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DANCER, TEACHER, COLLEAGUE

*Monroe E. Price**

John Appel's story, or at least the decade of it that I knew, was amazingly instructive as a guide to leading a life, taking control of one's destiny, making moral decisions, determining the trajectory of a career in the law. When I met John in 1982, he had already put behind him a distinguished career at CBS and was winding up a period of difficult restructuring at what remained of the old Western Union. This was the beginning of the 1980's, and it was already clear that the keenness of ethical concerns so much at the heart of John's being was temporarily, if not permanently, out of fashion. He measured the emerging environment and sensed that now was his opportunity to do what he had long thought he might love to do, namely to teach. This romantic notion—of going into teaching—touches lots of practicing lawyers, but John was different for two very significant reasons. He had been an instructor at Columbia Law School, just after his own graduation, and the classroom was in his soul. And he wanted to return, not to tell war stories, not to recount his exploits, but to find and perform the pure music of the law, the basic stuff of a classical legal education, the discipline of reading and analyzing statutes and cases.

There was something unusually and beautifully precise about John Appel. He was like a dancer of the mind in that way, like a gifted dancer who is economical in his movements but nonetheless conveys an abundance of meaning and emotion. His was the aesthetic of the mathematician or the logician. One felt that he had made a careful bargain with life, a sort of choreography of his skills. He would know and do what was right, know, too, what was wrong, what deployed his great strengths, what would be his contribution to his family, to his community and to his work. The Cardozo of his decade here was one in which a certain kind of philosophical scholarship flourished; yet among a faculty defining itself as scholars, he steadfastly eschewed any role but teaching. We were lucky that he was so purposeful, so composed, so self-confident. His art lay in teaching, and a great art it was. In that sometimes brutally uncompromising way that was John's strength, he tactfully resisted diversions from what he did so well, from what contributed to the life of the school and what mattered so much to him. He did not want to be enrobed,

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as it were, in the full-fledged academic sense. His was not the vanity of the printed page, the search for the mirror of external recognition. He felt no burden to demonstrate his ability to keep up with the doctrinal Joneses. He knew what he wanted and did just that.

I think of him as having something truly enviable: a strong sense of virtue and what was necessary to live a moral life. His colleagues saw that in him and admired it. The students understood it and loved it. And because of these qualities, the distinguished Surrogate, Judge Eve Preminger, instinctively turned to John immediately after her election to office, asking him to shape a way of broadening the participation of lawyers, of rendering the practice more public spirited and removing from the process of appointment any shadow of impropriety.

We were fortunate that John came to Cardozo; but because of his understated character, one hardly knew how fortunate we were until we found ourselves, in a way, looking at a grand railroad disappearing into the distance. Still, Cardozo ennobled itself by coming to love and appreciate John; and John ennobled Cardozo by his grace and distinction as teacher and colleague.