

# The Casper Deanship

Mary Ann Glendon

It is uncommon in the contemporary law school world for a dean's tenure to extend much beyond five years. Still more unusual is it for a law school dean to serve a long term during which the respect and admiration in which he is held not only subsists, but increases. Rarest of all is a dean who, in addition to performing his day-to-day administrative duties, can implement a coherent vision of legal education. This, some would say, was possible only in the past when institutions of higher learning were less bureaucratic, and students and faculty members were more docile than they are today. But the University of Chicago and its law school have never been

like other academic institutions, and Gerhard Casper has not been like other deans. Thus, as he concludes a nine-year term, resisting entreaties from all quarters to remain, it is appropriate to reflect on what the Casper deanship has meant in the life of the University of Chicago Law School.

University legal education, in its aspiration to combine training for a profession with the advancement of learning in an important branch of the human sciences, sets itself a task that, under the best of conditions, is hard to realize. In recent years, as law schools have entered a period of questioning and re-examination of their traditional methods and aims, the difficulties have intensified. Whether this will turn out to be a beneficial process of growth and renewal in American law schools, or a prolonged crisis of paralyzing doubts about their very reason for being, is uncertain.

It might seem that the task of a dean in times like these is at least easier than it was in, say, the 60s when educational institutions were subject to

direct assault. But, as Gerhard has been heard to say, "May you live in interesting times" was an ancient Chinese curse. And, in fact, in the years of the Casper deanship, the problems have been more complex, the course of wisdom less clear, the costs of mistakes higher, and their effects longer lasting, than previously. American law schools have been beset by a series of temptations to neglect one or the other of their basic aims. At the same time, they have had to calculate how to achieve a healthy diversity, without compromising the quality of their student bodies, faculties, and programs. Often, decisions that seemed easiest, most agreeable, and in themselves relatively unimportant, have cumulatively propelled law schools in directions they did not anticipate toward destinations unknown.

Gerhard Casper was precisely the right person to guide the University of Chicago Law School through these trying years. A colleague who has worked closely with him has said that Gerhard's greatest administrative strength has perhaps been his ability to say "no," but to say it in such a way

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that no one feels that his case has not been fully heard or that he has been unfairly treated. When faced with hard decisions, Gerhard seems to have been guided by a vision of a law school within a university dedicated to the life of the mind. A certain idea of excellence, entirely consistent with what the University of Chicago has always stood for, seems to have enabled its law school to remain, for the most part, aloof from passing educational fads and intellectual fashions. On several occasions, Gerhard has carried the Chicago ideals outside the walls of the university, especially when the autonomy of law schools was threatened. Within the A.B.A. and the Association of American Law Schools, his has been one of a few courageous voices raised against homogenizing and stultifying regulation. To be sure, the law school did change and develop under Gerhard's leadership, but in its own way, not in accord with the reigning opinions of the day.

We have all reaped the benefits. Students know that employers of all sorts have confidence that the Law School is still producing excellent lawyers; there is little room for dry rot in its lean and rigorous curriculum. The faculty has been encouraged to do what it does best—teaching and research—taking less pride in being the most productive law faculty in the United States than in its achievements on many frontiers of knowledge.

Gerhard would be the first to say that his successes as a dean have been due in no small part to the fact that he has enjoyed the wholehearted support of a constantly debating, yet cohesive, faculty. But the support of such a collection of individuals is not lightly given. Thus an appreciation of the Casper deanship involves consideration of those personal qualities that

enabled Gerhard to earn and retain the extraordinary confidence of the law school community.

Those persons who have worked with and for him always mention first among those qualities his honesty and fairness. Colleagues describe him as a good listener, one who is considerate of the feelings of others, yet who does not traffic in insincerity or false praise. A superb administrator, he is nevertheless, first and foremost, dedicated to scholarly values. Professors appreciate the attention and understanding he has given to their work. In



*Gerhard Casper*

conducting the internal and external affairs of the law school, he has shown himself to be a man of principle with a prudent awareness of the world as it is.

Less important than all these qualities, perhaps, but adding a special

luster to the deanship, are the grace and elegance that have characterized Gerhard's every public appearance. What student, faculty member, or graduate has not felt, while listening to this urbane, intellectual, and handsome man, a deep sense of pride that he represented us and the school to the world at large? Nor is this simply a matter of style, for beneath the surface wit and polish of the talks he delivers so effortlessly there burns the hard blue flame of a restless and critical intelligence. On countless occasions, Gerhard has been—to our delight—the very personification of the Law School. Even his faintly accented English is pleasing, evoking memories of the great emigré scholars of the past, and reminding us of the way in which a real university may be in, but not of, a particular nation state.

Finally, the Casper deanship has been the living refutation of the notions that the University of Chicago Law School is a monolithic bastion of conservatism; that the glass menagerie is an ice palace ruled by economists. A humane, clear-eyed, European social democrat, Gerhard has presided over a community in which politics fuels dialogue, not divisions. And his own distinguished accomplishments in political theory and empirical social science are part of the long *multidisciplinary* tradition of the Law School. It is pleasant to look forward to the resumption of his work in the fields of constitutional and comparative law, and political science. Like the virtuous citizen-statesmen of the period in American history he loves best, Gerhard now returns to a more private life with the sure knowledge that he has not only preserved but added to the greatness of the institution he served. ■