JOHN HARDWICKE
6 December 1999

Mame Warren,
interviewer

Warren: This is Mame Warren. Today is the sixth of December, 1999, and I’m with Judge John Hardwicke. We are at Hunt Valley, Maryland. So what I want to hear is all about your affiliations with Johns Hopkins. Let’s start at the beginning.

Hardwicke: Okay. Well, let me tell you that since I was born in April of 1927, and since this is December of 1999, I am now, I regret to tell you, seventy-two years old. As you can tell, or as whoever will listen to this tape can tell, I’m a native of North Carolina. I’ve never lost that accent, so, you’ll, I’m sure, be able to decipher the Southern tones as they come through on this tape.

I am a lawyer, and, as you say, I am currently a judge. I’m the chief judge in Maryland’s Office of Administrative Hearings, and I was appointed to this position in 1989 by Governor [William Donald] Schaefer and reappointed in 1995-96 for a second six-year term. So my entire background in life has been spent primarily in Maryland as a lawyer, now for the last ten years or so as a judge.

I came to Maryland, having graduated from the University of North Carolina in 1950, and I was a teacher in the public schools there for about five or six years before I went to law school in 1950 at George Washington [University] in Washington [D.C.]. I graduated from G.W. law school in 1953, practiced law for a year or so in the treasury department in Washington, and came to Baltimore in 1955, being brought here by a lawyer at Piper and Marbury, who was involved in a case involving the national banks. I represented the control of the currency, who was the
manager of the national banks and at that time was manager and I was a young lawyer, my first legal job being an attorney for the control of the currency. The lawyer from Piper and Marbury lost his case and so he thought I was a fairly good lawyer, and he brought me to Piper and Marbury in 1955.

That year, as I came on board at Piper and Marbury as an associate, and at that time I suppose I must have been twenty-eight years old, just as I arrived there, Dorsey Watkins was a partner at Piper and Marbury and had just been appointed a federal judge in the district court for Maryland and was about to leave Piper and Marbury to undertake that appointment as a federal judge. At that time he would have been the second federal judge. We only had one, and I believe he became the second. Of course, nowadays we have eighteen or nineteen federal judges in this district.

But Dorsey had taught in the McCoy College at Johns Hopkins for years and years, and before him there was another lawyer, I believe, at the old Marbury firm who had taught at Johns Hopkins, and when one Marbury partner, or it might have been the Piper partner—those two firms merged, Piper merged with Marbury, and the Marbury is the descendent of William Marbury, who was the plaintiff in Marbury v. Madison, of course. But in any case, that’s an aside. You’ll eliminate most of this when you get done listening to it or whatever.

But Dorsey Watkins was appointed to the federal bench by Dwight Eisenhower, and so they needed somebody to pick up Dorsey’s class at Johns Hopkins. Since I was the newest man on board—and I say “men” because there were no women practicing law at Piper and Marbury or anywhere else in Maryland, I can say that without any qualification because it was true—they figured that maybe I was the young lawyer that should pick up Dorsey’s responsibility of teaching
in the evening school at Johns Hopkins, then called McCoy College. I was also the poorest and the most in need, financial need, at Piper and Marbury, where I was making, I think, four thousand dollars a year as their newest associate.

So I was given the name at Hopkins of Howard Cooper, Dr. Cooper being the dean or associate dean of the Evening College or McCoy College, and I was given his phone number. So I called him promptly because the opportunity to teach at Johns Hopkins seemed to me to be a tremendous opportunity, one which I would be very proud of. So I called Dr. Cooper, and he said, yes, he would be interested in a Piper and Marbury lawyer, and if I could come up by the next day he’d like to see me. And he had to tell me how to find it. Of course, it was an easy place to find, he said, you just go up Charles Street, the Piper and Marbury offices being down at the corner of Redwood and Calvert Street in those days, and he said, “If you just go up Charles Street to 28th Street and you turn left, you’ll come into the campus. You really can’t miss it.” Of course, I could miss it, not knowing anything about Baltimore.

