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Robert Lee Hale papers4078851

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Rare Book and Manuscript Library

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Summary Information

Repository:	Rare Book and Manuscript Library
Creator:	Hale, Robert L. (Robert Lee), 1884-1969
Title:	Robert Lee Hale papers
ID:	4078851
ID:	MS#0535
Date [inclusive]:	1912-1958
Physical Description:	13 linear feet 26 boxes
Language of the Material:	English
Abstract:	Professional correspondence, manuscripts, course materials, and printed works documenting the education and career of Robert Lee Hale (1884-1969), economist and Columbia University professor of law.

Preferred Citation

Identification of specific item; Date (if known); Robert Lee Hale Papers; Box and Folder; Rare Book and Manuscript Library, Columbia University Libraries.

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Biographical / Historical

Robert Lee Hale (1884-1969) was an economist and professor of law at Columbia University School of Law.

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Biographical / Historical

Robert Lee Hale was born in Albany, New York on March 9, 1884. He graduated from Harvard College in 1906 and Harvard Law School in 1909. He practiced law until 1913, then taught economics at Columbia University, where he completed a Ph.D. in economics in 1918.

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Biographical / Historical

Hale joined the faculty of the Columbia University School of Law in 1918 and became a full professor of law in 1935. His classes and published works focused on the intersection of economics and law. He approached legal scholarship through the framework of legal realism, which advocated applying the principles of scientific inquiry to jurisprudence as a means of coping with the inherent ambiguity of the law. Hale's best-known works are *Valuation and Rate-Making: The Conflicting Theories of the Wisconsin Railroad Commission, 1905-17* (1918) and *Freedom Through Law: Public Control of Private Governing Power* (1952). Upon his retirement from full-time teaching in 1949, he was granted professor emeritus status.

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Biographical / Historical

Hale married Dorothea Keep on December 20, 1913. They had one child, Robert Lee Hale, Jr. Robert Lee Hale died in Stamford, Connecticut on September 1, 1969.

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Scope and Contents

Professional correspondence, manuscripts, course materials, and printed works documenting the education and career of Robert Lee Hale (1884-1969), economist and Columbia University professor of law. Prominent correspondents of Hale's include Louis Brandeis, Benjamin N. Cardozo, Felix Frankfurter, Oliver Wendell Holmes, Jr., Harlan Fiske Stone, and William Howard Taft. Many of these letters deal with contemporary cases before the Supreme Court.

There are also materials Hale used in classes he taught at Columbia University. His notes, manuscripts, and typescripts for many of his articles and papers, along with correspondence relating to them, are included in the collection. In addition, there are extensive mimeographed copies of Hale's unpublished works, including the five editions of his *Legal Factors in Economic Society*, which he used as a classroom text between 1935 and 1947. Finally, there are academic papers from Hale's years at Harvard College and Harvard Law School.

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Arrangement

This collection is arranged in three series. Subseries I.1 is arranged in alphabetical order by the correspondent's last name. The remaining materials in the collection are largely grouped by subject and are arranged in alphabetical order. Selected material cataloged; remainder listed and arranged.

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Administrative Information

Publication Statement

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Revision Description

PDF finding aid converted to EAD by CLB. Restrictions on box 23 lifted as expired.
kws 2020-06-30 2026-01-05

Restrictions on Access

This collection is located off-site. You will need to request this material at least three business days in advance to use the collection in the Rare Book and Manuscript Library reading room.

Restrictions on Access

This collection has no restrictions.

Immediate Source of Acquisition

Source of acquisition--Hale, Robert Lee Hale, Jr. via Law Library. Method of acquisition--Gift and transfer; Date of acquisition--1976. Accession number--M-76.

Processing Information

Cataloged Christina Hilton Fenn 06/--/89.

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Accruals

Gift of Warren J. Samuels, 1990.

Processing Information

Materials were intellectually arranged into series at the same time the finding aid was converted to EAD. The biographical note was also expanded. Nothing in the collection was physically rearranged.

Accruals

Materials may have been added to the collection since this finding aid was prepared. Contact rbml@columbia.edu for more information.

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Controlled Access Headings

- Law -- Study and teaching
- College teachers
- Lawyers
- Law and economics
- Brandeis, Louis Dembitz, 1856-1941
- Cardozo, Benjamin N (Benjamin Nathan), 1870-1938
- Frankfurter, Felix, 1882-1965
- Holmes, Oliver Wendell, Jr., 1841-1935
- Stone, Harlan Fiske, 1872-1946
- Taft, William H (William Howard), 1857-1930
- Columbia University -- : Faculty
- Harvard University -- : Students
- Harvard Law School -- : Students

Collection Inventory

Series I: Correspondence

Scope and Contents

Series I contains Hale's professional correspondence. Much of the correspondence in Subseries I.2 discusses Hale's law review articles.

