interview ranges widely over the major and minor events of Bickel's

life, from his earliest memories and family history, to his impending death. There is also a file of correspondence relating to the controversial disposition of these tapes, transcripts, and the articles or books that were to come from them. Both of the major journals for which Bickel wrote, the generally politically conservative *Commentary*, and the generally liberal *The New Republic*, wanted to publish these materials, but neither appear to have done so. These files document the struggle between those journals and their editors to claim Bickel's memory for their own. Joanne Bickel also did an interview with Maggie Scarf in the days after her husband's death. Bickel discusses her husband's final days, his funeral, and its aftermath.

Oral histories

Transcripts

b. 13, f. 1	Rostow interview	1973-1974
b. 13, f. 2	Flink interviews	1974
	Scarf interviews	1974
b. 13, f. 3-10	Bickel, Alexander M. [transcripts for tapes one to six and tape eight; includes correspondence]	
b. 13, f. 11	Bickel, Joanne	

Tapes

Original audiovisual materials, as well as preservation and duplicating masters, may not be played. Researchers must consult use copies, or if none exist must pay for a use copy, which is retained by the repository. Researchers wishing to obtain an additional copy for their personal use should consult Copying Services information on the Manuscripts and Archives web site.

	Scarf interviews, Alexander M. Bickel	1974
b. 17	unspecified Tape one 1 <i>Audiocassette</i>	
b. 18	unspecified Tape two 1 <i>Audiocassette</i>	
b. 19	unspecified Tape three 1 <i>Audiocassette</i>	
b. 20	unspecified Tape four 1 <i>Audiocassette</i>	
b. 21	unspecified Tape five 1 <i>Audiocassette</i>	
b. 22	unspecified Tape six 1 <i>Audiocassette</i>	

Series IV: ORAL HISTORIES AND PHOTOGRAPHS > Oral histories > Tapes > Scarf interviews,
Alexander M. Bickel (continued)

b. 23	unspecified Tape [seven?] <i>1 Audiocassette</i>	
b. 24	unspecified Tape eight <i>1 Audiocassette</i>	
b. 25	Scarf interviews, Joanne Bickel <i>1 Audiocassette</i>	1974
Photographs		
Bickel, Alexander M.		
b. 15, f. 12	General	[ca. 1948]-1973
b. 15, f. 13	Romania [elementary school photographs] See also: box 18, folder 16; box 16, folder 2	[ca. 1932]
b. 15, f. 14	Columbus High School	1941
b. 15, f. 14	Harvard Law School [Harvard Law Review, Boards of Editors] See: box 16, folder 3	
b. 15, f. 15	Military service	1945, undated
b. 15, f. 16	Professional colleagues [including Felix Frankfurter; Calvert Magruder; Floyd Abrams; some inscribed] See also: box 16, folder 4	[ca. 1950- 1953], 1971- 1973
b. 15, f. 17	Yale Law School [including studies for memorial portrait] See also: box 16, folder 5	[ca. 1970], 1975
b. 15, f. 18	Bickel, Shlomo and Yetta	[ca. 1955], 1959
OVERSIZE		
Personal Papers		
Memorabilia		
b. 16, f. 1	Awards and certificates	1940, 1949, 1971
Oral Histories and Photographs		
Photographs		
Bickel, Alexander M.		
b. 16, f. 2	Romania	[ca. 1932-1934]
b. 16, f. 3	Harvard Law School	1947-1948
b. 16, f. 4	Professional colleagues	1953, 1971
b. 16, f. 5	Yale Law School	1975

Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

Subjects

Educators
Law
Law -- Political aspects
Lawyers
Political conventions
Segregation in education -- Law and legislation
-- United States

Geographic Names

United States -- Foreign relations
United States -- Politics and government

Names

Abrams, Floyd
Acheson, Dean, 1893-1971
Bard, Robert L.
Berns, Walter, 1919-2015
Bickel, Alexander M.
Bork, Robert H., 1927-2012
Brown, Ernest J. (Ernest Joseph), 1906-2001
Chayes, Abram Joseph, 1922-
Cowan, Arthur W. A.
Deutsch, Jan Ginter
Ellsberg, Daniel, 1931-
Elman, Philip
Freund, Paul A. (Paul Abraham), 1908-1992
Friendly, Henry Jacob, 1903-
Garment, Leonard, 1924-2013
Gunther, Gerald, 1927-2002
Harnik, Hans
Hughes, Graham, 1928-
Kennedy, Robert F., 1925-1968
Kluger, Richard, 1934-
Kristol, Irving
Kurland, Philip B.
Lemann, Stephen B.
Levin, Betsy
Lewis, Anthony, 1927-2013
Magruder, Calvert, 1893-1968
Mishkin, Paul J.
Moynihan, Daniel P. (Daniel Patrick), 1927-2003
Packer, Herbert Leslie, 1925-1972
Pollak, Louis H.
Polsby, Nelson W., 1934-

Rostow, Eugene V. (Eugene Victor), 1913-2002
Sacks, Albert M. (Albert Martin), 1920-1991
Stevens, Robert Bocking, 1933-
Weiner, Frederick Bernays, 1906-

Corporate Bodies

American Bar Association
Jewish Community Center (New Haven, Conn.)
United States. Supreme Court
Yale Law School
Yale University -- Faculty