So I did go up, and Dr. Cooper and I had a good chat. He liked me and I certainly liked him. Over the years, Dr. Cooper and I became very fast friends. As a matter of fact, after he retired from his duties at Johns Hopkins, I think probably around 1970, I was his personal lawyer and did all kinds of legal work for him. I think he died probably somewhere in the very early 1980s.

But in any case, I got the job, so beginning—it must have been in the fall of 1955, although, as I told you when you came in, Mame, I had a catalog at home and I should have brought it in, it stated 1954-55, and I’m listed as an instructor with my Piper and Marbury connection listed as my qualification, of course my University of North Carolina bachelor’s degree and my G.W. law
degree also being listed as qualifications.

But I love teaching and I retired from teaching at Hopkins in January of 1998, and was given awards which you probably are familiar with as being an outstanding teacher in the year 1998 and also award at that same time for my forty years of contribution, more than forty years of contribution to undergraduate programs at Johns Hopkins. So I suspect that I taught there from probably the fall of 1955 through the fall semester of 1997, concluding my teaching in January of 1998.

When I began to teach there, this was strictly–first of all, I felt very honored and flattered to be able to teach at Johns Hopkins, and I just left North Carolina, Winston-Salem, North Carolina, which was my birthplace, and so when I received the appointment, I had a notice in the *Winston-Salem Journal* that I was to become a teacher, a professor–I think I honored myself with that title–at the Johns Hopkins University, because I felt that it was such a great honor to be able to teach there. But I had extensive teaching experience in public schools and even that early in my career I was an excellent teacher. I still am an excellent teacher. I love teaching and I loved to teach there.

**Warren:** What was that first course that you were asked to teach?

**Hardwicke:** The course that I always taught was called business law. It seems to me that sometimes we would call it commercial law, and sometimes business law. We called it really whatever I wanted to call it. I was always left alone. I don’t think anybody ever, in the forty-two or forty-three years that I taught there, ever came in to hear me teach, as far as I know. They may have come in and I did not know who they were. But I prepared my own syllabus and I always taught precisely what I felt I should teach. I always chose my own textbook, and whatever I did, I
did on my own volition.

The building where I taught was—and it’s a major building on the campus, and I taught in that building the first three or four years, but I can’t remember the name of the building. It’s the same building where the bookstore is located.

Warren: Gilman?

Hardwicke: In Gilman.

Warren: There weren’t that many halls back then.

Hardwicke: That’s where I had my first classes, was downstairs. I remember going into my first class. My guess is there were probably about fifteen or sixteen students, all male, of uncertain age and probably many different backgrounds. During those early years in the 1950s when I was teaching in Gilman, I had a number of excellent students, and a number of those students later entered public life. Some of them became judges, circuit judges, prosecutors, lawyers, and I have no question, because they told me, that my teaching of business or commercial law in the undergraduate school influenced their going to law school and had a great impact upon the community because of the fact that these outstanding Marylanders were in my class. Indeed, the brother of one of my sons-in-law took my class at that time. He was getting his engineering degree at Johns Hopkins. Of course, I did not know at that time that he would enter my family, my larger family, as turned out to be the case. But there are a number of very prominent Marylanders.

As a matter of fact, once I tried to calculate about how many people passed through my course at Johns Hopkins, and I think, just using an average of, say, fifty persons a year, that is to say teaching both semesters, fall and spring, and most of the time in the summer, that I would
have taught, say, fifty students a year, and you multiply that by forty, and you have over two thousand students that I would have taught. I think the number is much greater than that, because in the ’70s, all through that decade, my classes sometimes reached as much as seventy or eighty students.

At that time part of the reason the class became so large is that Hopkins, after it discontinued McCoy College, permitted day students to take some evening courses. So I would get a class, say, of seventy students, of whom probably forty or so would be day students and, say, forty or so would be evening students, and they’d mix them without regard to whether they were day or evening.

Then sometime in the very late ’70s or ’80s, the school began to curtail the opportunity for day students to take classes in the evening school, and in the course of your study, you may want to find out from the administration what that policy was.

