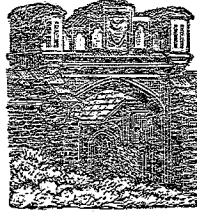


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January 11, 1961

Dr. Otto Kirchheimer
2801 Beechbank Road
Silver Spring, Maryland

Dear Dr. Kirchheimer:

Thank you for returning Chapters 6 through 8, with the concluding chapter. Again I am very grateful to you for all your suggestions and corrections. It has been throughout a delight for me to be working on your manuscript, and I thank you for all your time and thought.

I agree that "Political Justice" can be a misleading and ambiguous title, but I somehow cannot get excited about "Politics and Justice," nor do I feel it does enough to solve the problems of the first title. The working title we have been using here at the Press is: "Politics and the Administration of Justice." This is a little clearer, but the bulky word "Administration" does not seem to convey the heart of the problem. Would "Politics and the Problem of Justice" come closer? Or "Political Obedience* and the Problem of Justice?" For me, the latter seems to tell me something that the others do not, but perhaps I have only muddied the waters. It's awkward and perhaps too blunt, but would "Politics and the Utility of Justice" suggest something?

The mastheads for chapters and sections is much less problematic! I agree with you that the translation for each would be better in a footnote.

I shall be eager to hear your ideas about the title. And I shall look forward to receiving Chapters 9 and 10 whenever it is convenient.

My thanks to you again,

Yours sincerely,

Judy Walton
Judy Walton

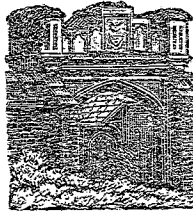
*"Conformity" better?

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January 17, 1961

Dr. Otto Kirchheimer
2801 Beechbank Road
Silver Spring, Maryland

Dear Dr. Kirchheimer:

I have received the first half of Chapter X, all of Chapter IX, and the very striking picture from the BuschReisinger Museum. Again I am grateful for all your comments on the text and for the care you have shown to all my bundles of pages. On the picture, I cannot tell you yet what the other members of our staff will feel, but I endorse it unqualifiedly. It is so clear, such a ghastly state of humanity, that it terrifies me. I will let you know our decision as soon as I can.

I find the suggested titles running through my mind but I'm not yet sure which I favor most. Do you prefer "Politics and Justice"? Or would you like "Political Justice" with a descriptive, neutral subtitle? I'll keep mulling over the latter.

Thank you very much for your clear statement about the book. It will be very helpful. At the risk of plagiarizing, I wonder how the first line of your statement would be for a title and subtitle:

POLITICAL JUSTICE

The Use of Legal Procedure for Political Ends

Is this too long, and repetitious, for a title?

Many thanks again for all your help,

With all good wishes,

Judy Walton
Judy Walton

Jan. 28, 1961

Dear Miss Walton:

Thank you very much for sending me chapters III- IX which I received today. In glancing through the footnotes I realized that a number of footnote pages are missing; they seem to be those pages for which I sent addenda. I assume that you retained them and are working on them?

As to the title question: there is an additional entry into the contest: The Politics of Justice.

I am still inclined towards "Political Justice" with the subtitle which you suggested from the note for the jacket.

It seems the end of the road is near for you and thanks to your energy and perseverance within the time limit set by the Press.

I shall get to work on the above right now and hope to spend Tuesday and Wednesday at the Library of Congress trying to clear up gaps and queries.

Many thanks -

Sincerely yours,

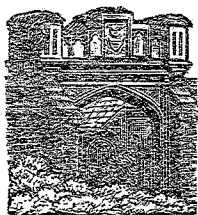
John H. Johnson

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February 6, 1961

Dr. Otto Kirchheimer
2801 Beechbank Road
Silver Spring, Maryland

Dear Dr. Kirchheimer:

You are amazing! I cannot thank you enough for the speed and care in your attention to Chapters III through IX and the footnotes. I am most grateful to you. Thank you too for the bibliographical note to follow the Preface; it is perfectly all right to wait for the paragraph of acknowledgements. Perhaps you would prefer to wait until galley for that. That would be fine.

