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What Grant Gilmore Taught*

Anthony T. Kronman†

In the spring of 1973, when my classmates and I were completing our second semester in law school, we learned that Grant Gilmore was returning to Yale to teach. We knew this was an important event, but none of us was sure what to expect. We had been told, of course, that Grant was a great teacher, and through the grapevine we heard from friends at Chicago that the students in Grant's contracts class had given him a broken crankshaft to mark his departure. Having just read *Hadley v. Baxendale* ourselves, we thought this was a wonderful gesture and it somehow made us feel more at home in our new profession. But its meaning eluded us, and as we talked among ourselves, we wondered what secret pedagogy this man possessed. Grant's reputation was enormous, but the stories that gather around a great man conceal him from view, and so we waited to discover what it was that had inspired the affection and the anecdotes and the filial reverence.

Grant's greatness as a teacher reminds us that there is a difference between teaching and instruction. An instructor trains students in a discipline by conveying to them the knowledge they require to practice it themselves; the work of an instructor is impersonal and he is to a large degree an instrument of his students' vocational preferences. A teacher, on the other hand, always conveys something personal to his students, a sense of what it is he cares about and has found worth doing. This is why teachers fascinate their students, though I should add that where the fascination is deliberately cultivated it can never take root or produce anything of lasting value. The curiosity and devotion that a great teacher inspires can no more be artificially sustained than the character he reveals in his teaching, which is why, although one can train to become an instructor, there is no method for learning to teach.

Grant Gilmore was a great teacher. He was also, of course, a great instructor who disentangled the complexities of commercial law with an economy and clarity that no one else could command. But it was not a love of commercial law that drew us to him (though he made many unlikely converts to the subject). The attraction was more personal. Grant revealed himself in what he taught and we filled his classes just because we wanted to be with him.

* Delivered at the Yale Law School memorial service for Grant Gilmore, Oct. 3, 1982.

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We were drawn to Grant, in part, because he was a wonderful storyteller. Actually, he was an irrepressible storyteller; every case he taught became a story, almost, I am tempted to say, of its own volition, as if he were simply the bemused instrument by which the dramas locked away in the cases were restored to their original human form. We all love listening to stories; this seems, in fact, to be one of our oldest, and deepest, pleasures. To a large degree, however, it is a pleasure we deny ourselves in our professional lives. The practice of law is today a specialized discipline, or rather a collection of such disciplines, and however strenuously we continue to insist that lawyers are generalists, insulated from the worst tendencies of our bureaucratic civilization, it is the open or secret fear of every law student that he will spend his days in the practice of some narrow expertise, remote from the passions of living. Storytelling is antithetical to the bureaucratic spirit; every story has a hero and nothing could be further from the colorless anonymity of a bureaucracy than the hero-filled world of stories. Grant found his heroes in the least heroic corners of the law, but even there, he seemed to say, there is life and drama. In saying this, he made himself the ally of everything in us that balked at accepting the line between life and work. Grant was a magician in an age of bureaucrats, and against our pretensions to rational self-mastery, which are also the source of our deepest fears, he deployed his powers as a storyteller. The stories he told made the law a more hospitable place, and for those of us who sat in his classes, this was a personal gift.

Through his stories, Grant taught us something else as well. Every storyteller is a spectator, and by putting something into a story we place it at a distance from ourselves. This is why storytelling has redemptive power: every sorrow can be borne, said Isak Dinesen, if you put it into a story or tell a story about it. The distance in question, however, is not the distance of the misanthrope who hates life or the stoic who purges himself of hope to avoid disappointment, but the distance of the storyteller who in amazement fills the world with heroes though he understands the futility that always threatens to overtake them in the end. The virtue of the hero is courage, but this is the virtue of the storyteller too, since he knows what the hero does not, but loves life nonetheless. This was the spirit that animated Grant's teaching, as it did his scholarship, and listening while he turned our cases into stories, we learned two things: never to concede the lifelessness of the profession we have chosen, and always to protect the storytelling spectator in us as a kind of insurance against the risk that we might be defeated by the world.

The stories that grow around a great man may conceal him from view, but those he tells reveal him. That is why, however we tell his story, we shall miss the stories Grant told us before he joined his heroes.