On Some Curious Attributes of Richard E. Coulson

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The thing about Richard is his curiosity. He’s got lots of other attributes, to be sure. Interesting, even notable, attributes. One that comes to mind is his capacity to argue with himself, sometimes in public. And memorably at faculty meetings. “This is the worst idea I’ve heard in some time. Let me explain why I support it.” That sort of thing. Such performances incentivize close listening. One has to catch every word—the path of argument might resemble a Jackson Pollock painting, the simplest of syllogisms, or a hybrid of the two. He always had reasons, or at least explanations.

Another of Richard’s notable characteristics is his subversive wisdom. He’s seen a lot, done a lot, thought a lot, and read more. So he knows things, he’s learned lessons, and he’s got questions. He can shake you up with a simple observation that undermines convention. A line demarcating opposed analytic models might dissolve, or at least quiver, a coveted curricular orthodoxy might appear perverse. Tribal elder as rebel.

Speaking of which, Richard’s also passionate. I don’t mean in the current sense, in which vocations, avocations, and interests, however casual, are all, well, passions. His passions—in the older, philosophic sense—periodically, though not often, caused him to exit faculty meetings a bit, let’s say, earlier than the rest of us. These exits were occasions, as were his arguments, for reflections on reasons and explanations. As punctuation marks, they were also as effective as William Faulkner’s periods. I mean to say their relative rarity enhanced

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1. We are sometimes reluctant to use the past tense, as when speaking of the recently deceased. As Richard is still quite vibrantly with us, I am especially reluctant to do so. I occasionally overcome this reluctance, as here, when I am referring to events that occurred during his career as a full-time member of the faculty.
their efficacy.

I came to know Richard and his attributes through two conversational settings. The first, and longest lasting, was our fairly regular chats during the course of long days we each spent at the law school. We rarely talked as long or as often as I would have liked, but we talked regularly. The second, shorter-lived setting, was a small discussion group. I preferred the first setting for a number of reasons, chief among them that I could have him to myself. At the beginning, I had just arrived at OCU. Richard had been here forever, which in 1979, I defined as ten years or longer. He never spoke to me as though he were a former dean and long-standing member of the faculty. He was generous with his time and took me seriously.

What we talked about, then as now, was ideas. Often they had to do with scholarship and teaching. Often they had to do with neither. I want to say that they always, or very nearly so, had to do with the life of the law school. But that’s not quite right. While the law school’s direction was a regular theme, the point is that for me, talking with Richard was a vital part of the life of the law school. As with his teaching, Richard’s conversation is informed, and richly so, by history, philosophy (including jurisprudence), and comparative analysis. Mostly, we developed arguments. Sometimes they were too grand, sometimes too simple, sometimes reaffirming, more often challenging, but nearly always illuminating. I remember talking about American presidential politics with him some years ago, largely because that may have been the only time we did so. I think that’s because we seemed to be of similar mind. There was little to say.

Others will likely chronicle Richard’s work at OCU and elsewhere. His scholarship (consumer bankruptcy, choice of law, uniform law process), his appointment as perhaps the country’s then-youngest law dean (32, in 1974), his principled resignation from his deanship (over inadequate university support of the law school, in 1976), his public service, his leaving the law school (for five years of private practice, in 1983), perhaps even his oil field roustabout days. I’d talk about that last item myself, if I knew what it was roustabouts roused about.

Which brings me back to curiosity. Richard has taught something like two-dozen different courses at OCU. He might say it’s because he’s got a short attention span or commitment problems, but that’s not true. It’s because he was needed, interested, and (it is too weak a word) capable. These courses include Contracts, Civil Procedure, Conflicts,
Labor Law, Antitrust, Employment Discrimination, Arbitration, Criminal Law, Remedies, Sales, Evidence, Comparative Law, American Legal History, English Legal History, and Jurisprudence. This spring he adjuncted a new course for us, Rhetoric and Legal Discourse. I suspect there’s not a course in the curriculum Richard could not teach well, and I also suspect he’d need less additional preparation than any of us.

It’s not as though he’s simply been here as a sort of landmark or comfort. To be sure, his presence has been one of the most notable things about the law school and the university as well. But that presence has been active. Richard has been an influential figure on the faculty (as in, no one has been more influential), and his influence has been all to the good. Additionally, he has been our historian, sage, and conscience. He has been a force of nature in his service to the university as well. While no one has ever doubted his intelligence, it is his wisdom and judgment upon which we’ve all relied. And, of course, he has exercised great influence on his students, whose numbers—happily—will grow, though less rapidly than before.

