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Professor Elliott E. Cheatham

Professor Elliott E. Cheatham, in this his eightieth year, continues to contribute his ideas, insights, and penetrating analysis to the legal profession. His colleagues will acclaim the enduring significance of his work as a scholar and an author, and the future will undoubtedly record the imprint of his thoughts upon the minds of others. Because the year also marks his retirement from the classroom, we are grateful for this opportunity to testify to the profound influence Professor Cheatham has had upon his students.

For those of us who shared a class with him, the recollection of that experience remains especially vivid, not only for what he taught but also for the manner of his teaching. His emphasis was always on the need for law to achieve accommodation with the needs of man. Gifted with an extraordinary sense of evolution in legal concepts, Professor Cheatham brought a meaningful analysis to the complex area of conflict of laws. He focused student attention upon the distinction between personal and subject-matter jurisdiction, and, by utilizing recurring phrases such as "energizing forces" and "authoritative sources," he helped to guide his classes through a legal labyrinth toward selection of the applicable law. In *Legal Professions*, his practical approach, teaching human experiences, breathed new life into the study of the *Canons of Professional Ethics*. Continually, he would present tempting hypotheticals which on the surface seemed quite innocent, and then ask of his listeners what course to take. Through trial and error, the guidelines emerged, clearly defined.

His classroom style was not to lecture, but rather, with subtle precision, to offer his thoughts and gently solicit student comment. Carefully, Professor Cheatham would dissect confused and inarticulate questions, preserving whatever merit they contained, and then accord an appropriate response. Always he forced his students to look beyond the rule of law, encouraging examination and re-examination of underlying principles; yet whenever discussion seemed to stray, he would discreetly redirect it toward more productive channels. Throughout he offered his own analysis, though never in a conclusive fashion. Instead it was intended as a challenge, to be considered, criticized, perhaps revised, and only then digested. Under his guidance, the rule in *Babcock v. Jackson* took on a new dimension, and the awesome responsibilities of the attorney-client relationship came into sharper focus.

But more than that, through such teaching his students learned the genuine worth of self-education. Professor Cheatham, by word and deed, constantly encouraged individual development of the powers of legal analysis. Avoiding the simplistic solution, he would share with us, both in the classroom and without, citations to helpful cases or pertinent articles; it was the student's task, however, to seek a reasoned answer to the question raised. This was the hardest lesson, but perhaps it was the most enduring.

In short, Professor Cheatham taught far more than legal rules. By imparting to his students a sense of his commitment to achieving excellence through self-education, he indeed prepared them well. Of course, the ideas and insights which he afforded them will continue to guide all students of the law. To those who follow to the classroom he now leaves behind, we offer on his behalf a thought which, more than any other, calls to mind both his teachings and the way he lives: "The great lawyer has always been a great teacher and his best pupil is himself."¹

JOHN J. A. HOSSENLOPP AND
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* Members of the 1967 graduating class of Vanderbilt University School of Law.

1. Charles Evans Hughes, *Some Observations on Legal Education and Democratic Progress* 25 (1920).

