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Preface

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PREFACE: MEANINGFUL RECIPROCI— IN HONOR OF CLARE DALTON

*Martha Minow**

Among the many wonders of Clare Dalton is her brilliant performance in a one-person dramatic show as Virginia Woolf. So it seems fitting to turn to Woolf in thinking about how to introduce this tribute volume marking the close of Dalton's career as a legal academic and start of her new career.¹ Woolf once wrote: "It is no use trying to sum people up."² It is no use, then, to try to capture Professor Dalton solely by way of listing her many accomplishments: her creation of the landmark and vital Domestic Violence Institute at Northeastern Law School; her incisive, elegant writing; her passionate teaching at several law schools; or the awards from Radcliffe, the Massachusetts Women's Political Caucus, Massachusetts Women's Bar Association, and recognition as Feminist of the Year by the Feminist Majority Foundation. As marvelous as all of these are, naming them does not evoke her vividness, grace, or sense of fun. Woolf, thank goodness, has some other insights of use.

Consider: "The older one grows the more one likes indecency."³ This quotation prompts me to remember when

* Dean and Jeremiah Smith, Jr. Professor, Harvard Law School. Thanks to Elizabeth Schneider and Joe Singer for their help with this preface.

¹ See Bella English, *Life Points: For Legal Scholar Clare Dalton, a Sharp Turn from Academia to Acupuncture Was a Natural Fit*, BOS. GLOBE (May 24, 2011), http://articles.boston.com/2011-05-24/lifestyle/29580304_1_thin-needles-healing-hands-domestic-violence. This tribute issue is based on presentations given at the conference, "Challenging Boundaries in Legal Education: A Symposium Honoring Clare Dalton's Contributions as a Scholar and Advocate," held at Northeastern Law School on November 5, 2010.

² VIRGINIA WOOLF, *JACOB'S ROOM* 18 (Melvin House Publishing 2011) (1922).

³ VIRGINIA WOOLF, *The String Quartet*, in *MONDAY OR TUESDAY* 31,

Clare and I worked to create a course we taught together. We called it *Family Law and History*. I think we resisted something as tidy as *History of Family Law* because we wanted to signal an inquiry that would spill out of the dress of doctrine. Yes, we thought, we can teach and talk about histories of divorce, marriage, and child custody. I suggested histories of struggles over birth control. Clare said, “Let’s start with the history of birth.” So we did. I am confident that no Harvard Law School classroom had previously been home to searching discussions of a right to vaginal delivery after Caesarian section and the role of the forceps in struggles between midwives and physicians. It was memorable!

Virginia Woolf also once said, “I read the book of Job last night, I don’t think God comes out well in it.”⁴ This reminds me of Clare’s gift for puncturing pieties and also for looking behind the “given”: showing we each have free will, can expect more, and hold others to account. This is what Clare has done in scholarship, teaching, and advocacy. In the still-remarkable article, *An Essay in the Deconstruction of Contract Doctrine*,⁵ Clare questioned common assumptions about power and knowledge and identified faulty patterns of thought and argument that yield inconsistencies and produce rules that fail to support flourishing human relationships.

Indeed, Clare invited readers to regard law as stories we tell about ourselves, authority, and our relationships—and to reimagine the stories we want to construct about who we wish to be. That, of course, is what Clare did when she held Harvard University to account and negotiated a settlement that funded the Domestic Violence Institute at Northeastern. This is simply one demonstration of her gift of metamorphosis and her ability to convert trauma into hope—just as she uses the points of needles to relieve pain. Clare has braided the strands of her life as a theorist, activist, mother, and friend on a journey into service and justice, healing and care, voice and touch.

32 (Dover Thrift Edition 2011) (1921).

⁴ *Virginia Woolf Quotes*, BRAINY QUOTE, <http://www.brainyquote.com/quotes/quotes/v/viriniawo123111.html> (last visited Nov. 29, 2011).

⁵ Clare Dalton, *An Essay in the Deconstruction of Contract Doctrine*, 94 YALE L.J. 997 (1985).

In “To the Lighthouse,” Virginia Woolf writes:

What is the meaning of life? That was all—a simple question; one that tended to close in on one with years. The great revelation had never come. The great revelation perhaps never did come. Instead there were little daily miracles, illuminations, matches struck unexpectedly in the dark; here was one.⁶

Clare’s grace, integrity, insight, and clarity are gifts, and the essays that follow examine and honor her personal and professional contributions as a scholar, teacher, and activist.

Clare once closed an article by quoting Ayi Kwei Armah:

Our way, the way, is not a random path It is a way that aims at preserving knowledge of who we are, knowledge of the best way we have found to relate each to each, each to all, ourselves to other peoples, all to our surroundings. If our individual lives have a worthwhile aim, that aim should be a purpose inseparable from the way. Our way is reciprocity. The way is wholeness.⁷

It is a pleasure to salute Clare Dalton’s commitment to living a worthwhile life in meaningful relationships of reciprocity. Although I suspect the tributes gathered here may embarrass her, they offer a path that can inspire those yet to come.

⁶ VIRGINIA WOOLF, *TO THE LIGHTHOUSE* (1927), *reprinted in* SELECTED WORKS OF VIRGINIA WOOLF 253, 361 (Wordsworth Editions Limited 2005).

⁷ Clare Dalton, *The Faithful Liberal and the Question of Diversity*, 12 HARV. WOMEN’S L.J. 1, 10 (1989) (quoting AYI KWEI ARMAH, *TWO THOUSAND SEASONS* 39 (1979)). Clare noted that Alice Walker had chosen this same passage in a book of essays. See ALICE WALKER, *LIVING BY THE WORD: SELECTED WRITINGS, 1973-1987* xi (1988).