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(A PERSONAL REMINISCENCE)

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A bright, young colleague was lamenting her plight as an inexperienced teacher confronting the demands of course coverage in the inexorable rush of time in the passing semester. "What do you do as a new teacher when you have identified five major articles you ought to read before covering the assigned materials in this Friday's class?" she asked rhetorically. We somberly agreed that there was nothing to do but one's best, meaning that when the curtain goes up on Friday, the show must go on.

At first, her remark simply brought back vividly the stress I experienced when I was a beginning teacher. As a result, I forgot to mention the obvious fact that there was something immediately available to structure the class: cabin the discussion to the vital elements of that day's assignment and keep everyone focused on the dialogue. It was only later that my mind recalled the vehicle by which a beleaguered teacher (his mind clouded with fragments of outside reading on the assignment) brings himself back to a clear path: the casebook.

This essay is a tardy and inadequate expression of gratitude to all those editors of casebooks that through the years have not only made my life easier, but more importantly have contributed in so many ways to enhance the quality of teaching I have been able to offer my students. More particularly, I want to recall nostalgically a few of those books that have meant something to me specially.[1]

Casebooks are often taken for granted. They may, of course, be justly criticized for certain limitations as instruments for learning and teaching law. But if it is proper to acknowledge their deficiencies, they nevertheless deserve recognition for the indispensable role they do play in the educational process. And in a frankly sentimental and confessional mood, I will recall some of the ways in which they have shaped me as a teacher.

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1. And it surely will not be out of order in this celebration of the career of Professor Librarian Eileen Searls to mention, in passing, a casebook associated with her in my mind since the days I was her student: MILES O. PRICE & HARRY BITTNER, EFFECTIVE LEGAL RESEARCH (1953).

Both the shortcomings and the virtues of casebooks have been canvassed in the scholarly literature.[2] Theoretically, at least, the interaction between teacher and student in the briefing and dissection of cases in the classroom is infinitely preferable to the spoon-feeding of the lecture method. Of course, the latter approach may work well in the hands of a master, and if effective, it proves to be a much more efficient way of getting the job done. However, my strong impression is that a lecture has a chance of succeeding almost in direct proportion to the knowledge already possessed by the listener; that is, unless the audience already has a good working understanding of the subject, it finds it difficult to stay engaged long enough to stretch the mind. By way of contrast, the student who reads and discusses case opinions is driven to sharpen his or her faculties of critical analysis, and gradually develops a sense of how a precedent might apply. Admittedly, this process does not occur automatically. Sometimes it does not occur at all, at least not meaningfully. Despite my best efforts, I could never fully explain to a student having trouble with articulating the rule of a case what he or she was missing in the endeavor. Such a person would thrash around in a sea of dicta, frustrated by the struggle to make sense of a sequence of case decisions. Unless the student suddenly, through repetition of the exercise, began to "see" what was relevant and cogent in the "unpacking" of an opinion, there was no progress in analysis. And that became painfully apparent when, in arguing a brief for a moot court, the student was at the mercy of the judge's questions in seeking to extract from the cases the points that were in the client's favor.

To be sure, the case method does not expose students to a range of attributes, such as people skills, creative intuitions, and driving ambition that are often found in successful lawyers. Furthermore, if care is not taken, the case method may tend to narrow the perspective of the neophyte, and ultimately begin to bore him or her. No one should ever imagine that the study of cases is a perfect or comprehensive approach to mastering law.

My purpose here is not to assess the merits and shortcomings of the case method, but to pay homage to several books that in their own unique way played an important part in my life as a teacher.

In 1961, a book titled *The Legal Process*[3] was published by four distinguished professors of law from the University of Wisconsin and the University of Minnesota: Carl Auerbach, Lloyd Garrison, Willard Hurst, and Samuel Mermin. Around that time it was my good fortune to be assigned to teach a course on the Introduction to Law at Saint Louis University. The

2. *See, e.g.*, Steve Sheppard, *Casebooks, Commentaries, and Curmudgeons: An Introductory History of Law in the Lecture Hall*, 82 IOWA L. REV. 547 (1997); Russell L. Weaver, *Langdell's Legacy: Living with the Case Method*, 36 VILL. L. REV. 517 (1991).

