

LIGHTHOUSE NO GOOD* **

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A month or two ago a professor of law at the University of Washington sent me a quotation which ever since has been weighing on my mind. It is reported to have been spoken by a West Coast Indian, sitting on a rock and looking out to sea, under circumstances which I do not know. It reads as follows:

Lighthouse, him no good for fog. Lighthouse, him whistle, him blow, him ring bell, him flash light, him raise hell; but fog come in just the same.

That quotation has been haunting me. I have the feeling that it has some application to something connected with the law, but I do not know exactly what. I have shown it to a number of lawyers, and some of them have told me that it summarizes for them a lifetime of argument before the courts. Some of the judges seem to think that it describes the thankless task of writing opinions for the bar to read. To some morose and melancholy attorneys it calls at once to mind their relations with their clients. One man was sure that it must have something to do with the income-tax regulations, although he was by no means clear as to precisely how. Among only one group have I found general and enthusiastic agreement. I have yet to show that quotation to any professor of law who did not immediately say, with a lofty disregard of the laws of English grammar, "That's me!"

There has been much discussion of Legal Education, and what is right with it and what is wrong, and Whither Are We Drifting and Where; but nowhere have I encountered any consideration of the human beings who carry it on — their hopes, their fears, their joys

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The *Stetson Law Review* has decided to reprint *Lighthouse No Good* in memory of Professor Calvin A. Kuenzel. Professor Kuenzel was fond of reading this Article to his students at the conclusion of each first-year Contracts course.

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and sorrows, their triumphs and their disasters, and how they get that way. All over the country during the past two years, in response to the call of law schools inundated with veterans and in dire need of hands to man the pumps, several hundred young men have turned their backs on the profession for which they have prepared by so many years of study, and have entered upon a lifetime of teaching law. The subject of this discourse is one of these young men — any nameless one of them¹ — and what lies ahead of him in the peculiar career he has chosen.

He is, if he is at all typical, one of the outstanding law students of the last decade. That is because the law schools, when they look for teachers, look first of all to the thing that they know and can evaluate best — the record of the grades. Over every law school there hovers, as a brooding omnipresence in the air, a dean. It is in every school an ancient jest that he performs only those menial services which the union rules will not permit the janitor to undertake. Certainly he does much that is the most tedious and unpleasant routine. It is he who talks to the students, and their parents, and their sisters and their cousins and their aunts, and who bears the full brunt of the fury which breaks upon the school when Willie Jones achieves an average of 30 in all of his first-year courses. It is he who balances the law-school budget and gets the lights replaced in the classrooms and sees that the toilets work; and it is he who attends an endless series of dinners and delivers ponderous and more or less learned addresses upon the future of the law. But however menial and lowly his work may be, he is the spirit of the law school and its soul; its spark plug, its transmission, its starter, and its brake. If he is a good dean, a man of firmness and imagination and judgment, and above all of infinite patience, he will in time build a great law school; and if he is feeble or inept or slovenly or a fool, confusion follows inevitably in his train. He has one task which beyond all others is of the greatest importance to his school. It is he who, with or without the consent of his faculty, selects the recruits for the teaching of law.

The young man whose career we are to follow has become a professor because in some manner he has attracted the attention of

1. Any resemblance to any person, living or dead, is purely a coincidence. This is *not* an autobiography.

a dean. When a vacancy occurs on the faculty of a law school, the dean goes forth into the highways and the fields looking for a man to fill it. If he has enough money in his budget he goes raiding, and some other luckless law school loses one of its best men, and forever afterward curses that dean as a pirate and a heel. For, much as baseball players move onward from Elmira and Dayton and Kansas City to Chicago and Boston and New York, professors progress from one law school to another; and the two have much in common, in that both, in their younger days, follow restless and roving professions. Your law teacher is likely in his youth to be a wanderer before the Lord. There is this much in common, too: that, like the second baseman who cannot hit a curve, many a professor who has produced nothing of value is destined to languish all his days in a Class D league.

