

COUR EUROPEENNE
DES
DROITS DE L'HOMME

CONSEIL DE L'EUROPE
STRASBOURG

EUROPEAN COURT
OF
HUMAN RIGHTS

COUNCIL OF EUROPE
STRASBOURG

As from: 1333 South Park St.
Halifax, Nova Scotia
Canada
B3J 2K9

June 4, 1999

Mr. H. Peter Stern
P. O. Box 330
Mountainville, N.Y. 10953
U.S.A.

Dear Mr. Stern,

Although we are not acquainted, I took the liberty of telephoning your secretary, explaining the reason for my call, and asking for your address, which she was kind enough to provide.

The reason for breaking in on you unannounced, so to speak, is that I thought you would be interested in the reference to you in the conversation I shared with Professor Myres McDougal almost five years ago. During that conversation he referred to you several times in the most cordial terms.

Although I sent a copy of this material to the Archives at Yale Law School it occurred to me that, archives being what they are, it might be years before you yourself ever received a copy for your personal files. In these circumstances, I thought you might like to see the nice things Professor McDougal said about you on pages 22-23.

With good wishes from north of the 49th parallel, I remain,

Yours faithfully,

R. St. J. Macdonald
R. St. J. Macdonald
Judge (Ret'd)

RSJM/sb
Enc.

ADRESSE POSTALE / POSTAL ADDRESS:

CONSEIL DE L'EUROPE / COUNCIL OF EUROPE
F-67075 STRASBOURG CEDEX

TELEPHONE
88 41 20 00

TELEX:
EUR 870 943 F

TELECOPIEUR / FAX:
88 41 27 91



Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

July 31, 1990

Professor Myres S. McDougal
Sterling Professor of Law Emeritus
Yale Law School
401-A Yale Station
New Haven, Connecticut 06520

Dear Myres:

Your splendid article on Law and Peace just arrived, and I put everything aside to start reading it.

This morning, even before I complete the final section of the paper on possible future developments, I want to send you just a line to say that your old magic has swept me along at a galloping pace and that I am in agreement with, as usual, as well full of as admiration for what you have written and the way you have expressed it.

You have for years been one of the great inspirational forces in the lives of many of us in the international law community and it is an honour, as well as a special bonus, to receive an article from you.

As ever,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RM/llh

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May 18, 1998

Professor W. M. Reisman
Wesley N. Hohfeld Professor
of Jurisprudence
Yale Law School
P. O. Box 208215
New Haven, CT 06520-8215
U.S.A.

Dear Michael,

I think the attached is fairly straightforward, at least I hope it is, and I thought that I should rush it to you even before writing a personal letter about Mac.

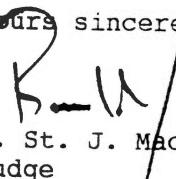
If you think this material should see the light of day you might want to check the odd item here and there; for example at one point, Mac told me that Yale Law Journal asked him to answer Borchard but at another point he said that the State Department made this request.

I have one or two additional comments of Mac's that might be worked in and I will be happy to send those along if you so desire.

I will be writing again within the next few days.

With every good wish, as always, I remain,

Yours sincerely,


R. St. J. Macdonald
Judge

RSJM/sb
Enc.

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May 18, 1998

Dr. Anthony T. Kronman
Yale Law School
127 Wall Street
P. O. Box 208215
New Haven, CT 06520-8215
U.S.A.

Dear Dean Kronman,

The transcript attached to this letter has been in my files since late 1995. I checked virtually all of it on the telephone and during a subsequent conversation with Myres McDougal in 1996, and it was my intention to send it to you on the third anniversary of my visit to New Haven in August 1995. Having heard from Professor Michael Reisman the sad news of the passing of Myres McDougal last week, I thought I should rush what I have to both of you against the possibility that it might be of some use. Would it be of interest to the Yale Law School community? Possibly in an alumni magazine or as a small pamphlet or on file in the archives?

