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Remarks Delivered at the Dedication of a New Building at Brooklyn Law School

Various Speakers

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DEDICATION CEREMONY

AT

BROOKLYN LAW SCHOOL

On April 20, 1995, Brooklyn Law School dedicated its new eleven-story addition. Judge Guido Calabresi, Judge of the United States Court of Appeals for the Second Circuit, and former Dean of Yale Law School, was the featured speaker. Paul Windels, Jr., Chairman of the Brooklyn Law School Board of Trustees, Judge Charles P. Sifton, Chief Judge of the United States District Court, Eastern District of New York, and Dean James P. White, Consultant on Legal Education to the American Bar Association, as well as Joan G. Wexler, Dean of Brooklyn Law School, also spoke. We are pleased to present their remarks here.

BROOKLYN LAW SCHOOL BUILDING DEDICATION APRIL 20, 1995

PROCLAMATION

by Paul Windels, Jr.

Chairman, Board of Trustees, Brooklyn Law School

I am delighted to welcome all of you to these dedication ceremonies, which I, Paul Windels, Jr., as Chairman of the Brooklyn Law School Board of Trustees, have the honor to declare in session.

Just a few blocks away on Ryerson Street, Brooklyn Law School commenced its classes almost 100 years ago in a small commercial building. From the start it was open to women as well as men, and without limit to qualified applicants of whatever social or ethnic background. In quiet modesty we note the outspoken moralizing with which the whole community of law schools has belatedly joined it in this.

Brooklyn Law School has always reached out to students of motivation and promise but limited means, with such scholarship assistance as it could provide. It has also reached out by having evening classes, comprising the same academic program as the daytime classes.

In all this it has never—nor will it ever—compromise its standards of scholarly attainment directed at strict professional qualification.

The building which we are here to dedicate is both a splendid facility and a monument to the wisdom and validity of the principles which have guided Brooklyn Law School over the years.

It is appropriate that there be a proclamation dedicating this building, and accordingly I, as Chairman, do proclaim that:

WHEREAS Brooklyn Law School was formed in 1901 in the historic community of Brooklyn Heights, with its heritage of Henry Ward Beecher and Walt Whitman, amidst the downtown Brooklyn business district and its state and federal courts, and new-

ly connected by the Brooklyn Bridge to the financial district of Wall Street;

WHEREAS From its start, Brooklyn Law School occupied an unusual position among law schools because of its policy of equal access to all applicants, and it quickly earned a reputation as providing an opportunity for the study of law for students of limited means, and those who were denied admission to other schools because of discriminatory practices;

WHEREAS Brooklyn Law School has over the past 100 years grown from its modest beginnings of solid local repute to a law school of national recognition highly respected for the caliber of its academic programs, its faculty, and its student body;

WHEREAS Brooklyn Law School's prominence in the legal community has accordingly grown steadily and its reputation for academic excellence has flourished;

WHEREAS Brooklyn Law School faculty members serve their students as inspiring teachers and mentors, and serve the larger general public as influential scholars and policy shapers with impact that is felt nationally, and indeed globally;

WHEREAS Brooklyn Law School is about to enter into its second century in legal education;

WHEREAS In order to increase its lecture halls, its library, its classrooms, and other facilities, so as to meet more appropriately the challenges of its second century, Brooklyn Law School undertook plans for a major expansion of its home here on Joralemon Street, and, after seven years of planning and three years of construction, this ambitious project is now complete; and

WHEREAS The new facility is a proper and fitting expression of the tradition and promise of Brooklyn Law School;

NOW, THEREFORE, be it resolved that this building is dedicated to the students of Brooklyn Law School, past, present and future, may they continue to bring honor to their profession, to their community and to their alma mater, and may their ideals remain ever fresh and strong and, with all,

may they find some enchantment in the world in which they are to live.

It is now my great pleasure to turn these proceedings over to the Dean of Brooklyn Law School, Joan Wexler.

JOAN G. WEXLER
Dean, Brooklyn Law School

Thank you, Paul. Good afternoon, and thank you all for joining us to celebrate this great day for Brooklyn Law School.

