

Commencement Remarks

Dean Joel Seligman

After twenty-eight years as a law professor, today marks a graduation for me as well. Soon I will become President of a university that has no law school. Washington University School of Law will always be my law school.

I end my career as a law professor as I began it—in love with the idea of law itself. Each day brings renewed evidence of how many decisions in our world are made on the basis of strength of arms, blind prejudice, wealth, or status. The law, for me, has always been the great alternative. We resolve disputes not by violence, but on the basis of facts. At our best, the law applies standards neutrally. At its best, each person is equal before the law; each person is entitled to justice made in accordance with due process of law; the law, in theory, is intended to protect the rights of all.

I have loved each moment of the past twenty-eight years as a teacher. The opportunity to have studied and mastered a field of law has been augmented by the joy of being able to write for twenty-eight years what I believed, without the need to satisfy anyone but the ever increasing standards of a scholarly community. I have been blessed by academic freedom. Only one blessing has been greater. That has been the pleasure of teaching students. I have witnessed students learning a new field, but more than that, I have witnessed students' growing self-confidence and mastery of legal reasoning—what we teach best in law school. As I close this part of my career, a few of my earliest students are now grandparents. Each of the close to 10,000 students I have taught will remain for me the greatest achievement of an academic career.

What ultimately have I learned? At the end of the day, I am struck by how different my career has been than I thought it would be. My father was a lawyer who became a film producer and was the wisest man I ever met. I grew up wanting to work with him. He died when I was nineteen. He had urged me to go to law school, as he had done,

and largely for that reason, I went. When I graduated, I had planned to return to Los Angeles to work in the film business, but discovered that I had developed an allergy to that business.

What proved to be the pivotal event of my career was an accident. In my final year in law school, I was required to write a third year paper. I sought out Archibald Cox and asked if he would supervise my work. He agreed and suggested I write about the *Red Lion* case. I had no idea what this case was about, but cheerfully said, "That sounds good to me."

A few weeks later at about 10:00 p.m. on a Saturday night, Professor Cox telephoned and apologized that he had been called to Washington and would not be able to supervise the paper. The next day I learned that he had been appointed as the Watergate Special Prosecutor. That was good for him, good for the country, but left me in a state of desperation.

I rushed to school Sunday morning and found a brilliant, young professor of jurisprudence in his office. I asked—or perhaps begged—him to supervise my paper, to which he readily agreed. He then asked what the paper was about. I told him I did not have a topic. He said something like, "Write something grand, be original."

So I decided to write a novel about university education. Having recently reread that novel, I can say with no fear of contradiction that it may be the most tedious work of fiction ever composed. I have no fear of contradiction because it was not published. Out of sympathy for anyone who might inadvertently read it, it never will be.

But the book has one relevance today. Its protagonist is a university president. He is, to be sure, insufferably boring and almost inhumanly obsessed with what he terms rational decisionmaking.

The book was never finished. After about 160 pages, borrowing obviously from Clark Kerr, Plato, Thomas Mann, F. Scott Fitzgerald, as well as my undergraduate years at Berkeley, it ground to a halt in the middle of the trial of Professor Jan Petrovich, before I had the chance to adopt any more text from *The Trial of Socrates*. It is that rare work of fiction with footnotes.

Now I have the chance to go off and figure out how the novel should have ended. In a broader sense, I have been powerfully reminded never to give up on a dream. In my heart I always wanted

to be a more human version of the cold blooded fictional President, but assumed that I would never have the chance.

Oh—and I have also learned—never throw anything you write away. As awful as the novel was, it ultimately told me more about who I was and who I wanted to be than anything else I wrote in law school.

Members of the Class of 2005, let me end my remarks as I did the first time I spoke to a graduating class at Washington University School of Law in 2000, “Aim high.” These two words constitute the entirety of the best graduation speech I ever heard. You can even commit them to memory: “Aim High!” And best of luck to each of you. May your dreams be realized!