

A TEACHER TO THE END

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Peter and I met in 1984 at Fordham University, when he was a member of the Roman Catholic religious order, the Jesuits. I was an undergraduate and he was studying philosophy as part of his Jesuit "formation." Our first meeting was in a seminar room at Fordham on the first day of a class entitled "The New Testament Ethic." I will admit that the teacher, a noted biblical scholar, was someone I had already placed on a pedestal and I was prepared, uncritically, to keep him there. After a synopsis of the course, Peter interrupted the professor and, with some indignation in his voice, told the him that his suggested approach completely ignored the socio-political school of biblical study and therefore was clearly a deficient approach to the subject. For the remainder of the class, the remainder of the semester and, indeed, the remainder of his life Peter was my teacher on the pedestal.

Perhaps because a seminar on Christian scripture was where I first met Peter, a scriptural passage comes to mind as I reflect on his life. It is from Saint Paul's Letter to the Philippians (2:5-6): "Your attitude must be that of Christ. Though he was in the form of God, he did not deem equality with God something to be grasped at. Rather he emptied himself and took the form of a slave, being born of human estate."

Because Peter spoke about this passage frequently in my presence, including in that seminar we took together, I can almost hear him saying (I can not, of course reproduce his eloquence), "The real point of this passage is that the all-powerful God is a God who does not cling to power or glory or high-position, but a God who purposely allies his/herself with the poor, the slaves, the outcast, those on the margins of society."

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Without overstating the analogy (although I think Peter would appreciate that I compare him to God) Peter embodied both the power side and "emptying" side in the equation in Paul's letter. In terms of his intellect and the sheer force of his person, Peter often seemed all-knowing and invincible. I was constantly impressed, not only by the breadth of Peter's intellect, but also its depth. I cannot recall a subject (other than sports) that Peter could not speak about with what appeared, at least to a lesser mortal like me, as omniscience. Anyone who has read his work, had him as a teacher or spent any amount of time in his presence knows well his command of philosophy, especially the Greeks. I used to joke with him that he could not write an article or have an argument without quoting one of Plato's dialogues. But Peter was also amazingly proficient in areas ranging from theoretical physics to history, from economics to Judaism.¹

Peter was equally well-versed in pop-culture. After Socrates, Peter probably quoted Captain Kirk and his Science Officer, Mr. Spock more often than any other person, real or fictional. Being an expert on both Plato and Star Trek is not really that remarkable. Academia is full of Trekkie philosophers. What made Peter really unique is he was equally knowledgeable about the twisted lives of the characters on mindless shows like *Melrose Place*. When I lived with him the only publication I can recall him subscribing to was *Entertainment Weekly*.

Beyond his intelligence Peter had a forceful and powerful personality. Had he pursued a more traditional law career, he would have been a "rainmaker" in the upper echelons of an extremely successful firm. He was a masterful cajoler and deal-maker, as I witnessed several times. In the mid-1980s, while Peter and I were students at Fordham, the CIA was creating and supporting the Contras, who were fighting a war against the people of Nicaragua. The CIA was sending an employment recruiter to interview students at Fordham. Peter and a few of us opposed to the war, scheduled a meeting with a dean to register opposition. I fully expected, and I suspect the dean fully expected, that our group would present our case and the dean would say something vague about looking into the matter. Peter, however, expected more and got it. To everyone's astonishment we walked out of the meeting with a signed agreement

1. I once sat in a room while Peter and a Ph.D. in physics talked for what seemed like hours. The Ph.D. assumed Peter had some kind of science graduate degree and was shocked to find out the truth. I remember during one of my final visits with Peter, he and Jonathan (Peter's heroic and loving spouse) mentioned that a rabbi joked that Peter, the ex-Jesuit, was more conversant and observant in Judaism than Jonathan, the lifelong Jew.

to ban the CIA from the campus for one year. The head of the CIA at the time, William Casey, was a Fordham alumna and a major contributor. Although the dean was under tremendous pressure to revoke the agreement it remained in force for a year and sparked an extremely productive debate. When the CIA returned, nine of us peacefully occupied the office where the recruiting was taking place. The CIA was forced to leave without conducting a single interview. The nine students were defended before a discipline tribunal by Peter, a precursor to his role at a similar tribunal at Harvard Law School.