I am sending a copy of this letter and a copy of the transcript to Michael, a close friend, indeed the person who kindly drove me out to see Myres McDougal in 1995.

With good wishes from Strasbourg, I remain,

Yours faithfully,

R. St. J. Macdonald
R. St. J. Macdonald
Judge

RSJM/sb
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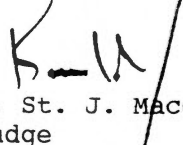
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Yours sincerely,


R. St. J. Macdonald
Judge

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Yale Law School
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With good wishes from Strasbourg, I remain,

Yours faithfully,

R. St. J. Macdonald
Judge

RSJM/sb
Enc.



YALE LAW SCHOOL
P.O. Box 208215
New Haven, Connecticut 06520-8215

August 15, 1995

Dear Friends:

I wanted to write briefly to bring you up-to-date on Mac. In July, he was admitted to Yale New Haven Hospital for a weekend and was diagnosed with diabetes. Upon returning to Evergreen Woods, Mac receives daily injections of insulin and his blood sugar level has now returned to a normal level. I have spoken with his physician this morning, and it is possible that Mac will be completely off the insulin in a couple of weeks. Mac is alert and is able to get up and around. I am sure he would love to hear from you and, if you are in the New Haven area, to see you at Evergreen. Mac is on a low sodium, low salt diet now. If you visit him and wish to bring a gift, please bring fruit. Because of the seriousness of the diabetes, the gift must be left at the nurse's station so that they can monitor his intake of sugar.

Mac receives his mail at the Law School and expects to return to the office in September. Our new mailing address is P.O. Box 208215, New Haven, CT 06520-8215. You can telephone him directly at Evergreen Woods at (203) 483-3271. If you would like to schedule an appointment to see Mac at Evergreen Woods, please feel free to contact me at (203) 432-4981.

Best wishes.

Rec: (203) 483 - 3271

Sincerely,

Cheryl A. DeFilippo
Assistant to M.S. McDougal

Fax. No: (203) 432-7247.

THE POLICY SCIENCES CENTER, INC.

127 Wall Street, Room 314

New Haven, Connecticut 06511-6636, U.S.A.

Tel: (203) 432-1993 • Fax: (203) 432-7247

MYRES S. McDOUGAL

Chairman

W. MICHAEL REISMAN

Vice Chairman

ANDREW R. WILLARD

President

CHERYL A. DEFILIPPO

Administrative Coordinator

JEREMIAH B. McKENNA

Executive Director

56 Bay Street, 7th Floor

Staten Island, NY 10301

Tel: (718) 727-6043

Fax: (718) 720-5419

Memorandum To: Members of the Policy Sciences Institute

From: Andrew Willard and Cheryl DeFilippo

Date: May 22, 1998

Re: Policy Sciences Annual Institute

As you may know, Professor McDougal died on May 7th at the age of 91. Although many of you did not know him, Mac, with Harold Lasswell, founded the school of thought we now refer to as policy sciences or policy-oriented jurisprudence. He was a superlative teacher and mentor and a wonderful friend. Mac practiced human dignity in his relations and he will be missed dearly.

Inevitably, Professor McDougal's life and work and its future significance will be discussed in the course of our meetings at this year's Institute. On Sunday afternoon, October 4th, the Yale Law School will host a memorial service in his honor. All members of the Institute are invited to attend the memorial.

A number of people have asked about how they might express their appreciation of and affection for Mac. The Policy Sciences Center has established the "Myres Smith McDougal Fund" and the Yale Law School has in place the "Law, Science and Policy Fund." Contributions can be made to either or both fund(s), and in either case, contributions will be used to further Mac's work and nurture the policy sciences. For more information in this regard, please contact Andy at (203) 432-4862.

