

## Julius J. Marke: In Memoriam\*

M. Kathleen Price\*\*

¶1 Most of us who knew him thought of Julius Marke's forty years of service, from 1942 to 1982, as the one constant in the rise of New York University Law School from a school largely devoted to the education of the children of immigrants, as well as women and religious minorities barred from other Northeastern law schools, to a law center on the threshold of greatness. When he joined NYU, he was one of only five percent of academic law librarians with both law and library science degrees.<sup>1</sup> Julius, known as "Jules" to family and old friends, was a legal scholar; a leader in debates about education, placement, and law library classification; and builder of a great, selective book collection.

¶2 Julius entered law librarianship during the period when it was becoming conscious of its uniqueness as a profession. He followed the first-generation "pioneers" who included Miles Price (Columbia), William Roalfe (Duke, Northwestern), and Arthur Pulling (Harvard, Minnesota, Villanova). Like Roalfe and Pulling, he is identified with one library, yet he built a second successful career at another. His service to St. John's University School of Law from 1982 until his death included designing a beautiful library addition, mentoring young librarians, and modeling collegiality for a faculty seeking to move up in the rankings.

¶3 In his ninetieth year, Julius remained as ebullient a salesman for law, law libraries, NYU, and New York City, and as devoted a husband to Sylvia, father of a lawyer daughter, grandfather of young twins, and friend to librarians and publishers he had known his entire career—and those he had met only yesterday—as the day he burst into national law library consciousness when he rejoined the NYU law library following his return from the army. Perusal of the *Law Library Journal*, his books, and his columns for the *New York Law Journal* show that his interests were always ahead of the curve, whether the subject was design of the modern law library,<sup>2</sup> adoption of microforms as a space saver,<sup>3</sup> intellectual property,<sup>4</sup> publishing

---

\* © M. Kathleen Price, 2004.

\*\* Associate Dean of Library & Technology, Legal Information Center, University of Florida Levin College of Law, Gainesville, Florida.

1. Harry Bitner, *The Educational Background of the University's Law Librarian*, 40 LAW LIBR. J. 49, 55 (1947) (citing *Survey and Report of the Committee on Education for Law Librarianship*, 29 LAW LIBR. J. 199 (1936)).
2. Julius J. Marke, *The Mills Memorial Library of the School of Law of New York University*, 45 LAW LIBR. J. 79 (1952).
3. *Law Libraries and Miniaturization*, 66 LAW LIBR. J. 395 (1973) (Julius J. Marke & Frances Farmer, moderators).
4. *Can Copyright Law Respond to the New Technology?* 61 LAW LIBR. J. 387 (1968) (Julius J. Marke, moderator). This panel discussion is still relevant today!

practices,<sup>5</sup> disaster planning,<sup>6</sup> classification of the emerging and complex field of administrative law,<sup>7</sup> or, more recently, cyberlaw<sup>8</sup> and the information superhighway.<sup>9</sup> A legal historian of note, he could look fore and aft concurrently. His *Holmes Reader*<sup>10</sup> was hailed as a milestone in popular legal biography, and his *Vignettes of Legal History*, originally published in 1965, enjoyed a second revised edition in 2000.<sup>11</sup>

¶4 Julius Jay Marke was born in 1913 in New York City. He graduated from City College of New York in 1934, NYU law school in 1937, and Columbia's library school in 1942. His first library job was as a reference assistant in the New York Public Library, where he worked from 1927 to 1942, although he maintained a legal practice on the side from 1939 to 1941. Julius began his career in law librarianship as legal reference librarian at NYU from 1942 to 1943; when he returned from the war, he served as assistant law librarian from 1946 to 1948. He became assistant professor and librarian in 1948, and professor and librarian in 1952. He continued in that role until his retirement in 1983, when he was named professor of law emeritus. He also served as NYU's interim dean of libraries from 1975 to 1977.

