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Teacher—Mentor—Friend

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TEACHER – MENTOR – FRIEND

Michael I. Swygert*

Prologue

Of course it had to happen someday and it did—Al Meyer’s death. For those of us fortunate to have known him well, his passing has precipitated a deep sadness and a large void in our hearts. For forty-four years, Alfred W. Meyer was my teacher, mentor, and friend. As a result, he made my life richer and fuller than it would have been.

Entering the Valparaiso University School of Law in the fall of 1964 along with another great friend, my classmate Bruce Berner, we did not know what to expect. Certainly we did not expect what happened in our first Contracts class. In his initial utterance, Professor Meyer skipped all the preliminaries. Turning to a student sitting in the front row, our professor demanded: “Mr. Smith, why did the judge decide in *Hawkins v. McGee* that reliance damages should be awarded?”

What? The student was shocked as (vicariously) were the rest of us. Our Contracts professor was not about to lecture us, nor tell us what the law was, nor give us an introduction to Contracts, nor tell us how to learn the subject, nor for that matter, even give us a clue what the first case was about. Rather, he threw us into an ocean of confusion and uncertainty and we had to sink or swim. We all sank, but in time pulled ourselves to the surface and began to stroke the troubled waters. It took most of us a long time to reach the shore but when we did, we knew our minds had been stretched and we were on our way to becoming lawyers.

MY TEACHER

Never a spoon-feeder, Al demanded that we come to understand law and the legal process through his supreme use of the Socratic method, which, to us neophytes, initially came across as mental torture. Yet, we survived and later came to understand that we had learned how to think more precisely, more analytically, more critically, and with greater appreciation of the nuances of legal doctrine and legal reasoning.

A masterful teacher, Al taught in line with the educational philosophy espoused by Alfred North Whitehead, the English-born philosopher, mathematician, and teacher. Whitehead asserted that the purpose of a university is to “preserve the connection between

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knowledge and the zest for life.” Nobody ever doubted Al possessed knowledge and zest that came together in a pedagogy reflective of Whitehead’s observation: “A fact is no longer a bare fact, it is invested with all its possibilities. It is no longer a burden on the memory, it is energizing.”

For over five decades, Al Meyer demanded that his students consider the possibilities of situations, the nuances of doctrine, the inexactitude of interpretation, the commonplace uncommonly, and perhaps most important of all, *what the law ought to be*, not just what *it happens to be*. Legal problems and their resolutions involve more than finding and applying the law. Typically moral and ethical values have to be considered. Yes, the doctrines of offer, acceptance, and consideration in contract law had to be augmented with the humane values of integrity, morality, and fairness. In short, Al Meyer taught what it meant to be a professional lawyer in the finest sense: character, competency, and commitment.

MY MENTOR

Before my first year of law school ended, I knew I wanted to be like my professors: Alfred W. Meyer, Louis F. Bartelt, Jr., James S. Savage, Jack Hiller, and Richard Stevenson. Yes, they taught in different styles, had different personalities, had various jurisprudential philosophies, but together I became inspired to follow their footsteps. But to be honest, the one who most caused me to aspire for legal academia was Al. His teaching style worked for me the best. He cajoled us to think for ourselves, to be skeptical of what others (lawyers especially) say or write, and to always have a zest for teaching and for living. I joined him along with a few other of my professors for several (perhaps countless) nights at the local watering hole—the Old Style Inn—for lousy beers but invigorating conversations. I learned as much outside the classroom from Al as I did in. Perhaps more.

Our relationship as teacher/student became more intertwined when I was invited to be Editor-in-Chief of Volume One of the *Valparaiso University Law Review*. He made it clear: Valpo was a little unknown law school and our new law review had to be “far above average.” As the *Review’s* advisor, Al was our coach, demanding that we never let down. He critically read every note and article, making corrections and suggestions, and then would tell us to do some more work on the piece. We learned that more effort inevitably produces a better result. In short, Al could not have been a better role model for us as we prepared for our

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professional lives in the law. Indeed, he was my role model—a model that I have attempted to emulate (but with only moderate success).

MY FRIEND

Oh what joyful times Al, his wife Nancy, my wife Dianne, and I enjoyed together in our homes in St. Petersburg, Florida, and in the Indiana Dunes. Each occasion was fun, invigorating, and uplifting. Our after-dinner discussions usually turned to issues of politics, education, journalism, lawyering, morality, ethics, and religion. Religion was an integral part of Al's life. I remember that he and his friend and colleague Lou Bartelt attended services each weekday at the Chapel of the Resurrection. Though not a Lutheran, I found Al's discourses on religion and the troublesome divisions of opinion within the Lutheran Church informative.

I can only declare what a privilege it has been in knowing and being so positively influenced by Alfred W. Meyer—my teacher, mentor, and friend, and more specifically, my professor, dean, confidant, and confessor. Al, of course, had faults like each of us, but he was that rare person who aspired throughout his professional and personal lives to be the best he could in both realms. In turn, he inspired each of us to do our best as well. It is a giant like Al Meyer that has made legal education at the Valparaiso University School of Law qualitatively different from the norm. I am sure I speak for all your students when I say: Al, we thank you.