In addition to focusing our attention on Professor McDougal and his work, this year's Annual Institute will again focus on an exploration of decision processes associated with particular problems from the standpoint of clarifying the potential contribution policy sciences or policy-oriented jurisprudence might make to problem identification and resolution. This exploration requires an examination of how policy sciences has been and could be used as well as recommendations for how to better employ and integrate policy sciences in the decision processes of concern. Problems of interest might include natural resource use and protection, the achievement of human rights, the process of selecting policymakers and decisionmakers, the impact of intellectuals on public order, the improvement of education at all levels, and of health, and so on. The particular problems selected for discussion at the Institute will depend on the interests of participants.

please turn over

The Policy Sciences Center, Inc. is a public foundation.

The Center was founded in 1948 by Myres S. McDougal, Harold D. Lasswell and George Dession.

COUR INTERNATIONALE DE JUSTICE

INTERNATIONAL COURT OF JUSTICE

PALAIS DE LA PAIX 2517 KJ LA HAYE PAYS-BAS

TÉLÉPHONE: (070) 3022323 TÉLEX: 32323

TÉLÉGR.: INTERCOURT LAHAYE

TÉLÉFAX: (070) 3649928



PEACE PALACE 2517 KJ THE HAGUE NETHERLANDS

TELEPHONE: (070) 3022323 TELEX: 32323

CABLES: INTERCOURT THEHAGUE

TELEFAX: (070) 3649928

12 November 1998

Professor Ronald Macdonald,
Dalhousie University Law School
Halifax, Nova Scotia
Canada B3H 4H9

Dear Ronnie,

I cannot tell you how touched I was that, on what must have been your last day as a Judge of the European Court, you bothered to write to me. I have also been enormously appreciative of the record of your conversation with Mac that you sent me.

I could absolutely hear him speaking. You did a wonderful job in bringing out so much of personal and historic interest. There were parts of it that I knew (but that I loved to hear again) and other aspects that were quite new. I was particularly struck by what he had to say about his early years, not least because Michael Reisman has spoken about that time as less than happy, which certainly did not seem to be the case from your conversations. Of course, his remarks about Holdsworth and Brierley are utterly rivetting. And the intimate side of the original meetings with Harold Lasswell were also enormously interesting.

I really cannot thank you enough for this treasured gift.

I went over at the beginning of October to give one of the addresses at the Memorial for Mac that Michael Reisman organized. All the addresses will be published. But, in the meantime, I thought you might like to see my short remarks. Michael had assigned us all particular topics. After the "substantive" contributions, I was asked to round it all up with some comments on Mac as Teacher, Mentor and Friend. I also enclose a couple of other recent things, as you are kind enough to say that you still read my stuff!

I want to take this opportunity to tell you once again how much I admire all that you have done at the European Court of Human Rights over these long years. You have been such a force of creativity and good. Your contribution has been a very special one, for all the obvious reasons. I would love to know about your plans and what you have in mind once you have caught your breath.

We are pleasingly busy here. The cases are coming in from all corners of the world. We are almost ready to give judgment in Spain/Canada, and then move on to ECOSOC/Malaysia before the Christmas break.

I know we will keep in touch.

Fond regards,

Rosalyn Higgins

DALHOUSIE LAW SCHOOL

Halifax, Canada B3H 4H9 Tel 902 . 494 . 3495 Fax 902 . 494 . 1316



March 21, 1996

Professor Myres McDougal
Sterling Professor of Law Emeritus
Yale Law School
P. O. Box 208215
New Haven, CT 06520-8215
U.S.A.

Dear Mac,

Although I hope to be having a few words with you on the telephone prior to your departure for Mississippi, I thought I would nevertheless send you a list of the remaining questions that I would like to discuss with you in order to complete the transcript of the interview we started last August.

If it is not inconvenient, I would be very grateful if you will begin to reflect on these questions for just a minute or two and then allow me to speak with you on the telephone, soon after your return from Mississippi, and before I have the pleasure of coming around to see you once again.

I do believe that our interview is turning out well. I am trying to emphasize the personal side of your amazing career and anxious to have the document in fairly final form before bringing it to you in the Spring.

In great haste but with congratulations on the new honour that has come to you from your Alma Mater, and, as always, with cordial good wishes, I remain,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM/sb
Enc.