3. CARL AUERBACH ET AL., THE LEGAL PROCESS: AN INTRODUCTION TO DECISION-MAKING BY JUDICIAL, LEGISLATIVE, EXECUTIVE & ADMINISTRATIVE AGENCIES (1961).

circumstances surrounding my choice of that book to use in the assigned course I no longer recall. Yet with one major and notable exception, virtually everything else about the book remains a fond memory.

The Legal Process, popularly referred to as the "Wisconsin Materials," was a compilation of cases, notes, and summaries of information that had been taught for over twenty years in mimeographed form by Garrison and Hurst under the title of "Law in Society." The editors made it explicit in the preface[4] that the objective was not to teach legal process in any particular area of substantive law, but to acquaint a student with the law-making institutions (specifically the judicial, legislative, executive, and administrative) and the manner in which each of these institutions dealt with a social problem of wide public concern. The problem chosen to form the theme of the book was the allocation of the burden of industrial accidents in the state jurisdiction of Wisconsin.

In that era, the arrangement of using extensive related materials in conjunction with the cases might have been a little daring. (More regarding that component of the book later.) As for the backbone of the materials, the editors started with a series of judicial decisions creating the fellow servant rule, brought the treatment of industrial accidents through the legislative process, investigated the activities of administrative agencies following the passage of the Workmen's Compensation Act, and finally examined the testing of the Act's constitutionality before the Supreme Court of the state.

The use of the fellow servant rule, which sheltered the master from liability to a servant whose injuries were caused by the negligence of another servant, afforded a simple understandable issue on which to attach the larger questions about the legal system. It also conveyed a simple human problem, which Edgar Lee Masters captured in the person of "Butch" Weldy in *Spoon River Anthology*. Working at a job in the canning works, where he had to fill a tank with gasoline to feed the blow fires to heat the soldering irons, "Butch" recalled:

> One morning, as I stood there pouring,
> The air grew still and seemed to heave,
> And I shot up as the tank exploded,
> And down I came with both legs broken,
> And my eyes burned crisp as a couple of eggs
> For someone left a blow-fire going,
> And something sucked the flame in the tank.
> The Circuit Judge said whoever did it
> Was a fellow-servant of mine, and so
> Old Rhodes' son didn't have to pay me.
> And I sat on the witness stand as blind

4. *See id.* at v.

As Jack the Fiddler, saying over and over,
"I didn't know him at all."[5]

When I read this poem, it dramatized for me a message the Wisconsin Materials conveyed of the awful disconnect that sometimes exists between law and life.

The questions posed by the editors about the judicial opinions addressing the fellow servant rule were penetrating. They challenged the grounds upon which the court analyzed and reached its conclusions. They highlighted any inconsistencies in the doctrine, and raised the difficult questions about the way in which a rule was being interpreted. But layered in along side of these questions came even broader issue, concerning the duty of the lawyer to the court and the public, and the basis upon which the court rested some of its declarations of fact. Students were introduced to extracts from an opinion of the Committee on Professional Ethics of the American Bar Association and articles on the *ratio decidendi* of a case.

At each succeeding level in the development of the social problem in Wisconsin, the materials generated curiosity about deeper questions: the political and social impact of judicial decisions, the authority of precedent and stare decisis in the legal system, the use of social facts as background for the determination of legal rules, the role of the jury and its relationship to the judge, and the making of law in the legislature. The questions rolled on for over 900 pages of tightly spaced text. No, of course we didn't cover all of those pages, though my memory is that we at least got part way into the administrative stage of the spectrum.

I venture to say I learned more about the American legal system in attempting to teach *The Legal Process* than in any other comparable venture in my teaching career. Could any student digest Karl Llewellyn's lecture on the reading of a case and not be transformed? I still remember the six pages and editors' notes on the adversary system in Chapter 5,[6] a succinct review of the rationale, benefits, and disadvantages of our system that burned into my mind and has served as a conceptual framework for thinking about that subject even to this day. A second example: the five pages of an editorial note on the counsels' briefs in two fellow servant cases in Chapter 4,[7] an illuminating assessment of the merits or lack thereof of the advocates' arguments.

There is a sad ending to this tale. While teaching the Wisconsin materials was exciting and stimulating, the response of the students in the class was apparently a different story. The freshmen began coming to my office to express some concern that maybe they were missing the point. Is what they were studying still "the law"? What was the rule in Missouri? Why was the

5. EDGAR LEE MASTERS, SPOON RIVER ANTHOLOGY 48 (1914).
6. AUERBACH, *supra* note 3, at 188-94.
7. *Id.* at 157-62.

entire book devoted to this one problem in Wisconsin? I recall there appeared in the newspaper about this time a Donald Duck comic strip in which the three little ducks returning home from school asked their uncle, "What are we supposed to be learning?"