Warren: You touched on several things that I’d like to pursue, but you just made the distinction between day and evening students. How would you characterize that? Did you find that the students were different, the regular arts and science or engineering undergraduates as opposed to the people who were coming in—

Hardwicke: Mame, as a matter of educational opportunity and technique, I think it was a wonderful mix to have evening students, some of whom were as old as—really old people about forty-five years old in there, with youngsters, say, eighteen- and nineteen- and twenty-year-olds, because they gave to each other.

The evening students, people who have experience out in the business world, who were in their late twenties, thirties, and forties, are a different kind of student from a youngster out of high
school with only a year or two of college. The youngsters out of high school in this setting, without question, were far above par because Johns Hopkins is, and was, so selective, always was.

The evening students certainly were generally not as brilliant, but they were far more highly motivated, and the fact that they were working in the business world, many of them were working with contracts and working with the very business subjects that I was teaching, made it so much more meaningful. I would have to explain to youngsters in college what a mortgage was, whereas a typical mature adult understands what a mortgage is and what a security is, whereas the day students did not know that.

The day students were more adept at studying and concentrating on planning how to study, and they were accustomed to cracking the book and knowing how to utilize what the book said and how to apply that material in a testing situation, but the older students had to learn how to study all over again and had to learn how to prepare for examinations and tests. But in a classroom setting with discussion and the exchange of information and knowledge, they helped each other and they appreciated each other, and it was a great experience, I think, for both.

I think that the name “Hardwicke” became fairly well known there in the evening school and perhaps in the day school. There was, certainly in the ’80s, a book circulating among Hopkins students about the teachers, which ones to avoid, which ones were good, and I was listed in that good as a teacher that by all means they should have if they possibly could get him, which raised the popularity of my course with the day students, although perhaps they also thought that I was an easy teacher and an easy way to make a good grade. Whether that is true or not is something that I really to this day don’t know, but I flatter myself thinking that it was because I was good.
Warren: So at some point you said in the late ’70s or early ’80s they no longer allowed the undergraduates?

Hardwicke: Somewhere in the very early ’80s, first they began to curtail the day students. They would permit—and I think I’m now to about, say, 1982 or ’83—they would permit up to thirty people to take the course, and the evening students had the first choice. Then if there was room up to, say, the number of thirty, upon my expressed consent they would permit the class to open up, up to the number of about thirty. They tried to cut that class down to thirty. But all through the ’70s, as I said, there was no limit.

We sat in a big laboratory room after meeting in Shriver. We then moved up to the chemical building for some of my time, and I’ve forgotten what the name of—

Warren: Remsen?

Hardwicke: Yes, into Remsen. I had a number of classes there in the early ’80s and late ’70s, and we used the big laboratory room which would seat a hundred people. We would pretty well fill that room.

Then somewhere probably around 1980, I began to teach these classes in the administration building for the evening School of Continuing Studies, and that is—

Warren: Shaffer Hall?

Hardwicke: Yes, Shaffer Hall. You can see how good I am with—it’s not that I’m of advanced age, it’s that I never could remember these names.

Warren: If you’d asked me these questions two or three months ago, I wouldn’t have had any idea what the answers were.

Hardwicke: But I knew where they were and I knew how to find them, whatever their names.
Occasionally I would have a substitute to go teach for me, but I could never tell the substitute what was the name of the building. I always had to describe it.

So in the beginning, we met in the downstairs at Shriver. We had classes of less than twenty in the '50s, always male, never a female, and good students, bright students. Of course, I learned a lot of law. As a matter of fact, I probably learned more law teaching there.

In the meantime, I was continuing to practice law. In fact, I was at Piper and Marbury only for a little more than two years when I became the general counsel to the Davidson Chemical Division of W.R. Grace, which, of course, is a major corporation, and Davidson Chemical Division is a Maryland company which had two kinds of products, fertilizer products, which it sold nationwide, and also various chemicals, all relating to desiccants and petroleum cracking catalysts. Of course, that, business law or commerce, was my life. I practiced law all centering around the work that I was doing at Johns Hopkins, in other words, contracts and securities and commercial undertakings in corporations and the formation of corporations was what I was teaching and what I was living with.

