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# ROBERT P. LAWRY: INTELLECTUAL, RACONTEUR, GENTLEMAN, AND TRUE FRIEND

*Melvyn R. Durchslag*<sup>†</sup>

I probably should not have agreed to write this tribute to Bob Lawry. As scholars we are taught to be “objective,” certainly in the sense that we are not only obliged to articulate and support our essential thesis, but to detail and explore the warts in our ideas as well. That “objectivity” requires us to be somewhat detached from what we write, to be open to rethinking even our most deeply held beliefs if that is where our research inevitably leads us, and to submit our ideas to the sometimes, maybe oftentimes, cruel world of scrutiny and criticism. Unfortunately, there is nothing the least bit objective about my views of Bob Lawry. I do not expect any second guessing of what follows, and if any should come, I would not only feel somewhat deflated (as I do after everything I write), but I will get angry and defensive, something that I am not prone to when someone thinks that my ideas belong in some trash bucket. Because I have no scholastic “objectivity” and yet am required to expose the emotional side of my thoughts to anyone who wants to read them, this is one of the most difficult pieces I have ever had to write. Kudos to the Law Review editors and their unreasonable time deadlines and page limitations.

To say that Bob is a scholar is not to grant him full credit. He is a true intellectual, a thinking man’s thinking man, as it were. Bob graduated *magna cum laude* from Fordham.<sup>1</sup> After turning down his

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<sup>1</sup> Bob was also a star on the athletic field. He was the centerfielder for Fordham. He even earned himself a contract with the Pittsburgh Pirates organization. Bob, however, was no Mickey Mantle or even Frankie Baumholtz (for old time Cub fans—actually he started with the Reds and ended his career with the Phillies). Luckily for the world of legal education, the

not so lucrative contract with the Pirates, he marched (or drove or took the train) some ninety miles south to the University of Pennsylvania Law School, where he graduated with honors and was an editor of the Law Review, publishing student three pieces. It was all uphill from there,<sup>2</sup> leaving Philadelphia for Oxford (I assume he neither drove nor took the train) to study with one of the world's leading philosophers of that or any other time, H.L.A. Hart. Apropos of the times, Bob's dissertation discussed the "Moral Justification for Civil Disobedience."<sup>3</sup>

In 1975 Bob came to Case Western Reserve University to teach and write about his passion, Ethics and Professional Responsibility. And that he has done, and done superbly for thirty two years. He also founded and continues to direct the Center for Professional Ethics, a University center that studies and promotes the study and teaching of ethics in the professional schools. Bob has published two books, a casebook on Legal Method (with J. Davies), and monograph entitled THE POWER OF THE PROFESSIONAL PERSON (with R. Clarke). In addition he has published about ten book chapters and some two dozen scholarly articles and book reviews. I need a calculator and a good deal more time than I have to count and describe the number of scholarly presentations he has delivered. Suffice it to say that the list takes up *twenty* pages (literally) of his resume, which in length is about the size of most papers submitted by students in satisfaction of our (their) writing requirement. Of course none of this includes the thirty two years he spent teaching two of the most unpopular courses ever devised by a curriculum committee and imposed on law students by a law faculty, Legal Method and Professional Responsibility. Somehow Bob never lost his enthusiasm or his sense of humor.

Not to slight his traditionally measured scholarly achievements, but Bob is perhaps at his professional best as the School's most proficient raconteur. A quick wit and a rapier-like mind, when added

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contract offer was not sufficiently lucrative to lure Bob from his intellectual pursuits.

<sup>2</sup> His scholarly pursuits may have started earlier than that, in high school or maybe even primary/elementary school. I don't know anything about that. I do know that he was the starting "point" guard on his high school basketball team, and helped his teammates win the Pennsylvania state basketball championship in its division his senior year. I don't think that being a point guard qualifies as a scholarly pursuit, even in high school. However, a point guard is the team's "quarterback" (to mix sports for illustrative purposes). Point guards must therefore be somewhat more savvy (intellectual, scholarly?) than, for example, a center whose main task is banging people around under the basket.

<sup>3</sup> While at Oxford, Bob brags, he played pickup basketball with future Basketball Hall of Famer and U.S. Senator, Bill Bradley who was there on a Rhodes Scholarship. Bob never told me whether he [Bob, not Bill] was competitive.

to his decidedly Irish blarney and his not so tranquil voice<sup>4</sup> makes Bob the ideal intellectual sparring partner. He has debated his colleagues on subjects ranging from the right of a woman to choose to terminate her pregnancy, to the ethics of lawyer advertising, to the role of religion in the public square, to the moral justification for war, and everything in between. Bob cites Aristotle, Plato, St. Thomas Aquinas, Sir Thomas More (of course), John Austin, and, obviously, H.L.A. Hart with the same ease that today's teenagers refer to Britney Spears, the latest American Idol, or whoever it is that teenagers today revere and lionize (and for whatever reason they do so). In short, Bob is a pleasure to have as a colleague, that is if you don't mind consistently coming out on the short end of a philosophy debate.

Through it all Bob has been a perfect gentleman. Thirty some-odd years on a law faculty (probably any faculty) is a long time to endure. We, as all faculty, have had our better and not so better moments. Over the years, the collective we has witnessed colleagues yell at each other, stomp out of rooms and slam doors behind them, and accuse each other of all manner of heinous acts and crimes (or suggest that we commit them). I never saw Bob lose his temper, certainly not in public. Bob has been one of our leading conciliators, always seeing the positive side of a dispute and the silver lining in a dark cloud. Where there appears little room for compromise, Bob inevitably finds it. This is nowhere better illustrated than his stewardship of the one thing that meant most to him at this school, the Center of Professional Ethics. I certainly could not have endured the years of frustration that was required to keep his Center above water, not with my sanity at least. Not only did it take him years of patient effort simply to get the project off the ground, but he fought the endless red tape and bureaucracy that attends the maintenance of a cross-discipline, University-wide center. Most mere mortals would have either given up or become supremely cynical. But not Bob. He just kept (and keeps) plugging away, optimistic that he can overcome any obstacle that might, intentionally or unintentionally, be thrown his way.

Everything I have said above helps explain why I so highly value Bob's friendship (and why I cannot be objective). What can one say about a friend who has been your friend for over thirty years, whose children you have seen grown up and who has seen your children grow up? What can you say about a friend who has shared with you both the joys and sadness in your own family and with whom you

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<sup>4</sup> Word has it that Bob was known to his Eckert, Seamens colleagues as "Screamin' Bob."

have shared the joys and sadness in his? What can you say about a friend with whom you have drunk many a glass of single malt scotch or 12 year old Jamison's while listening to Ella Fitzgerald, George Szell and the Cleveland Symphony, or just sitting around with our spouses enjoying each other's company? Nothing—I've just said it.

I am not overjoyed that Bob is retiring, but neither am I sad. I will still be his friend and experience most everything about and with him that I have since 1975. Except for the times when I just pop into his office to say hello, things won't change much for me. For that I am grateful. The institution—both the Law School and the University—however will be worse off because of his retirement. It will miss his enthusiasm, his tireless efforts on behalf of the school, and his wisdom. But he will now be able to devote his full attention to what we all wish that we could do but what most don't have the talent to do, writing poetry (he has already published one small book of original poetry and participates regularly in poetry reading sessions) and producing that breakthrough novel (which he hasn't done yet). I wish him luck in the next chapter of his life.