Nevertheless, there was one notable triumph along the way. A student took the day off from class to accompany her lawyer husband as he argued a case before the Supreme Court of Missouri. She returned the next day, her face aglow, reporting that the center of the dispute (and argued at length before the court) was the meaning of the legislative history of a statute. That had been the subject of the previous week's assignment and her experience had obviously convinced her the course was not entirely a loss.

Sensing the unease among the students, not to say their growing bewilderment over some of the larger issues that appeared to be beyond their ken, I began to doubt my own performance. At one point, in a fit of insecurity, I prepared a questionnaire about the course, only two parts of which interested me: 1) how did the students rate the quality of the book and 2) how did the students rate the professor. To my relief, the verdict on the teacher was gratifyingly complimentary. But the book was condemned roundly. A heavy majority dismissed it as poor and wretched. Except for the fact that this finger-pointing at the materials ostensibly preserved my self-esteem, I would have been embarrassed. Until this very day I still am remorseful that I could not bring the students to profit from that casebook in the way that I personally had as a teacher. However elusive the imprint on the students, the book left its mark on me.

For a teacher, the casebook is not merely an adopted instrument for organizing and guiding one's classroom performance, as *The Legal Process* was for me in my early years. Sooner or later the well-turned-out casebook constitutes a piece of work which one admires and would like to emulate. Lives there a law school teacher with soul so dead who never to himself has said: "Why not assemble my own teaching materials and cases?" My opportunity to pursue such an ambition came unexpectedly with the invitation to join the Labor Law Group ("the Group"), an association of law school teachers who jointly had been producing materials in the labor field since 1946.

That was the year then-Professor W. Willard Wirtz of Northwestern University delivered a paper at the annual meeting of the Association of American Law Schools titled *On Teaching Labor Law*.[8] A group of law professors from thirty-two universities around the country used the paper as a springboard to hold a conference at which they resolved to compile and publish materials for classroom use more appropriate than what was then available. This was the genesis of the Labor Law Group. The first casebook

8. W. Willard Wirtz, *On Teaching Labor Law*, 42 ILL. L. REV. 1 (1947).

was published in 1953 by Little Brown and Company under the title *Labor Relations and the Law*.[9] In later years, the Bureau of National Affairs as well as the West Publishing Company published the materials.

A common law trust was established by the Group to hold the funds derived from book royalties, with the proceeds periodically spent to sponsor and subsidize national conferences on the developments in the labor field. The first general editor of the group (a position later called the Chairman, and still later, the Chair) was a revered academic named Robert E. Mathews from the University of Texas.

When I became a member of the Group in the 1960s, it was like joining a fraternity or sorority of the twenty to thirty premier teachers and practitioners in the country. Far from being elitist, the Group was open and nurturing to anyone sharing the vision, and ready to contribute time and effort. As a new member, the immediate task to which I was assigned involved the production through committee of a supplement to the basic casebook called *The Employment Relation and the Law*.[10] The committee was under the chairmanship of Professor Cornelius Peck of the University of Washington, and included as members John Philip Linn of the University of Denver and Alvin Goldman of the University of Kentucky (himself later a chairman of the Group).

The experience of sitting around a table with my peers (I believe the locale was Denver), debating what to include or not include in the supplement, how to edit the cases, what notes and problems to add, was a stimulating and productive one. Later, I was allowed to repeat and deepen that experience as a unit leader on a book for the Group called *Individuals and Unions*,[11] with colleagues Reginald Alleyne of Boston College (then at U.C.L.A.) and Charles Morris of Southern Methodist University (now at the University of San Diego.) I deliberately identify the home schools of so many of these people in the Group, because the sense of actively working with such a large cross-section of the people in one's own field was exhilarating, not to add unique. The sense of fulfillment in being part of the Group was rooted in the common devotion we shared for labor law and the casebooks we were jointly producing.