Richard and I have had some challenging family circumstances during the last few years. So we shared stories a bit, but I was the one asking for advice—about a legal matter concerning my parents. It was a typical legal issue in that it was without certain resolution. I wanted to come at it in what might have seemed an essentially non-legalistic way. This involved, among other things, a fair amount of trust in our adversaries. It seemed a perilous course, but also the smartest—the most

2. Here, I find myself unwilling to leave the perfect form of the present tense.

3. But, I admit, it was a weird OCU I conjured when, after he decided to retire, I’d imagine the school without him. It was a picture that made little sense and needed exploration. Indeed, the prospect was so disorienting that I went online shortly before Richard’s retirement dinner in search of contemporary context and, perhaps implicitly, in search of a somewhat surer world—one whose familiarities would abide and one that would provide some stability, some anchor.

Bad idea. In the outside world I found online, the headlines included the following: “Computer Keyboards Can Be Dirtier Than a Toilet.” So can an avocado; it depends what you do with it. Still, this keyboard thing was upsetting and seemed backward, which maybe was the way the keyboard got dirty. Then there was the article about the rapper Akon. An investigation had revealed that he may not have done prison time for running a notorious car-theft ring (because such an enterprise never existed), contrary to what he had claimed to enhance his career. As I understand it, that career has weathered this revelation. There was also an item about Barack Obama losing his appeal to working-class whites. At the time, that seemed interesting only because it was classified as news. It seemed like the headline announcing that certain drugs commonly prescribed for the elderly hasten their decline: it was sadly expected. In short, contemporary context provided no solace.
effective—thing to do, in order to achieve what I thought was best. I put Richard in a difficult position; he knew I was counting on his good counsel, but he also knew I was seeking his seal of approval for my approach. He somehow managed to give me both. Subsequently, and likely consequently, things worked out better than I could have hoped.4

One last bit about curiosity. Richard is always reading something. Actually, somethings. Recently (by which I mean the last couple of months or so), he’s read (or is reading, and not necessarily for the first time) a good number of things. Many are related to his new course in rhetoric, many are not. They include old friends like Aristophanes and Plato (Birds5 and Gorgias6) and “newer” (the scare quotation marks signify irony, even though the designation fits) works like Cicero’s On The Divisions of Oratory.7 There are Rebecca Goldstein’s recent book on Kurt Gödel,8 John Schaeffer’s less recent book on Vico,9 and A. A. Long’s Epictetus10 He’s even managed a novel, Steven Pressfield’s Tides of War,11 which chronicles Alcibiades in the Peloponnesian War. To round things out, there’s Mary Tiles’ The Philosophy of Set Theory.12 And there’s lots more, much of it on ancient Rome and its law. The number of excluded titles dwarfs the list I have presented.

Years ago, Richard told me a story regarding the downsides of doing administration rather than teaching. He was describing these comparative disadvantages to one of his faculty elders, Wayne Quinlan. For each one Richard raised, Wayne had a ready response. Until Richard said that he didn’t have time to read anything interesting anymore. “Well, that,” replied Professor Quinlan, “is another matter.” Richard thought so, too. I hope that Richard finds nearly enough time for reading

4. If they hadn’t, a good part of this tribute would consist of my describing in some detail what a lousy friend, lawyer, and advisor Richard is.
5. ARISTOPHANES, Birds, in 3 ARISTOPHANES 1 (Jeffrey Henderson ed. & trans., 2000).
now (and that this gain substantially offsets the losses his pension has likely suffered in recent months). That would be some solace for my having lost his full-time presence.\textsuperscript{13}

Kwame Anthony Appiah notes a challenge social psychology poses to virtue ethicists. “[O]ur virtue theorist faces an epistemological difficulty if there are no actually virtuous people.”\textsuperscript{14} While I have discussed a few of Richard’s attributes, rather than provided an illustrated catalog of his virtues, it needs to be said that Richard goes a substantial way toward alleviating our virtue theorist’s difficulty. Relatedly, he enhances life. And beyond that, in my thirty years at the law school, no one has meant more to, or done more for, OCU than Richard. Because of this, I suspect that we will demand that his departure be incremental and that it be slow. Even then it won’t be easy.

It is certain to be curious.

\textsuperscript{13} I mean knowing he’s got more time to read, not knowing he’s got less money.

\textsuperscript{14} KWAME ANTHONY APPIAH, EXPERIMENTS IN ETHICS 46 (2008).