DALHOUSIE LAW SCHOOL

Halifax, Canada B3H 4H9 Tel 902 . 494 . 3495 Fax 902 . 494 . 1316



November 15, 1996

Ms. Cheryl A. DeFilippo
Assistant to M. S. McDougal
Yale Law School
P. O. Box 208215
New Haven, Connecticut 06520-8215
U.S.A.

Dear Cheryl,

Just a note in haste, immediately on my return from New York, to thank you for the excellence of the arrangement and your kindness in having made them so efficiently. Everything went off like clockwork and I was very, very pleased to find Mac looking so well and indeed so full of life and vitality.

If I had been in town for more than the two hours between trains, I would not only have landed on Michael's doorstep but I would have tried to persuade you to have tea or coffee at a restaurant of your choice. I hope for better luck on the next occasion.

I greatly appreciate your occasional letters in which you inform his friends about Mac's condition. I do hope you will keep my name on your list and that you will let me know of anything I can do to be helpful.

Again with my gratitude for all that you have done and my best wishes to Mac and to Michael, I remain,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM/sb



YALE LAW SCHOOL
P.O. Box 208215
New Haven, Connecticut 06520-8215

MYRES S. McDOUGAL
Sterling Professor of Law, Emeritus

April 19, 1996

Professor Ronald St. J. Macdonald, O.C., Q.C., LL.D.
Dalhousie Law School
Halifax, Canada B3H 4H9

Dear Ronald:

I am just back from my trip to Mississippi and am delighted to know that you are continuing your research and writing. I am looking forward to seeing what you have to say.

All the best.

As ever,

Myres S. McDougal
Sterling Professor of Law,
Emeritus

Questions asked to Professor McDougal

- ✓ 1. Vinsell. He became a professor of political science at the University of Louisville.
- ✓ 2. Alfred P. Hume
3. I don't remember the names of the persons but two of the Rhodes Scholars came from Millsaps College in Jackson, MS and two from Southwestern University in Memphis, TN. The two from Millsaps voted for John Satterfield who later became president of the ABA. The 2 from Southwestern voted for me. Chancellor Hume broke the tie in my favor. When I went by to thank him for voting for me, he said, "Mr. McDougal, when I needed a friend, you were my friend. I figured you needed a friend." What he was referring to was that when I was editor-in-chief of the weekly paper, "The Mississippian," I had taken an issue to Jackson, MS to defend him against the state legislature. For reasons I have never understood, the legislature did back off and let him alone.
- ✓ 4. John Satterfield
5. Edmund O. Belsheim came from North Dakota. We studied together as roommates in the College and in digs for three years - the longest any two Rhodes Scholars had ever stayed together. Hugh Cox was already a graduate of the Harvard Law School and beat me for the Binerian Prize which was £500 per year for five years. If I had that much money, I might never have come to the Yale Law School. Belsheim and I had refused to go to a new tutor in law at St. John's because he had studied no law and we had. The St. John's people argued that he had a first-rate mind. My reply was that we didn't buy it and also that we had first-rate minds. Sir William Holdsworth who took us as tutees turned out to be wonderful. He sent me to Yale and he sent Belsheim to Chicago.
- ✓ 6. Charles Clark was the dean of the Yale Law School and later a federal circuit judge.
- ✓ 7. World Politics and Personal Insecurity, reviewed by John Chamberlain in the New York Times.
8. Medal of Merit, 1990, presented by Nicholas deB. Katzenbach; Gerald Ford attended my retirement on June 30, 1975.
- ✓ 9. He was an assistant football coach and we didn't have as many applications in those days. I was on the Admissions Committee. The dean, Charles Clark, the associate dean, Peyl Gulliver, and I were the Admissions Committee. Gulliver interviewed Ford and said he was a very bright man. Clark vetoed this. I was asked to break the tie and broke it in Ford's favor. I told Ford what the situation was in the Law

Questions (cont'd.):

9. (cont'd): School. We are still life-time friends. I get a handwritten Christmas card from him every year.
10. Burton, MS, 15 miles from Booneville on the M&O Railroad. Local school was Booneville High School where I played both football and basketball.

