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## Beyond a Short Harvest

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## BEYOND A SHORT HARVEST

*Sid L. Moller*

By May the range brightens up. In badlands that looked so desolate as to resemble a charnel ground, wildflowers pop up, and sage exudes its musky-mint perfume. Songbirds return to the state and hang their cupped nests among the protective paddles of cactus or string them in a patch of wild rose. Mallards cruise the water holes. When their eggs hatch, ducklings swim among the noses of sheep and antelope who drink there.

Gretel Ehrlich, *The Solace of Open Spaces*, p. 24 (1985).

The *Land and Water Law Review*, like the Wyoming rangeland Ms. Ehrlich so eloquently describes, has its own rhythms and coming and going of seasons. The renewal of hope each spring, when the second year students fill their positions on the editorial board, is of course a part of that. April and May of 1981 were such a time for me and my co-editors. I believe we all respected our immediate predecessors, as well as those who had come before them. But down deep, we (perhaps I should say, "I," not only here but also as to others of these recollections) really believed that we would transcend the old limitations which the others had simply accepted, and take the *Land and Water* to new heights.

My own thoughts in this regard really came to a head in the mid-summer of 1981. It was then, I believe, that the editorial staff recruited some of us to help them with the mailing of the spring issue. I pondered what I perceived to be the ineptness of this bunch of editors as I sealed envelopes and carried on a secret conversation with myself: "Never mind May — had the spring issue ever been mailed out by the end of April? Would we be the first? How, in the world, could they be so late in getting out the spring issue? Was the publication still even current?"

At that point, the timely distribution of the issues was one of the least significant of our somewhat extravagant, if not grandiose, plans. What would "our" review be like? Student comments and notes, superbly written and even more superbly edited, addressing only topics of extreme relevance to Wyoming practitioners. The highest of standards for the select few lead articles that we published, probably winnowed out by our discerning eyes from the scores of pieces submitted. A special "theme" issue as our signature, most likely focusing on a natural resource topic, comprised of articles written by a select group of scholars that we identified as worthy contributors. And on and on.

Summer is a go-ahead season. Every living thing is off the block and in the race: battalions of bugs in flight and biting; bats swinging around my log cabin as if the bases were loaded and someone had hit a home run. Some of the summer's high-speed

growth is ominous: larkspur, death camas, and green greasewood can kill sheep — an ironic idea, dying in this desert from eating what is too verdant. With sixteen hours of daylight, farmers and ranchers irrigate feverishly. There are first, second, and third cuttings of hay, some crews averaging only four hours of sleep a night for weeks.

*The Solace of Open Spaces*, at p. 13.

We irrigated feverishly indeed. Time tends to play tricks on one's memory, but I don't think it is an exaggeration to say that there were times that we made do with four hours of sleep (although maybe not for weeks at a time). But that was a small price to pay for the masterpiece that we intended to produce. I'm not exactly sure when reality began to intrude. Perhaps it had to do with our realization that the theme issue was not destined to be, especially in light of my sneaking suspicion that it would be stillborn because we lacked the insight, sophistication, and time to develop it. Perhaps it had something to do with the fact that although some good articles were submitted and published, the deluge never came. Try as we might, we could not "will" the submission of what came to be desperately needed material. Maybe it also had something to do with our perception that the student work was a mixed bag, some very good and some not so good. Moreover, it also dawned on us that ultimately the students' notes and comments were only as good as the authors, not the editors, made them. Although our go-ahead season certainly involved a lot of work, there were creeping doubts among us as to what type of harvest would follow.

After mailing the fall issue and experiencing the early, now familiar labor pains associated with the spring issue, I confess that our sights had been lowered considerably. Having lost some of our grand vision, putting together the spring issue was even more difficult. We had to work the same long hours, but our labor seemed more tedious, our fatigue more evident and our negative emotions closer to the surface.

Winter is smooth-skulled, and all our skids on black ice are cerebral. When we begin to feel cabin-feverish, the brain pistons thump against bone and mind irrupts—literally invading itself—unable to get fresh air. With the songbirds gone only scavengers are left: magpies, crows, eagles.

*The Solace of Open Spaces*, at p. 74.

Although some of this is a bit gloomy, picking over the bones of my law review experience here is not really unpleasant. In fact, having served as the Editor-in-Chief of the *Land and Water Law Review* was for me a tremendous learning experience, and much more than the "it-looks-good-on-the-resume" billing it has with some students. But the lessons were not quite what I had expected.

We thought that we were going to experience the excitement of putting together a creative and insightful legal publication; instead, we

learned to take pride in doing a good job with the mundane, such as correcting citations, spelling and typographical errors. We thought that we would do much better than our predecessors had; instead, we came to appreciate that those who had served before us had set standards that we would be hard pressed to match, much less surpass. We thought that we were going to achieve a bit of personal glory for scaling new heights of excellence with the *Review*; instead, we learned the importance of duty and responsibility to an institution that was bigger than us and which would be there long after we had turned over the reins to those who followed us. Finally, I once believed that our editorial staff might institute positive changes that would be a lasting legacy, benefiting the *Review* for years into the future; instead, I came to realize that it was primarily nothing more than our own unique set of trials and errors that would be passed on to the next editorial staff to become a part of the *Land and Water Law Review*'s collective memory.

Many of these lessons stood me in good stead as I entered law practice. Although a landlord-tenant dispute over a \$250.00 security deposit did not exactly qualify as a monumental case that would profoundly impact the course of American legal history, it was important to the parties. And I knew that, in the overall scheme of things, to acquit myself well in such cases, perhaps the practitioner's equivalent of checking footnotes in a student note, was a noble calling.

A postscript. I remember we were in the process of mailing out the spring issue in 1982—it was sometime in July, if my memory serves me correctly, or maybe it was August—some of the soon-to-be third year students and new editorial board members were helping out. Although Ann Vance, the incoming Editor-in-Chief, was quiet as she sealed envelopes, I suspected that she was thinking about whether next year would be the first time that the spring issue of the *Review* would be mailed out in May, or even April. As anyone who has spent any time there knows, Laramie's winters can be pretty tough. It was nice to have the songbirds return.