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## Charlie: A Reminiscence

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## Charlie: A Reminiscence

When Charles Robert Gromley was born, they not only broke the mold, they promoted the moldmaker. There never was anyone else quite like him and it was the great fortune of the Valparaiso University School of Law to have been blessed with this kind, gentle man and masterteacher for over thirty years. There is no way fully to account for the enormity of the gift the Lord bestowed on us when Charlie was sent here. I offer here just a few reflections on some of the components that produced this marvelous package called "Charlie" that lived among us.<sup>1</sup>

### *A Sense of History.*

Charlie was always reading several books and the great bulk were nonfiction, mostly historical works. Although his taste was eclectic in these matters, he had a special fondness for American History, especially Civil War accounts. He particularly liked Bruce Catton and Shelby Foote. The latter appealed to Charlie at least in part because, in treating a subject with the sweep of the Civil War, Foote could always enliven the matter with a snippet on how the conflict affected the little guy, be it a random footsoldier from Tennessee or a low-level Washington bureaucrat. Foote knew that what was going on inside the mind of Wilbur Snodgrass was as much the story as the ruminations of Robert E. Lee. In much the same way, to Charlie a case was only partly about the contours of a complicated legal doctrine like "dependent relative revocation," but was also and always about the more important question of whether Tammy got her Aunt Helen's diamond brooch or whether it went, instead, to the dreaded "heirs at law." For Charlie knew better than anybody the "trick" that all first-year students grope for, that law is not a prefabricated apparatus to press down on the affairs of humans, but bubbles up from those affairs and takes its character from them. "If it doesn't work for Tammy and Aunt Helen, it's not likely to work at all."

Charlie also had a great sense of his own history. A good part of his calmness came, I think, from his understanding of where he fit in the scheme of things. He was constantly attending reunions for high school, college, law school, the Seabees, etc. He looked forward to all of them and always came back with great stories about what "Phil" or "Tom" was doing now. And you can bet that all the folks at those reunions were happy to see Charlie too. Can you imagine, even in theory, someone not liking Gromley? I can't, and

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1. This piece has footnotes solely so that I can try to sell the Dean on its being counted as an "Article."



I have a reasonably active imagination. I once imagined that I saw Lou Bartelt smile!

### *A Sense of Humor*

Gromley had a world-class sense of humor. I certainly do not mean to suggest, however, that he was a particularly good joketeller; in point of fact, he was dreadful and he knew it. Often, as he'd try to tell a story, he'd forget the punchline, regroup, forget it again, I'd say something like "Ever thought of taking this act over to Comedy Cottage?" and he and I would end up on the floor laughing over his frustration. But that was the essence of it—he *saw* the humor in forgetting the punchline and had enough comfort with himself not to wallow in his very few limitations. He had a keen sense of the ridiculous, the incongruous, the twist which is the essence of humor. And underneath all good senses of humor is a resignation to the human condition and a love of humankind.

Charlie was, on the other hand, the greatest *jokelister* in the business. And he had a masterful sense of timing. I recall one particular faculty meeting in which each successive speaker became more and more outrageous. I was getting more and more agitated and was about (unwisely) to enter the fray when Gromley nudged me and whispered quietly, "You having fun yet, Berner?" (There was in this remark both a friendly warning not to get too personally invested in the nonsense that was occurring—Charlie could smell nonsense a mile away—but also the more gentle observation: "If you can't have fun at a faculty meeting, what the heck other justification could you give for attending? We're certainly not going to *decide* anything significant."<sup>2</sup>)

### *A Sense of Justice*

There was no one in this law school who would not have willingly agreed to have Gromley arbitrate a dispute. And while he was a great champion of the underdog (his favorite stories, indeed, were about underdogs winning), he knew too that the establishment "evil forces" had their problems and needed to be understood. He walked a mile in everybody's moccasins. He also walked half a million miles in those wingtips of his. Charlie wore strictly sensible clothes. Always wingtips, usually tweed suits in muted browns or greys. One day he wore an unusually colorful tie and I commented, "Snazzy tie, Charlie." He replied, "Guess I'd better give it to

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2. One other time we were about to vote on something and Charlie, who hadn't been paying close attention, asked me quietly, "What are we voting on now?" I said, "I don't know Charlie, but let's go with the flow." He said, "This is a faculty meeting. There's no flow here." Talk about a summation!



one of my boys then.” “Snazzy” was something Charlie wanted to get some distance from.<sup>3</sup>

I recall a first-year student several years ago complaining quite strongly about a “C-” I had given her. After going through her bluebook and trying to justify the grade, I tried a new tack: “How’d you do in your other courses?”<sup>4</sup> “Pretty good in most,” she replied, “except I got a ‘C-’ from Gromley and I’m so disappointed I let him down.” You see how it worked here—the rest of us assigned grades, Gromley just gave you the one you earned.

### *A Sense of Loyalty*

If there is any great danger in a highly mobile, highly electronic, and impersonal age, it is the loss of tradition, roots, and moorings. The antidote is refining one’s sense of loyalty. Charlie’s steadfastness, devotion, and loyalty, whether it was to his less important concerns like the Pittsburgh Pirates or Kentucky Wildcats, or to the abiding concerns of family, school, or friends, was an object lesson for all of us. He was there when you won and even more was he there when you lost. I don’t remember one single student who got into trouble<sup>5</sup> and didn’t eventually seek (and get) good advice from Charlie.

### *A Sense of the Power of Learning*

Charlie was universally acknowledged as a masterful teacher. His love for the subject matter and the learner, of course, contributed mightily to his effectiveness. But also he was a great teacher because he never stopped learning and never stopped enjoying the process and power of learning. He would often say, “Hey, look at this crazy easement case from Oklahoma that just came out. Have you ever seen anything like it?” Now here was a man who knew more about Property than anyone on the planet, reading advance sheets with all the wonder and fervor he asked students to employ. Anyone who didn’t learn from Charlie just wasn’t paying attention.

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3. I wrote the sentence this way, with a preposition at the end, to send the Editorial Board into a frenzy. You probably won’t get to read it.

4. This is a pretty standard dodge. If the other grades were good, the student feels good about reporting them, and the reply line is, “Well, then, this one poor grade is certainly not indicative of your ability generally.” If the others are bad, this is an implicit verification of the grader’s accuracy.

5. Law students are masters at finding new and innovative sorts of trouble to get themselves into.



I once called Charlie's attention to a story that he quoted often thereafter about one of his heroes, Willie Stargell. Willie was having a terrible year, one which would lead many major leaguers to assign blame, whine about "playing conditions" or "low pay,"<sup>6</sup> and was enduring it with his usual lighthearted spirit. A reporter asked him how he kept his equanimity. Stargell pointed to his young son in the locker room and said, "Somewhere in a man's life he just has to decide whether or not he's going to *be* a man." Somewhere, sometime long before he got to Valparaiso, Charles Robert Gromley made that decision too.

I love you, Charlie. And I reckon I'm not alone.

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6. He wasn't playing for the Yankees, so he couldn't blame the owner.