

### *Symposium on The Civil Rights of Public School Students*

## For Jack, Passionate and Compassionate Mover of the Moon

Richard Stith

Follow this and additional works at: <https://scholar.valpo.edu/vulr>



Part of the [Law Commons](#)

---

### Recommended Citation

Richard Stith, *For Jack, Passionate and Compassionate Mover of the Moon*, 44 Val. U. L. Rev. 1317 (2010).

Available at: <https://scholar.valpo.edu/vulr/vol44/iss4/25>

This Essay is brought to you for free and open access by the Valparaiso University Law School at ValpoScholar. It has been accepted for inclusion in Valparaiso University Law Review by an authorized administrator of ValpoScholar. For more information, please contact a ValpoScholar staff member at [scholar@valpo.edu](mailto:scholar@valpo.edu).



## FOR JACK, PASSIONATE AND COMPASSIONATE MOVER OF THE MOON

Richard T. Stith\*

At the 1973 “meat market” for would-be law teachers, Professor Quentin Johnstone told me to go meet Jack Hiller (LL.M., Yale) and check out the possibilities at his law school. “I think you’d like those Lutherans,” he said. I certainly liked Jack. Not only did I accept the subsequent offer to join VUSL, but my wife, Rosemarie, and I entrusted Jack with finding us a bright and airy apartment within walking distance of the law school. (With me still finishing my J.D. back east, we were too poor to visit Valpo to do our own search.) He chose so wisely that we’re still in the same place thirty-seven years later!

Alas, Jack was soon off to Africa for two years, and I had to step into his shoes to teach Jurisprudence, then a third-year required course, the capstone of our “Lutheran” legal education since it dealt with the “big issues.” Naturally, I used his syllabus and notes as a base, but somehow his jokes and insights lacked an edge when I told them. (Later on when I stepped in to teach Criminal Law for Bruce Berner, using his old notes, I had a similar problem). Apparently, great words need a great mind to speak them, to give them just the right nuance, through tone and smile and eye.

Jack had that wit and wisdom. His mind made connections across distances and through walls. One of his last essays, for example, was on “music and law,” recurring to a link spied long ago by Plato but often forgotten. But his breadth did not make him superficial. Although he expressed and encouraged imagination and creativity in legal writing, he never did so at the cost of rigor. Indeed, he was known as one of our toughest graders, and also as someone who insisted on the highest quality of teaching and scholarship for those professors seeking tenure. In faculty meetings, he constantly opposed any vocationalist dumbing-down of our curriculum. (Jurisprudence was reduced to elective status only after Jack had retired).

What was the secret of his wisdom? Perhaps it was his humility. Both in others and in himself, he abhorred vanity and pomposity, seeking always to illuminate rather than to dazzle. He presented truth without adding any impressive but misleading frills. Moreover, his humility, his docility, allowed truth to impress itself upon him by keeping his ego out of the way.

This same self-forgetfulness gave Jack practical as well as theoretical understanding. Now and then in his last years, he had to spend time in

---

\* Professor of Law, Valparaiso University School of Law.

1318 VALPARAISO UNIVERSITY LAW REVIEW [Vol. 44

a local nursing home, one which I found somewhat depressing, but he never complained. Instead, he enjoyed great camaraderie with his fellow patients and with the nurses and orderlies. Rosemarie would visit him there and delight in his usual witty and erudite remarks about art and beauty, language and foreign travel, but Jack would just as happily fill her in on the funny things going on along his hallway. He had a stack of books on his night table and usually a long handwritten letter to some distant colleague in process, but he took great interest in those near him. One roommate named Ralph, a double amputee, became a real buddy.

Jack always had a nose for injustice and for its remedy. Seeing that Ralph felt unable to prevent his home from being sold off by relatives, Jack got him the legal help he needed. Again, Jack noticed no one seemed to care that one of the patients was rattling around in a wheelchair much too large for her; he made sure she got one the right size.

As I look back at the paragraphs above, I realize how inadequate they are to convey a sense of Jack. His own words are needed. What follows is something I have had posted in my office for some twenty years, one of Jack's many haiku poems. Haiku is itself a form shaped like his mind, terse yet profound, without waste (only seventeen syllables permitted) but with echoes that go on and on. Jack's poem can be read as whimsy, a bit of his sparkle, or as a whole course in jurisprudence:

*Oh helpless full moon,  
Tangled in those oak branches!  
Maybe if I move...*