THE YALE LAW JOURNAL

ANTHONY T. KRONMAN

Two Dreams

The week after Bo died, I dreamt about him twice. The first dream was very short. The second was longer and picked up where the first one left off. I can't recall ever having had two continuous dreams of this kind before. But I felt a tremendous excitement when the second dream began. That's because the first dream was the start of a conversation with Bo and I had another question I was desperate to ask. Describing one's dreams in public carries obvious risks. But I know that Bo, of all people, would have wanted me to go on.

The first dream, as I say, was a short one. I was standing in a room with some other people. I looked over and there was Bo. He seemed tired as one might after a long trip. He was covered with a fine white dust. I remember thinking, "He must have been walking on a long, dry road." "Are you back?" I asked, and Bo replied, "Only for a while." And that was it.

In my second dream, I was in the same room and Bo was there again, but this time the dream lasted long enough for me to get an answer to the question I was burning to ask. I wanted Bo to tell me what it's like to be dead. He looked at me and said, "You wouldn't believe how many people are there." He seemed surprised to have discovered this, but not disheartened. If anything, he looked pleased to have found so many companions in death. After I woke I reflected that perhaps this was because Bo had already met some with whom he could continue the conversation that was for him the highest if always imperfect expression of life. And that made me think of Socrates's concluding speech in Plato's *Apology*, which Bo and I had taught years before and discussed countless times since. After being sentenced to death, Socrates remained strangely calm. How could a man facing death be so serene? Sensing the anxiety especially of his friends, Socrates explained that if death isn't a dreamless sleep (which wouldn't be so bad, he said, after the tempests of life), then all his predecessors – all the great thinkers and poets of the past–would

AUTHOR. Sterling Professor of Law, Yale Law School.

THE YALE LAW JOURNAL

125:827 2016

be there waiting for him and what joy it would be to ask *them* the questions that had gotten him into such trouble while he was alive! The astonishment with which Bo reported his discovery that so many people were already dead made me think, on waking, that in my dream Bo had become Socrates himself, which to those of us who knew and loved him will not seem an implausible confusion.

But that wasn't all. I had one last question to ask and Bo's answer caused me to laugh so loudly that I woke myself up, which I also don't remember ever happening before. I asked Bo if God was among the dead. Was He there too in the land of the un-living? Now that is a very serious question. Bo looked at me and his eyes grew wide with astonishment and he said, "Yes He is, God is there too, and the most amazing thing is, He turns out to be a pudgy twenty-sixyear-old kid from Israel. Who would have guessed?" And then Bo was gone and I'd shaken myself awake with laughter.

More than my other colleagues and friends – or perhaps I should say more openly and with less embarrassment, for we are all, in some way and at some level, concerned with these things – Bo was preoccupied with death and God. He wrote a book about each. But in truth everything he wrote on every topic reflected his preoccupation with these two. This gave his writing and teaching a theological cast that made Bo a very special citizen of that small but resolutely secular republic we call the Yale Law School, to which he was devoted heart and soul.

I want first to say a word about Bo's preoccupation with death.

Bo was not afraid of death, or at least no more afraid of it than you or I. But it was always on his mind because he understood that it is death that gives life its urgency and depth. Everything we do means what it does and has the value it possesses only because it unfolds in a mortal frame which, could it be erased, would drain our lives of all their point and purpose. Keeping death in mind was for Bo the only way of keeping life in mind and of properly honoring the dumbfounding fact that we are in the world at all, for a time, surrounded by others like ourselves with whom we can converse about our strange condition and perhaps, if we are lucky enough to have interlocutors like Bo, to come to see how strange it is, like the prisoners in Plato's Cave whose journey to the truth begins with the discovery that the shadow-life they have been living, in a thoughtless stupor, is as baffling and wonderful as anything can be. Socrates calls this discovery a "turning about of the soul." Bo's fearless insistence on the death-in-life that shadows and hallows even those moments that seem furthest removed from mortal concerns made him a Socrates among us-affectionate, interested, devoted to his friends and colleagues and students and to the worldly business of our School, yet in Nietzsche's words, "ten thousand feet beyond man and time." Bo's preoccupation with death reminded us of how serious life is. Will we be more likely to forget this now that he is gone?

