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Robert Taylor, an Appreciation

Bruce Ledewitz*

In August, 1980, four new teachers joined the Duquesne University School of Law faculty: Neil Gotanda, Bruce Ledewitz, John Lyttle, and Robert Taylor. Robert would remain at Duquesne for thirty years and would serve as the intellectual and emotional center of the school for all that time. Now, as Robert is leaving legal education, the Editor-in-Chief of the Law Review and I thought it would be appropriate to recognize his career in an appreciation. This will not be an attempted biography. Others know Robert as well as I and could celebrate other aspects of his career that I barely know. But no one on our faculty has more reason to be appreciative of Robert Taylor than I.

Because junior faculty are always subject to academic politics, the four of us entered into a pact, which we erroneously called General Order 24,1 to the effect that we would all keep our mouths shut on public occasions and would always vote as a group. The effort paid off. The senior faculty more or less left us alone.

From the beginning, Robert was well regarded by just about everyone. He would eventually be awarded tenure unanimously—no mean feat with that group of senior faculty. He was older, which helped his acceptance, and was extremely well educated, as well as a law school alumnus. So he had an appeal to most of the faculty. Robert was a successful Presbyterian minister before he attended law school, was highly praised by the faculty of the Pittsburgh Theological Seminary, his Alma Mater, and had studied abroad with the great Protestant theologian, Karl Barth. Robert’s pastoral training led people to trust him. He seemed to understand their needs and fears.

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1. The reference was to Star Trek, and of course, we meant what was known as the Prime Directive, which prohibits Starfleet personnel from interfering with the cultural development of an alien species. There is a General Order 24, which permits the destruction of a planet if it threatens the Federation—a rather ironic error under the circumstances. See Chris Gray, Interstellar Law and Treaties: Starfleet General Orders, STAR TREK MINUTIAE, http://www.st-minutiae.com/academy/history316/general_orders.html (last modified Jan. 26, 2011).
But the main reason for Robert's positive impact at Duquesne is that he is first and last a teacher. Robert spent his thirty years at Duquesne teaching students, faculty, and staff. In fact, he taught anyone who wanted to be educated.

Robert's notion of education was not that of most law school professors. He insisted that all learning is learning about oneself. He told first year students in Civil Procedure class every year that what they would really learn in law school, if they paid attention, was who they are. Robert was a teacher in the tradition of Greek classical philosophy: know thyself.

I got to watch Robert teach in class. For a while, he and I created our own curriculum in the law school, coordinating his Legal Philosophy and Law and Religion classes with my Constitutional Jurisprudence class. He attended a few of my classes, while I attended most of his. In the last ten years, I rarely missed any classes in those two courses.

From the vantage point of a Yale Law School education, I can tell the reader that the students who took Law and Religion or Legal Philosophy from Robert received the most sophisticated and meaningful legal education available anywhere. Robert never repeated a class, a thought, or a theme. The classes reflected Robert's current studies in philosophy, theology, and related disciplines; wherever he was at the time. His preparation and creativity were just astounding. I heard over the years from students in Robert's other courses, mainly Civil Procedure and Legal Ethics, that those courses were also memorable—Robert's singular understanding of how to read a case was legendary among students—but those courses were not his first love. His love was for real learning, by which he meant theology and philosophy.

The year by year changes in Robert's courses reflected the fact that he is himself a lifelong student. Yet Robert's philosophy of law remained consistent during all the years I have known him. He told his students every year that the proper subject matter of law is the formation, maintenance, and fragmentation of social bonds. In Robert's hands, law could be a positive—even a noble—undertaking. But he felt that law and legal study rarely rose to that status.

Robert was not only a teacher to law school students, but a teacher to the faculty as well. One year, he led almost the entire faculty in reading a biography of John Dewey. In other years, he
led smaller groups in studies of the New Catechism\textsuperscript{2} and Pope Benedict's two volume work on Jesus.\textsuperscript{3} Perhaps the most lasting such effort was a group of faculty and former students who studied Ludwig Wittgenstein's \textit{Philosophical Investigations}\textsuperscript{4} line-by-line for ten years.

Robert also led the faculty intellectually in his role as Ethics Chair. The legal ethics programs he organized, including one memorialized in this Law Review,\textsuperscript{5} involved Duquesne University School of Law faculty in stimulating exchanges with experts from outside the law school.

All of this intellectual activity left quite a mark on the law library's holdings. With the cooperation of Frank Liu, the library followed Robert’s intellectual travels, including the purchase of a rare copy of a liberal, partial translation of the Talmud\textsuperscript{6} and Barth’s \textit{Church Dogmatics}\textsuperscript{7} in both English and the original German, which Robert often translated.

