

J. BYRON McCORMICK

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It is tempting to say that Byron McCormick's passing symbolizes the end of an era. He came to the University in 1926 when there were three full-time teachers in the Department of Law. From that time until he became President of the University the law school student body and faculty were small and the list of courses was short, Langdellian and overwhelmingly devoted to private law. The curriculum remained very much the same from year to year and reflected the needs of a profession with a small town orientation. I often marveled at Dr. McCormick's intimate knowledge of the lives and fortunes of the graduates of the law school. He knew just what everyone was doing, the successful and the ne'er-do-well, the senior partner in the Phoenix firm and the small town practitioner who had given it up and opened a tavern.

The days of the small law school and the quiet campus, sadly in some respects, are gone. The University now has some twenty-six thousand students, the law school, four hundred and fifty. The law faculty numbers twenty-four and students sit on law school committees. The curriculum, far from static, seems to change almost daily as the school tries to adjust to a swiftly moving society. The campus rings with student demands for due process as time honored methods of university governance are challenged. The manners and mores of some students are not those a gentleman from Illinois Wesleyan (1915) could be expected to appreciate or approve.

It would be wrong, however, to say that the simpler world of yesterday is what Byron McCormick's life symbolized, because he represented, and passed on to those of use who knew him, some human values that made it possible for us to make sweeping changes in law and legal education without slipping into chaos.

Dr. McCormick was instinctively and intellectually a conservative man. As a lawyer of his time and background, he could hardly have been otherwise. Yet those of us who had the privilege of sitting in his class in Public Utilities in 1951 were treated to the most delightful dose of "legal realism" we ever had in law school. We spent the first three weeks of the course listening to McCormick's thumbnail biographies of the justices of the Supreme Court who sat in the turbulent 1920's and 30's. He thought we should know the backgrounds and biases of the men who, as he would conspiratorially put it, "make the law." He was an unsparing of Hughes as he was of Douglas, yet he taught us to admire and respect them both.

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He was a pragmatic realist, a careful student of the legal process, and he wanted us to be the same.

He possessed a strong sense of civility. He could believe strongly in the rightness of his fundamental opinions but treat with respect and even affection those who differed. He could urge his views with force without persuading himself that the world would be doomed if he lost. He did not believe that victory, even in the most serious contest, justified abusing his opponents or impugning the motives of honorable men. Like his fellow Illinoian, Adlai Stevenson, whom he admired, he was a gentleman of restraint.

Also like Stevenson, Dr. McCormick was a man of delightful humor. He was not simply a great story teller but a man of true wit whose humor welled up out of an amused tolerance of human frailty. His piercing insight into the pompous and pretentious among us was characteristically expressed not in sarcasm but in gentle laughter. Almost any setback seemed surmountable when bathed in Dr. McCormick's wry humor.

Most important, his life was characterized by wisdom, a quality no more conspicuously present in our time than in any other. His was the wisdom born of a clear mind and a deep sense of history. His calm judgment and his faith in our ability to achieve an acceptable approximation of justice made him a unique counselor of governors and legislators, regents, presidents and deans.

All these qualities made J. Byron McCormick, in the words of one of his young colleagues on the law faculty, seem ageless. His passing symbolizes not the end of an era but the timelessness of those values that must endure in any system of ordered liberty, no matter how much our institutional structures may change.

