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In Memoriam: Professor Charles A. Thompson

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IN MEMORIAM:

Professor Charles A. Thompson

Chuck Thompson had “an adamantine sense of his own self. He knew where he began and left off, what areas of himself he could yield to the encroachments of his enemies, and what to the encroachments of those he loved.” Robert Bolt used those words to describe Sir Thomas More, the man for all seasons. Chuck might be embarrassed at the comparison, yet it is too apt to ignore. Chuck was an enigma to the casual acquaintance. A man with a beard who wore faded Levis to work and rode a motorcycle, yet in forty years had put more words in print than anyone on our faculty. He was a man who could put bourbon away with the best and studiously retained the speech patterns of his Gas City, Indiana youth, but whose insight into the more rarefied strata of legal thought surpassed his most erudite colleagues. Chuck did indeed know where he began and where he left off.

He began in a working class Indiana community, working in a factory. His friends then were truck drivers and cops, and they were still when he died the leading authority on, among other things, Indiana criminal law. At his wake, if one can properly call a small meeting of his pall bearers that, they told stories of Chuck’s good humor and of his personal contributions to their welfare. The off-duty policeman who led the procession to the cemetery told me that he owed his job to Chuck’s *pro bono* representation when the officer was in a disciplinary scrape. How many of us will have our bodies led to their final resting place by one who cannot help but proclaim his eternal gratitude to the spirit that once inhabited it?

The limits that Chuck imposed upon encroachments from those he loved were minimal, and yet they existed. I can recall Chuck saying “I just can’t do that, I wish I could, but I can’t.” Usually, that response referred to suggestions that he change his “image” or play a role to gain an advantage for himself. (Chuck could dress up to go to court, but he never fooled anybody by it because he never tried.) And he could not stay home when the tug of the road pulled on him and his Harley. (That Chuck would ride an American bike was inevitable—a populist from Gas City could not do otherwise.)

Chuck was equally lax in drawing limits on the encroachments of his enemies. Enemies here must be understood generally as people whose goals placed Chuck between them and what they desired, for Chuck did not conceive of anyone as an enemy. He knew that some people took advantage of his good nature. Yet he treated all people charitably and, in the final analysis, usually yielded if all that was at stake was his own well-being. But, like Thomas More, Chuck could only yield so much. He could give in to avoid hard feelings but he had to draw the line when principle was at stake. As with More, his adversaries sometimes saw his willingness to fall back as a reflection of weakness and were shocked by his toughness when they had pressed

him to the point where he felt he must fight. They did not know him. They might have been less surprised had they been with me the night I went back to Chuck's office with him to confront a man with a handgun who was looking for him. (The man was gone when we got there.) As one who knew fear then, I can say that if Chuck knew any he kept it well concealed.

I have not said enough about Chuck's work. The record shows his extraordinary accomplishments. Being a full-time teacher, a clinic director, and a man who enjoyed life, he produced so much written scholarship mainly by wrenching it out of himself in the middle of the night. I would not have believed that he could do it had I not been a witness to it. Several years ago Chuck and I were retained to help the defense team in a criminal trial involving a prominent person. On the first day of the trial several complex legal issues arose, and Chuck and I set out to write a memorandum to submit to the court the next day. I did not see how we could accomplish it in one night. But as the night wore on, Chuck began to hand me first-class treatments of issue after issue, so good in first draft that no revision was necessary, and I saw that my own task had suddenly become manageable. (The defendant was acquitted.) After that I always wondered how many of our colleagues recognized the genius in this unassuming man.

I wish that I could create a better picture of Chuck for those who did not know him, but words are not adequate, at least not for me. Several years ago he started a softball team called the "Stranger City Strangers." We wore black jerseys with the numbers upside down and may have been the only softball team in history to play an entire inning with every member wearing Groucho Marx nose glasses. Yet the team was quite good. We finished second in the league last year. After the games we would retire to a little place called the Varsity Club. With beer on the table and the juke box playing country music and old-time rock and roll, Chuck seemed more at peace with the world than when he was anywhere else. (Chuck was a jazz musician himself; he played string bass.)