But if the dean has no money for piracy, he is compelled of necessity to find a new teacher. So he goes hunting. He writes to deans and to professors in other law schools; he consults attorneys and government offices and even judges; and, on the basis of some recommendation from someone who appears to know what he is talking about, or some bit of legal writing he has read and remembered, or some recollection of a chance encounter, he chooses his candidates, asks for interviews, and finally selects our young man and offers him the place. When it is accepted, there is no fanfare of trumpets, and no more than a line on page eight of the local paper; but a new professor is born.

It is to be hoped, for the sake of everyone concerned, and most of all for the sake of the young man himself, that the dean has chosen well. There never was a dean in such a case who did not hope that he was about to give the world another Wigmore or another Williston. All too often he has only saddled his school with a well-meaning incompetent, unqualified to teach, to write, to think, or to do anything at all but sit and wear the dignified title of Professor — a title which he shares with every orchestra leader, every bootblack, every prestidigitator, professional hypnotist, or other charlatan in the land, and which most of us wear with what grace we can. Only too often the dean has added to his faculty a superficial skimmer of surfaces, a human phonographic recording device, who can take the ideas of other men from textbooks, from articles, or even from his own classroom notes of a bygone day, and repeat them forever with-

out ever really comprehending them or ever adding anything of his own. Once in a while, and worst of all, the dean has foisted upon his law school a loafer, a lazybones who finds that a modest salary with six or eight hours of teaching a week and three months of vacation every summer is the life of his dreams, who goes fishing, who plays golf and grows roses, who takes a good long nap every day after lunch and two hours for lunch before his nap, and never does anything at all.

There is no law school, no matter how distinguished its reputation, that has not numbered on its faculty some such men as these. They are there because a dean made a bad choice. One cannot always blame the dean, although of course he is always blamed. No one can be sure about the inside of a cantaloupe or a coconut; he did his best, but the fog came in just the same. The tragedy is that nothing can ever be done about it. There are in every university rules of tenure established to protect from arbitrary interference with academic freedom of speech and of thought, from university and other politics, from personal prejudice and unwarranted discharge, the man who has given up all other opportunities in life to teach. They have meant in their practical application that once he is ensconced in the chair of learning the professor is there until the age of his retirement, and that, short of flagrant immorality or similar misconduct — in which I am happy to say that few professors of law have ever been caught — he is immune from removal or discharge. No other business or profession could operate under such rules, and no other has need to. They are at once the salvation of university teaching and its curse, for the security of tenure attracts into the life men who could not otherwise afford to risk it, and retains men who should never have entered that life at all. All over the country there are many sad and wretched law schools in which the unhappy selections of some long-forgotten dean linger on year after year, too feeble, useless, and insignificant ever to receive an offer from another school, too satisfied ever to leave, and safe where they are until the age of seventy. Few die, and none resign.

Our young man is, we hope, not one of these. He is one of those who carries in his knapsack the baton of another Wigmore. But why does he choose to become a teacher of law? Why abandon the practice of a profession after at least seven long years of toil and education for it, and retire into the cloistered seclusion of a university to

conduct classes and write books? Why do law professors take the veil?

There is an old and popular saying, which stems from Bernard Shaw, that those who can, do, and those who cannot, teach — to which, in deference to our university departments of education, professors in general have added that those who cannot teach, teach teaching. It is undoubtedly the general belief among lawyers, and especially among law students, that only the failures in practice resort to teaching, and that your professor is a man who cannot earn a living at anything else. Certainly that has been true. Among the fraternity of more or less eminent scholars who make up the Association of American Law Schools, I could point to a few whom I would not trust to draw a will, or notarize a deed, or file any paper with the clerk of court. I should be quite certain that they would draw it or notarize it or file it wrong. But in the main that popular impression is lamentably false, and it is a gross slander under which a great many worthy and able men suffer in silence with such patience as they can. The young man who is invited to become a law teacher is nearly always one who has attracted attention to himself by some unusually fine brief or other display of competence and capacity, and his departure from practice is accomplished over the vigorous objection of his firm. With due allowance for the inevitable exceptions, the venerable gentlemen who compose our faculties were once, whatever they may be now, the most promising young men in the practice of law.

