

TRIBUTE TO NORMAN DORSEN

Since 1966, Norman has been my mentor, teacher, co-conspirator and friend. I believe that Norman is the best institution builder in American legal education in this century. Let me defend this extravagant claim. Most obviously, he took the ACLU, which was an important but very small and somewhat marginal group, and turned it into a much larger, more vibrant, and more important force in American society. He did similar work with the Lawyer's Committee for Civil Rights. He, more than anyone else, has created the vibrant new Global Law School Program that we have at NYU School of Law. Of the institutions Norman has built, I want to talk about two that have special meaning for me: the Arthur Garfield Hays Program and the Society of American Law Teachers.

For almost thirty years I have been co-director with Norman of the Arthur Garfield Hays Program, and in the early years of the program Norman was a real lawyer. He litigated some of the most important civil liberties cases of our time. *Levy v. Louisiana*¹ first recognized that policies discriminating against children whose parents are not married are constitutionally suspect. *Flast v. Cohen*² held that taxpayers have standing to challenge governmental programs alleged to violate the Establishment Clause. *United States v. Vuitch*³ was an important precursor to *Roe v. Wade*.⁴ As a lawyer, Norman combines incredible imagination, vision, and empathy with the cause, with the most excruciating, meticulous attention to detail. Anyone who has ever worked with him knows that, as a hallmark of his work, everything goes through many drafts.

The Hays Program is a small program. Each year we select five or six outstanding third-year NYU Law students who are outstanding both because of their commitment to civil liberties and also because of their ability to do high quality work. The program is small and we all get to know each other very well. We learn from Norman and benefit from his extraordinary skill as a mentor. Norman has an amazing capacity to listen and hear. And he is so well connected and widely admired that he can make connections and help Hays fellows and colleagues to be more effective and happy in our lives. The Hays Program has become a "Who's Who" of public interest law in the United States, but it's also very much like a family

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1. 391 U.S. 68 (1968).
 2. 392 U.S. 83 (1968).
 3. 402 U.S. 62 (1971).
 4. 410 U.S. 113 (1973).

to us. Norman keeps us in touch, and we continue to support one another.

Another organization he created is the Society of American Law Teachers, founded in 1974 with Tom Emerson, Ruth Bader Ginsburg, and others. The Society of American Law Teachers (SALT) is dedicated to improving American legal education. It is the only membership organization for law teachers in the country and now has over 800 members. It is one of the most effective organizations in the country at helping law teachers be better teachers, promoting diversity in the profession and in the academy, and weighing in on important legal cases and important bills in Congress. For the most part SALT does all that without any paid staff and no resources, except for its modest dues. It depends entirely on the volunteer efforts of people who are already seriously overextended. Norman created this magnificent organization.

Both of these programs—the Hays Program and SALT—also pay tribute to the fact that Norman is one of the most small “d” democratic people in the world. He runs a great meeting and assures that ideas with which he disagrees will be heard fully and fairly. Over the years he has allowed both the Hays Program and SALT to grow in ways that he would not necessarily have foreseen or even have supported, but that nevertheless prove to be wise.

For all this and more, I say, “Thank you, Norman.”

SYLVIA LAW

Elizabeth K. Dollard Professor of Law,
Medicine and Psychiatry
New York University