

Lakeside

July 18, 1974

Dear Mr. Kraines:

I'm writing this out at a lake cottage on a somewhat temperamental machine, whose eccentricities I trust you will forgive.

My thanks for the copy of your fine tribute monograph to Ernst Freund. I've known his formal work for many years, but I have never known of his full career, or of his personal history, and I am most grateful to learn from you. I came early in my own concerns with legal study to know him as a scholar, naturally enough because I was sitting in seminars under Felix Frankfurter. When I became much interested in Legislation as an area of law school study and research, my regard for what Freund had put together and the wisdom he had distilled grew; you confirm me in my estimations of his work for that work.

Your emphasis seems to me particularly to catch the reality of the movement of time and policy in the degree to which you put your focus on issues of the phenomena of administrative discretion in all their variety and challenges to political wisdom. This is one of the core areas of policy importance for our time. I could wish that there were more signs of the kind of legislative creativity and courage for which you note Freund hoped. So far the force of executive/administrative growth seems to have overwhelmed legislative nerve, and yet I am enough of a "legislative man" myself to feel that we have no hope of satisfactorily placing executive/administrative roles in their rightful places unless there is vigorous legislative surveillance and check.

Thank you, again, for the book, and also for your generous inscription.

Sincerely yours,

Mr. Oscar Kraines

Willard Hurst

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