

BERNARD G. SEGAL

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It is a cherished personal and professional privilege to have been asked to join in honoring, in this very special way, my college and law school classmate and a distinguished and greatly admired colleague in the law. I express at once my earnest gratitude to the Law School and its *Law Review* for this prized invitation. It is appropriate indeed that during Bernie Segal's fiftieth reunion year this issue of the *Law Review* is dedicated to him.

In the fall of 1928, the University of Pennsylvania Law School's Class of 1931 began its three-year journey across the unexplored educational sea whose far shore marks the beginning of a career in the law. Few of us who tried to navigate that sea will ever forget its first turbulent currents: a new language, a new approach to the process of reasoning, and the relentless application of the Socratic method to unstructured ideas and positions, all with the goal of teaching us to "think like a lawyer." Many of us sought refuge from those early law school storms by banding together in study groups. If we were lucky, the collective wisdom and cumulative courage of the group proved sufficient to keep us all afloat. In my case, I was more than lucky, for my study group included a man who was to become one of the great lawyers of our country and an advocate of national distinction, Bernie Segal.

Even in law school we knew that Bernie was someone special. While most of us struggled to separate holding from dictum, Bernie's fine mind, coupled with a prodigious appetite for hard work, allowed him to rise to the top of our class while simultaneously teaching political science at the Wharton School and coaching both the freshman and varsity Penn debating teams.

There was more to Bernie than tireless energy and brilliant scholarship. Early in his career he recognized and appreciated the unique appeal of our profession so well described by Mr. Justice Holmes:

Every calling is great when greatly pursued. But what other gives such scope to realize the spontaneous energy of one's soul? In what other does one plunge so deep in

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the stream of life,—so share its passions, its battles, its despair, its triumphs, both as witness and actor? *

But Bernie's enthusiasm for and dedication to the law were motivated by more than the personal satisfaction that he knew he would find. Already there burned in him the sense that a career at the bar would have to include more than the representation of clients for fees. Even then Bernie realized the almost unlimited potential for lawyers and their institutions to improve the quality of life in America, to champion the causes of those without wealth or power, and to play a leading role in the struggle against inequality and injustice.

It has been half a century since those days in law school. Many members of the Class of 1931 have made contributions to the higher calling of our profession, serving their fellow citizens and their country with skill and devotion. But none has given more than Bernie Segal, who—as all of us knew he would—has become one of the most effective and highly regarded leaders of our profession.

In 1976, the American Bar Association presented Bernie with its highest honor, the American Bar Association Gold Medal. A proclamation accompanying the award said of him, "No organization in the legal profession has been unaffected by his activities." This conclusion is amply supported by the record. The chronicle of Bernie's service to the Bar and to his country reads like an odyssey through every conceivable area of professional and public service.

Bernie's tenure as one of the most outspoken and effective presidents in the history of the American Bar Association is but the most visible of his many contributions to the bar. He serves as Chairman of the ABA Standing Committees on Federal Judicial Selection, Tenure, and Compensation. He has previously served as President of the American Bar Foundation and the American College of Trial Lawyers, as Vice-President of the American Law Institute, and as the youngest Chancellor in the 178-year history of the Philadelphia Bar Association, the oldest association of its kind in the English-speaking world. Bernie's service to the profession has earned him, in addition to his many other honors, the World Lawyer Award of the World Peace Through Law Center.

Bernie's record in public service is equally distinguished and remarkably diverse. After beginning his career as the youngest Deputy Attorney General in the history of Pennsylvania, Bernie

* Speech by Oliver Wendell Holmes, Suffolk Bar Association Dinner (February 5, 1885), reprinted in O. HOLMES, *SPEECHES* 17 (1896).

went on to serve on the Attorney General's Committee to Study the Antitrust Laws, the Attorney General's National Conference on Court Congestion, the National Commission on Revision of the Federal Court Appellate System, and, most recently, by appointment of the Chief Justice, on the United States Commission on Executive, Legislative, and Judicial Salaries. But of all of his government service, the appointment of which he is probably most proud was his selection by President Kennedy in 1963 to be one of the first Co-Chairmen of the Lawyers' Committee for Civil Rights Under Law, where he played a major role in the admission of the first black students to the University of Alabama.

With all that Bernie Segal has given to the legal profession and to government service, one might wonder if there could possibly be any time left for the practice of law itself. As Bernie demonstrated in law school, however, time can be made to yield in its demands by a man of boundless dedication and energy. Bernie has approached his own practice with the same enthusiasm and drive that he has brought to all his other endeavors. As a practicing lawyer, Bernie perfected the characteristics for which he was already known and respected as a law student. In the courtroom or the conference room, Bernie's presentations have always combined meticulous preparation with tenacious advocacy. Stories of his preparation "sieges" are legendary. For days before an important argument he will literally live in his office, surrounded by the transcripts, cases, and statutes that will be his ammunition. Not until all are thoroughly mastered—down to the last footnote—will he venture forth.

A former law clerk of mine tells of the time he and Bernie spent the night putting the finishing touches on an important speech that Bernie would deliver to the ABA Conference of Administrative Law Judges. Although my former clerk had already polished this address through several drafts, it remained for Bernie to dissect it once again, rearranging, adding, shifting a phrase here, a paragraph there, until it sparkled. Into the night they worked. By 1:00 a.m. his young colleague had little left to contribute. He was tired, ready to go home. Across the desk sat Bernie, still fresh, his only concession to the lateness of the hour being an unbuttoned vest. As he patiently dictated yet another, slightly better version of the thought at hand, he looked up at his junior partner, realized immediately that he would be of little further use that night, and suggested that the young man retire. As my former clerk gathered his notes and drafts, Bernie smiled

and said "That's the trouble with you young people today . . . just no stamina."

Thanks in large measure to Bernie's stamina, the small law firm that he and William A. Schnader started in Room 1719 of Philadelphia's Packard Building in 1935 ranks today as one of the major firms in the country. Under Bernie's stewardship, the firm has almost tripled in size in the last dozen years, growing to nearly 150 attorneys. Of Bernie it may be truly said, "This is a lawyer. When comes such another?"

Even with his profound dedication to the law, Bernie has found—or perhaps made—the time to serve his community and his faith. Among the countless educational, religious, and community organizations to which he has contributed his talents are the University of Pennsylvania, where he serves as a Life Trustee and a member of the Law School's Board of Overseers, the Allied Jewish Appeal, which he directed, and the Federation of Jewish Agencies, on whose Board of Directors he serves as a lifetime member.

No discussion of the remarkable career of Bernie Segal would be complete without mention of his wife Jerry, his partner and helpmate for almost fifty years. Bernie's devotion to her, to their children, and to their grandchildren and the love that he has received from them have surely played a major part in his outstanding and richly deserved successes.

My former colleague, the late Justice Michael Musmanno, once wrote of Bernie: "There is only one Bernard G. Segal, although to recount all that he does battling for justice, purity of the law, humanity and all minorities we could assume there are at least six of him." Leader of the Bar, servant of his country and his community, devoted husband and father, dedicated practitioner of the profession of advocacy, Bernie Segal has indeed achieved the work of several lifetimes.

On this fiftieth anniversary of the graduation of the class to which he has brought such distinction, it is a joy to join with Bernie's classmates and colleagues in expressing gratitude for his unceasing efforts to strengthen the legal profession and to improve the quality of life of his fellow man. We have all been enriched and ennobled by his distinguished contributions.