

A TRIBUTE TO MARTIN ARONSTEIN

FAIRFAX LEARY, JR.†

It is a sad time when news of old friends is largely news of their retirement from active teaching. At least of Martin Aronstein we can all say, in the words of Oliver Wendell Holmes, Sr.:

They say that in his prime,
Ere the preening knife of time
Cut him down,
Not a better man was found
By the crier on his round
Through the town. :

Somehow the pain is softened by the fact that, as he has done in the past, Martin is leaving one calling to pursue another for a time. Even so, there is a great loss to law teaching in the retirement of one who, uniquely, could teach law with gentle humor and compassion. Who else in the closing minutes of a class involving "future interests" would pose a hypothetical case, in which grandchildren were to obtain distribution under a will when the eldest grandchild reached, or would have reached, the age of twenty-one. What is the reason the youngest grandchild born after that date would not receive anything? This would require the student to give as the reason for the answer "The class is closed. "When that was said, Marty answered "Thank you, so it is," and walked out. His humor was not limited to the classroom. It was always with him, whether discussing amendments to the Uniform Commercial Code, or making points in continuing legal education seminars, in some of which I was privileged to participate. Indeed, humor was even with him, for example, when in the wee hours of the morning once, a telephone caller asked, "Did I wake you up?" Marty replied, "I don't know yet."

One could not help but admire and envy the skill with which Martin Aronstein attacked legal problems. He swiftly eliminated the non-essential facts and reached the central issue. His interests were varied. The law school characterization of the subject matter made no difference. He was at home everywhere—in Sales, Secured Trans-

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actions, Investment Securities, Future Interests, Wills and Trusts, and other areas. He made the courses he taught come alive. To him, cases did not involve the "plaintiff" and the "defendant," but they involved real people. And he could make his classes feel that.

He taught in an intensely practical way. In the case of water coolers leased or conditionally sold to businesses, for example, he could show you how filing fees under the U.C.C. were far more expensive to the seller or lessor than absorbing the occasional losses because the seller's or lessor's interest was unperfected. He could make a class see that in many cases businessmen viewed their relationship with a customer on a long term basis of profitable dealings rather than just looking at the present unpaid debt. He could shift gears from the classroom level to a far higher level and advise a group as sophisticated and learned as the Permanent Editorial Board of the Uniform Commercial Code. His scope of interests is reminiscent of the great men of the Renaissance. No one could come to him with a problem and not receive his full attention and a sympathetic discussion. He didn't give you advice or a solution; he shared the solution with you.

He is a modest man. He probably will disagree with what I am saying here. Apparently he agreed with Goethe, who said in his *Proverbs in Prose* two things that Martin must have believed; namely, "Nothing is more terrible than ignorance in action" and "First and last what is demanded of genius is love of truth." If love of truth and reason makes a genius, Martin Aronstein was, and is, one. He certainly worked hard in his teaching to eliminate ignorance in action.

For the balance of his life, may Marty, to paraphrase Kipling, but slightly, continue

To talk with crowds and
keep his virtue
And walk with Kings and
keep the common touch
May his be the Earth and
everything that's in it
For, indeed, you are a Man,
My friend.