Subseries I.1: Cataloged correspondence

Title/Description	Instances
Baruch, Bernard M.	box 1
Beard, Charles A.	box 1
Berle, Adolph A., Jr.	box 1
Black, Hugo L.	box 1
Bliven, Bruce	box 1
Burlingham, Charles C.	box 1
Burton, Harold H.	box 1
Butler, Nicholas Murray	box 1
Brandeis, Louis D.	box 1
Cardozo, Benjamin N.	box 1

Dewey, John	box 1
Douglas, Paul H.	box 1
Douglas, William O.	box 1
Fisher, Walter L.	box 1
Frank, Jerome New	box 1
Frankfurter, Felix	box 1
Gay, Edwin F.	box 1
Hand, Learned	box 1
Holmes, Oliver Wendell	box 1
Johnson, Alvin	box 1
Lerner, Max	box 1
Lippmann, Walter	box 1
Lowell, Abbott Lawrence	box 1
McAneny, George	box 1
Moon, Parker T.	box 1
Pound, Roscoe	box 1
Robinson, Geroid Tanquary	box 1
Rosenberg, James N.	box 1
Seligman, Edwin R. A.	box 1
Simkhovitch, Vladimir G.	box 1
Stone, Harlan Fiske	box 1
Taft, William Howard	box 1

Subseries I.2: Arranged correspondence

Title/Description	Instances
Academy of Political Science meeting, 1930	box 3
Berle-Hale correspondence	box 4
Carbons of copies of letters from others praising Hale's articles (originals believed sent to publisher)	box 4
Carver article correspondence ("Coercion and Distribution in a Supposedly Non-Coercive State")	box 2
"Commissions, Rates, and Policies" correspondence	box 2
Commons-Hale correspondence	box 2

"Conflicting Judicial Criteria of Utility Rates" correspondence	box 2
Constitutional rights against private individuals correspondence	box 2
Contract impairment article correspondence	box 2
Correspondence, 1912-1958	box 9
Correspondence and manuscripts from Thomas W. Holland	box 7
Correspondence re: N. T. Guernsey	box 5
Correspondence with H. G. Brown	box 2
Correspondence with Nicholas Kelly	box 3
Correspondence with publishers	box 6
Correspondence with T. R. Powell	box 5
Criticism of constitutional system	box 3
"Duress" correspondence	box 2
Early letters and materials re: single tax etc.	box 5
"Economics and the Statesman" correspondence	box 2
"The 'Fair Value' Merry-Go-Round" correspondence	box 2
"Force and the State" correspondence	box 2
"Does the Ghost of Smyth v Ames Still Walk?" correspondence	box 2
Hale-Arthur S. Miller correspondence	box 5
Hale's letters to the editor	box 3
Harvard alumni bulletin, 1912	box 5
Hope natural gas article	box 2
"Judicial policy" (Arthur R. Burns), 1941	box 3
Correspondence on labor legislation as an enlargement of individual liberties	box 2
Letters, scrap-book material, etc	box 5
Minna L. R. brief	box 3
Miscellaneous correspondence	box 2
Miscellaneous correspondence	box 5
Miscellaneous correspondence: "Blue Box" (first group)	box 3
Miscellaneous correspondence: "Blue Box" (second group)	box 5

Miscellaneous Hale-Stone correspondence	box 3
Miscellaneous letters	box 5
Miscellaneous letters and materials	box 5
Miscellaneous letters and materials	box 5
Nebbia and Lindheimer articles	box 2
"Our Equivocal Constitutional Guaranties" correspondence	box 2
"The 'Physical Value' Fallacy in Rate Cases" correspondence	box 2
Political and Economic Review correspondence	box 2
Public lands, 1912	box 5
"Rate Making and the Revision of the Property Concept" correspondence	box 2
Research Council in the Social Sciences — letters and reports	box 4
Sacco-Vanzetti correspondence and materials	box 4
"The Supreme Court and the Contract Clause" correspondence	box 2
"Unconstitutional Acts as Federal Crimes" correspondence	box 2
"Unconstitutional Conditions and Constitutional Rights" correspondence	box 2
"Law Making By Unofficial Minorities" correspondence	box 2
"Valuation and Rate Making" correspondence	box 2
"What is a 'Confiscatory' Rate?" correspondence	box 2

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Series II: Teaching materials

Scope and Contents

Series II contains materials Hale used to teach his classes in the Columbia University economics department and at Columbia University School of Law. These include course outlines, lecture notes, exams, and course readings.

