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# A TRIBUTE TO DEAN HOWARD I. KALODNER\*

THE CHARACTER OF DEAN KALODNER

JANET H. PUMPHREY\*\*

The words of Justice Felix Frankfurter, for whom Howard I. Kalodner clerked after graduating from law school, in his famous tribute to Louis Brandeis, could apply with equal force to Dean Kalodner:

‘Two dominant sources of our culture are Hebraism and Hellenism. They express the intellectual and moral impulses of man. Not often have these two streams of Western civilization been so happily fused as they were in the great man whom we are bidding farewell.’ [His] ‘pursuit of reason and his love of beauty’ were Hellenic, . . . ; his ‘ceaseless striving for perfection’ paradoxically combined with his ‘inner harmony’ were Hebraic.<sup>1</sup>

Of course, we are not bidding farewell to Dean Kalodner. He is stepping down as Dean of Western New England College School of Law, but happily for us, he will continue at Western New England, filling his professional life with the academic pursuits of teaching and writing, and filling his personal life with the wondrous rewards of fatherhood. Dean Kalodner’s “inner harmony” and “love of beauty” are most notably apparent in the picture of his caring for his son, Harry.

In his “ceaseless striving for perfection,” Dean Kalodner has, over time, carefully steered faculty appointments to acquire for Western New England College School of Law faculty truly representative of the best and the brightest. He has fostered in that faculty both a sense of quality in teaching and a sense of academic excellence. Unlike many law schools founded upon a hierarchical,

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\* Editor’s Note: A tribute to Dean Kalodner written by Judge William H. Abrashkin, first justice of the Hampden County Housing Court and first editor-in-chief of *Western New England Law Review*, appeared in volume 16.1.

\*\* Editor-in-chief of *Western New England Law Review* ('90).

1. PHILLIPA STRUM, LOUIS D. BRANDEIS: JUSTICE FOR THE PEOPLE 416 (1984) (speaking at the funeral service of Louis Brandeis on October 7, 1941).

even inimical model, Western New England College School of Law under Dean Kalodner's guiding hand has promoted the accessibility of faculty members and encouraged the interaction of students with faculty. The supportive atmosphere is conducive to student dialogue and assumption of leadership, both invaluable attributes for attorneys.

It is Dean Kalodner's support of *Western New England Law Review* that provides the best example of his "ceaseless striving for perfection." If there were to be a law review at Western New England College School of Law, it would have to be on a par with the best. Dean Kalodner worked with the editors many, many long hours with each edition of the review (reading, re-reading, advising, and teaching). When my memory goes to my days as editor-in-chief and I envision the law review office, it is always with Dean Kalodner at one of the computers. He understood the importance of having good technical equipment and software; his love of tinkering with it ensured that it always worked perfectly for us.

Above all, Dean Kalodner cares very deeply about students. He cares that they learn the law, that they respect the law, that they are challenged in their study of the law, and that they are rewarded in their practice of the law. In his uncompromising "pursuit of reason," Dean Kalodner has been, and will continue to be, a superb professor.

On a personal note, Dean Kalodner was the reason I chose to attend Western New England College School of Law. The idea of returning to graduate school was something I approached with a certain amount of trepidation. I had graduated from Tulane University seemingly aeons ago, had worked for several years, and was married with two young children. With characteristic patience and common sense, Dean Kalodner discussed with me the fundamental decision of whether even to apply to law school. While my investigation of other schools had prepared me to expect the same type of rigid, traditional program at Western New England College School of Law, the course that Dean Kalodner described suited my needs perfectly. He not only offered the encouragement I needed to submit my application, but he proposed the part-time day program, which although difficult, proved to be manageable for a nontradi-

tional student with a family and a lengthy commute from the Berkshires.

During his seventeen years at Western New England College School of Law, Dean Kalodner has brought honor to the law school by his presence and leadership. He has nurtured the school to achieve its present status as one of the finest institutions for the study of law in Massachusetts, certainly a state preeminent in that field.