The rewards of working on a casebook collaboratively with others (the size of the group being limited solely by its manageability) are rich and enduring. It may be true that a single teacher working alone has the satisfaction of crafting a product that is exactly to specifications, and surely a single vision may have its own special strengths and sometimes genius. But the interaction of several independent minds jointly evaluating, dissecting, and assembling the

9. LABOR RELATIONS AND THE LAW (Little, Brown & Co. ed., 1953).

10. BENJAMIN AARON ET AL., THE EMPLOYMENT RELATION AND THE LAW (1957).

11. JOHN E. DUNSFORD ET AL., LABOR RELATIONS AND SOCIAL PROBLEMS: UNIT NINE: INDIVIDUALS AND UNIONS (1973).

product (only perhaps to have second thoughts and reassemble it two or three times) creates a powerful learning environment. Cases oftentimes take on a new or enlarged significance when seen through the eyes of another teacher.

The dedication of the members of the Labor Law Group is notable, as evidenced by the incessant fussing over the need to improve the nature and arrangement of the materials. Shortly after one of the national conferences in 1969, a separate meeting was convened to consider once again the layout of our books. Three or four volunteers took turns laying out a breakdown of the subject matter, and offered detailed outlines of the books to be published. Following two or three days of intense dialogue on the merits and demerits of alternative approaches, founding member Willard Wirtz was asked to give his reaction. By this time, Wirtz was back in the private sector after filling major assignments in government, and he had been lately preoccupied with some of the developments in the publishing industry. He began his talk in that deferential and reassuring way that he has, acknowledging the logic of the competing proposals that had been offered by other members. But he opined that, how ever laudable the suggestions, there was, in the final analysis, pretty much a shuffling around of the worn formats previously used in the field. He thought that perhaps the time had come to change radically the past approaches used in casebooks, which for so long featured pre-selected sets of materials arranged on the assumption that they would satisfy the needs of every teacher who adopted them. Wirtz envisioned an approach where each teacher would have the freedom to make his or her own judgment of what should be included, the teacher would then notify the publisher, and the magic of modern production techniques would turn out a tailor-made book for that small community.

Anyone who has not heard Willard Wirtz speak in public does not fully appreciate the story of the Pied Piper of Hamelin. By the time he had finished his extemporaneous speech, most of the audience was enthusiastically rushing behind him to a new millennium. (Recall this was 1970.) The well-structured outlines of the prior speakers were tossed aside, and a search was on for the ways in which to reduce the core materials the Group would publish in order to maximize the freedom of the individual teacher to supplement them in whatever manner he or she thought desirable.

In the thrill of the moment, of course, the practical difficulties inherent in letting each teacher create his own casebook without effectively bankrupting the publishing houses were vastly underestimated. In effect, Wirtz had anticipated the electronic casebook by a few decades, but the means of achieving it were not yet at hand. A compromise was finally reached by the Group to prepare some eleven different units of subject matter, plus a reference supplement. Each unit would be a small book running around 200 to 250 pages. Under this arrangement, a teacher could put together several units as he

or she chose, and thus be free to enjoy greater flexibility in arranging and supplementing the contents of the course.

This approach fueled the imagination and energies of Group members for about a decade, but it suffered obvious flaws. For one thing, the need to keep the units short enough imposed restraints on the adequacy of the coverage. As a consequence, the burden placed on the classroom user to flesh out the core elements in the units fell with particular force on the shoulders of the relatively inexperienced teachers (the old teachers would welcome the freedom to teach last year's notes or a recent article to supplement the printed materials in the unit). Thus, the commercial feasibility of the project was doomed in advance. Since new teachers in the field were still building up their repertoire, they would naturally tend to choose casebooks of the traditional type that had meaty, rather than sparse, coverage. In 1984, the Group reversed directions with an infusion of new blood from younger teachers, and I am pleased to note that it continues in the same magnificent way even today under the leadership of Professor Robert Rabin of the University of Syracuse. The Group has always been a veritable floating nonstop symposium on contemporary issues in industrial relations.

More importantly, the camaraderie of the Labor Law Group through the years has been a bracing and enriching presence in the lives of its members. In mentioning particular individuals, I do not mean to slight others who are also dear friends. Yet not to mention anyone would be a neglect of all. These are a few warm memories that may be taken as representative of so many others: the consummate gentle skill of Bill Murphy of the University of North Carolina in keeping the group pulling in the same directions in his tenure as chair, the animated and high voltage three hour discussion (argument?) over race in America with James Jones of the University of Wisconsin as the two of us waited in vain for the appearance of Jack Getman of the University of Texas to attend an Executive Committee meeting of the Group, the delight of sharing the sophisticated companionship of Bob Covington of Vanderbilt University during break times at our meetings, and the always enlightening exchanges with two of our gurus, Ben Aaron of U.C.L.A. and Don Wollett of U.C. at Davis.