It is a better explanation that the man who becomes a professor is one who for some reason does not like practice. He may be unhappy in his surroundings, dissatisfied with his advancement, and inclined to regard an extra thousand dollars now as more important for his wife and child than the ultimate will-of-the-wisp of fifty thousand a year, most of which the government will absorb anyway. Among the reasons for a life of teaching the income tax is by no means the least. But more often your professor is irked by the detail, the monotonous routine, and the manifold unpleasantness of the practice of law. It is no secret to any lawyer, large or small, that clients can be most unpleasant people who make highly unreasonable demands and are forever dissatisfied with everything but success, and often with that; that the practice of law is a jarring and a wrangling life; and, above all, that there is a constant and some-

times intolerable pressure, with someone always clamoring that something must be done by Tuesday morning or the heavens will fall in and bankruptcy supervene.

Your lawyer in practice spends a considerable part of his life doing distasteful things for disagreeable people who must be satisfied, against an impossible time limit and with hourly interruptions, from other disagreeable people who want to derail the train; and for his blood, sweat, and tears he receives in the end a few unkind words to the effect that it might have been done better, and a protest at the size of his fee. There is no lawyer who has not at some time in his life rebelled inwardly against all this, and wished that God had assigned him to the peaceful existence of a digger of ditches or a master plumber. Your professor is most often a young man who rebelled early, and while in that state of rebellion was unexpectedly offered a means of escape with a little more pay. We are all of us fugitives from that battlefield, and there is in us a weakness of character, a kind of cowardice, which those of us who are least honest with ourselves prefer to regard as a fine distaste for the wretched bickerings of a sordid commercial life.

There is nothing like that in the teaching of law. Students can be almost as stupid as clients, but they are seldom unpleasant to professors, for obvious reasons into which we need not go. Apart from the daily schedule of morning classes and the burden of examination books in June, there is never any pressure. The professor works when he feels like it; and if, on any given afternoon, he decides to go to the ball game, he merely closes his office and walks away, whistling cheerily as he goes. No one will object, and the odds are a hundred to one that no one will even know he is gone. He is not even required to work on anything that he finds uninteresting or boring or too difficult; and if he encounters some horrible rat's nest of the law involving the application of the Rule against Perpetuities to a compound trust, he is not compelled to stay up struggling with it for four consecutive nights with a wet towel around his head, as is his brother in practice. He can just let it alone, in the serene confidence that Professor Richard Powell of Columbia will some day work it all out and put it in a book. It is no wonder that a few of us give way to indolence and never amount to anything; the really amazing fact is that so many of us work harder than we ever did in practice, and that every night in any really good law school, including Sun-

days and holidays, some professor is burning the midnight oil.

Our young man has accepted his appointment and become a professor of law. As to what he is to teach, he is seldom afforded any choice. He may, of course, have been chosen because of some special skill or experience in a particular field, such as labor law or corporation finance, and brought in especially to teach that subject; but except in such unusual cases he takes what he is given. When a vacancy occurs on a law-school faculty there is often something of a scramble among the rest of the professors for the courses they would like to teach, and the newcomer inherits what is left. He is likely to find that his courses are among the cats and dogs of the curriculum — the necessary, humdrum, and excessively tiresome courses which neither professors nor students find in the remotest degree inspiring. High on any list of cats and dogs is the course in Bills and Notes, a truly dismal subject in which, with the exception of a few deranged spirits such as Professor William Britton of Illinois and Professor Ralph Aigler of Michigan, no one has succeeded in developing much interest for the last thirty years. Another is the course in Criminal Law, to which the entering student always looks forward with the keenest anticipation, and which is nearly always the major disappointment of his law-school life. Still a third is Domestic Relations, in which those of ribald instincts can manage to find some compensation for the inherent tediousness of the law. It is really surprising how many now distinguished law professors have cut their eye teeth on one of these three.