Ronald Dworkin's book-long definition of law in *Law's Empire*, concludes with a description of law's "attitude"<sup>2</sup> that could also be a description of Dean Kalodner's "attitude" about legal education. Following Dworkin's lead, Dean Kalodner would probably say that legal education is:

constructive: it aims, in the interpretive spirit, to lay principle over practice to show the best route to a better future, keeping the right faith with the past. It is, finally, a fraternal attitude, an expression of how we are united in community though divided in project, interest, and conviction. That is, anyway, what [legal education] . . . is for us: for the people we want to be and the community we aim to have.<sup>3</sup>

ONE STUDENT'S MEMORIES OF DEAN KALODNER'S UNIQUE  
COMMITMENT TO WESTERN NEW ENGLAND COLLEGE  
SCHOOL OF LAW

CHRISTINE L. CHINNI\*\*\*

When I was asked to write a tribute to Dean Howard I. Kalodner, I readily agreed. I thought it would be easy to say a few words about a man who had a long and illustrious career in the law, as a law clerk to Justice Felix Frankfurter of the United States Supreme Court, as a practicing attorney at two highly respected private law firms, as a public servant, and, most notably, as a teacher of law and legal scholar. I asked his wife, Professor Leora Harpaz, for a copy

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2. RONALD DWORKIN, *LAW'S EMPIRE* 413 (1986).

3. *Id.*

\*\*\* Editor-in-chief of *Western New England Law Review* ('91).

of the Dean's curriculum vitae, and outlined a high-toned, respectful catalogue of his many accomplishments.

Once I began to write this traditional testimonial, however, I realized that it sounded hollow. While it traced the Dean's long and fruitful career, it captured little of the man who fellow students and I knew and loved.

Slowly, I realized that while many people knew the story of Dean Kalodner's career better than I did, few could better describe the role he played in the life of Western New England College School of Law. My task, I decided, was to attempt to convey the role Dean Kalodner had played in my legal education and career. I know that many graduates of the law school will see some of their own experiences in what follows.

I first met Dean Kalodner at a law school day in Boston in the fall of 1988. I had recently arrived in Western Massachusetts from California, and planned to enroll in law school in 1989. I knew nothing about Western New England College other than that its location, Springfield, Massachusetts, was much closer to my home in Amherst than the University of Connecticut, Yale University or Harvard University, the other three schools I was considering. I must admit, I was skeptical about this law school of which I had never heard.

I walked up to the Western New England College School of Law table. An animated, energetic man reached over to shake my hand, and introduced himself as Howard Kalodner, Dean of the law school. I described my personal situation and qualifications to him. I also asked him about the law school's structure and curriculum. (I had just heard all about critical legal studies at the Harvard table.) The Dean spoke with great candor about the traditional structure and content of the first-year program at Western New England College School of Law, and the reasons he believed such an education to be an essential part of any lawyer's intellectual development. Unlike many others whose works I had read who agreed with this position, the Dean seemed neither defensive nor condescending, but rather thoughtful and straightforward.

I do not want to give the impression that my entire first encounter with the Dean was some kind of Socratic dialogue, however. He also described the various scholarships for which I might

be eligible, the excellent young faculty with whom he worked, and the exciting courses many of these faculty members taught. I spoke with him for a long time. As I left, he suggested that I should take and read a copy of the law review, to get a sense of the opportunities for me if I chose to attend Western New England College School of Law.

I was surprised and impressed that the Dean of a law school was willing, even apparently happy, to spend a day assisting in the school's efforts at recruiting students. I was also, to be honest, flattered that the Dean had taken the time to speak with me at such length at an event attended by hundreds of prospective students. What I found most remarkable about this encounter, however, was the pride, and the sense of ownership of his institution, that the Dean conveyed. Later, when I became a student at the law school, I learned from where this sense of ownership came.

Although I never took a class with Dean Kalodner, I came to know him in my second year, as a member of the law review. I will never forget that first day of law review orientation, a week before the beginning of the second year. The Dean came and spoke to us about the importance of the review. He talked of the review's role as an emissary for the law school, and as a research tool for practitioners, scholars, and judges. Always honest, however, he also shared with us some of his own, (not altogether positive) experiences as a member, and later, as an editor, of *Harvard Law Review*. When the Dean had finished speaking, we had as clear a sense as we could have of the glory *and* drudgery ahead. I was again struck by the sense of the Dean's willingness to play a role in an aspect of law school life that he might have justifiably left to others.

