

12-1-1965

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Recommended Citation

George Coldstream, *Chief Justice Desmond's Contribution to Anglo-American Understanding: A British Tribute*, 15 Buff. L. Rev. 256 (1965).

Available at: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol15/iss2/4>

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CHIEF JUDGE DESMOND'S CONTRIBUTION TO ANGLO-AMERICAN UNDERSTANDING: A BRITISH TRIBUTE

It is a very real privilege to add my humble tribute to those being paid to Chief Judge Desmond on the occasion of his twenty-fifth anniversary on the New York Court of Appeals. This statement, though manifestly truthful, conceals a certain subtlety, which I beg leave to explain.

It may at first sight seem an impertinence for a Scot, who is merely a non-practising member of the English Bar and who is not and never can be a Judge, to offer encomiums on the character and personality of one of the leading Judges of the United States of America. For such is Chief Judge Desmond, and he is so recognised and acclaimed by his judicial colleagues in the United Kingdom. My sole qualification for venturing to speak of him is that first and foremost I claim him as a personal and greatly valued friend: and secondly that it so happens that both in the United Kingdom and in the United States I have had the privilege of being associated with what are termed the Anglo-American judicial exchanges of views on certain specific matters such as appellate and criminal procedures, in all of which the Chief Judge has taken a leading part.

These exchanges, during the past five years, have had an effect far beyond such benefits as have directly accrued from the critical scrutiny of the particular subjects chosen for examination. Small bodies of judges and lawyers, working intimately together for considerable periods, animated by a common aim and a lively interest in knowing what is happening on the other side of the fence, get to know each other pretty well. This knowledge on the British side has brought deep respect for their American counterparts. Warm friendships have been formed and valuable professional contacts made. Such benefits as these are intangible, but there is not a judge or lawyer concerned in this work who is not ready and willing to pay high tribute to their value.

I venture to assert that no man has contributed more to Anglo-American understanding in this field than Chief Judge Desmond. For he it was, together with Professor Delmar Karlen of the Institute of Judicial Administration and I as the Lord Chancellor's representative, who originated the whole concept. He led us and encouraged us from the outset. Naturally there were, and perhaps still are, sceptics. It was Chief Judge Desmond who believed that we had found a way of bringing the foremost judges and lawyers in our two countries together for a common purpose. He drove us all onwards with his energy and good humour, his high authority as a judge and above all by his firm faith in the value of our project. I can speak only for Britain where academic and professional opinions develop slowly in matters of this kind. There can be no doubt, however, that these judicial exchanges, on the lines formulated by Chief Judge Desmond, are now recognised as forming an important instrument for the development of the administration of justice in our two countries during the present decade.

CHIEF JUDGE DESMOND

May I be allowed to add a further personal tribute. One of my lasting memories, deriving from my own insignificant part in these exchanges, will always be the warm and steadfast personality of Chief Judge Desmond. The quickness of his mind, the essentially practical approach which he brings to projects for reform in our law and practice, his ever-ready humour, especially his endearing kindness to the young, have all made a deep impression on me as on many others of his British friends.

SIR GEORGE COLDSTREAM
Permanent Secretary
to the Lord Chancellor