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George Hathaway Dession

Abe Fortas

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IN MEMORIAM GEORGE H. DESSION

He knew from experience and observation that law graduates do engage in the practice of criminal law as prosecutors, defense counsel, judges, legislators, and legal reformers. He was also aware that the criminal law has rapidly expanded in state, nation, and world and that criminal sanctions or their equivalents are frequently and increasingly met in the realms of trade and commerce, of labor-management relations, of ideological conflicts, of family relations, and of national security. He felt strongly that a realistic course in criminal law should take cognizance of these developments.

But beyond these, George Dession believed that the criminal law is "one of the most faithful mirrors of a given civilization, reflecting the fundamental values upon which it rests" and that the criminal law is the main day by day safeguard of the common citizen's elementary rights. For these reasons he felt that criminal law courses could be of great philosophical depth and should strive to broaden horizons, deepen thought, and stimulate altruism. He looked upon them as the best possible intellectual basis for a law practice which satisfies urgent human needs and simultaneously exhibits the functioning of professional skills on the highest levels.

In twenty-five busy years he had gone far as a pioneer. His example is one to be cherished by those who believe that the criminal law is an exciting, important and profound subject.

RICHARD C. DONNELLY

Professor of Law

Yale University Law School

GEORGE HATHAWAY DESSION

George Dession brought to its highest development the "functional" or societal approach to the art of the law. His chosen field was criminal law and its administration. He realized, however, that this was not an isolated field, but merely the area in which behavior and social forces come to sharpest focus—just as the emotional and psychological factors which impel all of us come into clearest view in the psychotic personality.

It is for this reason that George Dession's apprenticeship never ceased. He worked prodigiously to obtain a profound understanding not merely of the gross controls represented in the criminal law, but also of the subtle restraints and stimuli by which society bends the individual to its form. He continuously sought to perfect his command of the law and literature of crime and criminology. He

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was an avid student of the mechanics and dynamics of society in all of its phases.

But Dession was more than a scholar and a student. He was a warm, passionate, intensely human man. The object of his devotion was not merely knowledge. It was man: the individual seeking to live in the overwhelming complexity of his past and present and future. Dession therefore applied himself to the mastery of the little that we know about the individual, which is largely embedded in the morass of the social sciences and medicine. He sought to learn the sources and causes of the individual's conduct, his thoughts, his emotions, his aspirations, the poetry of his life, and the hard facts of his living. He became, I think, our leading legal expert in the field of psychiatry.

It is fortunate that some of Dession's vast knowledge and understanding was reduced to writing in his remarkable case-book, in speeches and articles, and in the startlingly original, but incomplete, draft of a code of sanctions for the Commonwealth of Puerto Rico. Dession's untimely death is an irreparable loss. We can only hope that there are those who will carry forward his work with comparable boldness and dedication.

ABE FORTAS
District of Columbia Bar;
Member Arnold, Fortas & Porter

GEORGE DESSION

The untimely death of George Dession has left a void in the ranks of thinkers in the field of Criminal Law that it will indeed be very hard to fill.

Never deceived by the familiar *cliches* and shopworn arguments about the need of repressive punishment to "vindicate the law", Dession sought honestly and fearlessly for its *raison d'etre* as related to the causes and remedies of anti-social behavior. He was a creative student of the role of psychiatry and cultural anthropology in the understanding of human motivation and misconduct. His casebook, *Criminal Law Administration and Public Order*, is distinguished by stimulating originality. Widely and wisely read, he wrote with a grace refreshingly different from the involved circumlocutions too frequently characteristic of "prosy lawyers".

Above all, he had an eagerly and honestly open mind, which made it a delight to discuss problems with him. This was especially evident in the deliberations of the advisory committee of the Supreme Court in respect to rules of crim-