My next significant encounter with the Dean was again connected with the review—we met during my interview for the position of editor-in-chief. The Dean was a member of a panel of interviewers, which included faculty and law review staff. While I fully expected my note editor to grill me on the still-hazy aspects of my piece, I did not expect the Dean to offer substantive comments on it. I had written on an esoteric criminal law topic, well outside even the Dean's far-reaching intellectual interests. Yet, during the course of the interview, and during my later review of the Dean's

comments on my draft, it became clear that the Dean had read my note thoroughly and fully grasped the issue with which I had struggled for most of a year. Dean Kalodner even offered useful commentary and criticism. All of this in the context of yet another process which he might legitimately have left to others.

After my selection as editor-in-chief, I worked with the Dean more closely. When, late in my second year, I decided that I wanted to apply for judicial clerkships, the Dean advised me about the process, and about the individual clerkships for which I was considering applying. He also wrote letters of recommendation for me, including a personal recommendation to Justice John M. Greaney of the Massachusetts Supreme Judicial Court, who hired me.

He assisted me in many ways after I took over the reins of the review, as well. He spoke to my junior staff on the first day of law review, just as he had to me as a junior staff member the previous year. When I asked him to serve as a faculty reader for a junior staff member's note, he graciously agreed. Dean Kalodner also again read the notes and comments of every member of the law review who sought a position on the editorial board, and participated with me, my colleagues and other faculty members in the long interview process.

Finally, at graduation, I had one more encounter with Dean Kalodner as a student. As the recipient of the faculty's Norman Prance Award, I stood on the stage at Symphony Hall in tears while the Dean read a letter he had written to me. I cannot describe the way this letter made me feel, but I will never forget that moment.

In the time since then, I have come to know the Dean personally. The more I have gotten to know him, the more I have admired him—his intellect, his character, and his sense of humor. I have watched him, and his wife, Leora, with their young son, Harry, named for Howard's late father, Judge Harry Ellis Kalodner of the Third Circuit. Yet, more than anything else, I am still struck by what I first noticed in the Dean: his commitment to, and identification with, Western New England College School of Law. During the nearly seven years since I first met him, he has been intimately involved in all aspects of the life of the law school. This active role, then, is what lay behind his sense of ownership in the law school

that I noted from our first meeting. I cannot imagine the school, or certainly my own experience there, without him.

Luckily, the law school does not face such a loss. While Dean Howard Kalodner has left the scene, Professor Howard Kalodner will return, after a well-earned sabbatical. More students will enjoy his intellect and wit in the classroom (a pleasure that I, alas, never experienced). And so, as Howard embarks, with Leora and Harry, on this new phase of his life, I wish him well and thank him for all he has given me, and the law school, during the past seventeen years.

THANK YOU FOR YOUR CONTRIBUTIONS, DEAN KALODNER

PETER M. SEKA\*\*\*\*

Howard Kalodner's tenure as Dean of Western New England College School of Law has made an indelible impression on the students, alumni, faculty, and, most certainly, on me. From the start of my legal education, at the convocation of first-year classes, Dean Kalodner set the stage for a dynamic, challenging, and ultimately rewarding law school experience by emphasizing two key concepts. First, an exceptional legal education is only possible if everyone involved, students, faculty, staff, alumni, and supporters alike, completely dedicate themselves to this goal. Second, the law school environment must be a place where diversity in ideas and cultures is encouraged. I quickly came to learn that Dean Kalodner had more than fulfilled his part of the bargain. The challenge was living up to our role as students.

Dean Kalodner's commitment to excellence in legal education is evident in the law school faculty. Under his guidance, the Western New England College School of Law has recruited professors who are committed to researching, publishing, and, most importantly, to teaching. The intellectually nourishing environment he and the faculty have fostered has enabled students to flourish.