I'm mindful that we are gathering in the shadow of the tragedy of Oklahoma City. But in a sense, part of what we celebrate today is the rule of law which is the antithesis of the senseless violence exhibited yesterday.

The new building that we are here to dedicate is built on foundations laid nearly a century ago. Seamlessly connected to what we now call the old building, where we sit right now, the new addition is a wonderful metaphor for the union of spirit that joins our past, our present, and our future. The new addition also dramatically illustrates how far legal education in general, and Brooklyn Law School in particular, have come, since 1901, when Brooklyn Law School was founded.

When Norman Heffley and Dean William Payson Richardson founded Brooklyn Law School almost 100 years ago, they could not possibly have imagined the school in its present incarnation. The law school they founded in 1901 was housed in the basement of a small proprietary business school. Brooklyn Law School today is headquartered in an architecturally distinguished new building that has already been the subject of a major review in *The New York Times* and will be featured in the next edition of the American Bar Association's Annual Report on Legal Education.

In 1901, the law school's library seated one person. Our newly expanded library seats almost seven hundred students, and occupies six floors and about 78,000 square feet. It contains half a million volumes, three computer labs, and computer network connections at virtually every seat.

It's hard to know what would have surprised our founders more. The fact that, in a few weeks, we will be installing a satellite television system that will enable students to teleconference with their counterparts from Ohio to Osaka? The fact that our curriculum has gone global? Or the fact that students are no longer required to stand and recite when called on in class?

Between the basement space that was our first headquar-

ters and the grand new edifice that we dedicate today, there were other spaces and other notable achievements. In 1968 we moved from Pearl Street, and when people spoke of "the new building," they were referring to this Joralemon Street location where we sit now—whereas as of today, it is officially the "old building." In 1968 this old building opened, and nearly all classes were taught in large classrooms, and the student faculty ratio was 75 to 1. Today, many of our classes are taught in small seminar sections, and the student faculty ratio is 21 to 1. The library collection was 70% smaller than it is now, and words like Lexis, Westlaw, and the Internet were yet to be coined. As recently as a decade ago, the majority of full-time students were commuters and left school immediately after classes. Now, thanks in part to our student residence halls and the renaissance of Brooklyn Heights and the other areas surrounding downtown Brooklyn, the school is becoming more of a residential school.

All these developments, and more, are reflected in the design of the new addition. For example, a growing number of our classes are taught in small seminar sections, a format that enables professors to depart from the conventional case method approach and integrate skills training exercises into their classes. Our new and remodeled classrooms were designed with this in mind. They provide flexible seating for groups as small as ten or for groups of multiples of ten. They convert into courtrooms for our moot court and trial advocacy programs. They are designed to make use of video technology and computer-assisted instructional materials. They are classrooms that were designed for us to grow into, not out of.

Our new library is similarly high-tech, but there is more to it than that. It includes three beautiful new reading rooms, thirty conference rooms in which students can gather for group study, enough shelf space to accommodate a fifty percent expansion of the collection, and lounge areas where students can read and unwind between classes.

But law students do not live by books or on-line research services alone. One of our aims in designing the new addition was to provide students with a pleasant food service facility and other comfortable surroundings to promote the informal, family life of the law school. On the fourth floor of the new addition is our dining hall and student center, one of the most

architecturally interesting spaces in the building, and on the first floor is our newly remodeled student lounge.

Despite all these changes, Brooklyn Law School remains faithful to its roots and its proud traditions. As Paul just noted, from its earliest days, Brooklyn Law School has occupied a special position among law schools, with a wonderful tradition of welcoming students regardless of gender, race, or ethnicity. For example, we know from archival photographs that at least as early as 1909, and perhaps even before that, African American students and women attended Brooklyn Law School. During the twenties and thirties, particularly, Brooklyn Law School earned a reputation as a school that welcomed students who could not afford to attend more elite schools, or who were denied admission to those schools because of discriminatory admission practices.

Over the years, the school's alumni distinguished themselves as judges and government officials, as leaders at the bar and in business, and as pioneers in public service. And the school's academic agenda, like the aspirations of its faculty, students and alumni, has evolved. This evolution is apparent in the addition that we dedicate today, for it is our success in developing a superior academic program that has been the major impetus for its construction.

