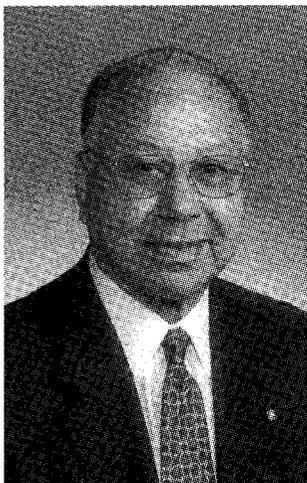


## Memorial to William R. Stewart

WILLIAM B. GOULD IV\*



*William R. Stewart*

First, allow me to extend my heartfelt condolences to Bill Stewart's brother here in attendance, Stanley Stewart; Bill's nieces, Standish Stewart, Sherry Weaver, and Belinda Jones; and his nephew, Kent Bell.

For the many who knew him or had some contact with him—and most especially for those many who loved him—William Rufus Stewart incorporated many characteristics in that multidimensional personality of his. Two features override all of them—his commitment to excellence—this is what prompted President Bill Clinton to characterize his contributions to the NLRB as “unparalleled”—and his compassion for humanity and life.

Every February or March for the past five years subsequent to my departure from Washington, Bill would come to California and visit with my wife and myself at our home on the Stanford campus. Here he had a set routine which he would follow with or without the two of us.

Sometimes he would sit in on a class or two and provide me with a good critique—just as he would do here in our Washington days together. Bill would begin each morning—and sometimes the afternoon as well—with a long walk through our beautiful campus, returning full of observations about the trees and flowers and other things that he had seen along the way. On one occasion, he and my wife spotted a coyote sauntering calmly through an open park, and this quickly became one of those stories that he loved to tell and retell.

Usually he timed his visit with the Stanford baseball games at our lovely Sunken Diamond. This past rainy weekend the University of Texas was in town, and it made me think of Bill's comments about a splendidly executed extra-inning Stanford-Texas baseball game two years ago, again in the winter rain which turned on and off while we sat soaking in our seats.

For almost a year, Bill had been telling me about an outstanding left-handed pitcher from his hometown of Terre Haute, Indiana, whom Stanford had snatched away, he said, from professional baseball. Ironically, on this past Sunday, there he was, as Bill had described him, pitching a magnificent three-hitter against hard-hitting Texas in his very first college start. I wanted to call Bill on the phone and I thought of how, at least until a little more than a month ago, we had planned to see that game together.

There were certain trigger points for which Bill could produce predictably automatic and voluble reactions, one of them being Indiana basketball and its former coach Bobby Knight. We often laughed together when I pushed some of his buttons by mentioning an individual for whom I knew he had either great devotion, as was the

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\* This Memorial is based on remarks delivered at Arlington National Cemetery, February 27, 2004.

case with Knight, or those individuals and organizations for whom Bill possessed little regard and occasional scorn—and he would always oblige me with an uproarious reaction to my button pushing. The most fun in those exchanges was the knowledge that Bill knew that I was putting him on and then would oblige me without fail with one of those patented Bill Stewart eruptions.

Just as Bill's views were not capable of modification on matters like Bobby Knight, it was difficult to get him to back down in most discussions or arguments—and we had a few of those—about the National Labor Relations Act, the National Labor Relations Board, and society generally. But he was nothing if not intellectually curious, and that trait led to a good deal of back and forth. The fact that he was always imaginative and probing in his search for new approaches, as well as so resolute, served me well as both Chairman and his friend.

Our mutual friend, Professor Herman Levy of Santa Clara Law School, who served with Bill at the Board in the '60s as well, has told me how Bill, as the assertive and sometimes disputatious president of the NLRB Professional Association in the '60s, insisted that Herman be excluded as a supervisor. Herman—and Bill and I often spoke of Herman's unyielding points of view—was of the view that he was *not* a supervisor and ultimately the two of them were to devise a sensibly balanced compromise whereby Herman was able to sit in on the union meetings, but not to have a vote—and perhaps not, given Bill's perspective, a voice either!

I can remember in the period of 1963–64, when Bill and I first became friends, his attendance at the newly opened Arena Theater and his love for opera and classical music. The arts were a big part of Bill's life. Whenever I went to exhibits or concerts in Washington, he would gently needle me, implying that I was only a superficial philistine. There was so much laughter and conviviality with him in this kind of back-and-forth banter.