Our young man, of course, knows nothing about the particular course he is to teach. He learned something about it once in law school, but he has forgotten that long since. He has a notebook left over from his student days, in which he finds a good many interesting things that he cannot recall ever having heard before. He has, of course, a casebook, inherited from his predecessor. He reads the casebook, and is disturbed to find that some of the cases it contains do not make a great deal of sense, and that as to others, while they make sense in themselves, he cannot understand what they have to do with the course or why they are in the book at all. He decides, rather wisely, to omit those cases. He asks for, or is offered, the notes of his predecessor, who received them long ago from someone else. It is simply amazing how bad those accumulated notes of professorial generations always are. Any old hand at the game would

advise him to throw them in the ash-can and strike out for himself. The old hand would tell him to get what he can into his head and go into class without any notes at all. If he were told that, he would not dare to do it. He labors long hours into the night, and the life of leisure he has pictured begins to vanish into limbo. He pores over the textbook written by a Great Authority, for whom he is already beginning to feel an almost superstitious veneration. He spends two entire days trying to understand an idea which he finds on page 367 of that text. There is no one to tell him that the Great Authority does not understand the idea either, and that he lifted it from a note in the *Texas Law Review* written by a student who did not understand it himself. He reads hundreds of cases, he studies articles in obscure legal periodicals of which he has never heard before, and the fog comes in just the same.

At last the day comes when he confronts his first class. I wish that I could convey to anyone who never has sat in that perilous seat the trepidation, the dismay, the feeling of helpless inferiority, with which a new professor looks into all those fresh young faces — younger, that is, by at least five years than he — which are regarding him with such manifest skepticism and disapproval. It is a solemn and an awful thought that he alone is to be responsible for getting somehow into their heads the course which he has with such difficulty succeeded in getting into his own. I have heard of men who, in that situation, turned and fled and were never seen in a law school again. Our young man is made of sterner stuff. He hesitates, he clears his throat, and plunges ahead, blinking his ten-volt flashlight, into the fog. And I wish that I could describe the relief, the joy that wells into the soul of that young professor when the first student on whom he calls proves to be a very dull and unintelligent fellow, who knows nothing about the course and very little about the case, and remembers nothing at all that he was taught last year. Or the reassurance, the relish, the glee, with which he demolishes that poor student and reduces him to a condition of palpitating collapse. It is then, I think, that he finally decides that he is going to be a law professor, and a good one. Around the halls after the class runs the report that the new man is a most unpleasant person and is going to be very tough, but that he knows his course. He walks back to his office with a very perceptible swagger; but when he gets there, and starts to prepare for tomorrow's class, the fog rolls in just the same.

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So he goes on through the year. He has his ups and downs, his good days and his bad. There are days when he feels that he is doing a good job, that he has made everything very clear and presented it all quite effectively; and he is much encouraged by the bright face of the curly-haired boy in the third row who keeps nodding his head with such gratifying comprehension and approval. There are days when he is not so happy, when everything gets into a tangle and there seems to be no way to get out of it, and he is much annoyed by the embarrassing questions asked by the tall youth in the eleventh row who looks as if he might have a bad case of adenoids. He does the best he can with those questions, but the best is none too good. He goes on through the year, and toward the end of it he prepares with loving care an examination, in which he inserts a few very obscure points designed to distinguish the A men from the B men, and a good many more obvious ones intended to separate the sheep from the goats. The examination is given, the great pile of bluebooks is brought to his office, and he attacks them with eager anticipation.