Brooklyn Law School's scholarly symposia and other professional programs have set a standard for the legal community and have enhanced the school's stature locally, nationally, and abroad. These programs have been produced by our faculty members under the auspices of our International Business Law Center, our Edward V. Sparer Public Interest Law Fellowship Program, the Law Review, and the International Law Journal. Such programs have been hailed as "imaginative" and "remarkably ambitious and successful" by the American Bar Association Inspection Team that conducted its regular audit of the law school a few years ago. Indeed, the ABA team stated: "As a result of these programs, Brooklyn Law School has developed a special reputation for encouraging scholarship which focuses on important, timely, and pressing issues of concern to the community and the bar, and which brings to bear on those issues the products of empirical research and creative analysis." Our beautiful new Anita and Stuart Subotnick Conference Center, which is located on the tenth

floor of the new building, is now the proud venue for these programs, as well as the place where faculty, students, and alumni gather when it's time for a great party.

In a short while, you will have the opportunity to tour the new building and get a first-hand look at some of these spaces. As you do, I hope you will keep in mind the names of the people and agencies who, over the course of the past decade, have labored hard to make this building a reality:

- The New York City Department of General Services, the Borough President, and the Community Board, who worked with us in acquiring the land on which the new building has been built and supported our efforts from the very beginning;
- The New York State Dormitory Authority, without whose support we could not have even imagined the building;
- Our many generous donors, some of who appear in your program, and whose names are inscribed on walls throughout the building;
- Our architects, engineers, and builders, including, of course, our design architect, Robert A.M. Stern, and his associates Barry Rice and Michael Jones, who have created a building that has already become a great source of pride for the borough and the city, as well as for the school itself. I think that you will find the public spaces of the new building, like its exterior, to be among the most beautiful that you have ever seen, anywhere.
- I also want to thank our architect of record, Wank Adams Slavin Associates; our structural engineers, DeSimone, Chaplin & Dobryn, our mechanical engineers Cosentini Associates; our owner's representative Turner Construction, and our builder, HRH Construction Company, most especially HRH Vice President Cary Spiegel and assistant superintendent Jerry Sorkin.

We are a law school, and so it's fitting that I also thank the lawyers who have been willing to have a law school for a client: Our bond counsel, Mudge Rose; our construction counsel and all-around reality-checker, Fred Cohen (Class of '67) of the firm of Ross and Cohen; and our real estate counsel, Charles

Saperstein (Class of '82) of the firm of Dryer and Traub.

I want to thank the members of the Brooklyn Law School Board of Trustees, faculty, administration and staff—and most especially the maintenance and engineering staffs—who were a constant source of advice and counsel as the project evolved. Particular thanks are owed to Michael Gerber, who for nearly a decade has been involved with every phase of this project and, as a result, along with his commercial law courses, can now teach a skills training seminar in heating and ventilation. I'd also like to thank Neil Cohen, Margaret Berger, Nancy Fink, Joel Gora, Carol Ziegler, Marty Hauptman, Joan Koven, June Seddo, and Richard Jagric for their assistance. Special thanks goes to our law librarian, Sara Robbins, who not only spent years working on the design of the new library, but actually kept the old library functioning while columns were being driven through it. In that connection, I also want to thank our students who put up with the unavoidable noise and inconveniences that occurred as work was in progress.

But there is one person without whose vision, tireless efforts, and unwavering dedication, this project would not have become a reality. I refer, of course, to our former dean, now United States District Court Judge, David G. Trager. Much of Brooklyn Law School's progress over the past decade is attributable to David and to his ability to see promise where others saw problems. We owe him a tremendous debt of gratitude for leading the faculty in the development of the academic programs that made this beautiful new addition a necessity, and for devoting hundreds of days and sleepless nights to making the new addition a reality. David, we all thank you.

To be sure, times have changed, and so has the law school. But, as I look out at the audience, and see members of the class of 1931 mingling with the class of 1995, as I consider that alumni support for our new addition has come from graduates of every Brooklyn Law School era, I am struck once again by how very much Brooklyn Law School is an extended family, uniting the generations even as it evolves to greet the promise of a great future.