Then in 1962, I was elected to the Maryland legislature from Harford County, where I was living at that time, and so my legislative and political experience, I think, made me a better teacher, certainly made me a better lawyer. When I was in the legislature, the Uniform Commercial Code, which is the large umbrella commercial statute in use in this country, that code was adopted in Maryland in 1963, and I was in the Maryland Judiciary Committee and did all of the committee work in preparing that code for Maryland statutes. Well, the Uniform Commercial Code is at the heart of what we teach, and so I suppose that if you look at Johns Hopkins' quality of teaching and quality of teacher, I could not imagine how you could get a Ph.D. teacher with
Harvard or Stanford credentials who could have had more experience and more knowledge of how these things work than I did, because that was what I did. Of course, by the time that all of this came along, I was no longer a $4,000-a-year beginning lawyer; I was moving up in legal circles, and ultimately I became an extremely well-paid Maryland lawyer.

So at some point in time I stopped teaching at Hopkins because I needed the money; I taught at Hopkins because I loved to teach and because I enjoyed the exchange with the students and because I learned so much and because I had an opportunity to talk about what I loved most to talk about. And that was true to the very last time that I ever taught at Johns Hopkins.

Warren: Did you interact much with colleagues? I’m not sure how things worked in what we’ll call the Evening College, that you were coming in from the business world and so were a lot of people. Now, did you interact with your peers?

Hardwicke: Mame, that is probably a great negative on whatever Johns Hopkins was doing, because the interaction was practically zero. In other words, it was never encouraged. We never talked to each other. We came and we went without communication. I do remember that when I first began to teach there, another Piper and Marbury lawyer was teaching what they used to call advanced commercial law back in the McCoy days, and this Piper and Marbury lawyer, whose name was Joe Young, took me up and made sure that I became a member of the Hopkins Faculty club, and he and I on occasion would have dinner there at the Faculty club.

Joe was one of my colleagues. Now, Joe later became a federal judge, along with Dorsey Watkins, who went on the bench in the mid 1950s. Joe went on the federal bench probably around the mid 1970s. Of course, I saw Joe all the time.

Warren: What was his name?
Hardwicke: Joe Young. As a matter of fact, I think Joe still has retired status as a federal judge here, but Joe’s probably ten years older than I am, so you can see that he has a little age on him.

But there was lack of collegiality on the teachers. It was not encouraged. The school did not seek it. The amount of supervision was nil, and the amount of collegial encouragement was nil. Forming or giving lesson plans or anything like that, Hopkins was not interested. But you see what Hopkins was doing was choosing leaders in the field to be teachers. I gave an example of how they got into me just purely by accident, because the budding young lawyer at Piper and Marbury could have been a horrible teacher. It just happened that they happened to have a professional teacher there at Piper in the form of myself, so I can’t say that Johns Hopkins deliberately sought the best person. So we have to say these things as they are.

But Hopkins, I would say to you that my observation is that the very best people in the Baltimore business and corporate community were involved at Hopkins as teachers. It was a great contribution of Johns Hopkins to this community, that those people became teachers and that their students became leaders in this community.

When I go to the legislature, to this very day, on my budget and various matters affecting the work that I do here as chief judge, I invariably will come across legislators, senators, who will say, “Hey, Hardwicke, do you remember me? You taught me at Johns Hopkins.” It’s pretty incredible, and I’m not exaggerating in any way that in any forum I will find some of my old students who will remember my course and who are Johns Hopkins graduates.

The nexus, however, between how Hopkins chose these teachers and how they turned out to be so good is something that I’m not able to testify to. Now, they may give you better evidence of their credentials than I’m able to give you, and it’s entirely possible that had I not been good,
that I would not have been continued. As I said to you, however, they never came and watched me teach, nor heard me teach.

It was only beginning in the '70s that we began to have the students appraise our teaching, and I would say probably 1977, '78, we began to pass out appraisal sheets to students so that the students would make comments and grade us on our skills. Of course, the school was always eager to review those. Naturally, as I told you, I was well thought of by the students and always received outstanding commendations from my students, but except for that, I have no way of knowing whether the administration knew whether I was doing a good job or not.