It is then that the ghastly truth is borne in upon him, the consternation and the horror, and he finds out just how good a teacher he is. It is then that he realizes the full underlying truth in that old lament of the French horn player in the little German band, "I blow in it so sweet, and it comes out so sour"; or those last grim words of Simon Bolivar, that he who fights for liberty in Spanish America has plowed in the sea. Here is a man who actually seems to think that he was told in the classroom that every unperformed promise creates an estoppel. Here is another who seems somehow to have got from the course the notion that anyone who says he is an agent always creates apparent authority; here is a third who thinks it is negligence to go to sleep in bed. Here are five bluebooks filled with the same illegible handwriting, which, when deciphered after many hours, turns out to be sound and fury signifying nothing, devoid of all content, sense, or meaning of any kind. His confusion is not decreased by the fact that the best book has come from the tall youth with the adenoids, while the bright lad with the curly hair has the lowest grade in the class.

In the end, after a month of unremitting toil, our young professor finds that 72 per cent of his students have failed. He is a quivering wreck, a tumbling ruin of a castle of pride, and he has decided to return to the practice of law, and has called his old firm to find

out whether they will take him back. However unpleasant those clients may have been, and however irksome the job, it involved no such humiliation as this.

It is then that the wise old dean steps in with words of comfort and consolation, and the cheering suggestion that perhaps his standards are a bit too high, and that it should always be kept in mind that the average law student is not a genius, not exactly a ball of fire. It will be many a day before our young man recovers from his jolt; but at last he decides to give it another try. He raises all his grades by an arbitrary 20 per cent, and so preserves a class for next year. He works through the summer — that summer which was to have been his first long vacation — revising his course. He changes the casebook, which is the sovereign remedy for all law-school ills. He decides to begin in the middle and proceed toward the end. He reads a few thousand more cases, which add considerably to his confusion; and he works out a new and very elaborate set of notes on just how he will conduct each class. There is still no one to advise him to throw them away.

Once again, in the fall, he begins with a new group of students, a little more confident now but still acutely conscious of the great fog. Once again he has his ups and downs, his good days and his bad; but he is greatly perplexed by the unaccountable fact that what went well last year is this time a dismal failure, and what he thought was rather futile before turns out this year to be a huge success. On the whole the second year proceeds much like the first, and if there is improvement he is not aware of it.

He begins about this time to develop his little methods, his pet questions, his tricks and techniques of approaching particular parts of the course, his favorite reasons and arguments, and even his little jokes. These last come to him in the first instance spontaneously and more or less by accident, as a happy retort to a student; or sometimes they do not come to him, but to his students as a happy retort to the professor. In either case he notes them down, and finds a way to use them again. They ultimately become a standardized part of the course; and just as the professor has in his notes at a given point, "Perpetrate joke here," the student has in his well-annotated, second-hand casebook at the same point, "Expect joke here,"

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with the full details of the joke.² He is also beginning to get some ideas of his own on various matters, and there is at least one point on which he is quite sure that everyone else in the world is wrong.

At Christmas he attends the meeting of the Association of American Law Schools. He finds there several hundred of the brotherhood of law professors, who congregate and dispute in the hallways and disagree violently in the meetings over how to teach law and what law to teach. There is a delegation from Yale, and another one from Chicago, crying that law schools are hopelessly deficient unless they teach economics, sociology, political science, and applied psychology, with or without law. There is one from Minnesota, proclaiming that no adequate law course can be given in three years and that all schools are committing a fraud upon their students if they do not require four. There is a professor from Columbia who thinks that courses should be taught by problems without using a casebook at all. There are others who want to concentrate on trial practice, drafting, and all sorts of other practical skills. There is a man who wants to use motion pictures, and another one who wants every student to write a thesis, and one who wants to teach everybody Roman law, and many hundreds more. The one thing upon which any four of them can be found to agree is that, while the fifth may be a brilliant man and a delightful fellow, his ideas are fundamentally unsound.