Title/Description	Instances
Coercion and Distribution in a Supposedly Non-coercive State	box 19
Columbia School of Law curriculum studies	box 3
Course material: Notes and miscellaneous exams	box 22

Course material: Syllabi, exams, grades, Columbia Law Faculty, 1919-1951 Conditions Governing Access: **Conditions Governing Access** Closed to researchers until 2026.	box 23
Course outline: Law of Industrial Relations	box 3
Industrial Relations course materials	box 17
Course outline: Legal Factors in Economic Society	box 4
Materials: Legal Factors in Economic Society	box 6
Examinations — Legal Factors course (including precursor)	box 3
Legal Factors in Economic Society (editions 1-5), 1935-1947	box 12
Legal Factors in Economic Society (editions 1-5), 1935-1947	box 13
Legal Factors in Economic Society (editions 1-5), 1935-1947	box 14
Legal Factors in Economic Society (editions 1-5), 1935-1947	box 15
Legal Factors in Economic Society (editions 1-5), 1935-1947	box 16
Materials from instructor period — Columbia economics department, circa 1913-1918	box 5
Course material: Notes (mainly on Public Utilities)	box 21
Public Utilities course materials	box 5
Social Control in Economic Life course materials	box 6
Outlines for Social Control in Economic Life course	box 3
Social Control	box 18
Social Control	box 19

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Series III: Research and scholarship

Scope and Contents

Series III contains notes and outlines, unpublished manuscripts, legal briefs, and published works by Hale and others. It also contains a small amount of Hale's coursework from Harvard University.

Title/Description	Instances
Amicus Curiae in Sweatt case [Sweatt v. Painter], circa 1950	box 6
Book review manuscripts	box 8
Book reviews of Freedom Through Law	

	box 5
Chapters from early attempt to systematize legal-economic thoughts	box 7
Correspondence and manuscripts on international discrimination, 1920-1921	box 6
Dewey, John cataloged manuscript	box 1
Gardner's papers on Commons	box 3
Hague brief re: freedom of assembly	box 3
Hale's miscellaneous publications	box 5
Harvard College report, Economics 6, 1905 Spring	box 8
Harvard College thesis, Government 10, 1905 Spring	box 8
Harvard College hour exam, report, thesis, Philosophy, 1905 Fall	box 8
Harvard College lecture notes, Economics 12b, 1905 Fall	box 5
Harvard College exam, Economics 2, 1906 February 6	box 8
Harvard Law School lecture notes, jurisprudence, Beale, 1909 Spring	box 4
Harvard Law School report, Jurisprudence, 1909 Spring	box 8
Manuscripts, 1916	box 8
Manuscripts and mimeographs	box 10
Manuscripts and mimeographs	box 11
Manuscripts by R. L. Hale	box 7
Manuscripts of "Coercion and Distribution"	box 6
Manuscripts, probably drafts of Harvard Law Review volume 53, circa 1939-1940	box 7
Materials on public utilities	box 4
Materials re: Freedom Through Law	box 3
Materials re: Restrictive Covenant Cases	box 7
Minutes of a seminar on government, 1945	box 2
Miscellaneous letters, notes and materials	box 4
Miscellaneous manuscripts by Hale	box 4
Miscellaneous manuscripts by Hale	box 6
Miscellaneous manuscripts by Hale	box 7
Miscellaneous manuscripts by Hale	box 7

Miscellaneous manuscripts of Hale, circa 1910s	box 2
Miscellaneous manuscripts, pages, and notes	box 8
Miscellaneous materials	box 4
Miscellaneous notes and materials	box 5
Miscellaneous notes and materials	box 6
Miscellaneous notes and materials	box 7
Miscellaneous notes and materials	box 8
Miscellaneous notes, letters and outlines	box 3
Miscellaneous outlines and notes re: law and economics	box 3
Miscellaneous papers	box 8
New York College Teachers Union, 1940	box 4
National Lawyers Guild, 1940	box 4
Political and Economic Review	box 5
Printed - miscellaneous	box 26
Printed - miscellaneous	box 27
Printed works by Robert L. Hale	box 24
Printed works by Robert L. Hale	box 25
Publications by Hale in labor law	box 4
Sacco/Vanzetti material	box 9
The Valley News editorial	box 3
University of Chicago Mobilization Conference, 1951	box 4
Unpublished review of Carver	box 6
Works by others	box 20

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