

IN TRIBUTE TO PETER

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Upon entering the library at WCL, two renegades¹ in memoriam greet you. The first is a statue of President Lincoln sitting in his chair, moments before giving his now famous remarks at Gettysburg. The second is a photo of Peter. While their physical proximity may be purely coincidental, a result of aesthetic convenience, the parallels between them run deeper. Certainly, both left indelible marks upon constitutional jurisprudence. More poignantly, however, each implored his audience to continue a mission yet uncompleted. It, therefore, seems appropriate to begin a student tribute to one by borrowing the words of the other: “The world will little note, nor long remember, what we say here, but can never forget what [he] did here. It is for us . . . to be dedicated here to the unfinished work which [he] . . . so nobly carried on.”² Following in the spirit of Lincoln’s message, this piece hopes to serve more as a lesson than a remembrance; more a charge than a tribute; more a goal, than a memory. Peter was unconventional, compassionate, and devoted; but his fierce disdain for intellectual complacency set him apart. He forced us to think by subjecting literally everything to rigorous logical examination, and, in turn, instilled in us the necessity to question. Given that, we remind you of how Peter challenged us all so that, like the casualties at Gettysburg, Peter’s untimely passing will inspire increased devotion to achieving eudaimonia,³ both for ourselves and

1. RAGE AGAINST THE MACHINE, *Renegades of Funk*, on RENEGADES (Epic Records 2000) (“Renegades are the people with their own philosophies, who change the course of history, everyday people like you and me.”).

2. President Abraham Lincoln, Address at Gettysburg, Pa. (Nov. 19, 1863), available at <http://www.loc.gov/exhibits/gadd/gadrft.html>.

3. See Peter Cicchino, *Reason and the Rule of Law: Should Bare Assertions of “Public Morality” Qualify as Legitimate Government Interests for the Purposes of Equal Protection Review?*, 87 GEO. L.J. 139, 146 n.6 (1998) (defining “eudaimonia” as “human flourishing”).

others.

We would commit a disservice to separate the challenge from the teacher, the teacher from the man. Peter embodied a persona of unrivaled breadth and depth. Rare is it for students to encounter someone not only well versed in seemingly every discipline, but whose insatiable thirst for knowledge enabled him to find wisdom in the most imaginative of places. Take, for example, *Defending Humanity*,⁴ in which Peter used Dr. Seuss' Horton the Elephant from *Horton Hears a Who*⁵ to champion the cause of speaking for those unable to speak for themselves. Because imitation is the sincerest form of flattery, we return to Dr. Seuss. We compare Miss Bonkers from *Hooray for Diffendoofer Day*⁶ to Peter, not for metaphorical purposes as Peter did with Horton, but rather because Miss Bonkers exhibits traits strikingly similar to Peter, teaching lessons that, like his, transcend their immediate objective.

In *Hooray for Diffendoofer Day*, Dr. Seuss tells the story of Diffendoofer School, where remarkable teachers who "make up their own rules" teach in a style unlike any other school around. The student-narrator, however, is most impressed with his own teacher, Miss Bonkers, because she is "different-er" than the rest. This quality reveals itself as she performs her overlapping roles of teacher and mentor. The student-narrator notes:

My teacher is Miss Bonkers,
She's as bouncy as a flea.
I'm not certain what she teaches,
But I'm glad she teaches me.
"Look! Look!" she chirps. "I'll show you how
To tell a cactus from a cow,
And then I shall instruct you why
A hippo cannot hope to fly."
She even teaches frogs to dance,
And pigs to put on underpants.
One day she taught a duck to sing—
Miss Bonkers teaches EVERYTHING!

And yet Miss Bonkers does more. When it comes time for her students to take a special test, Miss Bonkers, confident in her pupils,

4. See Peter Cicchino, *Defending Humanity*, reprinted in 9 AM. U. J. GENDER SOC. POL'Y & L. 1 (2001).

5. See DR. SEUSS, *HORTON HEARS A WHO!* (1954).

6. See DR. SEUSS & JACK PRELUTSKI, *HOORAY FOR DIFFENDOOFER DAY!* (1998).

puts them at ease.

Miss Bonkers rose. "Don't fret!" she said.

"You've learned the things you need

To pass that test and many more—

I'm certain you'll succeed.

We've taught you that the earth is round,

That red and white make pink,

And something else that matters more—

We've taught you how to think."