¶5 At NYU, Julius served initially under Fred Rothman who had been named director in 1941. Fred created the NYUL K classification scheme based on the Library of Congress' rough outline which Julius completed and described in the pages of *Law Library Journal*.<sup>12</sup> Unlike most systems in use at the time which classified primary sources by jurisdiction and merely Cuttered treatises, the NYU schedules treated legal and nonlegal titles together in broad subjects subdivided by form.<sup>13</sup> Julius learned more than law classification under Fred Rothman. Paul Rothman recalls that Julius, upon becoming law librarian, asked his father whether he should vote at faculty meetings since his contract was silent on the issue. Later library directors at NYU have been grateful that he followed Fred's advice: "Just do it!"<sup>14</sup>

- 
5. Julius J. Marke, *The Gentle Art of Making Enemies or Law Book Publishing Revisited*, 63 LAW LIBR. J. 3 (1970).
  6. *Preservation of Law Library Materials and Disaster Planning*, 73 LAW LIBR. J. 831 (1980) (Julius J. Marke, moderator).
  7. Julius J. Marke, *Administrative Law and the Expansion of Class "K" at New York University*, 42 LAW LIBR. J. 12 (1949).
  8. Julius J. Marke, *The Law Librarian Moves in Cyberspace*, N.Y. L.J., May 20, 1997, at 5.
  9. Julius J. Marke, *Librarians on the Information Superhighway*, N.Y. L.J., May 16, 1995, at 5.
  10. THE HOLMES READER: THE LIFE WRITINGS, SPEECHES, CONSTITUTIONAL DECISIONS, ETC., OF THE LATE OLIVER WENDELL HOLMES, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, AS WELL AS AN EVALUATION OF HIS WORK AND ACHIEVEMENTS BY EMINENT AUTHORITIES (Julius J. Marke ed., 1955), reviewed by David S. Stern, Book Review, 48 LAW LIBR. J. 409 (1955).
  11. JULIUS J. MARKE, VIGNETTES OF LEGAL HISTORY (rev. & enlg. ed. 2000).
  12. Marke, *supra* note 7.
  13. It wasn't until 1996 that we at NYU closed what is now referred to as NYUL in favor of LC because of the proliferation of new legal subjects and the faculty's growing interest in interdisciplinary research. I feel certain that the longtime NYU faculty prefer NYUL's simplicity and are relieved that we never had funds to reclassify the retrospective collection!
  14. Telephone Interview with Paul A. Rothman, President, LoDo Law Books (Oct. 2003).

¶6 Julius married Sylvia Bolotin in 1946 and settled in Peter Cooper Village, one of the two large complexes built for the middle class by Met Life in Manhattan after the war. He walked across Greenwich Village daily to NYU's Washington Square location. Although urged to join the hordes of New Yorkers buying weekend houses in Connecticut, he declined; according to colleagues, Julius was the stereotypical New Yorker whose life was bounded by the East and Hudson rivers! His daughter's move to Long Island took him out of the city, but library colleagues found driving with him akin to Toad's mad ride in the *Wind in the Willows*! (Years later when I assisted in recruiting his successor at St. Johns, I traveled with him weekly through construction on the Williamsburg Bridge, urging him back from the center line. He wasn't so much a bad, as an overenthusiastic, driver! I was such a chicken that I considered closing both eyes, and I never would have thought to drive outside of Manhattan.)

¶7 Julius was in awe of Arthur T. Vanderbilt, former chief justice of the New Jersey Supreme Court and first NYU dean of the modern era. It was Vanderbilt who bought Mueller's Macaroni to fund his ambitious program to create a first-rate law school. Vanderbilt started Julius on the collection building that resulted in a five-year project to compile *A Catalogue of the Law Collection at New York University*.<sup>15</sup> Although she apparently didn't know that the volume was actually a desiderata list that Julius and Oceana's Phil Cohen, his best friend, would spend their professional lives filling when she reviewed the *Catalogue* for *Law Library Journal*, Marian Gallagher opined that its "scope, nature and sheer physical size . . . make it a book which cannot be read, cannot be digested, [and] cannot be tested by comparison. . . . It can only be sampled, and its possibilities forecast."<sup>16</sup>

