

A PASSION FOR SERVICE

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I first met Harry Wellington in the fall of 1984, during his last few months as Dean of Yale Law School. I knew of his reputation, of course, as both a scholar and a dean, and from his photograph in the law school catalog, I knew him as the eternally sleek and handsome Harry he remains today. As a student, I had read and admired his foundational *Harvard Law Review* foreword with Alexander Bickel on the *Lincoln Mills* case.¹ As a law clerk, I had consulted his classic legal process casebook on labor law.² To prepare for our first meeting, during my train ride to New Haven, I pored over his penetrating analysis of *Common Law Rules and Constitutional Double Standards*.³ I realized that he had begun teaching the year I was born. By the time I reached his office door, I felt completely intimidated.

We met at a most unglamorous time: a year-long strike triggered by a bitter labor dispute between Yale University and its union of clerical and technical workers. Classes had been moved off-campus and uncollected garbage lined the Law School's emptied halls. But the Dean who greeted me, dapper in his elbow-patched jacket, seemed completely unperturbed. Harry set me at ease by knowing a flattering amount about me. We were a lot alike, he said. Like me, he was a native New Havener, the son of the city's surveyor, honored by a tiny "Wellington Road" deep in the heart of New Haven's Beaver Hill neighborhood. Like me, he was a Harvard Legal Process type — a Frankfurter clerk, no less — who had taken a chance on Yale and found it congenial to his scholarly spirit. In a short, comfortable conversation, he deftly touched and soothed all of my insecurities. He spoke passionately about the school, legal education, and the joys of the scholarly life. He made me feel befriended and mentored. A short

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1. Alexander M. Bickel & Harry H. Wellington, *Legislative Purpose and the Judicial Process: The Lincoln Mills Case*, 71 HARV. L. REV. 1 (1957).

2. HARRY H. WELLINGTON, *LABOR AND THE LEGAL PROCESS* (1968).

3. Harry H. Wellington, *Common Law Rules and Constitutional Double Standards: Some Notes on Adjudication*, 83 YALE L.J. 221 (1973).

while later, I called him back and told him that I would be thrilled to join his faculty.

What I did not know then was that I had met a man who would advise me on every important life decision I have made since. Our talk then, like every conversation we have had, was honest, human, and left me with much-needed self-confidence, ideas and advice. As a dean, Harry had the gifts of empathy, compassion, and — like his fellow Harrys, Justice Blackmun and President Truman — plain speaking. When he stepped down from his Yale deanship the next spring, Harry said of his beloved wife Sheila, simply, “She is the one who has helped me the most; and the one whom I love the most.” It was not for nothing, I learned, that Harry had become mentor to law students and future professors as diverse as Guido Calabresi, John Hart Ely, Benno Schmidt, and Duncan Kennedy. He had a special Dean’s gift of urging young academics to find their ideas by searching their own deepest convictions, and thereby to become true scholars by becoming more truly themselves.

For seven years after that, we were nominally colleagues. But in fact, Harry remained my guardian angel. Chance meetings at the faculty lounge would lead us into intense, impromptu conversations about constitutional law, the future of legal education, and the wisdom of proposed faculty appointments. During those years, Harry returned to both scholarship⁴ and the classroom. In countless acts of personal and intellectual generosity, he meted out wisdom to his colleagues and students, with the fairness and decency of the common law adjudicator his scholarship described. Often during those years, we taught the same first-year students. What struck me repeatedly was the new students’ awe for Harry’s passion for the law. Decades after he first entered the classroom, they told me, he still taught with an inspiring fervor. “He cares so much,” they said, “He still gets *mad* about the cases that didn’t come out right.” After a lifetime in the law, they told me, he was still determined that his students never lose sight of the law’s grandeur, its failings, and most importantly, its possibilities.

One morning in the faculty lounge, Harry told me that he had agreed to be Dean at New York Law School. As always, he put the choice simply: “Why should I do this job?” he said. “I asked myself,

4. See, e.g., HARRY H. WELLINGTON, *INTERPRETING THE CONSTITUTION: THE SUPREME COURT AND THE PROCESS OF ADJUDICATION* (1990).

‘With the years I have left, what can I contribute? With what I know, who can I help? With what I have learned, how can I serve?’”

For the last eight years, Harry served New York Law School as he had served Yale: with calm, class, and compassion. During the last several of those years, I traveled the world promoting democracy and human rights on behalf of the United States government. On those travels, I met countless lawyers and professors, most dispirited by oppression and bewildered by their own impotence. On many long plane rides, I thought of Harry’s simple questions: “With the years I have left, what can I contribute? With what I know, who can I help? With what I have learned, how can I serve?” To this day, I find myself touched and blessed, as we all have been, by Harry Wellington’s passion for service.