JUDGE CHARLES P. SIFTON INTRODUCTION

by Joan G. Wexler

It is now my great pleasure to introduce Chief Judge Charles P. Sifton of the United States District Court for the Eastern District of New York. Following graduation from Columbia Law School, Judge Sifton had a distinguished career in private practice in New York City. He also served as a staff member of the Senate Committee on Foreign Relations, and as Chief Appellate Attorney for the United States Attorney's office in the Southern District of New York.

In 1977, President Jimmy Carter appointed Judge Sifton to the federal bench. Earlier this month, Judge Sifton became Chief Judge of our home court, the Eastern District of New York.

We are honored to welcome him today.

JUDGE CHARLES P. SIFTON

To dedicate a building of this dimension the day after destruction of the building in Oklahoma City, gives one pause. What it makes one think of, or at least makes me think of, is that no building is as important as the people inside it. The architects of this building obviously had that in mind and thought of its appearance in light of the needs of the people who will use it, the convenience of the people who will use it, and the safety of the people who will use it.

And they have also thought of the people in the neighborhood who will enjoy the view that it presents. Because, as I'm reminded as I begin the process of designing another building just down the road from this one, the appearance in the neighborhood of a new building can either block their view or create a view.

This is an extraordinary neighborhood for architecture. Borough Hall, which is across the street, is, everyone recognizes, one of the most beautiful buildings in New York City. The Bridge, which is at the end of this miraculous mile, is a world renowned engineering marvel. We hope in short order to construct a new addition to our present courthouse with the assistance of Caesar Pelli, who is of the same rank as that of the architect who was chosen as the design architect for this building. It is a remarkable thing, for someone who has lived in Brooklyn Heights as long as I have, to see this combination of events coming together.

The links between Brooklyn Law School and the court that I have an honor to serve are basically links of people. Through Judge Trager that link is particularly strong. And I hope he will transfer his skills in creating this new building to helping us with the problems of building a new building down the street.

Another one of the links between the court and the law school is the student body of Brooklyn Law School, which supplies us with student interns who aid us while, I hope, we aid them. Part of any legal education is the opportunity to apprenticeship at the elbow of another lawyer to learn the trade. Our judges also teach here and, several of your teachers, Judge Trager, for example, judge some of our cases.

In closing, I wish to welcome Robert Stern to the fellowship of architects in Brooklyn Heights and congratulate all of you on this marvelous new building.

Thank you.

DEAN JAMES WHITE INTRODUCTION

by Joan G. Wexler

Thank you, Judge. Planning and thinking about our addition has taken up a lot of our time. Our next honored guest is a man who spends *all* of his time thinking about the shape and future of legal education. Jim White is a law professor at the University of Indiana, and has served as Dean for Academic Planning & Development at the University. But these titles are a front for his real job, which is the Consultant on Legal Education to the American Bar Association. Dean White has probably visited and consulted with every law school in the country. His advice is sought about curriculum issues, programs, and building plans.

It is my pleasure to introduce you to James P. White, the guru of legal education.

DEAN JAMES P. WHITE

Thank you, Dean Wexler, for that generous introduction, distinguished guests, and particularly, Judge David Trager, whom we really honor today with the dedication of this building. I might add that to us in the academic world, although they have departed for the federal judiciary, Judge Trager and Judge Calabresi are still in our view active members and very important members of the academic community. This is a day truly to rejoice and be glad. It's fitting that at both the Passover and Easter Season we gather today to celebrate the dedication of this magnificent new building of the Brooklyn Law School.

It seems only a few months ago, although to Judge Trager and Dean Wexler I'm sure it seems many years, that I had the pleasure of being with you on April 10, 1992 to participate in the ground-breaking ceremony for this building. As I said on that occasion, physical facilities are important to a law school because a school must have adequate classrooms, seminar rooms, court room facilities, offices for both full and part-time faculty members, library space sufficient to accommodate current and future library holdings, access to the most current electronic media and adequate space for administrative and supporting services. At that time, I said that while the ABA standards do not specify that a law school should be beautiful as well as functional, that this new facility promised to be both. Truly what we now dedicate is a magnificent building; handsome, functional, and most importantly, designed for delivery of new forms of legal education into the twenty-first century.

