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### Memorial

Thomas M. Lockney

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# Memorial

Writing a memorial for the Law Review seems only the most recent of a painful series of inadequate responses to an event which exceeds the limits of our understanding—the death of my friend, former and fellow student, and colleague, Ed Ward. Nothing we can say to his wife Sharon, to parents, to friends, or to ourselves in the painful moments of personal realization when the unfathomable reality of our loss and of the fragility and mystery of life are acutely confronted, seems more than trite and inadequate.

Where could I start to adequately assess the person who is gone? No combination of words can convey his unique blend of extraordinary talents and guileless humanity that nearly unnoticed captured our respect and our love. I search unsuccessfully for the written equivalent of the moment of silence, for that seems the only ritual that allows the appropriate mixture of thought and feeling. Yet convention and some intuitive sense suggest that Ed, with a modest uneasiness, perhaps, would suffer a feeble attempt at eulogy, although surely with a suitably colorful epithet to mask his embarrassment.

How can I properly start to list the elements that together made for a total person, without devaluing the wholeness of the too brief life? Ed would approve, I know, of some mention of his unglamorous roots, for he seemed able to combine pride in what he had made of himself with pride in where he had been. Our frequent conversations about his modest background in the Chicago neighborhood and my acquaintance with the Ward family compel a belief that the lessons of his youth, a strength of character as well as intellect acquired in growing up, resulted in a progressive rise in his circumstances rather than any radical break with his origins. His original attraction to the University of North Dakota as a football player after initial familiarity with the area from boyhood visits to relatives in Nebish; his subsequent development as a college student following the maturing experience as an Army draftee in Vietnam; all of these must have contributed in different ways to the person I first came to know as a second year law student during my initial year as an instructor at the UND School of Law.

But undoubtedly the turning point in his life—the critical addition which fundamentally altered his goals and provided the stability which anchored his accomplishments—was his marriage, while in the

Army, to Sharon. Following his marriage and Army tour, he returned to UND as a serious pre-law student, graduating in 1970. What a law career he and Sharon then shared. I believe that they enjoyed the friendships, the parties, the law school football and hockey games as much as they prided themselves in Ed's long list of incredible academic achievements—near perfect grades, the chief editorship of the Law Review, and the scrapbook full of other awards and prizes he earned. For me, as a young instructor who felt particularly close to the Class of 1973, the most amazing thing about his accomplishments was the telling absence of jealousy among his peers which testifies to their evaluation of his personality at least as significantly as his academic achievements attest to his intellect.

Following the unequalled law school career at UND, Ed earned a graduate degree in law from Harvard while teaching at Boston University Law School. His choice of that program was particularly fortunate for me since I was able to spend that same school year in Boston: the happy concurrence of events provided me the opportunity for coming to know Ed better in another role, as fellow student.

After his year at Harvard, the UND School of Law had the good sense to hire Ed as a teacher and I know he was happy to be able to return to his alma mater. I was therefore cheered with further association, in yet another context, as colleague. The facility with which Ed took to teaching was enough to create feelings of awe, if not actual envy, in his former teachers. Yet his knack for the classroom was again at least matched by his acceptance by the students at a personal level as someone they could not only learn from, but also, to use an unfortunately hackneyed phrase, "relate to" in other ways as well.

The joys of his first year on the faculty—both Ed and Sharon finally doing what they most wanted, teaching, and at their alma mater; his comprehensive and scholarly article on Indian Law and his early progress toward acquisition of a reputation in that field; his legal aid practice in Minnesota; the football games; the undefeated law school hockey team Ed coached; so many promising beginnings—all paled in relationship to the two events that in retrospect seem almost mystical in their proximity: mystical because the mind seeks for explanations that the intellect cannot provide. No more fitting parents could be imagined than Ed and Sharon, and on March 22, 1975, their marriage was blessed with the birth of their daughter, Heather. How then can we understand the loss of the husband-father-friend with so much to offer, only three months later?

The words are, as promised, inadequate. We must be thankful

for the opportunities presented by knowing Ed. I could add my personal anecdotes, vignettes, some attempt to capture the personality for posterity. But the spirit fails me—my memories cannot mean for you what they do for me, and, if you also were lucky enough to know him, you have your own. I would, however, like to emphasize a trait that seemed to best typify that which was most admirable about Ed. His outlook on life was unfailingly positive. If ever there was someone sure to find something good in an unfortunate situation, it was Ed. In that spirit I will attempt for my own part to focus positively on the good that he accomplished in the time he lived and the joy his friendship brought, in an effort to distract myself from the void his death has created.

THOMAS M. LOCKNEY  
Associate Professor of Law