

GARY SCHWARTZ: ENERGY, INTELLECT, AND EXUBERANCE

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Meeting Gary Schwartz for the first time was like encountering a gale force wind: He was all movement, intensity, enthusiasm, and kinetic intelligence.

For me, that moment occurred at the beginning of my second year at Harvard Law School. He had entered the law school in the fall of 1962 (one year before me), and as the story goes, he was a somewhat obscure, quiet kid from Oberlin who rarely spoke in class (which was hard to believe after you got to know Gary). To everyone's amazement—including Gary's—he finished that first year number one in his class, which in those days made you an instant celebrity.

So Gary came back for his second year automatically assigned to the *Harvard Law Review*. Most people would have relished the fame and attention that went with this academic stardom. But not Gary. After several months, he resigned from the law review and left school—feeling as if he had a target on his back.

When he restarted his second year, he was full of confidence and at peace with himself—particularly after deciding that he was going to keep a low profile, avoiding the law review and the law school's elites. Instead, he hung around with a small group of nonelites (including me), because that is where he felt most comfortable.

There was still plenty of ambition left in Gary. He took the lead with his new group of friends in forming the *Harvard Civil Rights–Civil Liberties Law Review*. He excelled in all his classes, where he was still a marked man by most of his teachers, who never failed to call on him with difficult questions. And he worked hard to finish at the very top of his class.

After graduation, it was clear that Gary's greatest passion was to be a law school teacher. In order to prepare himself for that role, he obtained a prestigious clerkship with Judge J. Skelly Wright. During his clerkship, he was a major contributor to *Hobson v. Hansen*,¹ one of the landmark cases on school desegregation.

After leaving Judge Wright, Gary became a Reginald Heber Smith Fellow, working with the Neighborhood Legal Services Program in the District

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1. 269 F. Supp. 401 (D.D.C. 1967).

of Columbia. In addition to teaching, Gary's other great passion was using the law as an instrument for social change—particularly with regard to assisting victims of poverty and discrimination.

It was during Gary's year as a "Reggie" that I experienced first hand the dynamism that would make him such a great teacher. I was an adjunct professor at Georgetown University Law Center, teaching a seminar with the somewhat pretentious title "Poverty and the Administration of Civil Justice." Because I was working full-time in another job, I used the "guest lecturer" technique to minimize my own workload. After several classes, Gary was my first guest lecturer, and the class was never the same again.

Suddenly, a course struggling to deal with a somewhat obscure set of issues involving "poverty law" came alive in Gary's hands. He mesmerized the class that day and created enough momentum to enable me to get through the rest of the semester.

It was a typical Gary performance. Full of the incredible energy, enthusiasm, and brilliance that emanated from him—not only about the law, but about almost any subject that appealed to his restless and searching mind: baseball, movies, books, food, travel, and a hundred other things.

Others in this forum will discuss Gary's scholarship, which I am sure is impressive. But it is Gary the teacher that for me was the hallmark of his brilliant professional career.

There are two other qualities that made Gary so special: an incredible sweetness and an insatiable curiosity about almost everything. When you put those qualities together with his energy, enthusiasm, and the power of his intellect, you begin to understand Gary's impact on those he met.

The Library of Congress recently referred to legendary Americans as people who embody the "quintessentially American ideal of individual creativity, conviction, dedication, and exuberance."² That was the Gary I knew, and the Gary I will always remember.

2. Librarian of Congress Dr. James Hadley Billington, Remarks at the Bicentennial Celebration for the Library of Congress (Apr. 24, 2000) (honoring more than eighty Americans for their creative contributions to the country).