

IRVING YOUNGER*

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Irving Younger once said casually to me, “if a book is worth reading it is worth owning.” I had been admiring the Youngers’ livingroom wall of good reading, amassed by them while I was still paying overdue charges on library books I loved too much to return. The remark changed my life. I became a hunter of old editions, an accumulator of new. I suspect I have moved out of at least one house because there was no more book room. I mention this not only to show the magnitude of Irving Younger’s impact on his friends, but also to help you to remember, with me, what he was like.

In my mind’s eye, superimposed upon the energy, charm, and cockiness of the much younger man who knew where all the best antiquarian bookstores were, is the generous humor and crinkly-eyed handsomeness of the man we knew in his maturity. The images are spaced widely apart; after the old days Irving Younger and I saw each other only rarely. These images shift and melt into each other; what the man was really like did not change.

Here is another pair of images, these more contrapuntal. I have always thought Irving Younger both a great lawyer and a lawyer manqué. His first interest was good books, good writing. The quality that gave his personality its special flavor was his sheer literariness. He loved Dickens; above all he loved Melville. It moved him that the author of *Moby Dick*, with its splendid, Shakespearean cadences, was himself reading Shakespeare, enthralled, as he wrote it. Legal writing never satisfied Irving. I remember his once confiding to me that even some of Judge Cardozo’s most memorable lines struck him as overdone, self-conscious. Irving did not like doing legal scholarly writing, law review articles, casebooks, treatises. He once summed up all this to me by saying, “it is just making a pastiche of tag ends.” He said of the experience of writing for the law reviews, “One forgets how to write.” He had an ambition of a higher order. (1989) 73 Minn. L. Rev. 824 He took up his pen many times with the intention of producing a work of literary value, but he seemed unable to satisfy some inner vision.

In court he was what today we might call “a class act.” His grace, his eloquence, his mastery, his quick wit, made him a great trial lawyer. My recollection goes back to his days first as an Assistant United States Attorney in the Southern District of New York, and to his early work as a criminal defense lawyer. In those years he used to take a commuter flight up to Cornell to give law lectures. All through his life he was to move restlessly through the greatest trial firms, in New York and in Washington, taking up and then relinquishing stellar roles, always returning to academia.

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But it was neither in the courtroom nor the classroom that he will best be remembered. His real *métier* was the lecture-hall. Dickens's American tours, Dickens's amazing lectures, were deep in his consciousness; and here was something he could do so superbly he could satisfy even himself. He poured himself out into his lectures: his fire, his understanding, his humor. Many of my readers will have seen Irving Younger lecture more recently than I have; thousands of us have heard him speak. The experience was unforgettable.

Sometimes, in one of his exhausting lecture tours, he would be passing through the place where I was teaching, and we would get together for dinner. He was a splendid dinner companion, full of wonderful stories. He knew something about wine. His gossip was kindly. He was always reading something worth talking about.

When news of his death reached me it was with a late photograph of him. Suddenly I had an overwhelming sense of his presence. For a moment I saw him, standing near my desk, bending toward me with the kind, almost fatherly eyes of his later years. I was too badly shaken to cry. As a friend, Irving was bighearted, always ready to help, constant. Our old ties bound us really into a foursome: Irving and Judith, myself and my husband. Irving and Judith—what a brilliant young pair they made! They studied law together and both went into law teaching. They were, I think, our very oldest friends. That youthful foursome, so appreciative, each, of the others, so delighted to be in each other's company, cannot change for me, not really. When luck will reunite us with Judith we will feel that we are still four. The affectionate tears I find I can shed now on writing this are for her too.

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