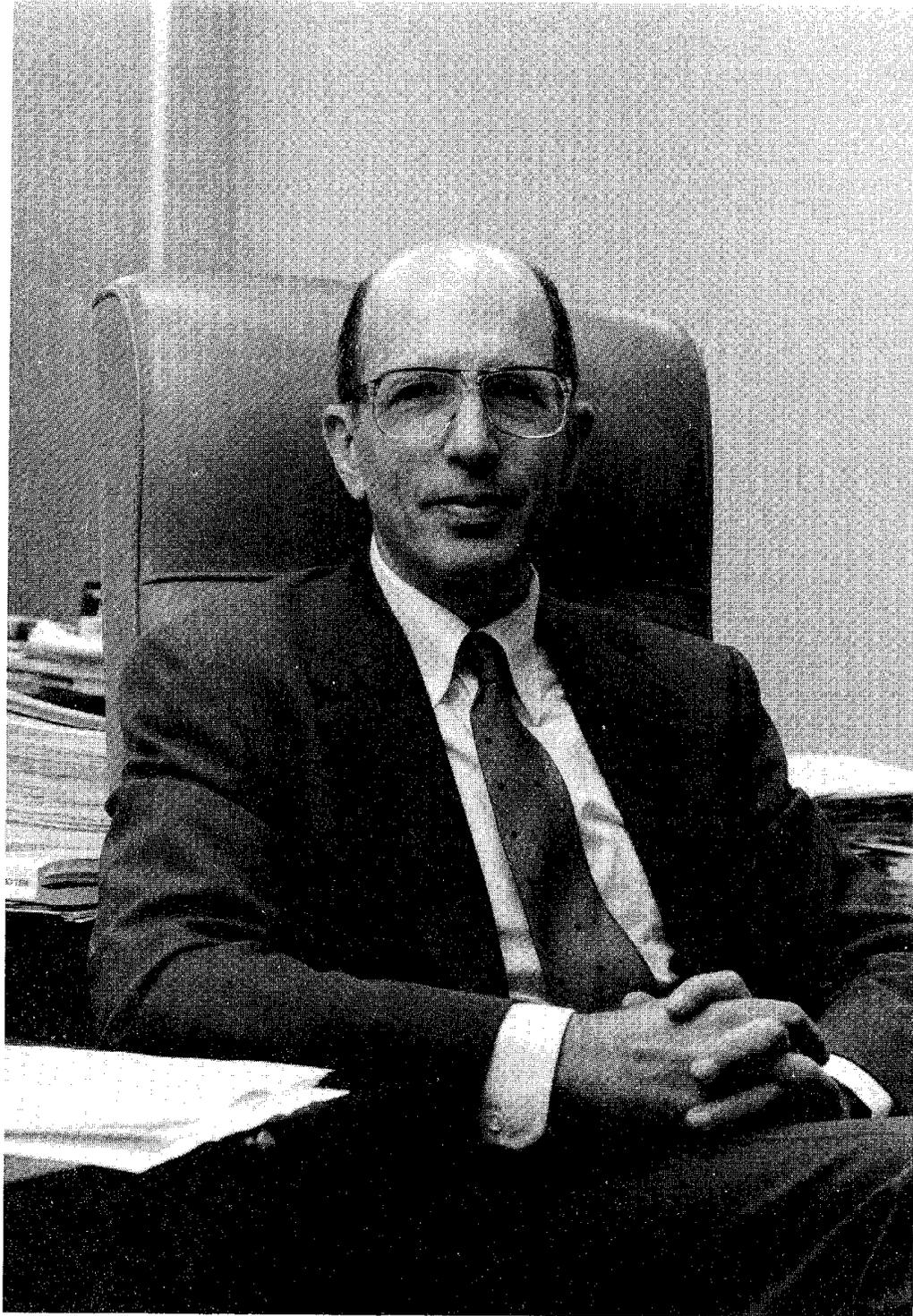
I learned first hand of Dean Kalodner's remarkable talents when I was a member of *Western New England Law Review*, particularly in my capacity as editor-in-chief. The law review had an un-

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\*\*\*\* Editor-in-chief of *Western New England Law Review* ('92).

paralleled resource in Dean Kalodner. He had a fervent dedication to the law review and welcomed our inquiries on everything from the administration of the law review to substantive questions about the notes and articles that we were publishing. How fortunate we were to have been able to draw upon his broad-based experience as professor, dean, practitioner, and former United States Supreme Court clerk, to say nothing of his peerless intellect.

