

**MEMORIAL RESOLUTION OF THE FACULTY
OF THE UNIVERSITY OF WISCONSIN-MADISON**

ON THE DEATH OF PROFESSOR EMERITUS G. W. FOSTER, JR.

Professor Emeritus of Law, G. W. "Bill" Foster died on August 11, 2002, at the age of 82. He attended Antioch College and the University of Utah. He was a Lieutenant Junior Grade in the United States Naval Reserve from 1942 to 1946, doing radar research at the Washington Naval Research Laboratory. He received a B.S. degree in chemistry from Stanford in 1947, a law degree from Georgetown in 1951, and a masters in law from Yale in 1952. He was a special assistant to U.S. Senator Francis J. Myers from 1949 to 1950, and a special assistant to Secretary of State Dean Acheson in 1951. Foster explained to Senator Myers changing his course from natural science to law teaching: "It's my personal conviction that the central problem of our time is political -- the job of folks getting along with other folks by argument and compromise instead of by A-bombs and rampant bacteria. Teaching is one of the better ways to egg people into thinking politically -- and being in politics is the only practicable way to participate in working this thing out." While working for Senator Myers, Professor Foster met Jeanette (Jimmy) Raymond, who was working as a secretary to Senator Paul Douglas, and they later married.

Bill and Jimmy Foster came to Madison and the University of Wisconsin Law School in 1952. Both made important contributions to the city and the state. After an extraordinary career at the Law School, Bill retired in 1987. In a tribute written when Foster retired, the great legal historian Willard Hurst called Bill a creative lawyer and said that such a lawyer is one who makes things happen. Foster taught and wrote in what many would see as a highly technical area, but he used it as a spring board to providing major public service. Bill's academic interests focused on the legal problems created by our federal system. While the Constitution divided power among the state and the federal governments, commerce became continually more national and then international. Bill was the principal drafter of what became known as the Wisconsin long-arm statute, which gave Wisconsin citizens greater power to sue corporations whose principal place of business was elsewhere but which had business dealings in Wisconsin. Bill's draft became a model followed in many other states. To write the statute, Foster had to know a great deal about federalism, but also how to get conflicting interests to compromise.

Foster played a major role in the desegregation of public schools. The Supreme Court decided *Brown v. Board of Education* in 1954. However, laws do not enforce themselves, and there was great resistance in many places. As part of a research project, Foster traveled repeatedly to southern states, talking with federal judges, governors, school officials, white segregationists and black action groups. He brought many of these people to off-the-record meetings in Madison. He maintained contacts with all involved, and he recruited other law professors to do field research concerning school desegregation. Their work was published, but, more importantly, Foster continued as an informal consultant to black and white leaders. He also served as an informal channel of communication among federal judges who faced the problem of implementing the Brown decision. In 1965, Congress provided funds for local schools, if the local schools adopted acceptable desegregation plans. However, federal agencies provided no guidelines for what was an acceptable plan. There was no way the agencies could write such guidelines without high political cost. Professor Foster drafted a set of guidelines based on the experiences of those with whom he had been talking for almost a decade. Foster's guidelines were published in *The Saturday Review*, and reprints were widely distributed to local school districts. Federal authorities then adopted the Foster guidelines. Within four months after this, more school desegregation was accomplished than the federal courts had been able to enforce over the course of nearly ten years.

Foster was an institution builder. He knew that hiring good people and keeping them in Madison was critical to maintaining the Law School. He drew on his many contacts to discover promising people, he advocated them to the members of the faculty recruiting committee, and he worked to persuade the

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candidates to come to Wisconsin and to stay. He played an important role in bringing us our first woman and our first African-American faculty members, and, as you might expect when Bill was involved, they were excellent people. Foster served as Associate Dean during the protests against the war in Vietnam. Faculty and students were divided about the wisdom and the morality of that conflict. It was not an easy time to believe that the rule of law prevailed in the United States or that there were effective legal ways to dissent. Foster helped hold the Law School together in the face of picket lines, tear gas, the Wisconsin National Guard patrolling the hallways of the school, classes being disrupted by demonstrators and great emotion.

In the classroom, Bill was an outstanding teacher who his students remember as extremely knowledgeable and always a gentleman. For many years he helped guide talented students to positions as judicial clerks where their education could continue while fulfilling a great public service. Those students who chanced upon him outside the classroom found him to be gracious, helpful and not at all intimidating.

Bill was a delight as a friend and colleague. Bill and Jimmy Foster gave great parties. Bill could tell great stories about his time in Washington or the Fosters' foreign travels. He could entertain friends with stories about such things as the reaction in the United States Senate when President Truman relieved General MacArthur of his command or the friction between Senators Lyndon Johnson of Texas and Paul Douglas of Illinois. He knew important figures in Wisconsin politics and most of the important judges. Many of them provided material for his stories. Willard Hurst also said that "Bill Foster is a man who never stops learning." He was a devoted and skilled bird-watcher. Roger Tory Peterson's "A Field Guide to the Birds" even pays tribute to Bill. Gordon Baldwin remembers that in the spring of 1958 in the midst of the migration, "Bill, who occupied the adjoining office, identified by sound and described to John Conway and me seventeen species of warblers which we could hear, but hardly see." Gordon thought that a tribute to one of Wisconsin's great early lawyers applied to Bill: "he addressed no audience that he did not charm, and touched no subject that he did not adorn." Finally, in the obituary published in the local papers, his youngest granddaughter told us: "He was the best grandpa ever."

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