Robert also lent his time and expertise to individual faculty members in their own intellectual pursuits. Over the past thirty years, I doubt much serious scholarship has gone on at the law school without some help from Robert. Because of Robert’s deep acquaintance with all aspects of Western thought, he could usually guide a faculty member or a law student in the history of the ideas that the writer was relying on, either expressly or, more often, unknowingly. Robert explained his approach once, during an ill-fated campaign to become dean of the law school—a campaign I will always believe Robert was relieved to have lost—when he stated that as dean, he would meet with each faculty member and develop with that person an individual intellectual trajectory, so

\begin{itemize}
\item \textsuperscript{2} \textsc{Catholic Church, Catechism of the Catholic Church} (2d ed. 2000).
\item \textsuperscript{3} \textsc{Joseph Ratzinger, Pope Benedict XVI, Jesus of Nazareth} (2007); \textsc{Joseph Ratzinger, Pope Benedict XVI, Jesus of Nazareth: Holy Week: From the Entrance into Jerusalem to the Resurrection} (2011).
\item \textsuperscript{5} \textsc{William H. Simon et al., The First Annual Thomas W. Henderson Lecture in Legal Ethics at Duquesne University School of Law Presents William H. Simon: Thinking Like A Lawyer—About Ethics}, 38 Duq. L. Rev. 1015 (2000).
\item \textsuperscript{6} \textsc{The Talmud with English Translation and Commentary: Bava Mez\'ia} (A. Ehrman trans., El-'Am-Hoza'a Leor Israel 1969); \textsc{The Talmud with English Translation and Commentary: Berakhoth} (A. Ehrman trans., El-'Am-Hoza'a Leor Israel 1969); \textsc{The Talmud with English Translation and Commentary: Qiddushin} (A. Ehrman trans., El-'Am-Hoza'a Leor Israel 1969).
\item \textsuperscript{7} \textsc{Karl Barth, Die kirchliche Dogmatik [Church Dogmatics]} (Tvz Theologischer Verlag 1986).
\end{itemize}
that we would each become aware of the specific traditions on which we were relying and in which we felt at home.

On the subject of individual help to faculty members, I have to mention my own experience with Robert as a teacher. My first serious conversation with Robert, back in 1980, led to a story that many faculty members have heard. I was to teach the evening division course in Constitutional Law in the fall. That first class, as all law students know, commenced with *Marbury v. Madison* and the tradition of judicial review. Robert asked me to tell him in a general way what I would be lecturing about. I was happy, even eager, to tell him, because it was a subject that had been emphasized at Yale. When I finished my description of the first lecture, Robert turned to me and said, "you don't know much about what you're talking about, do you?"

I learned later that Robert did not mean to be critical, exactly. He was just surprised that someone could graduate from Yale Law School and remain so ignorant of the foundations of the liberal tradition. I was not ready for some time to accept this verdict. But eventually, I came to see the truth of it and began my postgraduate education, with Robert as my teacher. Within a few years, we were reading together regularly and during a lot of that time, almost every day.

It is hard to summarize thirty years of such concentrated study. I started with the Wittgenstein group. But, from the beginning, Robert pressed me to deepen my understanding of my Judaism beyond conventional liberal approaches. Robert and I thus began a serious Talmudic study that culminated years later in my introduction through Robert to *The Zohar*, the great book of Jewish mysticism. So intense was this study that once, while we were engaged in his office, a glass object shattered for no apparent reason. Students of Jung and Freud will recognize the similarity, as did we.

Robert also introduced me to the great thinking of the Western philosophical and theological tradition, especially Barth and Martin Heidegger, but including many others. More recently, Robert has broadened our study to include Eastern thought and meditative practice. There is nothing I have taught or written over the years that did not have its source in Robert's patient instruction.

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I have often wondered just what Robert got out of all of these years of work with me. Robert had already read everything that we read together. And it took a lot of effort from Robert to prepare me for reading each new author. I can only conclude that it was not exactly friendship, though I am sure that was a part of it. Mostly, I think our work together was as close as the world permitted to what Robert thought law school should be like. Robert always considered most law scholarship, including most of mine, as mere packaging of preexisting commitments—not real scholarship at all. But when the two of us could study a great text and ask questions of it, each other, and ourselves, without a prior agenda, then genuine scholarship could emerge.

As for the influences on Robert himself, there was family—Nancy, of course, first and foremost, whom he met in grade school and who forms with Robert the strongest marriage any of us have ever seen—and the home of refuge that Nancy nurtured. There were Robert’s parents, who were such a solid foundation for him; Matt, his son, of whom Robert is so proud; David Noel Freedman, his Old Testament Professor at the Seminary; and Father Joseph Girdis, who guided Robert in Catholicism and with whom Robert remains in constant conversation, even after Joseph’s death.

Robert would add as an influence his early training in Physics. For he feels that discipline has given him a taste for the real, for experiment, and for close examination of the facts—of what is the case. Physics is the reason Robert never fell for empty abstraction.

But no factor in Robert’s past explains his restless seeking. Robert is always in search of the truth of the furthest horizon. He has never been content in any institution for long and, in a way, his retirement is real freedom for him for the first time. But he will be so missed.

And yet, Robert has never really left any of the traditions underlying these institutions, either. He takes as much as he can into himself before he moves on. Robert embodies the saying of Raimon Panikkar, a favorite thinker of Father Girdis: “I left Europe as a Christian, I discovered I was a Hindu and returned as a Buddhist without ever having ceased to be Christian.”

For those of us remaining without him, here at Duquesne University School of Law, we will have Robert’s example always be-

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fore us. And since, as I am sure he would remind us, he is not
dead yet, I hope we will be seeing him around. *Dum spiro, disco.*

10. As long as I breathe, I learn.