

TRIBUTE TO NORMAN DORSEN

How do you say “thank you” to a colleague who, for 35 years, has been a mentor, a dear friend, and an inspiration? I met Norman Dorsen in 1967 when, three years out of law school, I joined the NYCLU as a staff counsel. Norman was, by then, a leading figure in the civil liberties world. He showed that it was possible to straddle the gap between a cloistered academic existence and the life of an activist lawyer. I watched while he took the early cases challenging the legality of the war in Vietnam, and used his academic expertise to shape them, in the course of a brilliant oral argument before the Second Circuit, into a powerful analytical challenge to a runaway Executive branch. I never forgot that lesson in the possibility of bridging two worlds.

In 1972, while I was serving as Assistant Legal Director of the ACLU, Norman encouraged me to teach a course in constitutional litigation as an adjunct professor at NYU. Norman persuaded the curriculum committee that the course was worthwhile, and that I would not do irreparable injury to the students. In 1973, Norman consoled me when the NYU Personnel Committee decided to pass on making me a permanent offer. In 1974, he succeeded in persuading the Committee to give me a chance at full-time teaching. In the 27 years that we have served together on the NYU Law faculty, Norman has been the institution’s First Citizen. Three successive deans’ have turned to him for counsel and guidance, and, more importantly, for generous service on the school’s crucial organs of self-governance. Norman has spent more time on the NYU Personnel Committee than the Eighth Amendment allows. His commitment to intellectual excellence, coupled with an unswerving insistence on toleration for points of view with which he disagrees, and his knack for fair procedure, is one of the reasons NYU Law School has emerged as an institution of excellence blessed with a remarkable sense of toleration and good will.

During the early years of my academic career, Norman and I (together with Paul Bender and Sylvia Law) worked intensely on the Fourth edition of *Political and Civil Rights in the United States*, a work explicitly designed to link academic research with the practical needs of civil rights/civil liberties lawyers. Norman saw to it that we respected the high standards that Tom Emerson and David Haber had set in the earlier editions of the work. Norman presided over the decision to split the work into two volumes to reflect the enormous explosion in the law, and ruefully noted that, like

Diderot and the French encyclopaedists, we were the last generation to purport to be able to put all human knowledge between the covers of a single book.

In 1981, Norman, by then the President of the ACLU, encouraged me to take on the daunting role of ACLU National Legal Director at the beginning of the Reagan era. As with Norman's presence at NYU Law School, his stewardship of the ACLU was wise, generous and unfailingly fair. He made it possible for me to devote all my energies to substance, immersing himself (along with Ira Glasser, the ACLU's indefatigable Executive Director) in the less-rewarding, but enormously important operational details of the organization. Norman helped build a great and important stage on which others could perform, and never fell prey to ego or petty jealousy. I didn't take an important step as ACLU Legal Director without seeking Norman's counsel.

After I returned to full-time academic life at NYU in 1987, Norman and I, now in the amateur phases of our careers, thoroughly enjoyed the rise of NYU Law School to national preeminence, often commenting on how fortunate we were to serve on a faculty of such extraordinary intellectual power. As usual, Norman was in the thick of the institution's good fortune. His most recent contribution—the building of a Global Law School program that has transformed the physical and intellectual life of the school by bringing distinguished faculty and students to NYU from around the world—is a testament to his unflagging energy and good judgment.

Thank you, my friend, but don't think that you've earned a slow fade into the sunset. You are the hub of many worlds. Your small army of friends and admirers continue to rely on you for wise counsel, generous assistance, and untiring institution building. Not bad for the first forty years.

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