

TRIBUTE TO JOHN SEXTON

I first met John Sexton in the summer of 1980 on the fifth floor of Vanderbilt Hall, where we had our offices. I quickly recognized John as a man with a fine mind and remarkable talents. We became close friends.

This afternoon I want to talk about friendship, and John's extraordinary capacity for it. In order not to embarrass anyone, I will focus on a telephone conversation I once overheard between John and a man who remains anonymous to me.

I and my family were visiting John, Lisa, and Katie at Fire Island when the phone rang. John answered it. I deduced that an alumnus, whose cancer-stricken wife had just taken a turn for the worse, was seeking John's help in finding highly specialized treatment for her at the NYU Medical Center. John easily could have satisfied his obligations as dean and as a friend by jotting down the necessary information and putting his friend in touch with the appropriate person at the Medical School. The conversation would have lasted less than five minutes.

But John's friendship always went beyond the minimum. He quickly turned the conversation in a new direction—one where he could provide special help. He answered his friend's questions about how to cope with his impending loss and how to show his love for his wife in the brief time she had left. He spoke with his friend for an hour.

Whoever telephoned John that day on Fire Island was not his closest friend; many others in the room today would claim to be closer. But John never ranked his friends when it came to addressing their needs. He simply gave them whatever he had the capacity to give. And he never asked anything for himself in return.

Many of you know how much I love and treasure John. And, you are undoubtedly thinking that I am treating John Sexton as a saint and today's proceedings as the first step toward beatification. John is, indeed, a son of the Roman church, which taught him much of what he knows. But he is no saint. Like me, John understands the church mainly as an institution for mobilizing energy and power rather than as an institution of virtue. And, he always demanded something, though never for himself, in return for his friendship. He insisted that his friends participate energetically in the common enterprise he was striving to create—the world's leading academy of legal thought and legal education. John, that is, used his friendship to energize and empower us—to form us, in his

words, into a community that could achieve far more collectively than any individual could achieve alone.

I want to end by focusing on what I have just said—on how John used friendship not only to help us as individuals but also to build the Law School. John's approach is actually a familiar form of governance. A negative spin on that form of governance would see John as a benevolent monarch dispensing favors in return for loyalty. The danger with monarchy, of course, is that it can turn into despotism, with the monarch dispensing favors unequally and only to preexisting friends. John always managed to avoid this danger, however, by his extraordinary capacity for and broad offer of friendship to new and old acquaintances alike, by his uncanny ability to listen to the differing needs of different friends, and finally by his practice of minimizing problems of unfairness and inequality by helping friends in different, incommensurate ways—some with financial resources, some with connection, some with attention, and some merely with respect. He understood what each of us needed, gave it to us graciously, and left us with no reason to be jealous when someone else received something we could not use. This was a very special accomplishment.

It would be nice to think that law schools can be administered democratically and, at the same time, strive for excellence. But historically, democracy has not flourished under great deans, and democracy is not John Sexton's legacy to NYU Law School. He made us better in two other ways.

First, he supported each of us individually by the friendship he extended. I know no one who possesses such a gargantuan capacity for true friendship. Above all, as I have said, he listened to and understood our needs, and he responded to those needs, not to his own internal dynamic. As I also have said, he asked nothing for himself in return for his friendship.

But he demanded commitment to the Law School. This was his second contribution. John understood that he alone could not make the Law School great; only hundreds of people, working together, could do that. He also understood that democratic debate most likely would not motivate the faculty and the other elements of the community—that it would lead to escalation of self-interested conflict rather than to compromise and cooperation. What worked was befriending colleagues and then asking them to befriend and cooperate with each other.

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Today we celebrate the remarkable accomplishments of our wonderful friend. We thank him for what he contributed to us and even more for inducing us to contribute to each other.

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