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John Stuart Carnes - 1925-1970

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In Memoriam

JOHN STUART CARNES
1925 — 1970

To

JOHN STUART CARNES,
the Board of Editors of
THE VILLANOVA LAW REVIEW
humbly dedicate this volume.

JOHN STUART CARNES — 1925-1970

The community and Villanova University, as well as his colleagues of the law faculty and the students in the School of Law suffered irreparable loss in the death of Professor John Stuart Carnes. In a very genuine way we share his loss with his wife Eleanor and his five sons and daughters.

John Carnes served but five years as a full-time member of our faculty, but his contribution during that all too brief period was immeasurable. He was born in Chicago in 1925 but lived most of his life in the Philadelphia area. He was educated at Harvard, graduating from Harvard College in 1947, where he played football and rowed. Indeed he was a member of the sculling team which won a number of national championships and went to the 1955 Pan American Games. Professor Carnes was granted his LL.B. by the Harvard Law School in 1953. His career as a student was twice interrupted by military service. He served with distinction in the Marines, both in World War II and in the Korean Conflict, rising to the grade of Major. After his admission to the Bar of the Supreme Court of Pennsylvania, Professor Carnes practiced law in Philadelphia, in association with the firm of Clark, Ladner, Fortenbaugh and Young and later as a member of the firm of Strong, Barnett and Grasberger.

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During his years of practice, he became widely recognized as an expert in the areas of Land Use Planning, Redevelopment and Open Space Projects. He first came to us as a Lecturer (part-time) offering a course in Land Use Planning. In September 1965, he joined our faculty on a full-time basis and through the next five years taught one section of the basic course in Property and the specialized courses in Land Use Planning and Estate Planning. He entered upon his new-found career in law teaching with complete dedication and with infectious enthusiasm. He served the Commonwealth in important codification projects in connection with the Eminent Domain Code and the Commonwealth's Highway Laws. In a brief period he had become a valued member of our faculty and he had found great happiness.

Shortly before his death, while very ill, he wrote me "I love teaching at Villanova. It has become my life and each year has been more rewarding than the year before."

His colleagues and his friends miss him most for the man he was. He was above all a friendly man — a man of peace; not a compromiser, but a highly principled strong man of peace. He had known war and he learned, at first hand, the futility of war. He was a man who worked to the height of his capacity to bring about the realization of brotherhood among men. And so it was fitting that his search for spiritual fulfillment should lead him to embrace membership in the Religious Society of Friends in mid-life. From true strength comes compassion and concern for others. John was a gentle man. He performed so many acts of kindness for students, colleagues and friends. They seemed small acts — a word of affection, or praise, the valuable time shared with a student. But these small acts were so numerous they became a litany of prayer by good works. It is these acts which measure a man and go to make up the heritage he leaves after him. When the knowledge of his death broke upon the students as they returned for the fall semester, one could look upon them and know immediately how much his friendship had meant to the students. They realized that he taught by example more than by precept — not by bustle and push but by masterful serenity.

John Carnes' devotion to his family was a delight to witness. His devotion to his family was the love base from which his concern and compassion for all the human family radiated. To those of us who were privileged to share his life, even for a few brief years, he gave inspiration, strength, joy and warmth. This legacy abides with us now and always will. And for this we are grateful.

HAROLD GILL REUSCHLEIN*

* *Dean, Villanova University School of Law.*

JOHN STUART CARNES — COLLEAGUE

It was my privilege to have John Carnes as a colleague during his teaching career at Villanova Law School. What will undoubtedly be remembered by his colleagues as one of his most distinctive traits was his uncompromising integrity. John came to Villanova directly from a full and rewarding general practice in 1965. Yet his firsthand wisdom concerning the ways of the world did not incline him to accept a relaxed and flexible view of the ethical responsibilities of the legal profession. He had the highest standards for himself and created, by the force of his concern and expectations, an atmosphere in which students and colleagues alike naturally regarded fair and honest dealing as the norm for all professional and personal relations.

In his teaching and scholarship, John looked for and emphasized the human element in the law. This disposition led to experimentation with inter-disciplinary courses in his last years of teaching. He was convinced that an increasing insight into and understanding of the contemporary human condition was needed by those who were being equipped for a career in the law.

His concern for the personal and human elements pervaded his entire professional life, including his administrative duties. John and I both served on the Admissions Committee. Not for him was the mechanical approach of judging applications exclusively on a mathematical rating of academic records. Although highly sensitive to the need for fair and equal treatment, he would take the considerable time and trouble necessary to study applications carefully and bring to the Committee's attention elements in an applicant's background that merited substantial weight in making our decisions.

One had to know John for only a short time to realize that he was a thoughtful man — a man with a mind of his own. His opinions were not cut to the fashion. His deep interest in humanizing the law and in developing a high regard for the individual was accompanied by a demanding standard of personal accountability. Any simple attempts to classify him according to the popular conceptions of the "radical," "liberal," or "conservative" type was bound to be confounded.

Perhaps the best measure of the man was the manner in which he lived the last few years of his life. Throughout those years, John carried with him the knowledge that he was suffering from a fatal disease, but he had the grace to carry this knowledge lightly. He did not allow his illness to disable him until it was absolutely impossible for him to carry on. Up to that time he wholeheartedly affirmed life —

giving generously of himself to his family, his students, his colleagues and his work. The manner in which he confronted life in those years and then accepted death stands as an example for which we will be forever grateful.

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