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## MY FRIEND GROWS NO OLDER

*Harry Kalven, Jr.\**

I AM deeply delighted to have this chance to join in a symbolic toast to Charlie Gregory. He has been my teacher, my colleague, my collaborator and, above all, my friend for thirty years. To come directly to the point: Speaking for my family and myself, we love him.

Yet, tribute to such a man is surely a perilous undertaking. He is so free from humbug, so securely himself, so robust, that one can already anticipate his critical and profane rejoinder to any such solemn display in public of admiration and affection. It is also a puzzling undertaking. One reflects on him with such simple pleasure, it seems perverse to attempt to dissect carefully its many sources in his character and personality.

One point at least is clear. I must have first confronted the phenomenon of Charlie Gregory the day I entered law school at the University of Chicago as a freshman in the fall of 1935. In the intervening three decades I have had the unmistakable sense of aging. My classmates have begun to send their sons to law school; some of my former students are enjoying distinguished careers at the bar or in government; the Depression, Court Packing, the New Deal and World War II have receded into history; that splendid casebook which came out only yesterday is now in its eighth year and in need of a second edition. In brief, at every turn I am reminded of the relentless passage of time, of the aging of all familiar things. All, that is, except one. In my mind's eye, time has somehow not altered him. He is a boyish sixty-five.

The point is not that he does not look any older. Perhaps he does. It is rather that in personal style, rhythm, open response to life he has not changed. And he has stayed young without fighting age, as the movie star or the athlete might.

This must go a long way toward explaining his success in the classrooms at Chicago and Virginia. The young have recognized a contemporary in spirit and attitude. There is a good deal of brooding about college education these days; a complaint about the remoteness, the inaccessibility, the dryness, the lack of immediacy. In one sense the solu-

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tion to such problems is obvious, if not easy: multiply the Charlie Gregorys! He personifies in class just that degree of candor, enthusiasm and nonconformity that students are always in quest of. And he does it without sacrificing analytic rigor or respect for subject matter. Occasionally, the scholar can be a gentleman with full-blooded charm.

There is a small legend at Chicago about Charlie's first year as a teacher—a story he likes to tell himself. Near the end of the year, the then Dean, Harry Bigelow, had a chat with him about his teaching. His reputation as a teacher, Dean Bigelow said, had been very good, but there was just one small difficulty. Yes, said Charlie. Did he, asked the dean gently, did he have to say quite so often in class: "Hell, I don't know!"

There is another Chicago story somewhat in the same vein which is, characteristically, a great favorite of his. It again involves that first year and a faculty meeting at which several suggestions for new senior appointments to the faculty were made and rejected. As one distinguished name after another fell before the critical onslaught of the group, Charlie became increasingly uncomfortable about his own presence on a faculty with such standards. Finally, the meeting came to an end with no action taken, and as he was walking out uneasily one of his most distinguished older colleagues, Professor E. W. Hinton, put his arm around him and said: "Geezuz, Charlie, how did you and I ever make this faculty!"

There is a third story which rises to mind and which may have its analogies to the other two. It is one that Mary Gregory likes to tell on him and which she tells with a certain air of pride. Many years ago, perhaps again during that fateful first year in Chicago, they were having a major dinner party in high style. As the guests gathered at the table Charlie was sent down to the basement to check the furnace. Minutes passed and he did not reappear. Finally, Mary went in pursuit and located him happily rereading the comic pages in a bundle of old stored newspapers he had come upon in the basement.

There are so many other dimensions. There is the wonderful quality of his laugh, the equally wonderful bursts of irascibility. There is the quiet courage and gallantry with which he and Mary handled his serious heart attack some ten years ago. That did not age or change him either. Thus last summer on a visit at their place in New Hampshire I found myself bringing up the rear painfully puffing while Charlie strode on cheerfully ahead as we climbed Mount Monadnock.

There is the very special pleasure of collaborating with him: the effortless resolution of disputes, the delight at finding the really good case, the pleasure in close analytic argument, the insistence on literacy in the editorial notes, the pleasure in the never-ending absurdity of tort fact situations, the willingness to experiment, the pride in the joint product. We tried to pay our respects to the collaboration in the preface to the casebook, the last sentences of which read: "We will leave it at this. We had a very good time putting this book together. We hope you will have a very good time working through it."

There is the style of his life outside the law. He has taste in living style. And one remembers a whole array of small enriching details—being taken off in high excitement to find a wild orchid or the first wild flower of spring, the pleasures of bird watching, the passion for solving double crostics in the *Saturday Review*, the enthusiasm for Charlie Brown or Samuel Johnson, for bridge, for Martha's Vineyard, for exactly the right way to coddle an egg, for baseball, for good bourbon, for the good off-color story. It is a fascinating blend—a mix of the high culture, Bach, Schubert, Shakespeare, with the right touch of Thoreau, combined somehow with a hearty appetite for contemporary Americana. One can only envy him and Mary their hobbies.

Occasionally, someone is reported as saying that he never met a man he did not like. In the case of Charlie, the formula must be that he never met a man that did not like him. One is tempted for a moment—but only for a moment—to paraphrase W. C. Fields' bon mot and wonder if a man whom everyone likes can be altogether good. His special achievement resides in his delighting so many friends while staying so firmly, candidly and stubbornly himself.