¶8 Marian recognized the usefulness of annotations from authoritative sources appended to most of the classified titles and praised "bonus" annotations about types of books and legal systems. She could not know how much of her prediction would be fulfilled that it would be useful to the public looking for a book on a subject, even if not *the best* for their purposes, as well as to reference librarians, catalogers, and collection developers. In the days before the AALS' list of recommended law books,<sup>17</sup> it was easily the bible for those attempting to build and catalog collections in the nation's proliferating law school libraries. Even today, it must be regarded as a bibliographic project worthy to be called one's life work.

¶9 Bibliographer was only one role Julius identified for the law librarian overseeing a collection of more than 100,000 volumes. In considering the requisite qualifications for such a person, he recommended degrees in both law (for shared knowledge, research training, and understanding of the context of questions) and librarianship (including technical services and collection development). He

---

15. A CATALOGUE OF THE LAW COLLECTION AT NEW YORK UNIVERSITY, WITH SELECTED ANNOTATIONS (Julius J. Marke ed., 1953).

16. Marian G. Gallagher, Book Review, 47 LAW LIBR. J. 57, 57 (1954).

17. ASS'N OF AM. LAW SCH., LAW BOOKS RECOMMENDED FOR LIBRARIES (1967).

thought the librarian should have an undergraduate degree heavy in languages (for foreign and comparative law), as well as early English history and a thorough grounding in the social sciences, especially economics, political science, and history. He recognized the importance of the law librarian's being able to talk to colleagues as an equal. He realized that law schools were teaching students to analyze the law, but they couldn't find it without a librarian as guide.<sup>18</sup> His remarks in 1957 must have been controversial if one considers that, into the 1980s, AALL was still offering basic rotating institutes to provide certification for librarians without any formal education. His statements are remarkable in forecasting the importance of interdisciplinary education, the seminar, and globalization.

¶10 Julius was always interested in global issues, even before they were identified as such. He served as a consultant to the Orientation Program in American Law from 1965 to 1968. As part of his longstanding relationship with Oceana Publishing Company, Julius assisted Phil Cohen in devising a publications program that included the Legal Almanac series and the more scholarly Docket series, for which he wrote the *Holmes Reader*, as well as a scholarly international publications program. With a group of librarians who served on the Oceana advisory board and made up the "Oceana family," Julius traveled widely to meet government officials and counterpart librarians. Among other things, the advisory board conducted institutes on becoming legal information specialists.<sup>19</sup>

¶11 His interest in improving the training of law librarians was lifelong. He served as the AALL representative to the Council of National Library Associations' Joint Committee on Education for Librarianship which devised model curricula for professional school librarians to be vetted and critiqued by the respective professional associations. His responsibility was law librarianship.<sup>20</sup> Julius lectured in the Columbia library school from 1962 to 1985 when he moved his popular course to St. John's.

¶12 His interests extended even to prelaw students. His *Dean's List of Recommended Reading for Pre-Law and Law Students*<sup>21</sup> contained hundreds of titles. It is still useful today as a guide to the classics.

¶13 Julius served as president of AALL in 1962–63, when illness forced Harrison MacDonald to resign as president-elect. His Annual Meeting, held at Mackinac Island, Michigan, has achieved legendary status in the profession. Not surprisingly, the issues of the *Law Library Journal* during his presidential year included symposia on education for law librarianship and foreign law librarian-

18. *The Education of a Law Librarian—A Panel*, 50 LAW LIBR. J. 359, 365–68 (1957) (remarks of Julius J. Marke).

19. For an account of the board's China trip, see *Vignettes of Julius J. Marke*, 96 LAW LIBR. J. 17, 36–37 2004 LAW LIBR. J. 2, ¶¶ 1–4 (remembrances of Leinaala R. Seeger).