There are many new buildings under construction, or recently completed, in the 177 law schools approved by the American Bar Association. But I think no building is more perfect in addressing the mission of the school, in accomplishing its purpose with grace and beauty, than this addition to the Brooklyn Law School. In recognition of this fact, as Dean Wexler has mentioned, the cover of the current Review of Legal Education has as its centerpiece a picture of the new building. I believe that this recognition by the American Bar Association is evidence of the quality of this new structure.

And indeed, I am very sorry that the printer was not able to complete the cover of that publication because I had hoped to bring it today for all of you. But I have promised Dean Wexler that she will have those copies this coming week to distribute to everyone in attendance today.

Physical facilities are necessary for a law school to enhance and enable the many constituencies of the law school to engage in the delivery of quality legal education. But it is what goes on in the law school, in the classroom, in discussions between faculty and students, in the research conducted by the faculty, in public service conducted by the faculty in the multitude of other activities of the students, faculty, and alumni that is important. Brooklyn Law School is a leader in all of these. And the dedication of this building today enables this law school to continue its outstanding educational and public service mission in a more effective way. I congratulate you on behalf of the American Bar Association and its Section of Legal Education and Admissions to the Bar.

JUDGE GUIDO CALABRESE INTRODUCTION

by Joan G. Wexler

Thank you, Jim. Twenty-something years ago next September, on my first day of law school, I took a seat in my first class—a Torts class—opened my notebook, and within minutes my intellectual heart and soul were taken hostage by the human dynamo whom I now have the pleasure of introducing to you, Judge Guido Calabresi.

Judge Calabresi came to the United States from Italy in 1939, at the age of six, with his parents and brother, all of them refugees from a brutal dictatorship. His father was a cardiologist and teacher, his mother a teacher of French and Italian literature. They had left everything behind and were forced to start their lives over again here. Judge Calabresi succeeded brilliantly. He graduated first in his class at Yale College, at Oxford University, and at Yale Law School. After graduating from law school, he served as law clerk to United States Supreme Court Justice Hugo Black. He joined the Yale Law School faculty in 1959, and served as Dean of the Law School from 1985 to 1994. Judge Calabresi became one of the founders of the "law and economics" movement in American legal thought, and is a highly regarded torts and constitutional law scholar. His writing—in two languages—cuts across several disciplines—including ethics, law, and social policy—and has enriched them all. Last year he was sworn in as a Judge on the United States Court of Appeals for the Second Circuit.

Guido Calabresi is the proximate cause of my love of the law and my love of legal education. He is the best house warming present I can think of. I am delighted to welcome him to my law school and to introduce him to you.

JUDGE GUIDO CALABRESI

Thank you Joan, David, friends of Brooklyn Law School. It's wonderful for me to be here, to see colleagues from the Second Circuit, and from the Yale Law School, former students — some now on the New York Court of Appeals, a nephew and a niece, classmates, and all sorts of friends, of mine and of the school; here at a great event, a great occasion. The building is magnificent. The building is *magnificent*. But as someone said of a great, new library: "Do not call the *building*, the library. The library is inside." So this is not the Brooklyn Law School, wonderful as the building is; Brooklyn Law School is inside. It is all of you. It is all of you who have come through here, all of you who will go through here.

On occasions like this, I tend to tell stories, rather than give speeches. And usually, as Joan probably would have told you, except that she was too polite, the stories involve me. And involve me in various situations. So, I will tell you two stories and then try to draw a moral from them; one has to do with faith in law and one has to do with faith in people.

Once when I was clerking for Justice Black, we were working on a dissent in two cases, *Abbate v. United States* and *Bartkus v. Illinois*, which involved questions of dual sovereignty—double jeopardy, whether, that is, the state or federal government could re-try defendants after one or the other jurisdiction had acquitted them. Justice Black was determined to show that a second trial was an abomination that had to be prevented, and that in all of Anglo-American jurisprudence the right to retry a defendant in a different sovereignty didn't exist. He wasn't satisfied in these cases to do what he so often did, which was to look to the language of the Constitution and say "here's the problem, here's the language, the language controls." He wanted to tweak Justice Frankfurter, who in his opinions always wrote about history and other such things. He wanted to show Justice Frankfurter that he could do it just as well.