I found relatively few questions regarding Chapters X and XI. With your permission I will hold them until galley stage. I was most impressed with Miss Todd's able handling of the large part of Chapter X. I am sure you must be pleased.

Just to be sure: I think we are agreed, and everyone here is too, that the title will be:

POLITICAL JUSTICE

The Use of Legal Procedure for Political Ends.

I'm very pleased.

A lot of excitement has been generated by the Grosz picture, and it is indeed favorable excitement. It has been suggested that we use the picture on the jacket of the book. How do you feel about this? It would be done very simply, and the picture might be reduced somewhat.

In case you might need an extra copy I am enclosing another Sales Information form. I am sorry to be such a nuisance; I will welcome your suggestions whenever it is convenient for you.

With all good wishes,

Yours sincerely,

Judy Walton

Judy Walton

JW/nl

Encl.

April 6, 1961

Miss Judy Walton
Princeton University Press
Princeton, N.J.

Dear Miss Walton:

Many thanks for your letter of March 28. I hope you do not mind that I am sending back the copy of the 44 first galleys marked for the indexer already now; because if I wait and send it was the corrected galleys for the entire book - sometime in May before I depart - there would be no opportunity any more to discuss any of the problems which come up in connection with the index.

The 44 galleys which you now receive have not been corrected but I made an attempt to underline and develop some of the concepts which might be taken into the index. I realize fully well that owing to the fact that I did not make cards out, I have probably not been consistent, but I hope it will give an idea to the indexer.

With your kind permission I will jot down some of the problems connected with the index:

- 1) I tried to index the notes only to the extent a) that names mentioned there pertain to historical personalities b) in regard to authors of articles or books quoted several times, either in the text, or in notes, or both; c) in regard to authors whose work or life have been critically commented upon.
- 2) I have added first names for the index where it did not appear in the text. In looking through the corrected proof later on you might decide that some first names might only have to go into the index, however I will not add first names in the official galley
- 3) I added marginal notes for the indexer only if a concept has been defined, otherwise I underlined words or names to be taken into the index.
- 4) a c in the marginal definition of concepts means cross-reference needed
- 5) Except for Athens and Rome I have not indexed countries or states but only referred to them in connection with concepts. If that should be deemed desirable the indexer could certainly develop such country references.

May 7, 1961

Miss Judy Walton
Princeton University Press
Princeton, N.J.

Dear Miss Walton:

As per our telephone conversation I am sending you about 100 galley proofs in order to make it possible for you to have a quick look at them before I leave.

A number of times I have not been sure about capitalizing for instance galley 68 note 22 in regard to "judicial council" the same g.71 2nd par. from below "justice department" this refers to a specific institution US Justice Dpt. and on g.80 in regard to the "empire's attorney". g.97 ~~XXXXXXXXXXXXXXXXXXXX~~ "attorney general". If Minister of Justice is cap. why not Attorney General?

If you don't mind I would like to have a dedication on a special page after the title page:

^{To} For the past, present and future

victims of

Political Justice

I have added the page of acknowledgements on g.1 adding also the mentioning of the chapters previously published. There is only missing a) acknowledgment of the indexer (who has not gotten in touch with me yet) and I suppose you will have to be kind enough to add her name and function b) acknowledgment of to the Busch-Reisinger Museum for the Grosz print and c) acknowledgment of Suhrkamp Verlag Frankfurt for the quotation from Bert Brecht (they have not answered yet)

a few points:

g.5 in the note 4 I think "purgatory oath" is better than "purgative"

g.8 in a number of cases you ask for the first name; I wonder whether it would not be enough to add the first names in the index?

g 13 note 27: no first names are given for commentaries

g 19, note 4:(old) has been transferred into the text.

g.20
threatened

I retype here the new footnote 5: What type of criminal action ~~was~~ initiated against a clergyman by the DDR authorities would constitute legitimate reason for abandoning his flock and for fleeing to the Federal Republic has become the object of both public and intra-organizational discussion since the mid 50ies.