Indeed, laughter is one of the things that I treasure most about Bill. So many times my confidential assistant, Mary Ann Sawyer, and I would be smiling at one another as Bill and Al Wolff or some other individual would be howling at something that they found amusing! The loud and sustained laughter would frequently cascade into the anteroom where Mary Ann sat—and through my adjacent office as well.

As someone who loved the arts, it seemed appropriate that Bill also had a great sense of the dramatic—I always remember his description of his first meeting with a former Board member with whom Bill was trying to negotiate some kind of arrangement prior to my arrival in Washington. Bill would go into a semi-crouch and put his hands up near his face: “We were circling one another like two cats in a ring,” said Bill on countless occasions in describing this meeting. Incidentally, Bill accomplished that mission, and he and the individual in question soon became the best of friends.

Bill possessed the very highest professional standards and this was one of the reasons why he was so valuable to me and to the NLRB. He elevated the level of what would be acceptable for me and the staff. He best exemplified public service as a high and noble calling.

In reviewing any of my opinions or speeches, Bill would always flyspeck them carefully, and quoting his former colleague on the general counsel side, Bob Allen, he would say, “We have to make sure that it is pretty,” that is, that all the i's should be dotted and the t's should be crossed. (Bill would always be careful to say, “This is what Bob Allen would say.”) This kind of meticulous care is one of the reasons why President Clinton praised his work so unqualifiedly.

As many of you know, Bill was the first and only NLRB employee in its entire sixty-nine-year history to receive the highest honor that any civil servant can receive—the President’s Award for Distinguished Federal Civilian Service. Bill was a lawyer par excellence who not only set the highest standards, but was also a role model and inspiration to me and innumerable others. He was the first and only African American ever to be appointed to the highest nonpresidential appointee level at the Board, that is, the rank of chief counsel, serving with me from 1994–97.

And he was a tower of strength, expertise, and wisdom for me, the NLRB, and the United States government. In the tumultuous ’90s, when our Board was under such attack from within and from without by many who do not believe in the purposes of the Act, Bill, along with the wonderful Mary Ann Sawyer (whom Bill identified for me and recruited), were the nerve center of the agency. More than anyone that I know, they kept the Board going in its most difficult days.

Bill was the gatekeeper through which everyone and everything went. Bill’s public service was vital to the rule of law in labor-management relations.

But there is another dimension to Bill Stewart which is even more important and goes to the essence of this good man.

Last year when Bill came to visit us in California, he could not come in February or March, as was his practice. The reason was that he was helping two friends who themselves appeared to be in their last days and who thus were in the midst of enormous and considerable distress. Bill had to be there for them, and thus could not come to California until June. That was the kind of man that he was.

When he retired from the NLRB in 1997 and when the parties that we had for him were still fresh in all of our minds, one of his first professional works was to represent a paraplegic in a disability case. And Herman Levy has told me that when they recently went together on a cruise to Alaska, it was Bill who would make sure that Herman, needing assistance, had a wheelchair, and it was Bill who made sure that those in charge of the ship were aware of his problems.

Bill loved his family. He was proud of his family—his parents and his siblings—and was particularly solicitous of their children. Indeed, he was solicitous and helpful to young people generally, not only in the legal profession and on our staff, but also to my own sons, with whom he would never fail to sit down and talk with when they came to Washington and with whom he would sometimes meet when he was on the Los Angeles portion of his annual California visit.

Bill Stewart was devoted to Indiana University, as well. It gave him his start in life. He often spoke fondly of his work as personal assistant to Herman B. Wells, Chancellor of the University. Thus, it was meet and right that in 1999 Bill was elected to the Indiana University Academy of Law Alumni Fellows, the most distinguished honor for an Indiana law graduate—and that he was to enjoy a reunion with Mr. Wells at that time.

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Bill never stopped grieving for his deceased partner, Bill Dresser, who accompanied him when we went to the White House in October 1997 to meet President Clinton to commemorate Bill’s Award.

A counselor in all senses of the word . . . So often during these past two weeks since Bill’s death on February 16, I have awakened in the middle of the night, finding it difficult to believe that he is gone. But on one occasion a week ago, I awoke and began

to think about a problem of my own completely unrelated to the terrible events of February 16—but which seemed almost equally insoluble. I decided that it would be important for me to speak to someone about it. It was five a.m. and my mind automatically focused upon area code 301 and the number for Bill's home. That was my first instinct.

I have often thought that most of us will be extremely fortunate if we are remembered beyond one or two or five years subsequent to our respective deaths.

Bill will not be forgotten.