And so he sent me out to do research. He wanted to demonstrate that such trials in two jurisdictions had never happened and that the notion of trying a defendant twice in such cases was something unheard of and terribly bad. He succeed-

ed in tweaking Justice Frankfurter. We came up, for instance, with the fact that Saint Jerome had said that "God himself does not punish people twice for the same offense," and Justice Frankfurter felt compelled in reading his opinion from the bench to say, "And what Saint Jerome had to say about it had nothing to do with it, and what happened in England had nothing to do with it, it's the American Constitution we're interpreting." Through all this, Hugo Black sat on the bench smiling, because he had gotten Felix Frankfurter to say exactly what he had wanted Frankfurter to say.

I researched and researched, and it really looked as though, until the time of prohibition, there had not been any instance in Anglo-American jurisprudence where such double trials had taken place. Unfortunately, near the end of my work, I found a statute dating back to Tudor times in England, which seemed to allow for precisely such double trials; one in the ecclesiastical courts and another in the King's Courts. I read the statute and I was upset. I showed it to a friend who said something extraordinarily improper: "You were going to say that you had found no case, no instance in the history of Anglo-American jurisprudence condoning such double jeopardy. Now you've found one, but why don't you still say the same thing? Only somebody as nit-picking as you would have dug deeply enough to find this Tudor statute. Nobody else will know that you found it and ignored it." But I said, "I can't do that, I found it, now I can't avoid it." He said, "Your judge won't be happy." And I said, "I know the judge won't be happy, he'll be very angry. But there it is."

So, I went up to "the judge," as we used to call him, and said, "Judge, I found a statute, here it is, and it seems to allow for just what we're saying was not and never should be allowed." The Judge looked at me calmly and said, "Guy,"—he couldn't pronounce "Guido," so he always called me "Guy"—"Guy, did you look at the original?" I said, "Judge?" He said, "Did you look at the *original*?" And I said, "Judge, this is a Tudor statute, I have a contemporary account, what do you mean look at the original?" He said, "Well, I'd be happier if you looked at the original." I said, "How am I going to do that?" "Well, look around and see what you can find. Go back further." Then I said, "But Judge, where?" And he said, "Here in the Supreme Court library there is a wonderful collection of

rare books, the Elbridge Gerry collection. You never know what they might have there. You could start there and see what you could find."

I left, swearing under my breath at this old man who for some peculiar reason was causing me to go back and look for something I could never find. I called the librarian of the Supreme Court and said, "Do you have anything that would help me?" and she said, "Actually we do. We have a book of Tudor laws and it happens to be the book on which Mary Tudor, Bloody Mary, studied law." I said, "Good Heavens!" and became very happy about the whole thing, for I was going to see something extraordinary.

They brought the book down. And I read it, with Mary Tudor's annotations in it, the comments that she wrote down as she was taught law. Her comments made me think that she must have been *very* intelligent . . . and difficult, obviously. I read it and I found the statute. It was, word-for-word, identical to the contemporary account that I had found earlier. The only difference was the title. The title had not been given in the contemporary account, but it was given in this book. And the title revealed that this was an act dealing with the Jurisdiction of the Court of Star Chamber.

The moment I saw that, I laughed, because I knew exactly what Hugo Black would do. I showed it to him, and he smiled just slightly and said, "We're going to say that the only instance in the history of Anglo-American jurisprudence that double jeopardy was countenanced in this kind of case was in the Court of Star Chamber, that nefarious court, whose abuses our framers had clearly in mind, and sought to prevent, when they wrote our Constitution and Bill of Rights. Well, fine. But over the years I wondered, "How did he know that?" You know? How did he *know* that? What made him ask me to go back and look at the original? He couldn't have known about the title and the Court of Star Chamber. I mean, he read a lot. He made me read everything from the moment I started being his law clerk. But how could he know about this?