g.41

last #: I think it should read "A trial seems to provide as an object ~~axx~~ the segment of history, as a ~~xxx~~ yardstick for judgment the law and as a signpost"

g.45

the English translation of the Mommsen quotation: I think the best translation of "sich vertragen" is "come to terms with"

g.54

transfer between note 40 and 41

g.65

in the translation of the Balzac quotation half a sentence has been left out: it reads: "to distrust the judiciary marks the beginning of society's end,"

g.70

note 28 at the end: it is "vol.2 of Erkennen und Handeln" not vol 2 of the Gesammelte Werke.

g.78 and 79

footnotes have to be transferred as indicated

g.83

the translation of the Rilke quotation has been changed following your suggestion.

g.84

note 4: Pareto is quoted according to ~~xxxxxxx~~ paragraphs not pages.

g.87

I retype the last lines of note 20: criminal trial. But see the opinion of the court in NAACP v. Alabama, 357 US 449, ~~462~~ 462 - no change in next line - criminal behavior), and most recently, Douglas dissenting in Uphaus v. Wyman, 364 U.S. 388, 401 (1960)

g.94

I retake 2nd par.:

The American decisions are neither very favorable to the politically profiled lawyer asking for admission nor to his colleague demanding relief from contempt of court or disciplinary sanctions (59) yet ~~taxation~~

(59) see ~~the first three cases cited in note 56 above as to admission~~ ~~and~~ the new Konigsberg and Anastaple decisions of the Supreme Court of April 24, 1961 (5-4) both unfavorable to the petitioners; for disciplinary proceedings see note ~~58~~ 57.

in either case chance factors such as change in the personnel of higher courts reviewing these sanctions might net the political lawyer a windfall. (60) But by and large his prospects are presently as poor in the field of disciplinary sanctions as in the admission field.....

there is no change in note 60.

g.

My last day in Washington is Monday May 15. May 15-18 I shall be in New York, however, I shall have no access to my notes and materials there.

I shall send off the mss and the rest of the galleys Tuesday May 16
My Freiburg adress for June and July is:

Otto Kirchheimer
Institut fuer Oeffentliches Recht
Universitaet Freiburg
Freiburg i.Br.
Belfortstrasse 11.

I hope we are now seeing the end of the road. I am certainly most grateful to you for all you did for me.

With many thanks -

Sincerely yours

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September 7, 1961

Professor Otto Kirchheimer
chez David
49 Ave de la Republique
Neauphle le Chateau Seine et Oise
France

Dear Professor Kirchheimer:

What a confusing and hectic time we have all had! I do not think we have ever before lost a set of proof, so this was extremely unnerving to us, as well as to you. However, the extra set that you read has reached me safely, and is now being double-checked by our proof room, who will be alert for typographical errors, etc. So I think we are doing all we can to safeguard its accuracy.

Mrs. Hanford or Miss Walton sent you a thermofax copy of the index, simply for your information. If there is anything glaringly wrong, I hope you will cable me. However, we have checked it rather carefully, taking care of some misplacements in alphabetical order, etc., so I think it should be in good shape now. It is in our plant, being set in type. We hope to get the book started on the presses next week or the week after. We did lose our place in line by this unavoidable circumstance, for we had to rush in another book to take the place of yours, and of course now need to complete it before we return to yours. But I am hopeful that we will get your book printed in September, receive bound books in October, and publish in either late October or November.

It is certainly nice to be corresponding with you again, for, as I hope I have been able to convey to you, I regard yours as one of the most important books on our list, and I am extremely proud of it and excited by it.

Sincerely yours,

R. Miriam Brokaw

R. Miriam Brokaw

RMB:ntp

cc: Mrs. Kirchheimer

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September 29, 1961

Mrs. Anne R. Kirchheimer
2801 Beechbank Road
Silver Spring, Maryland

Dear Mrs. Kirchheimer:

Your letter of September 25th amazed me, to hear that the second half of the proof had gone by ordinary mail. Right up to the last point, all of our instructions say "airmail," but somehow we must have slipped. I am terribly sorry about this, It is too late, I am afraid, for this copy to be helpful, since the book is on the presses.

With all good wishes,

Sincerely yours,

R. Miriam Brokaw

R. Miriam Brokaw

RMB:ntp