

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

**ON THE DEATH OF  
VILAS PROFESSOR EMERITUS OF POLITICAL SCIENCE DAVID FELLMAN**

At age 96, David Fellman, Vilas professor emeritus of political science, died in Madison on November 23, 2003. During a long career, he was widely known for distinguished scholarship and teaching in the field of public law, most notably for pioneering work on civil liberties, and for contributions to university government and academic freedom. He was deeply devoted to family and students, and institutionally to the University of Wisconsin and the American Association of University Professors. Prodigious energetic during his professorial years, he remained active for two decades after retiring from the faculty in 1979.

Born in Omaha, Nebraska, on September 14, 1907, Fellman attended an academically rigorous Omaha public high school and the University of Nebraska, where he received B.A. (1928) and M.A. (1929) degrees. He received the Ph.D. degree from Yale University in 1934, and returned to Nebraska to teach from 1934 to 1947. He came to Wisconsin in 1947, serving as a professor for 32 years and as the holder of a Vilas chair for the last 15 of those years.

His many journal articles and several books provided clear and concise expositions of legal cases, and sharp, often critical analyses of judicial opinions. Those qualities were apparent in an annual article on constitutional law, reviewing the prior years' work of the U.S. Supreme Court, that he wrote for the *American Political Science Review*, 1949-61. Among his books are *The Defendant's Rights* (1958), *The Limits of Freedom* (1959), *The Supreme Court and Education* (1960), *The Constitutional Right of Association* (1963), *Religion in American Public Law* (1965), and *The Defendant's Rights Today* (1976). Fellman was president of the Midwest Political Science Association, 1955-56; founding editor of that association's *Midwest Journal of Political Science* (now *American Journal of Political Science*), 1957-59; vice-president of the American Political Science Association, 1959-60; senior research Fulbright fellow, Great Britain, 1961-62; holder of research grants from the Fund for the Republic, 1957-58, and the Social Science Research Council, 1959-60; and recipient of an honorary degree from the University of Nebraska, 1966.

In his early faculty years, like most contemporaries, Fellman taught many courses--most often American political thought and introductory American government-- in addition to those in his major field. But even before he concentrated on public law courses, students appreciated their stimulating and demanding character. He taught general constitutional law, administrative law, and civil liberties (which as a separate course was thought to be the first in an American political science department). Until at least the 1960s, in a practice resembling that of law school courses, Fellman expected students to be able to respond in class by briefing assigned cases. He is well-remembered not only by students who remained in political science, but also by the larger number who went on to become lawyers and who regarded Fellman as the teacher who first inspired their legal careers. Especially satisfying for Fellman, however, was the opportunity to teach and advise a succession of graduate students who subsequently had successful careers in political science and gratefully recalled his helpful dissertation supervision.

Without slackening his scholarship and teaching, Fellman was a very active citizen of his university, state, and academic profession generally. He served three years on the University Committee, and as its chair 1962-63. Later in the 1960s, Fellman chaired a rules codification committee and was a leader in the development of the Faculty Senate. From 1971 to 1978 he chaired the Committee on Honorary Degrees. Fellman is also remembered in the Madison community for his successful, though controversial, motion in a 1960 faculty meeting to abolish boxing at the university. He wrote speeches for two Democratic governors in the 1960s, and was a member of the governor's Commissions on Human Rights and of the governor's Commission on Constitutional Revision.

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Fellman had reason to be most proud of his national service in the cause of academic freedom. A member of the American Association of University Professors for 61 years, he was on its Committee A from 1957 to 1971 and chaired it from 1959 to 1964, thus playing a major role in the committee's traditional task of guarding academic freedom in the United States. Fellman became president of the AAUP in 1964-66—the third Wisconsin professor to hold that office. He continued his AAUP service as a member of the Governing Board of its Legal Defense Fund into the 1990s.

Fellman's wife Sara died in 1994 after a marriage of 60 years. He is survived by two children, Laura and Michael, and by five grandchildren and two great grandchildren as well as by nieces and nephews. Hardworking though David was, he found time for both his family and recreational activities. He and Sara enjoyed an active social life that involved a good deal of entertaining, and they both liked travel and music. David was also fond of baseball, indeed a long-suffering fan of the Chicago Cubs. Always interested in historical studies, David in his later years took special pleasure in reading the scholarly books on the American Civil War written by his professorial son Michael.

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