

January 2009

In Memoriam: Erik B. Bluemel, and the Life of the Legal Mind

Justin Marceau

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

Justin Marceau, In Memoriam: Erik B. Bluemel, and the Life of the Legal Mind, 87 Denv. U. L. Rev. [iii] (2009).

This Front Matter is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

In Memoriam: Erik B. Bluemel, and the Life of the Legal Mind

IN MEMORIAM: ERIK B. BLUEMEL, AND THE LIFE OF THE LEGAL MIND

The place is here. The time is now.

– Erik B. Bluemel (1977–2009)

Erik Bluemel joined the faculty of the Sturm College of Law in the fall of 2008. His appointment as a professor of law was a dream come true for him, and he was comfortable enough to announce this triumphantly nearly every week. He was, as he repeatedly told me, “living the dream, baby.” Tragically, Erik passed away just days after his second semester of teaching was complete. This issue of the *Denver University Law Review* is dedicated to the memory of Erik—his selfless service to others, his dry and witty humor, his wonderful compassion, and his inspiring intellect. Erik has left behind a large circle of friends at the Sturm College of Law and elsewhere, and we do ourselves a service by reflecting on his life.

I.

Although only thirty-one years old when he died, Erik lived a rich and accomplished life. He studied and distinguished himself at Berkeley, the University of Chile, New York University School of Law, and Georgetown University Law Center. He had backpacked throughout the world, studying cultures and, I imagine, developing what I came to love best about him, his *joie de vivre*. (Perhaps related, he was a masterful pool player and skilled card player.) He also gave presentations on topics of law and culture, even before he went to law school; indeed, Erik’s expertise in global climate change had made him an emerging international commodity on the lecture circuit—he was scheduled to present in Montana and Italy in the weeks following his untimely death. He had already presented in Norway earlier in the year, and China before that. Erik particularly relished his trips abroad, where he could explore discussions with colleagues worldwide about the relationship between the complexity of government structure and potential future solutions to the problem of climate change.

Erik also had all the traits of a skilled and seasoned lawyer. I would consult with Erik on criminal cases—a field he knew relatively little about—because of his keen sense of adversarial strategy and awareness of the realities of litigation. Perhaps most impressive of all, given his age and other commitments and accomplishments, he was a prolific writer. Erik wrote well, he wrote often (he published 15 papers in less than 10 years), and his writing was important.

DENVER UNIVERSITY LAW REVIEW

The loss of Erik leaves those of us who knew him feeling deprived on a personal and emotional level. For the scholarly community, his loss creates a void in the academic literature and activist movements relating to environmental and indigenous rights issues. In one early effort at what will be a long process of honoring Erik's memory and furthering his research and social agenda, the Environmental Law Clinic at the University of Denver has created the Erik B. Bluemel International Environmental Law Scholarship. Each year, a graduate level law student will be selected to work with an international environmental organization and study such issues as the relationship between environmental degradation and human rights.

II.

Erik brought youthful intellectual pride and spirit to the Sturm College of Law. He was eager to contribute to the law school community in ways that were both seen and unseen. He was a regular at the "Third Thursday" social events held in the forum of the law school, and not just because he liked free beer. Like me, Erik was in his first year of teaching, and he was eager to mingle with his new colleagues and students. Midway through his first semester at the law school, he had already compiled a list of the entire active faculty, whether he had talked to them personally, and what he had heard second-hand about them. To be sure, Erik's list was a source of a good many laughs between the two of us as we swapped stories about, for example, colleagues confusing us with students, but for Erik the list also reflected his genuine desire to know the DU community that he had joined. He was determined to become actively involved in the daily life of the students, staff, and faculty, and I think that it is fair to say that his enthusiasm served as a motivation for the rest of us to redouble our sense of pride and commitment in the University of Denver.

Indicative of the high esteem in which we as a faculty held Erik, in just his second semester of teaching he was elected to the Faculty Executive Committee tasked with many important issues of faculty governance, including the development of a strategic plan for the law school. My senior colleagues have mentioned to me that they saw qualities in Erik that clearly foreshadowed a future as one of the law school's rising leaders. As the Sturm College of Law works through an exciting transition period—hiring a permanent Dean, developing a long-term strategic plan for the school, reducing class size, and increasing the number of faculty—the DU community will do well to consider Erik's example. A tireless scholar and selfless contributor to our academic community, Erik also had exacting standards of excellence and took very personally the importance of challenging others—students, colleagues, and future colleagues—with the hard questions necessary to bring out the best in them.

IN MEMORIAM: ERIK B. BLUEMEL

III.

In addition to his remarkable record of extraordinary scholarship and service accomplishments at such an early age, Erik was quite simply a good human being. And to those he knew well (including this author), he was a good friend. Erik's candor, compassion, and hilarity were integral parts of my first year of teaching. There was not a moment of junior faculty stress or disappointment that, between the two of us in our common hallway, would not ultimately lead to eruptive and curing laughter. Like many of us on the faculty, the sense of loss is deep; nearly every law school debate leaves me wishing he were here to contribute, or at least to laugh about it afterwards. But I like to think that Erik has taught us all a little more about what it means to be an academic.

Simply put, Erik embodied the life of the mind; he was the consummate free and deep thinker. Early in Hannah Arendt's meditations on *The Life of The Mind*, she poses the following: "Could the activity of thinking as such, the habit of examining whatever happens to come to pass or to attract attention, regardless of results and specific content, could this activity be among the conditions that make men abstain from evil-doing or even actually 'condition' them against it?" Erik had a profound sense of integrity and empathy, and after each of our countless debates about every piece of trivia known in law, sports, entertainment, and vegetarianism (many of which ended with him winking, as silent acknowledgement that he had, at least partially, persuaded me), I would reflect on the beauty of his mind, or as I would often put it, his "huge brain." I continue to wonder whether he was such a great thinker because of his conscience and his desire to be good to all animals (human and non-human) and the environment, or whether he was such a good person because of his rich and curious intellect. I will never know for sure, but I know that he was a person of courageous integrity and profound intellect. He lived the life of the mind.

*Justin Marceau**

* Assistant Professor, University of Denver Sturm College of Law.

