1978

To Leon Green

Fleming James Jr.

Follow this and additional works at: https://digitalcommons.law.yale.edu/fss_papers

Part of the Law Commons

Recommended Citation
To Leon Green, 56 Tex. L. Rev. 535 (1978)
To Leon Green

Fleming James*

As a first year law student at Yale in 1926 my torts course was taught by two men: "Red Mike" Thurston had the first half, Leon Green the second. Each was thoroughly competent in his own way, but the ways were diametrically opposed. Thurston was a very precise black letter law man. Leon was then, as I recall it, writing his Rationale of Proximate Cause, with its profound insights clothed in deceptively simple language. He taught and argued like that, expressing ideas that were often startling in such a homely and plausible fashion that his opponent would be put on the defensive to justify a generally accepted stand.

I learned a lot from both Thurston and Leon and I learned a good deal more from each because of the contrast in their methods and temperaments, brought to bear on the same subject matter, than I could have from either alone. Few learning experiences in my life have been so fruitful and so exciting.

Leon's disarming facility of expression is not, of course, his main contribution to tort law. The substance of his writings and his perceptive insights into the nature of tort law and the tort process have profoundly influenced all his contemporaries in the field—and this includes at least two generations of us. He has had the respect and following of most of the men I have known. Bill Prosser and his advisers on the second restatement would often bring in and argue about Leon's views, and it is my impression that they were apt to prevail—or at least to shape what we came up with. Beyond that I was often moved by the unrehearsed expressions of very real admiration and affection for Leon and his writings.

As for my own career in law, I think in looking back that he contributed mightily to the love I have for the law and for torts, and probably to my later decision to go into teaching (after a few years as a jury trial tort lawyer). Certainly when I started to write about torts, Leon's writings together with memories of his class became beacon lights in

* Sterling Professor of Law Emeritus, Yale University. B.A. 1925, LL.B. 1928, Yale University.
the transition from a railroad attorney’s point of view to that which Fowler Harper and I tried to express in our textbook.

So I salute Leon Green on the happy occasion of this issue in his honor and hope that we may share many more years laboring in the torts vineyard.