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THOMAS I. EMERSON: AN INTELLECTUAL HERO

*Peter M. Gerhart**

WE LIVE IN a world in which heroes are still important. Heroes give shape to our aspirations, remind us of the pleasure of taking pains, and reinforce our values. They provide a template against which we measure our performance, a guide to action. Examples abound. Those of us in teaching often look back on our own teachers to define standards of excellence and commitment in the classroom, and we hope that those who learn from us will find their own standards in what we say and do. Heroes may be even more important in connection with our intellectual life, for scholarship is a lonely and fragile enterprise, one not often accompanied by the reinforcement of easy success or reward. In a world where heroes are important, we are permitted to embrace those who have neither stepped forward nor touched our lives personally. Effective heroes need only symbolize what we would like to be. When that happens, they become ours in the very real sense that we rely on them as guideposts in our own lives.

One person's life profoundly affects the lives of many, and it is often difficult to predict how or where those effects will be felt. When the person is a writer and scholar, the effects are likely to be widespread and durable. Thomas I. Emerson's ideas belong to all who care about the shape of the law and its role in a civilized society. That is the beauty of rich thought if we are willing to take the time to evaluate it, to understand it, and to integrate it into our own thinking and experience. In presenting this symposium, therefore, we celebrate our own aspirations and the richness of thought of one intellectual hero whom we can embrace.

Professor Emerson makes a splendid intellectual hero. I will let the essays in this symposium attest to the depth of his thought, the way in which he carefully worked out the implication of his positions, and the comprehensiveness of his underlying theories. It is interesting to see how much impact Professor Emerson's theories

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have had, and to view those theories in the context of new, emerging issues, developing insight, and a somewhat different developing world context. Not only does his thought hold up well, but through the essays in this symposium, it can be seen to be the source and wellspring of much thought that forms the basis of current intellectual discussion.

Little needs to be added about Professor Emerson's life and times to enrich these essays. Born in 1907 in Passaic, New Jersey, as the middle son of a family of five boys, Thomas Emerson attended both Yale College, where he was Phi Beta Kappa in his junior year, and Yale Law School, graduating from the latter in 1931, where he was Editor-In-Chief of the Law Journal Board. After a brief stint in the New York City civil liberties firm of Engelhard, Pollak, Pitcher & Stern (where he worked on the first *Scottsboro Boys* case¹), he went to Washington, D.C., where he played an important role in the New Deal, first as a member of the National Labor Relations Board (1939-40), then as Special Assistant to the Attorney General on the staff of the Assistant Solicitor General (1940-41), then in the Office of Price Administration (1941-45), and finally as the General Counsel of the Office of Economic Stabilization (1945), and the Office of War Mobilization and Reconversion (1945 and 1946). He began his teaching career at Yale in 1946 and quickly began turning out the books and articles that form the backdrop for this symposium. He never did retreat solely into the ivory tower, however. The erudition of his theories was conjoined with political activities on behalf of the causes he believed in—a wonderful blend of action and reflection.

This symposium celebrates the influence of one man's life of action and reflection. By examining from many angles one man's contribution to our intellectual growth, it celebrates the power of thought itself.

1. *Powell v. Alabama*, 287 U.S. 45 (1932).

