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## A Tribute to Dean Sacks

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## A TRIBUTE TO DEAN SACKS

*by Phillip I. Blumberg\**

Howard Sacks—Professor of Law and former Dean of the School of Law—is an old and good friend. I write about him with admiration for his many contributions to the School in two decades of devoted service, with appreciation for his warm friendship over the years, and with affection. He is a good man—conscientious, deeply concerned with the needs of his fellows, and loyal to people, institutions, and principle.

These admirable personal qualities shine in any review of his years at the School of Law. It is a record of splendid achievement. Those of us who look with pride at the growth of the School of Law into an institution of widely admired quality must salute him as one of the principal contributors to this happy development. In many ways, he is a major architect of the School of Law as we know it today.

His tenure as Dean of the School from 1967 to 1972 saw the School undergo major changes of inestimable importance for its progress. Under his leadership and against serious opposition, the School undertook a series of sharp changes of direction that decisively influ-

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enced its development.

A brief recitation of the issues in contention vividly demonstrates the fundamental nature of the controversy:

(a) Change of orientation of the School from an institution preoccupied with local problems and local law to an institution giving priority to national and international problems and law, while not losing sight of its special responsibilities as the state law school.

(b) Change of the School from an institution concentrating narrowly on the professional training of lawyers to an institution of higher education concerned with all aspects of the role of law in the society. With Holmes, he believed that the best training for lawyers was the study of law "in the grand manner."<sup>1</sup> This saw the expansion of the curriculum from an exclusive concentration on law in the narrow sense to include a strengthened alliance with related social sciences. Years before they achieved general acceptance in American legal education, law and psychiatry, law and economics, and law and history were part of the intellectual life of the School.

(c) Enthusiastic acceptance of clinical education. As a member of the Board of Trustees of the Council on Legal Education in Professional Responsibility, Dean Sacks was a leader in the national movement for recognition of the vital added dimension that clinical education could bring to traditional legal education. The School was among the earliest to enlarge its curriculum to include clinical programs.

(d) Resolute rejection of political intrusion into the direction of the School. Responsible for the School in one of the most turbulent periods of American education, Dean Sacks stoutly resisted political pressures to force the School, and particularly the activities of its newest innovation, the Criminal Clinic, to subordinate educational values to political considerations. At high cost to himself and considerable, although only temporary, cost to the School, he refused to adapt School policies to appeal to the political views of those with political power.

In support of these objectives, Dean Sacks was responsible for attracting to the School new faculty of high quality, commitment to scholarship, and dedication to the School. These additions played an important role in the successful realization of the promise of the new educational objectives.

In these and other ways, Dean Sacks was responsible for the adop-

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1. O.W. HOLMES, *The Use of Law Schools*, in OCCASIONAL SPEECHES 36 (1962) (Oration before the Harvard Law School Association, November 5, 1886, on the 250th Anniversary of Harvard University).

tion of a new sense of mission and a new view of the School's destiny. His aspirations were greeted with enthusiasm and firmly supported by most of the faculty. Representing a major change for the School, the new vision not unexpectedly was received coolly, and even with hostility and bitter opposition, by some faculty and alumni wedded to an older outlook. What may only be described as a struggle for the soul of the School ensued. Like almost all contests with much at stake, the costs were high and serious casualties were incurred. In the end, however, the gains were profound, and the losses short-lived.

Eventually, the new directions were accepted, and the School moved forward with near unanimity in all constituencies—faculty, alumni, and students—to develop the vision for which Dean Sacks was largely responsible. In subsequent years in his role as Professor, Dean Sacks was an enthusiastic participant in the further progress of the School. As Professor and as Dean, his service has been distinguished. The School, as it stands today, strongly reflects his imprint.

Coming after Dean Sacks, I recognized that I was building on the foundations firmly erected by him. I am keenly aware of the many ways Dean Sacks has helped to make realistic my own high aspirations for the School and has helped to make possible much of what I was able to accomplish.

His contributions have not ceased with his term of service. They continue to bear fruit. Years later, they are more evident than ever.