

Princeton University

HONORS FACULTY MEMBERS
RECEIVING EMERITUS STATUS



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The biographical sketches were written by staff and colleagues in the departments of those honored.

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HENDRIK HARTOG



Hendrik “Dirk” Hartog, the Class of 1921 Bicentennial Professor in the History of American Law and Liberty, will retire at the end of the academic year after 27 years on the Princeton University faculty.

As he tells his own story, Dirk became a lawyer more through accident than through intention. Later, a chance purchase at a used bookstore helped start him on a career as a historian of law. Out of this unplanned life, however, emerged one of the most innovative and closely watched American legal historians of his generation.

When Dirk’s education as a legal historian began in the 1970s, the field was dominated by macro theories of legal and constitutional change. The quest for representation reigned in new quantitative social history. Dirk would later say that his turn from these big, sweeping statements of social and legal transformation to micro-portraits of the complexities of the law in action was influenced by the Dutch genre paintings that he knew by family heritage. In these domestic scenes, he would explain, there are people everywhere: celebrating, quarreling, and milling about. There is a mess of food and earthenware on the table. In a corner but not out of sight, a small boy is relieving himself in a pot. Here in these richly detailed portraits of social experience, rather than in big socio-functional explanations, the intricacies and democratic realities of life— and law— come through in all their complexity, surprise, an paradoxes.

Dirk’s equivalent of the Dutch genre scene was the legal case. He made some of the protagonists in these cases into iconic figures in the history of 19th-century American law: the butchers who let their pigs swarm through the streets of early-19th-century New York City, oblivious to the rules of formal law; the women’s rights advocate, Elizabeth Packard, who insisted in court not on freedom from her husband but on her husband’s obligation to honor fully her condition of dependency; or Minna, the partially freed slave, unwanted by either her former owner or the woman who had rented her, living in the messy, indeterminate twilight of New Jersey’s gradual emancipation statute. Up close to lived experience, law emerges in Dirk’s work as an arena where competing regimes of legal expectations contend to shape the norms of freedom and obligation. Law is produced at multiple sites. The power of courts and lawyers does not disappear, but the openness, the untidiness, and the contingencies of the law and experience shine through.

Dirk began his way toward these insights as a property lawyer. After earning an undergraduate degree at Carleton College, he went to law school at New York University in 1970, following his wife Nancy to the East Coast, he likes to say, and needing something to do. He spent a year working for the City of New York trying unsuccessfully to mitigate the hazards of lead paint in some of New York City's most lead-poisoned neighborhoods. He entered the graduate program in the History of American Civilization at Brandeis University in 1973. His first book was a study of the intricate ways in which the corporation of 18th- and early 19th-century New York City governed the city through its property-holding powers before it was transformed into the more familiar governmental entity we recognize today. Dirk taught property law at the University of Indiana School of Law from 1977 to 1982 when, with his Ph.D. finally in hand, he moved to the University of Wisconsin. There he served on the law and history faculties and as a member of the Institute for Legal Studies until 1992, when he was brought to Princeton to succeed Stanley Katz as the second Class of 1921 Bicentennial Professor in the History of American Law and Liberty.

By the late 1980s, Dirk's focus had turned from municipal property to the history of domestic life. During his Princeton years that absorption flourished in three remarkably innovative books: *Man and Wife in America: A History*, a pathbreaking history of marriage in 19th-century America; *Someday All This Will Be Yours: A History of Inheritance and Old Age*; and *The Trouble with Minna: A Case of Slavery and Emancipation in the Antebellum North*. Stories saturate all three books: masterfully told vignettes of human drama and legal experience, which radically complicated the smoother, functionalist theories they replaced. Marriages in these books dissolved in messy and contingent ways even when the law tried to hold wives powerless and hold marriage contracts intact. Aging parents and their children struggled to resolve the difficulties and resentments of old age care and conflicting inheritance expectations. To be free and yet not fully free, like Minna, was to live in a legal regime defined by deep and uncertain contradictions. This is law's reality for Dirk: a contested, uncertain space where expectations collide, litigants and lawyers improvise, and, out of this everyday and messy ferment, law is produced.

The influence of this work on the legal history profession has been profound. Conferences have been devoted to Dirk's scholarship and prestigious lecture invitations have flowed in. The most widely read of his articles, "Pigs and Positivism"—a brilliant demonstration that the law of street-roaming pigs was not the law on the books, or rules of custom, or the product of the economy's invisible hand, or the victory of

stronger over weaker interests but an ongoing site of conflict between incomplete and contending legal orders— has been a canonical text in legal history teaching for decades.

Dirk holds all these achievements modestly. What he is not modest about is his enthusiasm for colleagues and for teaching. He is the recipient of two richly deserved teaching prizes: the President's Award for Distinguished Teaching in 2011 and the Graduate Mentoring Award in 2018. From 2006–15 he directed Princeton's Program in American Studies, shepherding it toward the capacious intellectual unit that it has become. Dirk reached out to faculty and students from across campus with intellectual vision and personal warmth, diversifying the scope and content of American studies on multiple levels. He pushed the administration to understand the critical role that American studies can play in the University's teaching mission in the 21st century. The so-called new American studies at Princeton today—at once global and diversified, intensely interdisciplinary and experimental—is the legacy that Dirk has left us to follow.

As a graduate teacher, his influence lives in the more than two dozen legal history advisees who now fill key roles on legal history faculties across the country. Almost none of them worked on the topics in which Dirk himself specialized. But it is a sign of the breadth of his learning and imagination that he worked intensively with all of them to make them, as one of his students wrote, “better versions of themselves, not cheaper imitations of himself.” His loyalty to his graduate students, his pride in their work, his rigorous critical attention, and his undisguised pleasure in the joys of their discoveries and achievements are legendary.

Even as Dirk retires, this aura of generosity and insatiable curiosity will remain. He relished the opportunity to teach with colleagues in English, art and architecture, African American studies, and women's studies. He read in feminist theory, queer studies, disability history, Latin and Asian American studies, as well as the history of the law. He has been a pillar of support and encouragement for both younger and senior colleagues, modeling with a characteristic combination of modesty and sharp critical acuity what mentoring and intellectual friendship can truly really mean. He may like history to be indeterminate and “messy,” and he marvels at the crookedness and unexpectedness of his own life, but his love of the life of learning and teaching is utterly transparent and undisguised.

We will miss hearing his hand knocking on our office doors, eager to tell us, with a mixture of tremendous pride and simple humility, one of his graduate students' latest achievements.