

## WHY IS JAMES O. FREEDMAN GOING TO IOWA CITY?

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### THE QUESTION PRESENTED

Dean James O. Freedman is a lawyer-humanist. His life in the law has been one of marked simplicity. He graduated from Yale Law School in 1962; served for a year as law clerk to an eminent Circuit Judge—Thurgood Marshall; spent the following year as an associate at Paul, Weiss, Rifkind, Wharton & Garrison, and then joined the faculty of the University of Pennsylvania Law School, where he has remained ever since. The blandishments of other great law schools (including his *alma mater*) to shift his academic allegiance have left him unmoved. Now, after eighteen years at Pennsylvania—eighteen years in which he has established himself as one of the nation's leading scholars and teachers of administrative law—Dean Freedman has decided to separate himself from Pennsylvania and teach law at another institution: the University of Iowa. One might have thought that a Dean properly grounded in Philadelphia's past would have recognized that "a decent respect to the opinions of mankind requires that [the Dean] should declare the causes which impel [him] to the separation." Regrettably, no adequate declaration has been forthcoming. And so it remains for others to try to explain, if not defend, the Dean's heresy.

The key to a proper explanation is to be found in a little-noticed aspect of Jim Freedman's appointment at Iowa. In addition to being Professor of Law, he is to be President of the University. Many would find that this added fact, far from explaining, only adds to the puzzlement. Why should anyone—even a product of the rocky soil of New England, imbued with that region's curious work ethic "more is better"—want to do two jobs at once?

### THE ANSWER TO THE QUESTION

In doing two jobs at once Jim will simply be continuing a pattern begun long ago. At Pennsylvania, while devotedly pursuing his teaching and scholarship, he has cheerfully acquiesced in every presidential/provostial/decanal request that he lend a hand at the University's unglamorous managerial tasks, serving succes-

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sively as Ombudsman, Associate Dean of the Law School, Associate Provost of the University, and Dean of the Law School. Jim has, in short, been an exemplary citizen of the University. But he has also put his University citizenship to scholarly use in aid of his inquiries into the administrative process: In fulfilling his various management responsibilities, Jim has, in effect, made the University a laboratory in which to observe administration and to undertake to improve it. Viewed in this light, Jim's accession to the presidency of a leading university is the proper—indeed, almost inevitable—synthesis of his twin academic concerns: Jim's vocation is education; his avocation is administration. As with his fellow son of New Hampshire, Robert Frost, Jim's "object in living is to unite [his] vocation and [his] avocation, as [his] two eyes are one in sight."

Transcending Jim's vocation and avocation is his calling.<sup>1</sup> He is a lawyer, and a very gifted one. His professional life has been devoted to thinking about "the wise restraints that make men free." In aid of his thinking, he has read widely in many disciplines, and absorbed what he has read.<sup>2</sup> His turf is the campus but he is at home in the world.<sup>3</sup> He will make his way from Pennsylvania to Iowa—from state to state and university to university—with confidence. He will fulfill his new responsibilities with distinction.

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<sup>1</sup> At the risk of offending the etymologically sensitive, "calling" and "vocation" are here assigned different meanings: "calling" here connotes one's discipline; "vocation," how one makes one's living.

<sup>2</sup> Notwithstanding our profession's professions, not all lawyers are learned. Nor are all law professors. Jim Freedman, a newspaper man before he was a lawyer, was addicted to books before he attended Yale Law School; the addiction survived Jim's study of law, for some of Jim's professors shared and encouraged his habit—most notably, the professor who most strongly influenced Jim and so many of his contemporaries, Alexander Bickel.

<sup>3</sup> A current instance of Jim's public citizenship is his several months' service as chairman of the Legislative Reapportionment Commission, convened, subsequent to the 1980 census, "for the purpose," as defined by the Pennsylvania Constitution, "of reapportioning the Commonwealth." PA. CONST. art. 2, § 17(a). Jim was selected, pursuant to the constitutional scheme, by the four constitutionally prescribed members of the Commission—the majority and minority leaders of Pennsylvania's Senate and House. PA. CONST. art. 2, § 17(b). The Commission's reapportionment plan has been sustained by the Pennsylvania Supreme Court. *In re* Reapportionment Plan For The Pennsylvania General Assembly (Pa. Sup. Ct. Dec. 29, 1981).