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## JOHN TUCKER AND THE LSU LAW SCHOOL

*Chancellor William D. Hawkland\**

We know from John Tucker's own statements that he came to Louisiana totally ignorant of the law and the LSU Law School. He graduated from the Law School in 1920 with an enduring love for both. He recited repeatedly his great indebtedness to his law professors, only four in number in those early days: Tullis, Flory, Stumberg and Prescott. From these explicit recitals, and from implicit evidence revealed in his law school notebooks, which now form part of the Tucker Library, we know that he first developed his interest in civil law as a law student — an interest that was sparked and encouraged by his professors, particularly Tullis — an interest that was to become the passion of his intellectual life. And so we know that the LSU Law School played an important role in the development of John Tucker, civilian *extraordinaire*.

John Tucker did not consider his theoretical legal education completed the day he graduated from law school. Rather that commencement day for him was the beginning of an intellectual voyage that produced a great richness and variety of scholarship — a journey that convinced him of the close, indeed indispensable, linkage between scholarship and books. I believe the most profound insight into John Tucker, the scholar, involves that perceived linkage.

Young John Tucker, recent graduate of LSU, found himself in Shreveport in 1920 insatiably curious about the law of Louisiana, especially its origins. He set out alone to track the sources of the law. In doing so, he discovered he needed access to original texts. Since virtually no such books were available in Shreveport, he began to collect them on his own, starting a lifelong interest in his Civil Law Library that ultimately came to number some 12,000 volumes. His donation of this magnificent collection to his *alma mater* is a living legacy, the Tucker Civil Law Library at LSU.

John Tucker's civil law books constitute the major part of his library, but his collection also includes numerous non-legal books dealing with a wide range of matters. I am inclined to the view that many of these

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books, however, had "legal" significance for Tucker, and I base this conclusion partially on a conversation I had with him shortly after I came to LSU in 1979. He asked me if I knew anything about James Clark Maxwell. I replied that I knew only that Maxwell was a 19th Century British scientist who had done some important research on electricity. "You're dead wrong about the research," he responded in his typical fashion, "Maxwell discovered the relationship between electricity and magnetism by deductive logic. He did no empirical research on the matter, and he proved, once and for all, that the logic of science does not have to be inductive." He then went on to explain that many legal scholars, so called, have fallen into the same error of feeling that the application of deductive logic in legal science is a barren undertaking, "not realizing," he almost shouted, "that the entire civil law methodology is based on logical deductions."

And so when I see Maxwell's *Electricity and Magnetism* on the shelves of our Tucker library, I recognize it as part of the Tucker civil law milieu. And I can only guess, when I see other books in the Tucker collection that are non-legal to me, that Colonel Tucker may have regarded them as having some legal import, and I have often speculated on what that import might be.

Perhaps a clue can be found in correspondence that John Tucker had with Professor Wex Malone in 1978. At that time Wex wrote Tucker telling him how much all of us appreciated the magnificent collection that he, Tucker, had donated; how valuable we all had found the dictionaries, the thesauruses and other word books that proliferate the collection. And then Wex emphasized the value of dipping into books outside the law in order to become a whole person, not a narrow practitioner, and to have a classical, liberal grasp of history, philosophy, literature, and science, rather than limiting oneself to the narrow crafts of the office practitioner. The lawyer as scholar, as a fulfilled human being, was Wex's theme.

John Tucker replied immediately:

My Dear Wex

I was very much pleased and deeply moved by your warm letter about the Tucker Civil Law Collection.

You have appreciated the spirits that have moved me:

1. A lawyer must be a master of words — to practice in his office as well as win law suits in court.
2. He must be able to analyze in order to make decisions: in order to analyze he must know logic and dialectics - he must be well grounded in philosophy and its methodology.
3. He must know history for "law is frozen history."
4. He must travel outside of English bibliography.
5. And, finally, he should be able to browse among books on all of these subjects, and not guess about them first from a card catalog. . .

I am thankful that the good Lord has given the urge, and what is more the where with all to make this modest contribution.

Your letter is the very finest reward I have had, or could ever have, and I thank you.

Faithfully and affectionately  
John

John Tucker's books are not his only contribution to the LSU Law Center. He loved the Law School, and he had a vision of its future. He made that vision known to Dean Hebert, to me, and to the members of our faculty. These ideas have had an enormous impact on the development of the school. In the long run his advice may be as important to the law school as his library.

Shortly after John Tucker's death, I had the privilege of preparing, on behalf of the law faculty and myself, a resolution that I introduced to the Board of Supervisors of LSU — which the board adopted unanimously and with great enthusiasm — saying, in effect, that we were glad that John Tucker lived; that we were glad that his life touched the LSU Law Center and was influenced greatly by it; and that we would be forever grateful for the magnificent and extraordinary contributions, physical, spiritual, and intellectual that he returned to us.

These contributions are living legacies, important to use every day. And I speculate that if our Law Center lasts a thousand years, John Tucker's influence will still be felt, and thus, through his efforts and generous spirit he has *achieved* a special kind of immortality. And I stress the word "achieved," because I believe with Edgar Lee Masters that

Immortality is not a gift,  
Immortality is an achievement;  
And only those who strive mightily  
Shall possess it.

