

Address by the Honorable Clarence Thomas
Associate Justice, Supreme Court of the United States
On the Occasion of the Dedication of the Donald P. Kennedy Hall
Chapman University School of Law

October 20, 1999

Mayor Coontz, Monsignor Sammon (my fellow Crusader), President Doti, Dean Williams, Members of the Board of Trustees, faculty, students, and my fellow members of the bench and bar, as well as staff and honored guests, and especially Don and Dodo Kennedy, whose generosity to Chapman University we honor today. It is a pleasure to be here with you. It is a great pleasure to be with you on this major milestone in the life of this young law school and, indeed, in the life of this not-so-young university. You have erected on this ground and in this place, around this "expensive" historic facade, a truly magnificent facility, dedicated to the study and the rule of law.

Some might think that the last thing we need in this country—this litigious country—is more lawyers. I have to admit that sometimes I myself—especially in June of each year when I am reviewing some of the 8,000 or so petitions that we receive—I, too, share that view. But, if you reflect for just a moment, you have to realize that the problem is not that we have too many lawyers. The problem is that we have too few lawyers truly dedicated to the higher aspirations of the law. Too few who understand that this great nation of ours is great and free precisely because it is devoted to the rule of law and not to the rule of men. Too few who view the education they receive in halls not unlike this one as something more than just a ticket to monetary riches. Too few who understand, as our nation's founders did, that when we submit the baser side of our human nature to the rule of noble law, we rise above our passions and partake, to some small degree, of the divine law.

So it is not just the prospect of graduating scores of new lawyers each year that makes this endeavor of yours worthy of praise, but the prospect of graduating ethical lawyers of distinction. And from what I have seen and continue to see on this trip, that prospect is especially strong here at Chapman. It is evident all around us today. Starting right behind me, it is evident in the way you built this law school, incorporating in its design this wonderfully beautiful facade, a piece of this community's history. That design, drafted by Architect David Martin with the approval and cooperation of the City of Orange and the historic commission, demonstrates that this law school is indeed rooted in this community. The law school will thus naturally draw substance from this community, and by all appearances it is a strong and ethical community.

Moving through the facade, this law school's strong prospect for noble success is evident in the high level of both talent and treasure that have gone in to this building. It might be that a good teacher can teach, and a good student can learn, under the most adverse of

conditions. Socrates, for example—from whose name we derive the quintessentially law school teaching method, the Socratic method, that law students like me learned to hate, but there are those who love it—Socrates himself taught in the agora, the marketplace. Just think how much better he might have been if he had the tools that you have here. It boggles the mind even to think of that possibility. But the facilities you have provided here are so well appointed and so well designed as to make such thoughts a reality.

The great prospects of this law school are also evident in the faculty. One generally does not give state-of-the-art tools to mediocre craftsman, and the faculty you have assembled here is anything but mediocre. Their law degrees come from Harvard and Chicago, Boalt Hall and Michigan, USC, UCLA, and Duke, to name just a few—top law schools, all of them. Paper credentials, though, alone do not guarantee a commitment to the higher aspirations of the law. So what is it about this faculty that generates such high hopes for educating ethical lawyers? I believe it is in the very newness of the school. Scholars of such distinction who would commit themselves to a law school even before there were students, before there were books, and before there was a building—as you heard, Sharon Nantell did such a thing, William Stallworth, Judy Fischer, Jeremy Miller, Sheryl Kramer, and Hugh Hewitt (whom I knew in Washington)—they all rolled up their sleeves, took upon themselves administrative duties that established faculties need not even contemplate, and all the while remained committed to instilling in their students the highest ethics of the legal profession. Now that is a committed faculty.

Moreover, they and their newer colleagues, including my former law clerk, John Eastman, more than most, invested their reputations as well as their talents in the success, the reputation and the future of this institution. That reputation, and hence theirs, will ultimately be a reflection of the lawyers they send out into the world.

But there is still more on which the high hopes of this law school is based. Looking out from the law school, one cannot help but notice that it is now an integral part of this university, a university committed to providing personalized education of distinction that will foster in its students a strong inner moral compass and that will help them develop a clear understanding of the contributions they can make to the common good and to this great nation.

And it is not just the Chapman University of today that fosters these ideals. I have learned a little about the history of this institution—a quite impressive history—since you invited me to participate in this dedication. From the very moment of this university's founding, deliberately timed to coincide with the inauguration of Abraham Lincoln as President of the United States, this institution has been committed to the highest ideals known in law, to the principles of human equality and dignity that found their greatest voice in this country's own Declaration of Independence. With such a foundation, and with the continuing commitment to those ideals by this university, this law school has a great destiny before it.

Let us dedicate the Donald P. Kennedy Hall, so that this law school may, in the words of Abraham Lincoln, complete the unfinished work, and let us pray that it, and we, be

dedicated to the great task remaining before us, that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the face of this earth. Thank you.