The genius in this pedagogical approach becomes evident during the exam when the students encounter unfamiliar questions. Yet, they "somehow answer them, [e]njoying every single word." Ms. Bonkers had equipped her students with the tools necessary to answer any question and tackle any challenge, regardless of their familiarity with the specific issues posed to them.

Like Miss Bonkers did for her students, Peter gave us the tools necessary for success, both academically and in life. While at WCL, Peter taught Constitutional Law, Torts, Jurisprudence, and Sexual-Orientation and the Law. What we learned in these classes, however, went far beyond the particulars of equal protection review or the elements of negligence. Peter taught us how to think. With eloquence, he consistently demonstrated the agile nature and power of rhetoric. From memory, Peter could quote renowned philosophers and recite passages from literary works dear to him, demonstrating the importance of careful articulation. Forcibly dismantling any inhibitions we might have had regarding public debate and class participation, he fostered our educational growth.

The arguments we made in class never remained unchallenged. Peter took the most complicated subject matter, deconstructed it to its basic elements, and explained it as if it were simple mathematics. Expertly, he would twist and turn each argument through a labyrinth of reasoning, exposing unfounded assumptions, until he reached the logical yet unexpected conclusion. In turn, Peter challenged us to reassess the foundations of our arguments, to reconstruct their basic components and to reassert our modified conclusion. Although some of us were at first concerned we were not learning the traditional subject matter, the genius in Peter's methodology became apparent as our arguments gained focus and logical cohesion. As these lessons took hold, the discussions began to transcend their apparent objectives and echo a greater purpose.

Take, for example, a time Peter guest lectured a first year property

class. He spoke on topics of poverty law, viewing the issue of homelessness through the Aristotelian concept of being. Peter explained, to be one must exist in both time and space. If homeless people are not entitled to be on private property, where can they exist when laws exclude them from certain public parks, buildings, and streets? Preventing homeless people from living in all space, Peter professed, results in removing part of their very being because it deprives them of a place to perform essential human functions. Peter's articulation of this issue challenged us to question the viability of a popular method employed to hide a growing problem.

For many of us, Peter's intellect was refreshingly inspirational. We were impressed by his energetic and colorful delivery of language, his unmistakable humanitarianism, and his flawless use of logic. Some sat back and listened intently. Others took careful notes. In our own way, we each tried to capture a small piece of Peter's intellect, just as one buys a print in an art museum gift shop, attempting to harness a cheap copy of what is priceless and brilliant.

We should not, however, place limits upon the lessons learned through Peter's unconventional approach to the Socratic method. Peter was a teacher in the greater sense. Outside of the classroom, he served as a mentor to many of us. No matter the topic, Peter listened and offered his unbiased opinion, putting the needs of his students first. He took time out of his day to counsel frazzled 1Ls who found their law school experience overwhelming. Peter disseminated career advice, allaying students' fears about being unemployed after graduation. He offered students the comfort level to talk about family matters or to discuss sensitive issues of transferring to other law schools or dropping out altogether. Peter devoted countless hours with students to developing paper topics, fleshing out various ideas, and highlighting the crucial arguments. An example involved a student attempting to formulate a comment topic. Peter began by listening quietly to the student's thoughts. Finding it uncomfortable to sit for an extended period of time, Peter asked if they could go for a walk. They ventured first to the local coffee shop where Peter, like a kid in a candy store, sorted through the various cookies and sweets, listing the merits of each. He settled upon the chocolate filled lady-fingers, a delight he thought criminal not to share. The one constant in these interactions was he never viewed us as subordinates, students or even colleagues. We were his friends.

By no means does the above discussion encapsulate all for which Peter stood. Only he could accomplish a task of that magnitude. It does, however, illustrate Peter's immeasurable contribution to his

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students and, in turn, our school. Peter's tireless efforts to compel us to question—not to accept that which is merely asserted—empowers us never to be intellectually lazy. Like Miss Bonkers' students, we too will face tests of great importance, the substances of which remain unknown; and like Ms. Bonkers, Peter has left us well prepared.

For that and more, we remember Peter. And yet, as Lincoln professed at Gettysburg, remembrance alone is not enough. We must continue the work that he “so nobly carried on”—not necessarily to forward the causes to which Peter subscribed, but rather to abhor complacency in whatever causes we as individuals chose to champion. Accepting that challenge requires never forgetting the lessons Peter conveyed or the philosophies he instilled. Use these tools to achieve that state of physical, emotional, and intellectual flourishing. Peter would not have it any other way.