

---

# The Washington Times

[www.washingtontimes.com](http://www.washingtontimes.com)

---

## Law professor apologizes for plagiarism in 1985 book

By Joyce Howard Price

THE WASHINGTON TIMES

Published September 29, 2004

---

A Harvard University law professor considered a potential Supreme Court nominee if a Democrat were elected president apologized Monday for plagiarism that was disclosed in a conservative magazine.

In a statement, Laurence H. Tribe, a constitutional scholar who represented Al Gore in his lawsuit over the 2000 presidential-election results, acknowledged that in his 1985 book, "God Save This Honorable Court," he borrowed heavily from Henry J. Abraham's 1974 book, "Justices and Presidents," without giving proper credit.

At one point, Mr. Tribe lifted an exact 19-word passage from Mr. Abraham's work.

"My well-meaning effort to write a book accessible to a lay audience through the omission of footnotes or endnotes -- in contrast to the practice I have always followed in my scholarly writings -- came at an unacceptable cost: my failure to attribute some of the material the Weekly Standard identified," Mr. Tribe said.

At the same time, he held that he had praised Mr. Abraham's book in "God Save This Honorable Court," describing it as the "leading political history of Supreme Court appointments."

Harvard University released a statement saying the incident was being investigated.

"The university and the law school will consider this matter carefully and with the confidentiality we typically accord," a spokeswoman said.

The Weekly Standard, a conservative political magazine, first revealed Mr. Tribe's plagiarism last week on its Web site in a report by Joseph Bottum called, "The Big Mahatma."

The title of the report came from Mr. Abraham himself. The 83-year-old professor emeritus of government at the University of Virginia told Mr. Bottum in an interview that he was "aware of what Tribe was doing when I first read his book." But he said he never confronted Mr. Tribe about it, which he now believes was a mistake.

Mr. Abraham told the Weekly Standard that Mr. Tribe's lifting of his material probably was "a combination of being lazy and making a little money."

"I'm sure his book sold better than mine ... he's a big mahatma and thinks he can get away with this sort of thing," the retired historian was quoted as saying in the article.

The Weekly Standard said it learned of Mr. Tribe's plagiarism from another law professor who contacted the magazine after Mr. Tribe defended another Harvard Law School colleague who conceded lifting passages from another source.

Mr. Tribe told the Senate Judiciary Committee in 2001 that "God Save This Honorable Court" stressed the need for the U.S. Senate to play an active role in the selection of U.S. Supreme Court justices.

In addition to representing Mr. Gore in his fight for the presidency four years ago, Mr. Tribe recently represented the Democratic Party in its losing bid to keep Ralph Nader off the Florida presidential ballot.

Asked about Mr. Tribe's admission, Bruce Fein, another constitutional law expert and author, said, "If he, in fact, plagiarized, it's a very dark cloud on an otherwise shiny, illustrious academic star he's lived under for 30 years. It casts a pall on his work."

Copyright © 2004 News World Communications, Inc. All rights reserved.

---

[Return to the article](#)