TWO DREAMS

I want next to say something about Bo's devotion to the idea of conversation. This wasn't explicit in the content of my dreams, like the ideas of death and God. But it was exemplified by their conversational form. Nothing was more important to Bo than the give and take of talking. For him talk was, in a manner of speaking, the middle term between death and God. Or to change the image, it was the hinge on which his thinking about these other topics turned.

Talk may seem a weak word to describe a high ideal unless we understand it in the sense of Freud's "talking cure." This was the original inspiration for Bo's vision of the nature of the encounter between two human beings who have suspended the ordinary demands of life, and the asymmetries of power that always attend them, for the sake of an inquiry into their common condition as thinking, speaking, fearing, hoping, loving, needing, and mortal beings. Conversations of this sort are the rarest thing on earth. Yet only they can illuminate, even for a moment, the true circumstances of our existence as the distracted cave dwellers that Plato describes. They create the only space in which we ever discover the real extent of our freedom and manage to sustain, for however short a time, the honesty to face the shocking fact that we are dying. That we can only do this in the company of another whose predicament is the same as ours, is the root of the spirit of solidarity that alone makes such honesty possible. In this sense, the liberating power of talk, as Bo understood it, is essentially egalitarian, and its perennial enemy is the brutal assertion, by one of those involved, of a superior power to command or confine the other, for every such demand obliterates the space of that elemental conversation in which the truth about us comes to light. Bo was not a fool. He knew perfectly well that the maintenance of our human world depends in countless ways on the exercise of unequal power. But he insisted that these "realities" be measured against and tempered by the ideal of a conversation among equals from whose vantage point we are able, briefly at least, to survey this world itself and the strange but exalted condition of those living in it – to see what we are accustomed to call our humanity, but rarely pause to examine or admire. It was by this ideal that Bo first measured the relation between doctor and patient, then that of judge to litigant, and finally, in his last book, the relation of man to God.

Which brings me back to my dream.

Those who say that God is dead, and mean by this that we ought to dismiss all talk of eternity and salvation as childish prattle, express a view distant from Bo's own. Bo did not believe in an afterlife in the conventional sense. He did not believe in a heaven beyond the world. But he did believe that there is more to the world than we shall ever know and more in one another than we shall ever love as well as we might. The knowledge that this is so defined, for Bo, the

THE YALE LAW JOURNAL

horizon of all human striving—one we can never reach yet without which our finite pursuits would have a lesser value for us and perhaps none at all.

For Bo there is no God opposed to man, with whom we shall come face to face at the end of days. But there is a divinity in our humanity and an eternity in our peculiar way of dying—anxiously, yet mindful of truths and moved by loves that time cannot erase or corrupt. The belief that this is so is the heart of Bo's humanistic theology. It is a theology as remote, on the one side, from the conversation-stopping idea of an all-powerful God who dictates our affairs from afar, as it is on the other from the shallow belief that we could excise all talk of God from our human conversations and still be who we are. It is the theology that underwrites the one fundamental moral injunction that Bo repeated over and over again. "Don't interrupt the conversation. Let it continue. Let it go on forever, though none of us can pursue it forever, because only 'forever' would be long enough to reach the end we human talkers seek."

In his last book on the tribulations of Job, Bo holds the God of Abraham to this humanistic ideal. To some, perhaps, this will seem a reduction—a lowering of God to our level. But I see it in a different light. I see the conversation that Bo imagines between Job and God as the final and highest expression of his conception of the divinity that is in us already—as an elevation of the human being, not, of course, to a position of omnipotence, but to one of enhanced responsibility for the kind of talk that alone has the power to put us in touch with the seriousness of life, which springs from the fact that there is more to life than life itself can contain.

I think this is what Bo meant when he told me, at the end of my second dream, that God was there too, in the land of the dead, and that He turned out to be just a pudgy kid from Israel. He said this not to belittle God but (I thought, on waking) to humanize him instead. "God is just like us!" That is what Bo was telling me. Or rather, "We pudgy kids, with our fleshy and mortal infirmities, we're all just like God! We're divine already – as much and as little as any God can be." When Bo left me for the last time, at the end of my second dream, I felt with absolute assurance that he wanted me to know that he had found a God with whom he could talk as an equal, forever, in a heaven that looks just like earth – because it *is* the earth, uninterrupted. I feel confident that this was the meaning of my dream because it was the message of Bo's life.

Do we hear it? Can we keep it? Are we fully awake to the life of our greathearted friend?