I think in all of the years that I taught there, I failed to come to class not more than once or twice, for some reason or another. I can't ever remember missing because of being sick. Again, my legal duties would occasionally carry me to all parts of the country, so I might miss because I had something to do for a client and I couldn't make it. But I always had somebody to teach for me, and on one or two occasions when I missed a class inadvertently, I think once the school wrote me a note saying that “Really you should let us know if you can't come and to have somebody to be there in your place,” which was a mild rebuke, but that's the only time I think that they ever paid any attention to it.

**Warren:** Now, a couple of times you've alluded to the fact that when you arrived and probably for a good while afterwards, it was all men in your class. When did women start arriving, and what kind of changes did that make?

**Hardwicke:** We began to have one or two women. It may be that I had one young woman while I was still teaching at Shriver, which would date that to about 1960. A very attractive young lady, and she was a good student. I came across her about thirty years later, and it seemed to me that
she was a very old lady then, but she must have been all of twenty-three or twenty-four. She was in business somewhere. So after all of that period of time, she had owned a family business and so forth, and her skills were probably based upon her McCoy College experience.

The first time we began to have several women in these classes would have been when we were in the Shaffer building. It was then that we began to become more of a coeducational opportunity, and then in the class of, say, thirty students, you might begin to have as many as half a dozen or ten women. So all of this would have been coming about probably around, say, 1970 or thereabouts, and the number of females continued to grow until when we were having, say, sixty and seventy students in the latter '70s or perhaps early '80s. I would say that more than half of them would be women. But there was always that large male group.

The day students came in. When we got so many day students I felt at times that we were getting—I remember once we got the entire Hopkins swimming team in my class, and I was not impressed with their scholastic ability. I remember they missed a number of classes by virtue of the fact that they were going to a swimming meet at some out-of-state location, and I thought that was something that I shouldn't really tolerate, because we only met once or twice a week and they were gone for several weeks. It interrupted their ability to learn.

Now, there's another thing that should be told, and that is that we had an awfully large number of rabbinical students in the evening school at Johns Hopkins. These students, apparently Hopkins had an arrangement—I think it was Har Sinai [should be Ner Israel] or one of the Jewish rabbinical schools in town—I'm sure you can find that out easily enough—who came, and sometimes in a class of twenty I might have as many as four or five of these rabbinical students. I think that the word was at that school that Hardwicke was a good teacher. At least I would like
to think that. And therefore they always would bring their fellows. And also I happened to think of the Bible and the Mosaic Code as part of our own legal roots that are built into the common law system. I always emphasized that a great deal in my teaching, and I think that they understood that and they did well.

A number of my students went on to Harvard law school and to Stanford and to Yale and to law schools after they did their degree at Johns Hopkins, but the rabbinical students were good students, probably quite superior just in terms of straight average work, always very studious and hardworking. But they were a very important group in the student mix.

But the women students—you asked me what difference it made. I can’t think of any particularly difference that it made. We were dealing with commercial and business law, and women now in the law schools, I’m very active with the American Bar Association, and I can tell you that female students in the law schools are running roughly one half of the student population in most law schools, particularly the national schools. In those days Hopkins was moving right in the trend from the one that I had, one lonely young woman in 1960, to eight or ten, say, by 1970, to thirty or so, half my classes in the 1980s. When I taught there last, I would say that it was probably about half and half.

Warren: Was there ever—this is somewhat of an aside, but just as a matter of curiosity, was there ever any discussion of there being a Hopkins law school?

Hardwicke: I think that the students never asked that question directly. I’m not sure where I received this information, that Hopkins and the University of Maryland had an understanding that Hopkins would train accountants and not lawyers, but that the University of Maryland would train lawyers and not accountants. But that is such an ancient piece of information that I just dredged
up from the recesses of my mind, that I can’t even tell you that that’s authoritative. But that was a
long historical opinion that I had, and if students had quizzed me about it, that’s probably what I
would have told them, that Hopkins, as your question suggests, never had a law school.