Our young professor gives up at last and leaves the meeting for a little quiet and fresh air. In the hallway he is suddenly introduced to a meteor bursting through the star-spattered heavens — none other than the Great Authority who wrote the book. Swallowing twice, he stammers out an invitation to the Great Authority to step down to the bar. The invitation is accepted with gratifying alacrity. There, in quiet and seclusion, he pours out his heart to the Great Authority, his problems and his troubles, ending with the great

2. Once, in discussing with a class the case of *McKee v. Gratz*, 260 U.S. 127, 43 Sup. Ct. 16, 67 L.Ed. 167 (1922), where the defendant went upon the plaintiff's land and removed mussel shells to make pearl buttons, I referred to his conduct in an unguarded moment as "musseling in." The class was not amused, or at any rate not much. Nevertheless I did it the next year, and the next. I can only plead in extenuation that I was once very young. In the fourth year, the student on whom I called for the case began: "The defendant musselled in on the plaintiff's land . . ."

I never did it again.

question: How do you teach law? And the Great Authority, if he is honest, answers him, as Professor Francis H. Bohlen once answered me under just such circumstances, "I don't know. I don't know how to teach law, and I don't know anyone who does."

Not long ago I asked that question of one of the wisest of our old law professors, one of the greatest of our legal scholars, a learned man, a sound one and a sage, known far and wide as one of the most skillful teachers of us all. He is a delightful person, although of course some of his ideas may be fundamentally unsound. I asked him, on the basis of his forty years of teaching, how one should teach law. He said, "I don't know. None of us knows."

Then, after thinking a while, he went on to say: "I think teaching law is rather like herding sheep. You run around behind the students and bark at their heels, and head off the ones that start for the hilltops, and after a while, if you create enough commotion, they move down the valley and arrive at a destination without ever knowing how they got there. Of course," he added after further thought, "whether it's the right destination is another question, and there is always somebody who wants to argue about that."

Our young man goes back to his law school with a new confidence, a reassurance that if there is so much disagreement it is quite possible that he may ultimately work out the answers for himself, and at least that so far as he can see no one else knows much more about it than he does. That is perhaps the chief benefit to be got out of the Association meetings. He survives the second year and the ice-water bath of the bluebooks at the end of it; and he resists once more the feeling of despair and the urge to go back into practice. By this time the virus has entered his system; he has eaten of the lotus, and although he does not know it, he will never return to practice again. He sets out once more to revise and to improve his course. He changes the casebook again, and begins at the end and works toward the middle. He tries out some of the innovations discussed at the meeting, and finds that some of them are rather successful, but most of them are not. He is still baffled, and will be all his life, by the inexplicable fact that what goes well one year is a dismal failure the next, and vice versa. He is beginning to learn how to cope with the embarrassing questions, and even to turn them on the questioner. Presently there is another vacancy on the faculty, and he is given a new course; and it is all to do over again.

By this time he has realized, if he did not realize at the beginning, that being a professor of law means a life of writing about law; and that advancement, whether it be through offers from other schools or an increase in salary at home, depends almost entirely upon what one puts down on paper. Full many a flower, a professor who is an artist in the classroom, a capable and inspiring teacher, but who cannot or will not write, is born to blush unseen and waste his sweetness on the desert air of a fourth-rate law school, while far too many men who write well but put all their students to sleep move upward in his stead. It is unfair, it is deplorable, it is outrageous, but it is none the less true.