20. Julius J. Marke, *Report of the A.A.L.L. Representative on Council of National Library Associations' Joint Committee on Education for Librarianship*, 47 LAW LIBR. J. 307 (1954).

21. JULIUS J. MARKE, DEAN'S LIST OF RECOMMENDED READING FOR PRELAW AND LAW STUDENTS, SELECTED BY THE DEANS AND FACULTIES OF AMERICAN LAW SCHOOLS (1958); JULIUS J. MARKE & EDWARD J. BANDER, DEAN'S LIST OF RECOMMENDED READING FOR PRELAW AND LAW STUDENTS, SELECTED BY THE DEANS AND FACULTIES OF AMERICAN LAW SCHOOLS (2d ed. 1984).

ship. Everyone in the profession knew Julius from his appearances at AALL annual business meetings where he once announced to the assemblage that NYU students were so smart that he only had to wave digests in front of them, and they knew how to use them!<sup>22</sup>

¶14 I can remember visiting Julius only once in his office right inside the front door of the law school with its padded green leather door. Associate Director Diana Vincent-Daviss told me when we were candidates for Julius' position in 1982 that she longed to discover what library directors did behind such glamorous facades; ironically, after she succeeded him, she traded that wonderful space for an office on the mezzanine. When I became director eleven years later, it had been converted to other purposes. Julius was still present in the library, however, in a beautiful portrait over the fireplace in the main reading room. As he was a mainstay of the Law Alumni Council, Julius would stop in periodically for a much-welcomed visit.

¶15 Julius may have thrown reference librarians to the wolves as Ed Bander reports,<sup>23</sup> but he was solicitous of the personal well-being of all of his librarians. Many are the happily retired NYU law library faculty who took his advice to "invest it all in CREF!" Julius regarded Ron Brown as his successor as resident historian and often brought him research questions. Liz Evans was his guide on database questions, and I got those related to the Library of Congress. He arrived quite upset one afternoon after hearing that the Law Library of Congress was planning to shelve books by size and color. I realized that he had heard a misleading explanation of high-density off-site storage practice and was able to set his mind at ease. Julius often tried out his *New York Law Journal* column ideas on us. We knew he was doing the same with Linda Ryan and the St. John's staff. His wide-ranging interests and boundless energy kept us on our toes!

¶16 Julius' new position at St. John's kept him very busy, especially as he planned its new library. In his speech celebrating the rededication of the new building, St. John's Dean Rudy Hasl acknowledged Julius, "who not only was able to infuse and inspire the library at New York University, but was able to continue those efforts and to bring that same experience and imagination to his work here at St. John's University. In many ways this conference is a tribute to all that Professor Marke has meant to the profession of law librarianship."<sup>24</sup> The sleek modernism of St. John's was the complete opposite of the Georgian formalism of Julius' 1952 NYU library and was a testimony to his ability to match form and

---

22. Perhaps this reverence for the intelligence of NYU's improving students was responsible for the esoteric introduction to law course that Ed Bander and Julius cotaught during the 1960s. Ed reported to me that more recent faculties were anxious to substitute a more practical lawyering offering that included legal research and writing. Telephone Interview with Edward J. Bander, Emeritus Professor, Suffolk University Law School, and former Associate Librarian and Associate Professor, New York University, 1960-78 (Oct. 2003). I saw no evidence that by the 1990s NYU students' research skills weren't deteriorating as quickly as those of other prestigious law schools!

23. *Vignettes of Julius J. Marke*, *supra* note 19, at 17 ¶ 2 (remembrance of Edward J. Bander).

24. Rudolph C. Hasl, *Evolving Technology and Law Library Planning*, 70 ST. JOHN'S L. REV. 121, 126 (1996).

function to the needs of different legal education cultures and different times.

