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Robert A. Stein

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## MAYNARD PIRSIG LIVES ON

Robert A. Stein<sup>†</sup>

It is hard to imagine a world without Maynard Pirsig. Maynard has always been part of our professional lives, until his recent death at the age of ninety-five years.

I knew Maynard Pirsig in many different roles. Maynard was my law school professor. I first met him when I took a course from him in my first year of law school, almost forty years ago. I can still vividly recall that criminal law class, as Maynard Pirsig leaned back in his chair and propounded hypothetical after hypothetical to the class with the words: "Suppose this case . . . ."

I also knew Maynard Pirsig as my colleague on the University of Minnesota Law School faculty from the time I joined that faculty in 1964. What a wonderful role model Maynard was for a young faculty member. He was a senior faculty colleague approaching retirement, and he continued to teach a full load, engage in extensive scholarship, and participate actively in law improvement projects in Minnesota and throughout the nation. Maynard represented all of the values of a great law teacher.

After reaching the then-mandatory retirement age of sixty-eight at the University of Minnesota Law School in 1970, Maynard moved to the faculty of William Mitchell College of Law, where an additional generation of students had the good fortune to study under him. He continued to teach at William Mitchell until his ninety-first year.

I also knew Maynard Pirsig as a fellow commissioner of the National Conference of Commissioners on Uniform State Laws. He was appointed uniform laws commissioner in 1947, and he received life membership status in 1973. I had the great honor of being appointed commissioner to occupy his "seat" after he took lifetime membership. Maynard and I were proud that prior to Maynard's appointment, this seat had been held by Professor Wil-

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<sup>†</sup> Executive Director, American Bar Association; former Dean, University of Minnesota Law School.

liam Prosser. The opportunity to occupy this seat was an honor I prized very highly. For almost twenty-five years, I had the privilege of working with Maynard in law reform activities, in drafting and promoting uniform laws. Maynard was widely respected throughout the nation for his work in connection with the uniform laws conference.

I also knew Maynard Pirsig as one of my predecessors as dean of the University of Minnesota Law School. He was the fourth dean of the law school, and he served as dean from 1948 until 1955. I often said that being dean of the University of Minnesota Law School guaranteed virtual immortality. Maynard's predecessor, Dean Everett Fraser, the third dean of the Law School, lived to be age ninety-two. Maynard Pirsig continued to teach law school and engage in legal scholarship beyond his ninetieth year. And Maynard's successor, Dean William Lockhart, continued to teach right up until his recent death at the age of eighty-nine.

Maynard Pirsig had concluded his tenure as dean before I first met him in 1958. I soon learned what a remarkable tenure he had. The faculty members he hired as dean include some of the most outstanding law teachers and scholars of the past century. In retrospect, they represent one of the most impressive faculties ever assembled at any law school.

Maynard Pirsig's success in faculty recruitment and hiring was due, in large measure, to his personal contacts at law schools that traditionally were the source of many law teachers. As I have noted elsewhere:

At Yale, Pirsig could count on the advice and help of Dean Charles Clark, with whom he had developed a friendship while working on the United States Advisory Committee on the Federal Rules of Civil Procedure. At Columbia, Pirsig consulted with Professor Elliott Cheatham, a friend through a common interest in professional responsibility; each had written a book on the subject. And at Harvard, Paul Freund, with whom Pirsig had been a graduate student in several Harvard seminars, helped out with recommendations and suggestions.<sup>1</sup>

The distinguished faculty Maynard Pirsig hired include: Professor Leon Liddell, whom he hired to direct the great law library at the University of Minnesota, and who subsequently became di-

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1. ROBERT A. STEIN, *IN PURSUIT OF EXCELLENCE: A HISTORY OF THE UNIVERSITY OF MINNESOTA LAW SCHOOL* (1980).

rector of the law library at the University of Chicago Law School; Professor Kenneth Anderson, a brilliant Minnesota graduate, who served on the faculty for seven years before going into private practice in Minneapolis; Professor Joseph Rarick, who later moved to the University of Oklahoma Law School; Professor Kenneth Culp Davis, the leading administrative law scholar in the United States, who later moved to the University of Chicago and, subsequently, the University of San Diego Law School; Professor David Louisell, another brilliant Minnesota graduate whom he attracted to the faculty from a Washington practice, who later moved to the University of California, Berkeley; Professor Charles Alan Wright, a Yale graduate whom he attracted directly from a judicial clerkship with Judge Charles Clark, and who later moved to Texas and became the leading scholar on federal courts and federal practice and president of the American Law Institute; Professor Monrad Paulsen, who went on to a distinguished career at Columbia Law School and, subsequently, dean of the University of Virginia Law School; Professor Ronan Degnan, another outstanding Minnesota graduate who later moved to the University of California, Berkeley; Professor Jesse Dukeminier, another Yale graduate, who later moved to UCLA Law School; Professor Michael Sovern, who subsequently left for Columbia University, where he became dean of the law school and, later, president of the university; and Professor James F. Hogg, who later served as dean of William Mitchell College of Law. By any standard, Maynard Pirsig's talent in attracting brilliant faculty is virtually unsurpassed.

Maynard Pirsig was also a distinguished scholar. His early writings in the 1940s on judicial administration and legal ethics were pathbreaking works, written many years before other legal educators realized the need for this scholarship. Maynard's later works in the areas of criminal law, arbitration, and the juvenile court were also precedent-setting nationally.

Most of all, I knew Maynard Pirsig as a wonderful friend of almost forty years. So many happy memories come flooding back when I recall Maynard. He had a very subtle and wry sense of humor. I often heard former students say to him: "Maynard, you haven't changed a bit since I was your student." Maynard would often respond, "That's because I looked old when I was young."

Another example of his sense of humor was a quick response made by Maynard at the thirtieth reunion of the class of 1956. Maynard was asked to make some comments at the class reunion,

and when he concluded his remarks, he walked away from the podium with his own notes as well as those of the master of ceremonies, Douglas Head. Upon returning to the podium, Doug Head "hemmed and hawed" for a few minutes, and he finally admitted to the large gathering that Maynard had walked away with his notes so he was not sure what came next in the program. Without pausing a second, Maynard responded from his seat, "I wondered why I talked so long."

I also think of humility and unpretentiousness when I think of Maynard. In light of his many distinguished accomplishments, he had every reason to be proud and boastful. But that was not his way. He was always thoughtful of others and expressed great appreciation at being included in any event. I recall his great surprise when he was informed that a chair was being endowed in his name by one of his former students, Louise Saunders. Maynard was genuinely shocked upon being advised of this development and said simply, "Can you imagine that?"

When I reflect on Maynard's life, I recall his commitment to justice. Maynard cared deeply about the impact of law on people. In our work in the uniform laws conference, Maynard always was concerned about due process and the impact of the law on the common man and woman. His constant commitment to justice is a model for us all.

And so it is hard to imagine a world without Maynard Pirsig in it. He has been part of our entire professional lives. But on reflection, we will not be without Maynard in the years to come. He lives on through his many good works and the wonderful memories that we have.