So, with much toil and tribulation, our professor writes an article and sends it to a law review. When it is published, he orders a hundred reprints and sends them to all the men in his field, and of course to all the deans. There is complete silence, except for letters from other law reviews asking him to contribute. The article disappears into the ocean of legal literature without even a ripple to mark the place where it went down. Years later the author is to find its reasoning, its conclusions, and a great deal of its language embodied in a decision of the Supreme Court of Maine which never mentions his name; but now it is as if it had never been written. Undiscouraged, he writes another and another, and is rather pleased when one of them provokes a letter from a professor at Cornell who takes violent issue with him. This, he feels, is recognition of a sort at last. He writes another, and another; and over the fifth one a lively controversy breaks out in print. The professor at Cornell writes a reply denouncing him; a professor at Illinois enters the argument disagreeing with both; and for a season there is a brisk dispute and a teapot tempest among the law schools. He returns to the fray, takes his typewriter in hand and demolishes to his satisfaction these other men, who to their own satisfaction have demolished him. Everyone is pleased. Presently he begins to find that he is known as a young man of promise; and he is invited to continue the discussion by delivering a paper at a round-table meeting of the Association. At that meeting he engages in a passage of arms and breaks a lance against no less than the Great Authority himself, and is elated to feel that he has rather successfully flattened him, although the Great Authority rather perversely appears to have other ideas as to who was flattened. He writes another article, and another, and then, sud-

denly, one fine May morning, a publisher invites him to write a book.

Let any young professor, when that tempter enters the door of his office, pause and consider long. It may be that if he were well advised he would flee that man as he would the pestilence. He is being asked for three, or four, or five years out of his life, during which he will toil as no practicing attorney has ever toiled; during which his wife and children will come to regard him as a stranger and his friends will cease to remember him; during which his classes, his amusements, his health, his sleep, and even his lunch will be disregarded in favor of that blood-sweating behemoth of holy writ which he has undertaken to carry for countless leagues through the fog. In the end, if he has the patience to complete a labor of Hercules far beyond what he could ever have imagined it would be, the day comes when he holds in his hands a fat, squat volume, modestly bound in the inevitable law-book red and bearing his name. He sits down and spends a day or two reading it through, and concludes that on the whole it might be worse — a conclusion with which not all of the reviewers will agree. Then he shoves it onto his shelf, and goes back at last to his neglected courses, fully resolved to learn how to teach them at last.

He changes the casebook once more, and decides to try the innovation of starting at the beginning and working toward the middle. He goes through another year, still having his ups and downs, his good days and his bad. He tries out some ideas he heard at a meeting long ago, and finds that they do not work. He develops a new method of approaching a difficult problem; he discovers a new joke. He finds that the book has not made him a better teacher; that if anything it has made him worse. He is coming to the conviction that there is no formula for teaching law; that there are no rules, and there is no substitute for the man on the platform; that if he is a good teacher, he can use any method and still be good, but if he is a bad one there is nothing he can do to rise above his limitations. In June he gives another examination, and sits down once more with the bluebooks. They are, he thinks, worse than they have ever been before. He relapses into despondency, and decides that he is losing his grip and cannot teach as well as he used to. For one desperate moment he even considers going back into practice after all.

The next Christmas he goes to the Association meeting. He is

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older now; his hair is turning gray and his waistline is more extended than it should be. He is tired, and he has not the patience to stay in the meeting and listen to the man from Columbia talk about a new, revolutionary, and altogether wonderful way of teaching law. As he sits in the hallway, smoking his cigar and greeting old friends, a wandering dean brings to him a young man, a mere boy no more than thirty, scarcely five years out of law school. The dean says to the young man, "I want you to meet the Great Authority in your field." If there be a heaven for law professors, which generations of law students have begged leave to doubt, this is its threshold.

He likes the young man. There is something vaguely familiar about him, something reminiscent of things past, not easy to place. He tries to give him a friendly word. The young man appears to be embarrassed, gulps once or twice, and extends a timid invitation to the bar. Our professor accepts with real pleasure; until that moment he had not realized just how much that meeting has made him feel the need of a drink. In the quiet and seclusion of the taproom the young man pours out his troubles, and the professor tries rather helplessly to be helpful. At last, mustering his courage, the young man comes to the great question: How *do* you teach law? And the old professor, who is at least a very truthful man, answers him as he was himself answered so many years before: "I don't know. None of us knows."

Lighthouse, him no good for fog.