

This issue is dedicated to the memory
of
GEORGE HATHAWAY DESSION
1905-1955
Professor of Law

GEORGE H. DESSION

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I FIRST knew George Dession as an outstanding student in the Yale Law School and as Managing Editor of the Yale Law Journal. When he completed his work in course in February 1930, an unexpected vacancy had occurred in the field of criminal law and as dean I was able to persuade him to a course of unusual preparation for a career in that field, which neatly dovetailed with the School's plans for integration of effort in the social disciplines. The then State's Attorney of Middlesex County, Ernest A. Inglis—now the Chief Justice of Connecticut—agreed to give the course that spring with George's help while the latter became his assistant in the work of the prosecutor's office. In the summer of 1930 George took over the important first course in Criminal Law, which he thereafter conducted for twenty-five years until his untimely death in June 1955. In the fall of 1930 by special arrangement with the Yale School of Medicine he took advanced work in anatomy, psychiatry, and psychology; and there began that steadily fruitful collaboration with the Medical School, and notably the department of psychiatry, which continued throughout his life. Even in his first year of teaching he teamed with Dr. Eugen Kahn and Professor Thurman Arnold in a seminar in the legal, psychological, and psychiatric aspects of crime.¹ A year abroad as Social Science Fellow in 1932-1933 study-

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1. Some fruits of this seminar after six years, he presented in a pathbreaking paper before a Round Table of the Association of American Law Schools in 1936; this is published as *Psychiatry and the Conditioning of Criminal Justice*, 47 YALE L.J. 319 (1938). Meanwhile he went through all the gradations of academic position from Teaching Fellow to become Professor of Law in 1938.

ing criminal law administration, particularly in France and Belgium (supplemented some years later by further study along similar lines as a Guggenheim Fellow), gave a breadth of experience and interest that I think still signalizes a high watermark in the integration which we at Yale had visualized and hoped for. While others have advocated such broad training, George Dession proceeded to exemplify it in his own person. The results have been apparent in his writings and in his original teaching tool, his *Criminal Law, Administration and Public Order*, published in 1948. It is not possible to review here his achievement in any substantial detail, but it is interesting to note that hand in hand with his interest in the mental condition of offenders and very possibly as a consequence was his stress—unusual for a law teacher—on the *administration* of the criminal law, as opposed to the abstract definition of various crimes.²

The diversity of interest thus fostered he retained throughout his life, collaborating steadily with his colleagues of the Medical School in courses, seminars, and articles which always transcended departmental lines.³ Quite naturally he came to be a recognized expert in the interrelationship of criminal law and psychiatry; so he was codirector of the Yale Study Unit in Psychiatry and Law. Notwithstanding his original work in this field he found time (it is hard to see how) to do many other things of a public or scholarly nature. Thus he was a trustee of the Fairfield State Hospital, a mental institution, and a member of the New Haven City Commission on Legal Aid. He had various assignments for the United States Government for many years and thus was an effective prosecutor in antitrust cases, such as the well known tobacco-company suits.⁴ It is hardly possible to give all the commissions, state and federal, upon which he served; but notice must be taken of his work for two separate Connecticut commissions on state government reorganization and of his service as a member of the Supreme Court's Advisory Committee on Rules of Criminal Procedure⁵ and as draftsman for the Commonwealth of Puerto Rico of its new Penal, or—as he preferred to view it—Correctional, Code, a task not completed at his death.

George Dession was a gentle and lovable person. In many ways he seemed the typical scholar, idealistic and unworldly, endearing himself to his students by these very qualities. Many are the stories about him, doubtless to some

2. This appears in his earliest articles: Dession & Cohen, *The Inquisitorial Functions of Grand Juries*, 41 YALE L.J. 687 (1932); Dession, *From Indictment to Information—Implications of the Shift*, 42 YALE L.J. 163 (1932). Compare Dession, *The Mentally Ill Offender in Federal Criminal Law and Administration*, 53 YALE L.J. 684 (1944); Dession, *Justice After Conviction*, 25 CONN. B.J. 215 (1951); Dession, *The Gowers Report and Capital Punishment*, 29 N.Y.U.L. REV. 1061 (1954).

3. See Dession, Freedman, Donnelly & Redlich, *Drug-Induced Revelation and Criminal Investigation*, 62 YALE L.J. 315 (1953), the collaborative effort of two law teachers and two psychiatrists.

4. One result was the valuable and informing monograph on *The Trial of Economic and Technological Issues of Fact*, 58 YALE L.J. 1019, 1242 (1949).

5. See Dession, *The New Federal Rules of Criminal Procedure*, 55 YALE L.J. 694 (1946), 56 *id.* 197 (1947); also *The Proposed Federal Rules of Criminal Procedure*, 18 CONN. B.J. 58 (1944).

extent apocryphal. Thus in the usual football hullabaloo of an early November he went quietly on to assign studies for Big Game day. When a student ventured to inquire if he proposed to hold class on "that" day, he is supposed to have responded: "What, is it Thanksgiving already?" Yet beneath that quiet exterior there was a capacity for uncharted and sustained intellectual effort which made him not merely teacher, author, trained investigator, and government prosecutor, but also trail blazer in exploring the interrelation of law and medicine and in breaking down the barriers between them.⁶ In twenty-five busy years he had gone far as a pioneer; what a pity that he should be struck down at the very summit of his powers! But his example is one to be cherished by those who believe that law is really a social science and can be so presented.

6. The articles cited in notes 1-5 *supra* are but a sampling of the product of his versatile pen, since he was a prolific and effective author, as well as a much sought after reviewer for the various law journals of all books in the field of criminal law and its mental aspects.