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Ted Smedley and the Law School

*John W. Wade**

Ted Smedley had been a member of the faculty at Washington and Lee for eighteen years when he accepted our invitation to come to Vanderbilt. We wanted him to become Director of the *Race Relations Law Reporter* and to teach some of his customary courses. His coming may well have been the most felicitous occurrence for the school in the 1950's.

Ted has told me since that it was the dual nature of the job that intrigued and challenged him. He liked his courses and was happy to learn that they fitted in with our needs. Prior to that time he had had no occasion to deal at all with the legal problems of race relations, but he was acutely aware of the burgeoning nature of those problems in the wake of *Brown v. Board of Education*¹ and the legal and cultural revolution that was unfolding "with all deliberate speed." He shared with us a conviction that, while the primary function of a law school is to prepare qualified, competent, forward-looking, and ethically minded attorneys, both a good law school and a good law professor should strive to play a direct and significant role in the orderly and progressive development of the law to meet new times and changing customs and to provide more adequate and equitable adjustments of conflicting interests. The *Reporter* provided an important and unusual opportunity for both the school and the professor to accomplish that goal. Ted came to Vanderbilt and he stayed. We have been glad ever since, and I think he has, too.

Ted Smedley was an ideal Director of the *Reporter*. Well organized and orderly, he ran a taut ship. With a passion for accuracy, objectivity, and punctuality, and with a strong sense of duty and a remarkable capacity for perseverance, he remained as Director throughout the tenure of the *Race Relations Law Reporter* and the *Race Relations Law Survey*. Although some aspects of the work were quite stimulating, others were tedious and somewhat burdensome. Nevertheless, he patiently assumed his share of the onerous work, such as proofreading, and the staff worked effectively. A number of Vanderbilt professors and students also worked on the staff of the

* Distinguished Professor of Law, Vanderbilt University; Dean, 1952-72.

1. 347 U.S. 483 (1954).

Reporter. This is not the place to list their names, but I must refer to Eugene Wyatt, a graduate of the Law School who also was serving as an editor on *The Tennessean*, and Ann Ingram, the efficient secretary who "ran" the staff office.

Ted's work in the field of race relations extended beyond publishing the *Reporter*. He also taught a seminar on varying aspects of the field some five or six times and gave addresses and informal talks on the subject to numerous groups and organizations in various parts of the country. Professor Smedley also wrote with some frequency for other publications—his writings include items ranging from explanatory treatments in lay publications to carefully researched articles in law reviews. As a whole, these activities contributed substantially to the development of the law.

In the Law School, Ted carried about a half load of teaching while the *Reporter* and *Survey* occupied his time, and a full load since then. His primary subjects have been Mortgages (now called Security Transactions), and Damages and Equity (now combined as Remedies). His other courses have included Professional Responsibility and Introduction to Law. In the area of Professional Responsibility, Professor Smedley was the prime proponent of the "Vanderbilt method" of "pervasive" teaching of the subject throughout the law school curriculum, and he published teaching materials that have been used extensively. In the Introduction to Law course, he joined with four other Vanderbilt faculty members in editing a casebook on Legal Methods, published by Foundation Press and used in a number of law schools.

Ted has a reputation among the students for teaching a "tough course." He works his students hard, and when they have completed a semester with him, they feel that they have learned both theory and practice. He organizes his courses thoroughly, and his presentation is orderly and well planned. He has full notes that are carefully prepared and revised each time he teaches his courses. He questions students freely, but does not rely primarily on dialectic, and makes frequent use of the blackboard, diagramming a case or a problem according to a planned design. In order to finish what he has planned for each class hour, Ted not infrequently holds his students beyond the end of the hour in order to do it. He has a dry wit that is neither biting nor directed at any student personally and that helps to relax the intellectual tension of the classroom. His exams are fair and properly represent his courses, and I do not recall anyone ever questioning the fairness of his grading. Ted follows the "open door policy" of many of the Vanderbilt faculty members, and students are free to come to his office and confer with him at any

time. They must get to the point quickly, however, because Ted is not inclined to let the dialogue be prolonged by casual conversation.

Ted has been a fine colleague. Although he does not spend a great deal of time in the faculty lounge, faculty members are always welcome to come in to see him. Anyone who wishes to try out a new idea or a different analysis will find him an excellent foil for debate. Ted has remained even tempered and friendly throughout his career. He is completely loyal and has a strong sense of duty. Any dean would give his eyeteeth to have a substantial percentage of faculty members with the character of Ted Smedley.

A number of people joined the Vanderbilt Law Faculty during the decade from 1947 to 1957. Five have remained since that time and each has served for twenty-one years or more—Paul Hartman, Paul Sanders, Ted Smedley, Herman Trautman, and John Wade. They constitute the "Old Guard,"² and as Ted said in the title to his contribution to this Symposium, not knowing that I would be writing these remarks, the "Old Order Changeth." The two Pauls and Herman are now emeritus, though still teaching part-time at Vanderbilt, and Ted becomes emeritus at the end of this year. I will follow a year later. As we of the Old Order look back upon the more than thirty years of our service, we can take some measure of pride in the development of the school during that period. We also can experience a sense of pleasure and anticipation from the vigour, fertility, and perspicacity now being demonstrated by the faculty. "The Old Order Changeth . . . Yielding Place to New."

2. The *Vanderbilt Law Review* has recognized the contribution of each of the five in separate issues. See 25 VAND. L. REV. 2 (1972) (Wade, retiring from dean's office); 27 *id.* [No. 1] ii (1974) (Sanders); 29 *id.* at 310 (Hartman); 30 *id.* [No. 4] ii (1977) (Trautman).