As I turn now to a third book to which I render praise, I realize it is not in the strict sense a casebook at all. In fact, *The Problems of Jurisprudence*,[12] prepared by Professor Lon L. Fuller of Harvard Law School, forthrightly states on its frontispiece that it is "A Selection of Readings Supplemented by Comments." Another interesting aspect of the book is the declaration that it is a "Temporary Edition." In the Editor's Note dated "Cambridge, November, 1948," Professor Fuller explains, "[b]efore the book is published in final form I hope to make a good many improvements in it . . . . In its present form the

12. LON L. FULLER, THE PROBLEMS OF JURISPRUDENCE (1949).

book is not intended for review."[13] To the best of my knowledge, the book was never updated or issued in a final form.

I had hoped to study under Professor Fuller in my graduate year at Harvard Law School in 1960-61, but he was on sabbatical leave that year. A professor from Yale was visiting at Harvard that year, but his course in Jurisprudence, which I took and enjoyed, we followed a different text. Thus, I did not get to know the Fuller book until I adopted it for a class at Saint Louis University upon my return there.

While not strictly speaking a casebook, the volume does contain a few cases, but they are all fictional and written by Fuller himself with opinions attributed to various imaginary judges, designed to illustrate competing jurisprudential approaches that seem to guide their conclusions.

The most celebrated of these fictional cases was that of the Speluncean Explorers, supposedly decided in the Supreme Court of Newgarth in 4300. The facts of the case were simple. Five members of the Speluncean Society went exploring in a limestone cavern and were trapped by a landslide. Although a rescue party worked to reach them, it did not arrive until the thirty-second day after the landslide. Meanwhile, with the help of a portable wireless machine, the trapped men communicated with the outside world and on inquiry learned that by the time help arrived they would all be dead for lack of food. On further inquiry, the five men were informed by a Physician's Committee that they would survive if they consumed the flesh of one of their party. The explorers requested advice over the wireless from government officials and religious ministers whether it would be advisable to cast lots to determine which of them should be eaten, but no one would undertake to provide a response. When the rescuers arrived at the cave, they discovered the five explorers had in fact cast lots and a man named Whetmore had been killed and eaten by the others.

The four Speluncean survivors were indicted for the murder of Whetmore under a statute reading, "Whoever shall wilfully take the life of another shall be punished by death." The jury in a special verdict found the facts as related above, and the trial judge felt obliged to rule that they were guilty of murder. Under the law, no discretion was allowed, and they were sentenced to be hanged. An appeal to the Supreme Court followed.

In the case opinion each of the five Justices of the Supreme Court presented his conclusion in written form, the following summaries of which only barely suggests the richness of their positions. Chief Justice Truepenny sees no alternative but to follow the law, even though he is quick to admit the situation is a tragic one. He proposes that the Court follow the example of the jury and trial judge by writing to the Chief Executive of the State urging clemency. Shocked at this conclusion of the Chief Justice, Justice Foster

13. *Id.* at iv.

insists that on two grounds the defendants should be declared innocent and released. The first of these is that the positive law was obviously inapplicable since underground, the men had found themselves in a state of nature outside the jurisdiction of the state. Moreover, they had deliberately entered into a social compact in which all of the explorers had formally accepted the bargain they had made. Although they had literally broken the law, a man may break the letter of the law without breaking the law itself (citing the case of self-defense). Meanwhile, Justice Tatting is so emotionally torn by the case that he finds himself unable to act. Nevertheless, he finds the energy to express his contempt of what he thinks to be the sophistry of Foster's attempt to conclude the law was not violated. In the final reckoning, he is unable to resolve the doubts that assail him regarding the propriety of the conviction. Ultimately he withdraws from the case. The remaining two judges are split in their judgments. Justice Keen further berates Justice Foster for his rationalizations cloaking his unwillingness to follow the law. At one point Keen sarcastically notes:

> My brother Foster's penchant for finding holes in statutes reminds one of the story told by an ancient author about the man who ate a pair of shoes. Asked how he liked them, he replied that the part he liked best was the holes. That is the way my brother feels about statutes . . . .[14]

The remaining member of the bench, Justice Handy, is disdainful of the complexities the others purport to find in the case. He claims to rely on common sense and public opinion to vote for setting aside the conviction and sentence. In the course of his opinion, he manages to report that he has received inside information from his wife's niece, who is an intimate friend of the secretary of the Chief Executive, that the latter will stubbornly refuse to pardon the defendants if the Court affirms the judgment against them.