On the other side of the equation in Paul's letter to the Philippians, Peter never deemed a high position in society or superiority over others "something to be grasped at." While he often used his gifts to tear the mighty from their thrones, he never lorded over those of lesser intellect or talent. That's not to say he did not like to win an argument, and could be brutal towards fuzzier minds than his own. I lost many arguments with Peter and he would laugh at the end, "So you see now why it's just easier to submit to me." But the arrogance of such statements was really feigned, a game he played. The reality was I was never brighter or more talented than when I was arguing with Peter. Like Socrates in his dialogues with students, he forced me to think clearly.

Peter knew he was a gifted person. I would not use the word "humble" to describe Peter. In fact Peter often joked that he was not someone lacking in "ego-strength." The phrase in Paul's letter is much more apt to describe Peter; he "emptied himself." In speaking about his innate talents, his education, his Harvard law degree, etc., Peter would borrow the language of economics and say he had "an excess of intellectual and social capital." Life, he said, was not about trying to store up more and more capital, but redistributing that capital, using it to help those without the same access to it, namely the poor, the marginalized, the outcasts of the world.

These people without "capital" were never just abstractions for Peter. They were his friends. I worked on soup lines with Peter, spent nights in shelters with Peter and even a few nights in jail with Peter. Very soon after we met in 1984, Peter and I spent a night in a shelter for women in a church basement in New York City. I had worked in the shelter once before, alone. The job as it was described to me was to be there in case there was a problem and to put breakfast out in the morning. I did that the first time, basically only exchanging pleasantries with the women, reading a book by myself and getting them breakfast in the morning. I went home the next

day, tired, but feeling a sense of self-satisfaction that I had done my "good deed." Returning there to work with Peter was a whole different experience. He greeted each woman enthusiastically, engaged in long conversations with many. I remember in particular his conversation with a woman who was obviously mentally ill and tortured by paranoid delusions of radio beams being aimed at her. Peter listened sympathetically and intently into the wee hours of the morning.

To me, Peter's practice of law sums up best how he "emptied himself." Peter had a degree from arguably the most prestigious² law school in the country. Unlike his fellow Harvard Law Graduates, most of Peter's legal work took place in the grimmest office buildings in New York City, which housed welfare administrative hearings. There were no vaulted mural-painted ceilings inscribed with Latin phrases about justice in these courtrooms, nor reporters taking notes on impassioned arguments; just an administrative law judge, a representative for the welfare agency and a tape recorder to make a record. Peter did not even need his law degree to be there. Many might say what a waste of legal talent. Wouldn't he have helped the poor, the marginalized more by earning the big salary a Harvard Law degree can get on the market and giving a big chunk of it to charities, or at least only work on appeals in higher courts? Peter thought not and indeed the clients he represented thought not. Because he had such direct interaction with his clients and went to so many of the low-level hearings, he became one of the most articulate and effective critics of so-called "welfare reform" in the United States.

Peter never stopped "emptying himself," even when the metaphor of emptying became all too real and his life was emptying out of his body. When it became clear that his life was going to end much sooner than he expected, Peter clearly had the right to be more selfish and self-centered, but he was not. Instead of going off on a two year trip around the world or lounging at a beach, he worked tremendously hard and by all reports, quite effectively as a law professor, inspiring many of his students to find ways to spend some or most of the "capital" they were gaining at law school on the poor and marginalized. During the precious hours I had with Peter when I visited him near the end of his life, I never once heard words of complaint, nor did he rail at the injustice of his impending early death. Yes, the pain and indignities of the cancer often interrupted and stole his attention, but his concerns were the same as ever, railing

2. Which Peter would remind us, doesn't mean the best.

instead about the then-impending presidential election and how the poor were left out of both parties' plans. When he spoke about his death, his primary concerns were for Jonathan, his parents, family and friends and their well-being.

During our last conversation he was asking me about my preparation for the New York State Bar Exam, which I was facing in four weeks. He told me how concerned he was for me, because he thought maybe his illness was distracting me. I pointed out the absurdity of what he was saying. Here he was facing death and he was concerned about me facing a bar exam. We laughed. Since he had brought up the topic I did ask for advice about being a lawyer. After all, I reminded him, he was the main reason I had gotten into the mess of law school and bar exams in the first place, and the plan was for him to be my mentor. All he said was, "I love you. Love is what it's all about." Not the typical words of a great lawyer or scholar—but I think it will prove to be the best advice my friend and teacher ever gave me.