Chuck liked detective novels. Raymond Chandler was his favorite author. A couple of years ago he told me that there was one Raymond Chandler novel that he had never read. He said he was saving it because he could not stand to think that there were no more Raymond Chandler novels to read. I do not know if he read it before he died.

Another detective writer Chuck liked was more obscure; his name was Ross Spencer, and the Stranger City Strangers were named after a place in one of Spencer's books. Chuck wrote to Spencer and sent him a picture of the team in their nose glasses, and Spencer came to Columbus for the team banquet last year. That pleased Chuck immensely.

There is a connection between Sir Thomas More, detective novels, and Chuck. More, Philip Marlowe (Chandler's hero), and Chuck were existential men. Their main goal in life was to be true to themselves. They had a code that they put together from bits and pieces of their experience. It wasn't exactly like anyone else's code, and yet it was their beacon in a confused

world. They could make people angry and disappoint them, but they could not willingly depart from that code no matter how expedient it might be to do so, and the code was essentially just. As hardcase as these men might have originally appeared, at bottom was a desire to help others along the road, to help others even though their own bodies were battered by falls and no one seemed to care.

Chuck was an uneasy warrior in our midst. His talents were never fully accredited because of his casual manner. Yet he liked it here, better than most. He told me once that a boy from a factory appreciates a job such as we have. So Chuck, instead of worrying about whether he should be at a more prestigious school or making more money in practice, seriously did his job in a grand style. Again, as Bolt said about Thomas More: "He parted with more than most men when he parted with his life, for he accepted and enjoyed his social context." Perhaps, more than Sir Thomas, Chuck made his own social context. Those of us who were a little part of it shall never replace the loss of Chuck and the world he took with him.

Stanley K. Laughlin, Jr.

Professor Charles A. Thompson, a friend, a colleague, and an inspiration, was (and in my mind still is) a person who, while being deeply appreciative of the dedication of this *Law Journal* issue to him, would nonetheless feel uncomfortable with anything that approached the standard memorial. I will try not to displease him too much. Those of us who knew him realize that while he cared little for ceremonial adulation, he did care a great deal for quality and integrity on both the professional and personal level. The intellectual challenge and commitment to principle reflected by this *Law Journal* would, and did, please him.

It is also fitting that the issue paying tribute to him also emphasizes a subject area to which Chuck had a long and lasting interest and commitment. Professor Thompson's practice and research in the area of federal habeas corpus clearly made him one of the most effective teachers and scholars on the subject. This interest was an outgrowth of his considerable work in the criminal procedure area.

His writings, particularly those that made him the leading scholar on Indiana law and procedure, both civil and criminal, are models of what effective legal scholarship should be. Precision, depth, and simplicity are characteristics difficult if not impossible for most writers to combine.

In this respect the writings reflect the teacher. Chuck's ability and reputation as a teacher were legend; particularly in regard to his ability to balance

concept with practicality. His down-to-earth approach was never quite successful in hiding the extreme depth and profundity of his knowledge.

For me personally, it will be Chuck Thompson, the person, who will be most missed. It was a mistake, soon realized, for anyone to assume that Chuck's ability to laugh and see the humor in all situations denoted a lack of seriousness. No person, in my experience, has ever shown more dedication to principle and professionalism. The integrity of Chuck so infused every aspect of his life that neither the principle nor the person could be politically labelled or defined.

Chuck's commitment to this institution and legal education in general dominated his relationships with his colleagues and his students. His constant concern with not only Ohio State's tradition of excellence but its continued existence as a quality institution caused Chuck to be the person to whom others turned when issues of principle were at hand.

I will miss Chuck as an advisor, a colleague, and, most of all, a dear friend. It is the memory of him that will cause many of us to reevaluate our actions and rededicate our resolve.

LeRoy Pernel