

WILLIAM HENRY HASTIE

COLLINS J. SEITZ†

William Henry Hastie was already a towering figure both within and without the law when I came to the Third Circuit Court of Appeals some ten years ago. In the decade that followed he was my associate, my Chief Judge and, finally, a senior judge. In each capacity he brought to bear the same traits of character. While he felt strongly, he did not let sheer emotion override logical analysis and principled pragmatism. In listening to Bill Hastie dissect a complicated legal or social problem one could appreciate his outstanding background in mathematics. Yet the human factor was never lost in his analysis. His own background helped to teach him the limitations of formal logic in human relations.

As a judicial associate, Bill Hastie personified the ideal judge. When he presided at an argument, he did so with a courtliness that could not have been lost on counsel appearing before him. And this can be appreciated fully only by one who has been exposed to argumentation that has no redeeming feature, not even brevity. Yet, there was never any doubt about who was in charge when Judge Hastie presided. He inspired respect by his penetrating questions and his command of the subject matter.

Judge Hastie brought the same personal grace to bear in his relations with his judicial colleagues. Thus, in assigning opinions Bill Hastie made a point of asking the other members of the panel whether they had a special interest in writing the opinion in a particular case. He also was concerned that no judge be assigned an unduly large number of opinions to write. By such seemingly small things are big men to be measured.

The conferences over which Judge Hastie presided were intellectual joys. No attempt was made to discourage discussion or to deprecate a point of view. Indeed, as I look back on my early years on the court with my excess of self-assurance, I realize just how restrained and gracious Bill Hastie really was.

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Judge Hastie also had a highly developed concern for the Third Circuit court as an institution. He realized that in the long view its continuing vitality and high status was more important than the passing concerns of individual members. He saw the court as part of society's ordering process. To him, therefore, the court was a part of the great process by which our democracy disciplines itself. So viewed, its importance was self-evident to him and, by example, to his colleagues.

But Bill Hastie dwelt in no ivory tower. He was an important contributor to the collegiality of our court. He had a personal concern for his colleagues and their families that was deep and abiding. No one shared a greater or more active interest when a death or serious illness occurred in the Circuit family. He was in truth the *paterfamilias* of our court.

We of the Third Circuit miss Bill Hastie as we would miss a close relative. But the void left by his passing is physical not spiritual because we are inspired to further the important values that made William Henry Hastie a superior human being.