Warren: We found references to something called the Institute of Law, but it wasn’t really a law
school and it was only in existence for a few years in the late ’20s, and that’s all I know. I don’t
know what happened to that. It just sort of appears on the horizon and then goes back, and I’ve
always been kind of curious about that it developed and excelled so much in so many graduate
fields, why there’s never been a law school.

Hardwicke: Well, I understand that Hopkins—we have lawyers here in this agency right here, and
one of our lawyers, a young woman named Linda Cortez—I guess she’s not a young woman; she’s
forty or so—has been asked, I think, by Johns Hopkins to develop some kind of legal program in
the business field for Hopkins undergraduates. How she’s doing that and what she’s doing with it,
I don’t know, but you might make inquiry about that and see what is going on in that respect.

Warren: Okay. Now, did you always teach at the Homewood campus?

Hardwicke: Always.

Warren: So you never did the Downtown Center or any of the other campuses?

Hardwicke: No, and let me tell you that I always felt that there was more of a prestige factor
with the Homewood campus than downtown. Remember that I told you what a great honor I
considered it to be to teach at Johns Hopkins. I always considered it to be an honor to teach at
Johns Hopkins, and as we speak, I consider it to be an honor to teach at Johns Hopkins. Had they
paid me nothing, I would probably have been glad to have taught there because of the opportunity
to teach, which I love to do, as I told you. I love law and I enjoy the give and exchange with
students. So it was just a great addition to my life, and I miss it. I’ve not taught there now for eighteen months or coming up shortly two years, and I miss teaching there. So that was the great contribution.

When I ran for public office in Harford County, I told you I was elected to the legislature and I was elected to the constitutional conventions, my usual credential, and probably my sole credential, was that I was an adjunct professor of law at Johns Hopkins. And that’s the respect that Johns Hopkins carries in the Maryland community. People think well of Johns Hopkins. It is the outstanding institution in this community, as it should be, and it deserves that by virtue of the fact that, as I told you, so many outstanding Marylanders came through my class.

**Warren:** We’ve alluded to a lot of different names through the years. You started at McCoy College and then it became the Evening College, Continuing Studies. Help me resolve all those different name changes. And did it make any difference to you what—

**Hardwicke:** It made no difference to me at all. I thought that it was wrong to call it McCoy College, because I thought that the same standards were applied to the students at McCoy that were applied to the regular Johns Hopkins graduates, and I felt that since they did the same work, that they should receive a diploma or certification that they had graduated from Johns Hopkins and that there was not that distinction. I think that Johns Hopkins came to recognize that also and discontinued that nomenclature.

The graduation certificate, I think, used to say McCoy College. I think that the reason for that was that Johns Hopkins felt as I did, but the reason that they had the differentiation was that they thought somehow that having an evening school might sully the good name of Johns Hopkins. I suspect, but that’s only my suspicion.
I remember when I was such a poor and struggling young lawyer, I taught in a local law school which later was absorbed by the University of Baltimore, this local law school being called Mount Vernon School of Law, and I taught law there to young men and women—men, really, actually—who were planning to take the Maryland bar.

I remember that Dr. Cooper called me one day and he said, "John," he said, "I understand that you teach down at the Mount Vernon law school, and I must tell you that Hopkins does not want you to do that, because that would lower the reputation of Johns Hopkins." So I had to give up that teaching at Mount Vernon law school because of Howard’s suggestion that I should not be teaching at another institution. But teaching was my thing, and I would do it anytime I had the opportunity to do it.

Now, there came a time when Dr. Cooper came to me in the mid 1980s and he said, "You know," he said, "I get requests from time to time from book publishers, if I have any teachers here who would like to author a textbook in business law." He said, "Would you be interested?"

I said, "Of course I would be interested." And so within several months of that, he called me, and it turned out that one of the major publishers was interested in seeing me, to see if I would like to author a textbook, and so I did write a textbook in business law for—I can’t even remember the name of the publisher. I’ll think of it very shortly. The textbook’s outside there. Let me think about it. Isn’t it awful that I can’t remember. You will note that I’m seventy-two years old, but I’ve forgotten.

