MY MEMORIES OF DAVID CARROLL

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Dave Carroll was not one of my professors, but he was one of my favorite colleagues. Dave was a triplegic; he had the use of only one of his arms and neither of his legs. He needed an electric wheelchair, a van with an electric lift, special openers on the men’s room doors, an assistant to help him live, and so forth. Every aspect of life was a struggle and needed special attention and forethought. Something that would be a small problem for one of us would be a large problem for Dave. In spite of his unquestionably difficult situation, Dave never revealed any trace of bitterness. In fact, he was such a strong personality that I never really thought much about his use of a wheelchair. Instead, I thought of Dave on a personal level primarily as a fundamentally nice man who seemed to like horse racing more than I could ever fathom. He loved to go to the races, analyze the races, bet on the races, and claim that he could routinely win (although not enough to make up for the track’s take) by betting on the horses. But, of course, he used a wheelchair.

On a professional level I remember Dave as a smart, liberal scholar of commercial law. Dave and I were on the faculty with Alan Schwartz, a market-oriented scholar of commercial law (and several other areas of law). Alan presented a paper at one of our Friday afternoon workshops that concluded, unsurprisingly, that regulation was unlikely to improve consumers’ welfare, and probably would hurt consumers. It was a typical Alan Schwartz piece—inventive, based on an explicit and fairly technical economic model of the market, and extremely smart. Dave raised his hand and asked several penetrating questions about the nature of the assumptions that drove the model and the anti-regulation conclusions. Although he was not a trained economist, Dave Carroll quickly honed in on the weakest of the assumptions, and pushed. It was exactly the right move, given Dave’s interests—protecting consumers and doing cutting edge legal scholarship.

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Dave also cared about diversity. Of course, no one can feel as much an outsider based on race, sex, or ethnicity as a triplegic would feel. But he empathized with historically underrepresented groups. And he hoped that we would diversify our student body while he was here. I suspect he would never have guessed that in 2004 the USC Gould School of Law would enroll a class with forty-six percent of the individuals in the student body identifying themselves as members of minority groups. But had he known that this was true, he would have been impressed and proud.

I missed Dave a lot, on both a personal and professional level, when he retired. Once he moved away and built his house in Georgia, it became clear that he would not be visiting. I do not think he ever came back to USC after he moved away. I wish he had.