David Currie
By Peter Altabef, ’83

David P. Currie, Edward H. Levi Distinguished Service Professor of Law (1936–2007), was a legal scholar of the first order, who wrote nineteen books and hundreds of articles. He was also an accomplished actor, singer, and director and was a member of Chicago’s Gilbert & Sullivan Opera Company for more than 40 years. During the time I attended the Law School (1980–83), Prof. Currie taught a series of constitutional law courses, which under his direction became educational theater.

He started with a notable entrance—before it was cool to do so, he rode a bicycle to school. He was gracious, articulate, and witty and would frequently have a twinkle in his eye—sometimes kindly, sometimes mischievous. In our constitutional law classes the Socratic method evolved into a form of mystery dinner theater, where the students were a participatory audience, the court case of the day became our plot, and the appropriate ending was never known in advance—because even though we were expected to have read the case before the start of class, the conceit was that Professor Currie would have us wondering earnestly by the end of class whether in fact the case had been correctly decided. He could do this even with what seemed, going into the class, to be a relatively straightforward decision. There was never any applause after class, but on several occasions I remember just sitting in my chair, thinking to myself, “did I just witness this?” and wondering whether I would ever be able to bring to a situation even a little bit of Professor Currie’s analytical methods and insight.

A few years ago I began to collect Prof. Currie’s later writings on constitutional law, including a series of seven books written after I left the Law School; a primer, The Constitution of the United States, a two-volume set on The Constitution in the Supreme Court, and a four-volume set on The Constitution in Congress, a chronological series of both the executive and legislative branches’ views and actions relating to the Constitution. The Congress set ends in 1861, but Prof. Currie had not intended to finish it there. Declining health prevented the publication of a fifth volume, but the bulk of that work can be found in two extensive law review articles, one on the Confederate Congress (published in the University of Virginia Law Review) and the other on the Union Congress (published in the University of Chicago Law Review). Taken individually or together, the series is simply brilliant. To close the dramatic circle, shortly before he passed away Prof. Currie recorded a reading of the US Constitution as a gift to the Law School. It is available online.

I don’t think Prof. Currie ever knew anything about me, and barely knew of me, but most actors and directors don’t know individual audience members. Our conversations were rare, short, and limited to the text at hand. But I believe he cared deeply about imparting to my co-students and me a profound interest in the subject matter and in developing our critical thinking abilities beyond what we would have imagined to be our natural limits. For that, I will forever be grateful.