Anyway, I did write the textbook, and in the meantime, one of my daughters married a young lawyer who was a graduate of Harvard law school, and so I undertook to have him write half of the book with me. So he wrote about half of this book, and I wrote the other half. So it
was duly published, and that book is still used in evening colleges and in day schools, too, for commercial and business law for undergraduates not only in the United States, but all over the world. I will show the book and the publisher when we—as a matter of fact, let’s take this off.

Warren: I need to turn the tape over.

[Begin Tape 1, Side 2]

Hardwicke: The book, of course, is Barron’s. Barron’s began to publish that book, I think in 1989, and I used that book in teaching for the last ten years or so that I taught at Johns Hopkins. It’s, of course—I think it’s an outstanding book. Now, my son-in-law now teaches business law at the University of Florida in Gainesville, and he uses our book as well as other books. It’s now in its third or fourth edition. It used to be called Hardwicke and Emerson. Then after a time it became Emerson and Hardwicke, and now it’s just Emerson, since I’m no longer teaching. But the book is an outstanding book and, of course, it lists Johns Hopkins as being a source of where I teach.

My son-in-law, the aforementioned Emerson, taught at Hopkins in one of my classes. I gave him one of my classes so he could teach and get the experience, and he’s an excellent teacher.

Warren: What’s his name?

Hardwicke: His name is Robert Emerson. So all of that grows out of my Johns Hopkins experience.

Warren: What’s the most important lesson you wanted your students to learn?

Hardwicke: I think that as a teacher of law, I wanted them to understand the place of law in our society. Now, that’s just a very large statement, the place of law in our society. You have to then
narrow the word “law” and you have to narrow the word “society.” So then the subcontext should be the place of commercial law in the business community. In other words, the business community is the part of society which is relevant, and the kind of law that we’re talking about is commercial law.

We would start off in every course that I ever taught, what is law and how does it work in society? How did it begin, and how did various civilizations use it, and what was their attitude toward law? How was law derived? How was law made by the ancients? Of course we got into the religious question, as I suggested earlier, about the Mosaic Code. But then we narrowed the question quickly, and we got into the different kinds of law—criminal law and civil law. Then under the heading of civil law, you had commercial law and equity and things of that sort. So we would gradually zero in on our subject until after two or three lessons we were deep into commercial law and business, and how commercial law affected business, and how you could not conduct business without knowing something about law.

And since many of my students were going to be businesspeople, and a lot of our students were going to be doctors, and one of the things that the regular lay community doesn’t understand is that a doctor is a businessperson, is a businessman or woman, and that in running a medical practice, you’ve got to understand something about leases and something about contracts.

So we made this as practical as we possibly could for the kind of people that Johns Hopkins was bringing into the larger world. So we made it as practical as possible, but I always made it so that in this heading, in response to your question, what is the most important thing, how does law work in society, how does commercial law work in the business part of society.
Always and always we were dealing, on one hand, with the abstract concept. On the other hand is, what is practical? How does it work? How do you negotiate a contract? What is a contract? When do you become bound by a contract? When is your word binding in the law? Those were things which were practical and which people needed to know and understand, and always we talked on one level of the abstract and conceptual, on the other level of the practice and the application.

**Warren:** I can see why your students enjoyed your classes so much, and I’m regretting that I couldn’t sign up for it.

I’m interested that there was so little interaction among the teachers. You mentioned the Faculty club. Were many of you members of the Faculty club? Did that play any role at all in bringing evening faculty together?

**Hardwicke:** I have no idea how many people ate dinner with me and my family at the Johns Hopkins Faculty club were faculty and how many were graduate students. And that’s wrong. It’s a shame that we did not have more interchange and camaraderie, but Johns Hopkins didn’t have us there for that purpose. Johns Hopkins had us there because they saw the need to fulfill the community’s wishes, and they saw that their standing in the community gave them the opportunity to do that. They did not seek to create an integrated faculty. That was not their goal. As far as I know, it is not their goal to this day.