I now know that, of course, he didn't know. But, over the years I've come to understand what it was that was moving him. The judge had a faith in law that was unshakeable. He had a faith that law would do the right thing. If something seemed to be wrong, and you looked deeply enough, hard

enough, you'd either find that it turned out to be different from the way it seemed, or you would ultimately find an explanation for why something that was wrong was being done. It was his faith in law which told him, in effect, to say to me, "I don't know what you'll find, but if you look hard enough, go deep enough, you will find something, which if we are indeed right, will help us. And if you don't find anything, then it will be a sign that maybe, just maybe, we are not right." It was that faith in law that I think motivated him and must motivate everyone who cares truly about law and about law learning.

That's the first of my stories.

The second of my stories has to do with prejudice and it also involves me. Now, I don't think of myself as a person who is prejudiced. I think of myself as a person who is as open minded as they come, open to all views, all people, all differences. And like most people, while I believe that and try to be that, I don't always succeed. We all have biases. And I must tell you about a biased prejudgment that I made.

Some years ago, there was a student at the Yale Law School, a graduate student, from South Africa. He was a wonderful kid. White guy, very much involved in all sorts of things in the community, doing all sorts of things during his time at Yale. He spoke very often about what was happening in South Africa, and how to change the situation there. He became my student and a really good friend. As the time approached for his graduation, he told me that his parents were coming from South Africa for the graduation. And I said, "Oh, isn't that wonderful. I'll be so glad to meet them." I wanted to meet the people who were responsible for rearing, in that setting, a youngster as fine and as decent as this youngster was. I then asked, "What do your parents do?" He told me that his father was the head of the Afrikaaner Church. And frankly, I froze. The Afrikaaner Church at that time was the pillar, the greatest supporter, of apartheid. This student's father was the head of that church. He was coming to the Yale Law School and I was supposed to greet him.

Such is the nature of prejudice; I said to myself, "I can't do that. I don't want to shake the hand of somebody who stands for that kind of evil. I just don't want to do it." On the other hand, I was Dean and this was a parent who was coming, and Deans are supposed to be very polite to parents, almost as

much as they are to alums. But, more important, this was the father of one of my kids whom I'd come to love dearly. And so, more out of politeness than out of conviction, when he came, I decided that I would greet him. When he arrived, he looked like the stereotypical Afrikaaner, tall, thin, and holier-than-thou in expression. The sort of person, who put me in mind of the man about whom Churchill once said, "There but for the Grace of God, goes God Himself." I gulped again, because his appearance seemed to confirm all my prejudices about South Africa.

Nevertheless, I reminded myself that he was my student's father and I greeted him. And we had a pleasant conversation. We didn't talk about anything substantive but it was pleasant, and he felt welcomed. When graduation ended he went back to South Africa. Three weeks later, this man got up and said, as head of the Afrikaaner Church: "apartheid is a sin." He said that it was not only wrong, that it not only had always been wrong, but that it was *a sin and had to be rooted out of South Africa*. It was that statement, more than any other, that was the beginning of dramatic change in South Africa. It formed the moral foundation for everything else that has happened.

When I read this statement I said to myself, "Good God, it was politeness, your job as Dean, no more than that, that caused you to be nice to this person who did something as heroic as that. How would you have felt if you had not been polite?" The story has a tragic end, because earlier this year, this man was murdered in South Africa. As he played with his grandchildren, he was shot by an extremist who had never forgiven him for making that statement, for leading the change. I spoke to his son, my former student. And we cried together as I told him for the first time about my prejudice and how ashamed I was that I had approached the issue from a position of prejudice rather than from a position of openness to what someone could be, might be.

I say that to you because I am still moved by this, obviously; it is something quite recent. But I also tell you this because it seems to me that there are two things that ought to guide you as lawyers, as law teachers, as law students, as people who benefit from this place. One is faith in law and in what it can do and what it has done in its basic understanding and desire to represent all that is best in humanity. And the other

is faith in people. Faith in people, which is the opposite of prejudice. It means in every case, look to what people may be, look to what they may do, look to what the hope is. Don't prejudge. Work with them. Because, if you do those two things, if you put faith in people, together with faith in law, you will be true to what this school has stood for from its founding nearly 100 years ago, true to the reasons for the dedication of this building today, and true to what this school must be 100 years from now.

Thank you.