¶17 Julius made friends for life. A brief report in *Law Library Journal* recounts Julius' appearance on a 1953 LLAGNY panel with Gene Wypyski to discuss Roalfe's *Libraries of the Legal Profession*.<sup>25</sup> They remained pals who still called together the law library directors of Greater New York for an annual lunch meeting every year until Gene's death in 1996. We grumbled about facing the vagaries of public transportation as we "rode progress" from the libraries of New York and New Jersey, but we observed the commands of our elders!

¶18 Richard Sloane, coauthor with Julius of *Legal Research and Law Library Management*,<sup>26</sup> joined Forrest Drummond, Marian Gallagher, Jane Hammond, and William Hewitt to serve, under the chairmanship of Julius, on the advisory board of H.W. Wilson's *Index to Legal Periodicals* (ILP) at the request of the company when AALL switched its sponsorship from ILP to the *Current Law Index* in the early 1980s. Except for replacements caused by death, this remarkable group provided amazing stability for more than twenty years. When I followed Diana Vincent-Daviss onto the board after her untimely death, I found the group to be sophisticated, businesslike, and very welcoming. Although the board has since undergone a generational change, I hope that as its current chair I can maintain the spirit of collegiality that Julius created. Although always open-minded, Julius was especially favorable to those periodicals containing articles by NYU authors and skeptical if poetry and photos were included! He and Dick had real difficulty with critical legal studies in all incarnations but were extremely supportive of Wilson's technological innovations.

¶19 I have often lamented the passing of what Tom Brokaw might dub "the greatest generation" of law librarians, the true bibliographers who included Julius' contemporaries through "youngsters" such as Morris Cohen, Betty Taylor, Balfour Halevy, and Roy Mersky. They have been followed by the teacher/managers of the 1960s and 1970s who were more interested in substantive law teaching in tenured law faculty positions or bringing business school efficiencies to libraries, rather than in law librarianship as a scholarly discipline. Julius may have been the "coach/manager" in today's terms, or even the management theoretician, as exemplified by his book *Legal Research and Law Library Management*, but above all else he was the scholar. He was passionate about his writing to the very end. Nonetheless, though a person of serious ideas, he was never the reclusive scholar but rather someone who loved people and saw only the best in everyone and everything.

¶20 Julius believed in the superiority of trained law librarians to head law libraries and was concerned that deans of prestigious law schools sought professors who would hold a title while a library science-trained associate ran the library.

---

25. See William C. Taylor, *Report of Law Library Association of Greater New York*, 47 LAW LIBR. J. 309, 309 (1954).

26. JULIUS J. MARKE & RICHARD SLOANE, *LEGAL RESEARCH AND LAW LIBRARY MANAGEMENT* (1982).

He also railed against the plan of an Eastern law school to classify the law librarian as an administrator with a salary limited to 75% of a faculty member's. He urged colleagues to stress "the importance of the law librarian's functions as a member of a team of law teachers, or lawyers, or judges, rather than by attempting to borrow [their] importance by taking on their attributes."<sup>27</sup> Unfortunately, the legacy of the technician-librarians is that the next generation of directors confront deans and faculties convinced that librarians are relics of the past who should not be holding tenured faculty positions; the administrator-librarian is becoming the norm.

¶21 Julius' tribute to Phil Cohen, his friend and publisher for fifty years, contains what could be his own epitaph: "[He] made things happen. He had a *joie de vivre* and drive that came from a sense of his own competence and leadership. [He] earned his success and reputation the old-fashioned way—by hard work, dedication, integrity, and professionalism. This is part of the legacy he leaves for those of us who loved him."<sup>28</sup>

---

27. *Proceedings of the Fifty-fifth Annual Meeting of the American Association of Law Libraries Held at San Francisco, July 2-5, 1962*, 56 LAW LIBR. J. 2, 29 (1963) (remarks of Julius J. Marke).

28. *Remembrances of Philip F. Cohen*, 91 LAW LIBR. J. 258, 263 (1999) (remembrance of Julius J. Marke).