**Warren:** What do you mean, integrated?

**Hardwicke:** To have them in to react with each other and to have a faculty. I don’t know the extent to which regular colleges do that or regular universities have their faculty interchange or exchange with each other the way high school faculties might, or regular undergraduate schools
do. And I’m not even sure the extent to which any colleges have their faculties work together in harmony with each other. I think that it may be a failing, but maybe it is not necessary. Certainly Hopkins did not do it.

When we went through these transitions, and we’ve talked about three institutions, and you asked me a question earlier which I really haven’t answered, was there a difference between McCoy and the evening school and the School of Continuing Studies, I don’t think so, but I suspect that one of the deans or the deans would say, “Now, we’re going to do this. We’re going to have a School of Continuing Studies and this is going to be our emphasis, and we’re going to call it the School of Continuing Studies because it’s a continuation of what you did earlier.” And that makes sense, but I suspect that they were merely following the lead of other large institutions in the country. I suspect that they didn’t invent any of these things, but that academia, like corporations generally, centralized, decentralized, have theories of education. I suspect that they were not leaders in how it ought to be organized; I think they were simply following the lead of other communities.

Warren: When it became the School of Continuing Studies, that implies to me that you are no longer teaching undergraduates. Am I misunderstanding?

Hardwicke: Yes, I think so. I think School of Continuing Studies would encompass graduates from previous times, but I think that what they were aiming at was, they were aiming for people who had dropped from their regular college and were picking it up again, who had some college background but needed to finish, or who were active in the business world and needed to get a degree from an accredited institution. I don’t think continuing studies implies any previous degree at all.
that Johns Hopkins did through me.

Unidentified: It’s true. It’s true. [unclear].

Warren: If that happened anywhere, that would be one thing, but at Johns Hopkins, that’s quite a conversion you made.

Hardwicke: [Laughter] To get into that medical school is really tough. But that was not terribly uncommon. I know that I always asked them, “Would you like to go to law school? If you’re interested in law school, let me know that. Why are you here? What are your studies? Why do you want to learn about law?” I always passed out a little questionnaire to them on their first night in class.

Warren: Did you have many students from the School of Engineering?

Hardwicke: I can’t tell you that they were from the School of Engineering, but I must have had a number of them.

Warren: But you didn’t have any sense of--

Hardwicke: I couldn’t tell you for sure. There was a time when Baltimore Gas and Electric Company used to pay for its employees to go to Johns Hopkins, to McCoy or to the other parts of the evening school. When that occurred, we would get a lot of engineers, and I know I used to do an awful lot of legal work involving Baltimore Gas and Electric Company, and they invariably were on the other side from me, but when I was negotiating with them, it was awfully easy to negotiate with them when they were my former students, not that they were not good employees of BG&E, but we talked the same language. So I think that BG&E did that. Westinghouse did that for a number of years, they had an arrangement to send their employees to Johns Hopkins. So there were several local corporations that did that.
Warren: Is there anything else?

Hardwicke: I'll show you my memento, which is very, very valuable to me. Bernice may find some things that I can't even remember. I'm very proud of the plaque that Dr. Gabor, Dean Gabor, gave me back in June of 1998. You can see that in our business law book, this was published in 1987, I'm listed here as an instructor of business law at the Johns Hopkins University, and at the time that Robert was my co-author, he lists himself as Harvard and instructor of business law at Johns Hopkins, and it was based upon his experience at Johns Hopkins that he became a—he's now, I believe, a full professor at the University of Florida. So that was the strength of Johns Hopkins. It's a wonderful school and it carries incredible weight. It used me and I used it to further our common objectives, which were entirely reputable.

[Laughter]

Warren: And well within the law, I'm sure.

Hardwicke: Of course.

Warren: Thank you so much, Judge Hardwicke. I can see why Laurie Stroope sent me to see you.

Hardwicke: Laurie's a very, very nice person.

Warren: She's given me great recommendations and I'm very grateful to her and to you. Thank you.

[End of interview]