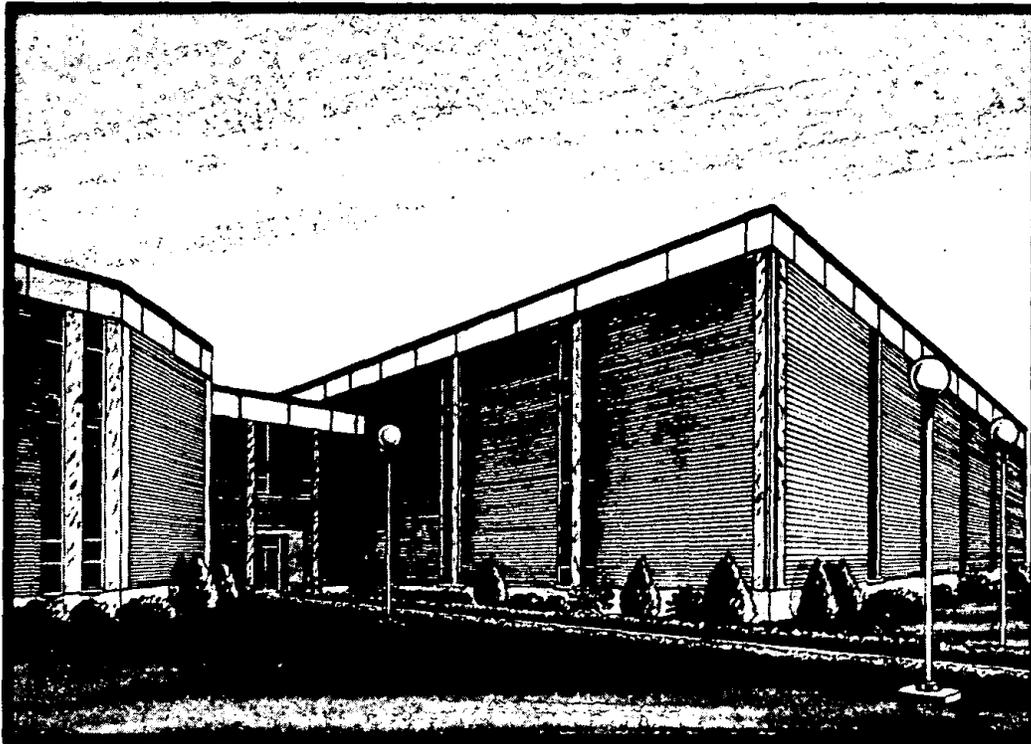
I join with the Western New England College School of Law community in thanking Dean Kalodner for his vital contributions to Western New England College School of Law. His achievements have set the stage for still further growth, challenging his successors to continue his commitment to excellence in legal education.



HOWARD I. KALODNER  
Dean of Western New England College School of Law  
1977-1994

# WESTERN NEW ENGLAND COLLEGE

## SCHOOL OF LAW



Western New England College, in Springfield, Massachusetts, has its origins in the Springfield division of Northeastern University founded in 1919.

The College, which became independent in 1951, is composed of Schools of Law, Business, Engineering, Arts & Sciences and Continuing Higher Education. The law school inaugurated a full-time program in 1973. Five years later, the School of Law was fully approved by the American Bar Association and shortly thereafter moved to new quarters in the S. Prestley Blake Law Center. In 1981, the School of Law was elected to membership in the Association of American Law Schools.

The only law school in the Commonwealth outside of the Boston area, the School of Law offers a three-year course of study for 525 full-time students and a four-year course of study for 300 part-time students leading to the Juris Doctor degree.

A dedicated faculty is committed to teaching not only the literature of the law but also the practice of law. Forty percent of the Blake Law Center is occupied by the library, with a collection in excess of 265,000 volumes.

Information concerning admission to Western New England College School of Law can be obtained by contacting the Director of Admissions, School of Law, Western New England College, Springfield, Massachusetts 01119, (413) 782-1406.