Quintin Johnstone

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It was yesterday—nearly thirty years ago—that I met Quint Johnstone. He was one of that extraordinary group of Gene Rostow's boys: Bickel, Bishop, Black, Bowman, Coker, the two Goldsteins, Lipson, Manning, Pollak, Summers, and Wellington, who had recently arrived at the law school to rebuild a faculty torn with bitterness and heavy with grief. I was back at Yale, on leave from my firm, enrolled as a graduate student, uncertain whether to pursue a full-time teaching career. The divisional program had newly been launched, and Quint, wanting to put some content into the divisional offerings in Property, asked me to help him. That invitation, which I quickly accepted, sealed my decision, shaped my career, and—not least of all—began a friendship and professional collaboration that have continued to this day.

What impressed me first about Q.J. was his cutting-edge attitude toward his field. Property instruction in those days was in the throes of a revolution, and Quint—doubtless inspired by McDougal—stood in the front-ranks. Today, we take for granted the importance of real estate finance and land development law to the study (as well as the practice) of real property. But Quint was one of those who saw this early, who conceived and built the land use and finance seminars which, for a generation now, have become staples in the Yale curriculum and are widely emulated elsewhere. What was notable about these offerings was their linkage to the real world. Quint did not (nor does he) view Property as the vehicle for airy speculation, but, rather, as the occasion for consummate lawyering—whereby one takes all his craft, his intelligence, his subject-matter command, and his ingenuity, and applies those attributes to the solution of the challenging problems before him. For demonstration, he brought to the school Ed Logue, the Master Builder of New Haven and Boston, and Marvin Kratter, the Master Syndicator, and delighted himself and his students in seeing how law, creatively applied, could rebuild cities and energize financial transactions. A student in one of Quint's classes felt, at once, the dynamism and opportunity in Property—one reason, and a good one, for becoming a lawyer.

Two mainstreams have irrigated Quint's intellectual enterprise. The first, that of Property, has yielded a real estate transactions casebook

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(which he and I shared with Allan Axelrod), definitive studies of urban renewal and title insurance, and rich additions to the Yale curriculum. The second, that of the Legal Profession, has given us wonderful books on paralegals and on lawyers and their work. What has informed Quint’s research has been an exacting attention to fact, a restless curiosity about how programs actually work and how professionals feel and behave, and an unusual capacity for creating a broad perspective from a mosaic of detail. Empirical study, even when “unscientific,” is enormously demanding: one must be a collector, an evaluator, a discarer, even a patient fellow (Quentin?). It is a form of research that law academics have largely eschewed—in favor of more flashy, but hardly more enduring, discourse. One sees all around us intellectual edifices—grand and ambitious—whose footings crumble easily. Quint’s constructs may seem more modest in their design, but one can be sure, if it’s a “Johnstone,” that he has built it on a sturdy foundation and that it will serve its users well.

What stamps Quint, and accounts for his legion of admirers, is that he is the quintessential professional. It was once said of me (while I was still in practice) that I would have done well as an academic if I had not succumbed to the filthy lucre. I can say confidently of Quint that he would have been a brilliant lawyer if he had not turned, instead, to legal education. On a faculty as large and accomplished as Yale’s, there are—as there should be on every faculty—role models for many tastes. For a generation of Yale students, Quintin has personified what one must have to be a fine lawyer: freshness of spirit; absolute reliability; perfect judgment; the capacity to capture both the overview and the particular; clarity of expression; ceaseless energy; and a love for the enterprise.

I have never told him so, and, perhaps, this is not the forum, but Quint—more than any other man I have ever met—reminds me of my grandfather Taksen. Taksen was a man who was seldom voluble, who—to those who met him once—might have seemed almost peremptory and severe. But if one looked closely, one saw the eyes twinkle, and when one got to know the man—a privilege in my grandfather’s case as in Quint’s—one learned about friendship, loyalty, and compassion. So, too, with Quint Johnstone. He has that inner spirit that illuminates his work and associations and that makes saying farewell to his active career on the Yale faculty so bittersweet a moment for so many of his former students and colleagues.