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DALHOUSIE LAW SCHOOL

Halifax, Canada B3H 4H9 Tel 902 . 494 . 3495 Fax 902 . 494 . 1316



Januaary 10, 1997

Ms. Cheryl A. DeFilippo
Assistant to M. S. McDougal
Yale Law School
P. O. Box 208215
New Haven, CT 06520-8215
U.S.A.

Dear Cheryl,

Two points, if I may.

First, a very happy, healthy and prosperous New Year - I do hope that everything will go as you would have it - and again my thanks for the excellent arrangements you made for my visit to Mac on December 11th last.

Second, to ask if you would be so kind as to acquire just a little further information for me when next you visit Professor McDougal. I am hurrying to complete the interview and I need to verify some factual information.

If it is not inconvenient, would you take the attached page of questions to Evergreen when next you visit, put the questions to Mac and send the answers back to me by early next month, if possible.

I greatly appreciate your assistance in this matter and I send you personal good wishes as well as my gratitude.

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM
Enc.

QUESTIONS FOR PROFESSOR MCDUGAL - JANUARY, 1997

1. The date on which he first joined the Yale law faculty and the date of his retirement. I understand that Professor McDougal served for an unbroken stretch of 40 years.
2. What was the occasion for the presentation of the Medal of Merit in 1990?
3. Do we know where President Ford (as he became) served as an Assistant Football Coach? Was it at the University of Michigan?
4. There is a reference to the M & O railway. Do those initials stand for Mississippi and Ohio?
5. Mac refers to the town where his father started practicing medicine. Is the name of the town Burnswille or Booneville? As I understand it, Booneville was really Mac's home; however, he was born in Burton and did spend a short time in Burnswille. Is that correct? The photograph we spoke about was taken in Burnsville when Mac was three. Is that correct? Or was the photograph taken in Booneville?
6. Very roughly, what was the date of the Milligan case before the Supreme Court of the United States, the case in which Mac presented the major arguments?
7. Did Bill Clinton take your basic course in international law at the Law School?
8. You were a bear for work. Did you ever take any extended holidays?
9. Were you looking forward to retirement? Were there things you had planned to do during retirement?
10. Do you feel that what you have to contribute is still pertinent in the present day world? Of course I know that the answer is yes, but I want to see it in your own inimitable phraseology.

*End in 11
The...*



YALE LAW SCHOOL
P.O. Box 208215
New Haven, Connecticut 06520-8215

January 28, 1997

Professor Ronald St. J. Macdonald, O.C., Q.C., LL.D.
Dalhousie Law School
Halifax, Canada B3H 4H9

Dear Professor Macdonald:

Thank you for your letter of January 10. I read the letter to Mac who dictated the following responses:

1. "I first joined the Yale Law Faculty as an Associate Professor on July 1, 1934. I retired on June 30, 1975";
2. The Medal of Merit is the highest awarded given by the Yale Law School;
3. "President Ford served as an Assistant Football Coach for the University of Michigan and for Yale University, while he was a law student";
4. "M & O Railway stands for Mobile and Ohio. The M & O ran through a little town I lived in most of my life. Booneville was my family home for 40 years";
5. "My father started practicing medicine in Burton, Mississippi, where I was born." Your information is correct, i.e., Mac's birthplace and his residence in Booneville and Burnsville. The photograph taken of Mac was on the steps of the front porch while he was holding a "switch" over two of his cousins. In his mother's handwriting underneath the photo were the words, "teaching school at the age of 3." (Burnsville)
6. "I didn't present the major argument in the *Milligan* case, but the *Eight Saboteurs*, from which we drew from the *Milligan* case. The facts of *Milligan* were different from what they appear in the reports. There was a book that told differences that I knew about, but I did not call it to the attention of the court. I thought it was up to the other side to do that. I used *Milligan* without indicating it wasn't relevant."
7. [Bill Clinton took the course in jurisprudence: Law, Science and Policy.] **Note:** This information cannot be confirmed because of the nature of President Clinton's current status. His records are on file at the General Counsel's office and information cannot be released. You might want to adjust the interview.

