

Dershowitz on his retirement: 'It's rare to have a profession where you can have such continuing influence.'



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MARTHA STEWART '03

PROFESSOR ALAN M. DERSHOWITZ is retiring at the conclusion of the fall semester, and on Oct. 7 the school hosted a celebration of his 50-year career with an afternoon of panels recognizing his accomplishments and the influence he's had on law, teaching, scholarship and society. Participants included current and former colleagues and students, judges, and legal analysts. While the event focused largely on Dershowitz's many contributions to academia, law and society, it also provided panelists with opportunities to offer personal recollections.

As a member of a panel examining Dershowitz's influence on the law, Boston criminal-defense lawyer Martin Weinberg '71 recalled coming to HLS as a first-year student in 1968, during the Vietnam War and a time of deep social unrest, intent on being a trial lawyer who would fight against the government but finding little support in the law school to guide him in meeting his professional goal. "In 1968, there was no Gertner, no Ogletree," he said. "Alan was the single role model, the mentor, the lodestar for those of us who came not to be Wall Street lawyers but to be trial lawyers and to learn how to defend people's liberty."

Boston criminal-defense and civil-liberties lawyer Harvey A. Silverglate '67 had a similar tale to tell, describing what it was like to be a first-year student at HLS in 1964, the same year Dershowitz came to Harvard at age 25

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as the youngest associate professor in the school's history. Silverglate related that he'd grown somewhat disenchanted with law school and thought about quitting so that he could pursue a career in journalism, but Dershowitz dissuaded him and put him in touch with a well-known Boston criminal-defense lawyer who gave him a research job. Silverglate loved the job and set his sights on becoming a trial lawyer.

A second panel focused on Dershowitz's classroom work, which he has always maintained is his highest professional priority.

Joel B. Pollak '09, a former student of Dershowitz's who is now editor-in-chief and in-house counsel at the conservative Breitbart News, said that Dershowitz has always enjoyed support from conservative students. "I think the fact that Alan's students run that spectrum is a testament to how passionate he is about teaching, how effective he is teaching, and reflects his enthusiasm for challenging students to form arguments that are different from those we're used to, to consider alternative points of view, to

move beyond taboo and think about what our true beliefs are," he said.

Another panel examined Dershowitz's role as a public intellectual, including his work as legal commentator on television.

Television journalist Geraldo Rivera, who has a J.D. from Brooklyn Law School, credited Dershowitz with creating a new profession: "lawyer as television pundit," Rivera said. "He was the first, and he was the best, of all the TV lawyers."

Jeffrey Toobin '86, staff writer at The New Yorker and senior legal analyst for CNN, picked up on Dershowitz's involvement in the Simpson case as a watershed. "The O.J. Simpson case was such a tremendous learning experience for the country," he said. "Alan was such a wonderful spokesman for just what the rules are and how you can't just dislike somebody in order to convict them of a crime like that. Even though I disagreed with the verdict in the case, I thought Alan did a tremendous public service and has always done a tremendous public service, particularly on television."

Throughout the celebration, Dershowitz ended each panel with comments of his own and concluded with an assessment of which element of his career has brought him the most satisfaction. "It's teaching," he said. "The thing that makes teaching so amazing is that I'm teaching students today who will be influencing the world 50 years from now. It's rare to have a profession where you can have such continuing influence."

Legal scholars discuss Breyer's 'Greatest Opinions'

IN HONOR OF JUSTICE STEPHEN BREYER's 20th year on the Supreme Court, Harvard Law School faculty gathered on Oct. 1 to discuss some of his most notable written opinions. Breyer, who earlier in the day participated in a Q-and-A session with Dean Martha Minow, attended the panel discussion and shared insight into his thought process.

HLS Professor John F. Manning kicked off the discussion, describing Breyer as the "quintessential legal process judge" in an era when textual interpretation is more popular among many of the justices.

Professor Martha Field reflected on Breyer's dissenting opinion in *Holder v. Humanitarian Law Project*, a case on the government's prohibition of material support of terrorism, and an application of that to peaceful activities of human-rights organizations.

Professor Mark Tushnet focused on Breyer's opinions on free speech. Other faculty panelists included I. Glenn Cohen '03, Charles Fried, Todd Rakoff '75, Cass R. Sunstein '78 and Laurence Tribe '66.

Each faculty member contributed an essay on Breyer's written opinions for a commemorative book published in honor of the justice. Breyer proclaimed his appreciation that law professors carefully read his opinions, as sometimes it seems the decisions go "into thin air" after their release. "You've obviously put thought into this and it's very helpful," he said, acknowledging the importance of the larger circle of feedback from judges, attorneys, professors and law students.

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En banc review: (L-R) Professors Todd Rakoff, Glenn Cohen, Martha Field, and Laurence Tribe

→ An all-star panel of Harvard Law professors analyzed Justice Breyer's most notable opinions.