

TRIBUTE TO JOHN SEXTON

What is it that makes John Sexton so special?

It is a combination of qualities that makes him so unusual as to be more nearly unique than rare! Let's go back and see how this all came to be.

First, one should never forget his background in history and religion. Before he had anything to do with law, he was a tenured professor and real scholar of comparative religion and history of American religion. This has given John an insight into America that virtually no other major legal scholar today has.

Second, he became a terrific student at Harvard Law School (a school he has since done wonders to bring down a notch or two by raising his own), and a top-flight lawyer. He then proceeded to clerk for three of the most interesting and contrasting legal figures of the mid-twentieth century. To be able to work successfully with Judge Bazelon and Chief Justice Burger—who were titans and well known for their deep distaste for each other—and for the remarkable Harold Leventhal, who was both master politician and legal craftsman, bespeaks a capacity to see the best in the most diverse of people and to enjoy and learn from that diversity.

Third, he developed into a truly serious *legal* scholar, a person who understands the subtleties of our Constitution in its most complex aspects.

He did all this, before he found his singular *métier*, as the pre-eminent academic administrator of our time. What is it about his background that has made John so good at what he does now, and has been doing for the last fifteen years?

(a) Academic administrators must be understanding of faculty and students. It is said that the dean of Chicago Law School used to spend a considerable amount of time reassuring Ronald Coase that he was a pretty good economist, and the dean of Yale telling Charles Black that he was a fine constitutional law scholar. Lord knows, as I often say, one doesn't build a great law faculty or university on the basis of psychological stability. And the dean and president must provide that stability for those who have better things to do than be stable. But that can only be done if one is smart enough to be respected by those scholars and one knows the loneliness of, as Grant Gilmore used to say "committing scholarship." Think back to John at Harvard, and to John's writings. He is *very* smart and he has done scholarship; he knows!

(b) Academic administrators must love people. They must be able genuinely to see what is admirable in those who can support their institution. The relationship between donor and dean or president cannot be a utilitarian one, it must be based on friendship in a common enterprise—so that when fund raising is done, the former dean still looks forward to spending time with his or her great supporters, as friends. And this requires appreciation for what is fine and interesting in the most diverse of people. Think back to John's clerking for Bazelon and for Burger.

(c) Academic administrators must have distance and the capacity for deep insights. They must understand this nation and its paradoxes in order to be leaders in American education. Think back to John as historian of American and comparative religion.

(d) Academic administrators must be generous—that is, perhaps, the most important of all. It is what made Gene Rostow a great dean at Yale, and it is an inherent quality that one either has or lacks. How John got *this* quality, I don't know, but he is generous in every way: of his time and of his person, as much as of his funds. In the end, it is this last trait—generosity—that makes me love him so much. It is what gives life to all the others, and combined with them, makes me rejoice in joining to honor John as a master builder, a wonderful scholar, and a true friend.

GUIDO CALABRESI

Judge

United States Court of Appeals
for the Second Circuit