This issue is dedicated to the memory of

ARNOLD M. ROSE

1918-1968

THE RECENT DEATH OF ARNOLD ROSE was a great loss to sociology. Given his wide-ranging interests, it is likely that several subfields will suffer from his absence. Certainly this is the case with sociology of law. Perhaps we can glean some valuable lessons from his work in the area.

Professor Rose's life illustrates superbly the compatibility of objective research and a strong set of social values. Beginning with his collaboration with Myrdal on *An American Dilemma,* he worked throughout his life on the problem of race relations. His personal indignation over the discrepancy between our ideals and practices did not keep him from analyzing the mechanisms which preserve racial discrimination. His response rather was to search for ways in which the society might act to break into the cycle of cumulative causation. Law attracted him as an institutional device through which America could confront its own failures and do something about them.

Accordingly, he was one of the first to attack the shibboleth that law counter to the mores could not succeed. Even before the Eisenhower reprise of Sumner's theme, he pointed out—with convincing documentation—that discrimination can be eliminated by authoritatively imposed equality of treatment.[1]

Recognizing the potential utility of law as a means of implementing policy aims, he explored several elements in the process. He was interested in the discrepancies between public opinion and the law both in race relations and in criminal sentencing.[2] His pioneering work in this area foreshadowed studies by lawyers[3] and social scientists on the subject. He also concerned himself with the mechanisms through which public opinion finds expression in legislation. He made some notable contributions through his comparative studies of voluntary associations, which he related to the legal process both as consequence and deter-

1. A. M. ROSE, RACE PREJUDICE AND DISCRIMINATION, New York, 1951, Part V, esp. Ch. 53.

2. ——— and A. E. Prell, "Does the Punishment Fit the Crime?" 61 AM. J. SOCIOLOGY (1955) 247.

3. J. COHEN, ET AL., PARENTAL AUTHORITY, New Brunswick, N.J., 1958.

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minant of law. His studies of voluntary associations[4] provided a degree of empirical specificity that helped the political scientists move from the conceptual approach of Bentley and Truman to the empirical style exemplified by Bailey, Krislov, and Vose.

Another matter of concern to him was the manner in which law takes the findings of social science directly into account. His contributions in this field are best exemplified by an article on the social scientist as an expert witness.[5] Characteristically, this study was first located where it could reach the most relevant audience—in this case, the lawyers.

He was concerned not only with the manner in which law is formulated, but also with its impact. Long before the current interest in police–minority relations, he dealt with this problem in a chapter which concerned itself with police discrimination as encouraged, permitted, or prohibited by law.[6] His student, Harry Ball, followed up his concern with the impact of law through carefully designed studies of compliance with rent control laws[7] and the impact of experimentally modified income requirements in public housing.[8] His comprehensive view of the legal process is spelled out in a conceptual article that shows the scope of his thinking about the legal process in relation to society.[9]

Despite a scholarly career that included many more contributions than those here cited, Professor Rose found time for social action. He played a leading role in formulating the social scientists' appendix to the appellants' brief in *Brown* v. *Board of Education,* the source from which the celebrated footnote 11 was drawn in that decision.[10] He entered directly into the political process, running successfully for the state legislature in Minnesota. He served as an adviser to major political

4. A. M. ROSE, THE POWER STRUCTURE, New York, 1967; "A Theory of the Function of Voluntary Associations in Contemporary Social Structure" and "Voluntary Associations in France" in THEORY AND METHOD IN THE SOCIAL SCIENCES, Minneapolis, 1954, Chs. 3 and 4.

5. ———, "The Social Scientist as an Expert Witness," 40 MINNESOTA L.R. (1956) 205. Revised and reprinted in P. F. LAZARSFELD, W. H. SEWALL and H. L. WILENSKY, THE USES OF SOCIOLOGY, New York, 1967.

6. ———, AMERICA DIVIDED, New York, 1948.

7. H. V. Ball, "Social Structure and Rent Control Violation," 65 AM. J. SOC. (1960) 598.

8. ———, K. Ikeda, and D. Yamamura, "Legal Interventions, Social Mobility and Dependency—A Study of Public Assistance in Housing" (in process).

9. A. M. Rose, "Some Suggestions for Research in Sociology of Law," 9 SOCIAL PROBLEMS (1962) 281.

10. "The Effects of Segregation and the Consequences of Desegregation: A Social Science Statement," 37 MINN. L.R. (1953) 427.

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figures in Minnesota and in Washington. In another type of action, he undertook a libel suit against an attacker who charged him with being a Communist, winning an award at the trial level on the issue of falsity, but losing on appeal on grounds that he was a public figure. His experience in this case was written up and will appear posthumously.[11]

He was also extremely active in the organization of the profession. He helped establish the Society for the Study of Social Problems and served as its president. He was also a vital force in the American Sociological Association and was president-elect at the time of his death. He played a major part in founding the Law and Society Association and acted as its delegate to the American Sociological and International Sociological Associations.

Rarely was he heard to turn down a request for assistance in any of these connections. If we needed him at a meeting he was there; if someone else was available, he was happy to have them do it.

Most recently, this *Review* carried a symposium on four major books on educational desegregation. Finding suitable reviewers in other fields proved difficult, since there was little time for the extensive reading required. Arnold Rose was the first sociologist approached and he agreed without hesitation. "I've been meaning to get to those books anyway," he said, "and this will give me the chance. Send them out." He worked on the review article between trips to the hospital and sent in the manuscript, as usual, well ahead of the deadline. When there was a job to be done, you could count on him.

—RICHARD D. SCHWARTZ

11. A. M. ROSE, LIBEL AND ACADEMIC FREEDOM: A LAW SUIT AGAINST POLITICAL EXTREMISTS, Minneapolis: University of Minnesota Press (forthcoming, 1968).

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