By the device of parody and droll exaggeration, Justice Fuller manages to highlight the various jurisprudential viewpoints that are animating the Justices. The reader is tempted to speculate which of the incumbent Justices of the United States Supreme Court might be reflected in the fictions. The case is found in a chapter on the book titled *Justice*, and serves as a thought-provoking preparation for the student to study the readings that follow, *Book V of the Nicomachean Ethics of Aristotle*.

A similar arrangement is followed in another chapter on Positive Law, opening with another fictional case decided by the same five Justices of Newgarth. In a different context, the Justices are allowed to follow their jurisprudential leanings to their inevitable conclusions. This time, the chaser for the students consists of an extract from John Austin's "The Province of Jurisprudence Determined," concerning which Fuller comments:

14. *Id.* at 18.

> The reader now has awaiting him about two hundred pages of what may well be the dreariest prose ever penned by man. In fact, so elaborate and tortuous are Austin's distinctions that they achieve at times the relief of humor, though a humor, it should be added, that is at once unintended and somewhat grim.[15]

Nevertheless, the importance of Austin's theory for jurisprudence is driven home by Fuller in a note he appends to the materials and the reader comes to appreciate (along with the accuracy of the description of the prose as dreary) the wisdom of his remark that to know the theory one "must understand the process of argument by which it was developed and defended. It is not something that really can be known in its main outlines."[16]

This book is a cornucopia of legal treasures, to be picked over and relished by the teacher and the student. One finds substantial portions of *Ancient Law* by Sir Henry Sumner Maine, essays by John Stuart Mill and Jeremy Bentham on Utilitarianism, and a chapter called "The Principles of Order" prepared by the editor himself to explain his own views of some of the issues he has raised.

Two other remarkable readings from the book have stayed with me through the years, both because they offer clarifying though not necessarily persuasive approaches to a philosophy of law.

One is the lecture on "The Path of the Law" given by Justice Oliver Wendell Holmes to law students at Boston University in 1897, printed in its entirety. In introducing what came to be labeled "the bad man theory of law," Holmes wrote:

> If you want to know the law and nothing else, you must look at it as a bad man, who cares only for the material consequences which such knowledge enables him to predict, not as a good one, who finds his reasons for conduct, whether inside the law or outside of it, in the vaguer sanctions of conscience.[17]

Another breathtaking formulation of Holmes in this speech is similar in its directness: "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law."[18]

While the Holmes lecture does cauterize the mind for a realistic appraisal of the effects of the application of legal rules, one is left to wonder whether a society preoccupied with such a philosophy of law can ever satisfy the nobler aspirations of the human community. In fact, the appearance of Hitler, Stalin, and Pol Pot in the last century almost certainly confirms that it cannot.

A second legacy of the Fuller materials was my introduction to the Hohfeldian Analysis through an article by Professor Arthur Corbin. Whatever may be thought to be the ultimate inadequacies of this analysis for the building of a sound philosophy of law, the brilliance with which it penetrates the

15. *Id.* at 103.
16. *Id.*
17. FULLER, *supra* note 12, at 328.
18. *Id.* at 329.

meaning of terms is stunning. In sorting out legal relationships, the appreciation of the differences between a right, a power, and an immunity, for example, is an insight that helps to unravel the complexities of human disputes and thereby free the mind to measure more precisely the real interests at stake.

For those who continue to turn out casebooks in the future, I raise my glass in admiration. For those who have already served my needs so effectively for so many years, I appropriate these words of tribute from Learned Hand:

> Again and again they have helped me when the labor seemed heavy, the task seemed trivial, and the confusion seemed indecipherable. From them I learned that it is as craftsmen that we get our satisfactions and our pay. In the universe of truth they lived by the sword; they asked no quarter of absolutes and they gave none.[19]

19. LEARNED HAND, THE BILL OF RIGHTS 77 (1958).