Professor Ronald St. J. Macdonald, O.C., Q.C., LL.D.

January 28, 1997

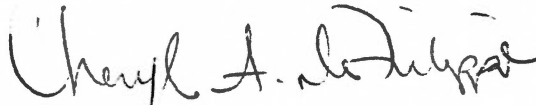
Page 2

8. "Not that I know of."
9. "I don't regard myself as being retired."
10. "I don't remember having made any mistakes on anything being wrong about the positions we have taken. I would assume that the positions we have expounded are as sound as they ever were."

Mac asked me to convey that when the interview is in final form, he will sign it to ensure its authenticity.

Best wishes.

Sincerely,



Cheryl A. DeFilippo
Assistant to M.S. McDougal

Andrea G. McDowell

Box 337 • Yale Law School • P.O. Box 208203 • New Haven, CT 06520 • USA

The Honorable R. St. John Macdonald
Faculty of Law
University of Toronto
78 Queens Park
Toronto
Canada M5S 2C5

Post-It® Fax Note	7671	Date	April 9	# of pages ▶	1
To	Professor McDonald	From	McDowell		
Co./Dept.		Co.			
Phone #	(416) 978-5443	Phone #	(203) 787-0177		
Fax #	(416) 978-7899	Fax #	(203) 432-4608		

April 9, 1996

Dear Professor McDonald,

Thank you so much for your letter of March 21 which reached me only yesterday, although it was sent "special delivery." I will try to reach you by telephone over the next few days, but meanwhile I am sending this fax to apologize for not getting in touch right away when I got back from England and to assure you that I am still very much interested in discussing possible work for next summer. (I have decided to spend this summer finishing my book on Egyptian social history since this will probably be my last chance to do some concentrated work in that field.) I should very much like to meet you when you visit New Haven in May; how fortunate for me that you will be visiting Professor McDougal! I shall be here until the end of that month, since I have exams through the 24th; the only dates I plan to be away are April 11-14. I am also caving in to modern technology and getting an answering machine for my telephone, so that I will not be entirely dependant on the postal service.

I hope I manage to reach you in the next few days and very much look forward to meeting you in May.

Yours sincerely,

Andrea McDowell

Andrea McDowell



Yale Law School

ANTHONY T. KRONMAN

Dean

May 22, 1998

The Honorable R. St. J. Macdonald
European Court of Human Rights
Council of Europe
F-67075 Strasbourg Cedex

Dear Judge Macdonald:

Thank you so much for sending me a copy of the transcript of your fascinating interview with our good friend Myres McDougal. It contains a wealth of information and offers an intriguing portrait of one of this century's most remarkable legal scholars. I want to consult with Michael Reisman and Elizabeth Stauderman, the Law School's Director of Public Affairs, about the best use for your interview, but I am absolutely sure that we will want to use it in some fashion. It is a sign of your affectionate friendship for Mac that you made the trip to New Haven three years ago to meet with him, and a further sign that you are willing to share that conversation with the Yale Law School community. Thank you for your kindness and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Anthony T. Kronman', written in a cursive style.



YALE LAW SCHOOL
401A YALE STATION
NEW HAVEN, CONNECTICUT 06520

Myres S. McDougal
Sterling Professor of Law, Emeritus

May 30, 1991

Professor Ronald St. J. Macdonald
Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

Dear Ronald:

I had known that we were good friends and that, happily, I am sometimes able to think like you. What I didn't know was that we might be blood relatives, descended from the same ancient ancestor.

Enclosed is a most interesting history of a robber viking named Somerled. The paper suggests that Somerled was the progenitor of both the MacDougals and the MacDonalds. My ego enlarges by the day!

All the best,

Myres S. McDougal
Sterling Professor of Law,
Emeritus

MSM/cad
Enclosure