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Remembering Charles L. Black

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Tributes

The following remarks were delivered at a memorial service honoring the life of Charles L. Black, Jr., on Sunday, January 27, 2002, at St. Paul's Chapel, on the campus of Columbia University. The selection of his poems was read by David Black. The music at the service was provided by Gavin Black at the organ, and the service closed with Louis Armstrong's recording of West End Blues.

These comments are being published simultaneously here and in the Columbia Law Review, where they appear at 102 Colum. L. Rev. 865 (2002).

Remembering Charles L. Black

David W. Leebron[†]

Welcome to all who are gathered today to celebrate the life, achievements, contributions, and friendship of Charles Black.

Charles Black began and ended his academic career at Columbia Law School. From 1947 through 1956, he taught as a full member of the faculty, and after his retirement from Yale in 1986, he returned and taught for another thirteen years. We have forgiven Yale its act of theft, and we, along with Yale Law School, are honored to be hosting this service together. These two great institutions of legal education, along with Charles's family, colleagues, friends, great lawyers and judges of this city, and many others, gather together to join in celebrating Charles's life. We welcome you all to this celebration.

Columbia University's President George Rupp asked me to convey his regrets that he could not be with us today. He is out of the country, and asked me to express on his behalf his admiration of Charles, and his appreciation for his contribution as teacher and scholar to Columbia and to the betterment of our world.

Jack Greenberg, a friend of Charles's for five decades, also regretted that he could not be here. He described Charles as "a colleague in the civil

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rights movement who was there at the very beginning.” Charles is indeed one of those rare academics who is known both for his intellectual contributions to scholarship and his work as a lawyer on some of the most important cases and issues of our time. Most famously, he was one of the architects and writers of the briefs that helped a ten-year-old girl break the barriers of segregation across this country in the society-shaking case of *Brown v. Board of Education*. Chief Justice Warren described Charles’s subsequent scholarly work on segregation as vital to the ongoing work of that Court.

Charles is a man who, in many ways, is hard even to begin to describe. In our home, we have a volume of Charles’s poetry, his pathbreaking book on capital punishment, and a painting he gave our son Daniel shortly after his birth. And Charles even signed the painting with the Chinese character for his name! That was Charles: poet, legal scholar, painter, not to mention musician, and a scholar in several other fields.

Charles’s work continues to tower over several fields. He arrived at Columbia in the age when professors were still simply assigned what the School needed taught rather than what they wanted to teach. Charles was assigned admiralty, and his work with Grant Gilmore still defines the field. Beyond that first assignment, he had a knack for picking the important and enduring issues, and his work on capital punishment and impeachment has received renewed attention as we continue to struggle with these questions. It would be hard to capture the work of Charles’s mind, or twenty-odd books and a hundred-odd articles, except that he wrote to make a difference. He wrote with the passion that the law was important, or, as he put it, that its poetry was the “motive for solving problems and the sacred stir toward justice.”

I met Charles after I arrived at Columbia in 1989. I noticed quickly the deep interest he took in everyone else’s lives and well-being. Even when in the last few years he was not doing well, he wanted to know how you were doing, what you were working on. Over a decade of students benefited from his exuberance. His famous Armstrong evenings brought not just joy and music appreciation to our students, but also the connectedness of our world and the value of stretching beyond the narrow confines of the law. As Charles once said: “Students need to be told that you can be a lawyer and not be crushed.” Charles, at both Columbia and at Yale, did more than his share of inspiring students not merely about their possibilities as lawyers, but their possibilities as wide ranging human beings. As the Washington Post put it, Charles “was that rare scholar who merged creativity and rigor with healthy doses of passion, courage and humanity.”¹

1. Editorial, *Charles L. Black Jr.*, WASH. POST, May 13, 2001, at B6.

As someone who came to know Charles only very late in his life, my enduring memory will still be Charles sitting in the sun on a bench in the center of Broadway on a fine day. But what Charles often made us realize in the midst of our busy and important lives was that it was indeed a very fine day, even if there was much to be done.
