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Administrators and Teachers—An Uneasy but Vital Relationship

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about persuading faculty members to handle most of the large required courses of the curriculum.

On the other hand, law schools increasingly suffer from an internal tension that I do not feel is so severe in other graduate and professional schools. By and large, philosophers, economists, art historians, botanists, and at least the clinicians in medical and dental school can define their teaching mission in terms of reproducing variants of themselves. But the law teacher is not out to reproduce himself; the vast majority of law students are destined to become practicing lawyers, not academic lawyers. This inherent tension in legal education has been heightened in recent years as law teachers, especially younger law teachers, have turned more and more to the study of legal theory, legal process, and a multitude of nonlegal disciplines in an effort to understand the structure and dynamics of a system which has so expanded in the past half century that the totality of its individual component parts now defies comprehension. Yet law students still want (understandably) to know how to write a will, draw up a lease, or incorporate a business. They yearn for the certainties that can be gleaned by dissecting the law of yesterday, and they shrink from plunging into speculation about the evolving law of tomorrow, however much more profitable that latter exercise may ultimately prove. Students must come (or be led) to appreciate the need for absorbing the process-oriented and interdisciplinary courses the faculty values, and the faculty must come (or be led) to appreciate the need for breathing new life into the more conventional "bread-and-butter" offerings the students prize.

Certain problems in other departments are also problems in the law schools. We too engage in the perennial debate over the respective demands of teaching and research. Are the two in conflict? Much as we might like to respond with a resounding negative, for me the honest answer has to be yes and no. It is yes on a short-term, day-to-day basis, and it is no on a long-term career basis. Time, often, and willpower, sometimes, are the villains in my view—but capacity, almost never. It is hard to deny that teaching and research interests collide when a faculty member is fighting a publication deadline and a student with a worthy inquiry shows up on the doorstep, or the customary two or three hours (or five minutes?) have to be set aside to prepare for the next day's class. I realize that probably few faculty members or administrators would consider it fitting to pitch the great "teaching versus research" disputation on such a mundane level, but I am convinced that is where it largely belongs. Few if any persons who possess our specified academic credentials and who meet our required standards of scholarly performance will fail to become at least acceptable classroom teachers, if only they are willing to take enough time and exert enough effort.

Student reactions corroborate this. It takes relatively little—indeed, too little—to satisfy most of them. Given substantive knowledge, well-organized materials, clarity of communication, and a touch of human kindness on the part of a teacher, they will be happy as larks. Add a pinch of humor and a dash of showmanship, and they will form a claque. About profundity, originality, creativity, and the inculcation of a lifelong capacity to learn and judge for oneself, students hardly ever ask. Yet those are the only qualities that ensure an educational experience of lasting worth for able students, and the only ones that are not within the ready grasp of any conscientious, hardworking graduate in the upper quartile of one of our traditional "feeder" institutions.

It is here that a career of substantial research becomes compatible with—indeed, indispensable to—teaching of the highest order. There are pedagogical reasons for this that many have identified, and a psychological reason that may be less widely rec-

ognized. As the half-life of scientific knowledge or professional expertise dwindles to a decade or less, the mere transmittal of information becomes even more futile than in the past. Only a person working at the frontiers of his specialty can hope to bring into the classroom a true sense of the accelerating movement in a field and an appreciation of the underlying principles that control that movement. Only such a person can involve students in a live, ongoing venture in cooperative learning, and avoid relegating them to the status of filing clerks in a newspaper morgue. In short, only such a person can educate rather than indoctrinate. All this, of course, has been said before, and I repeat primarily for emphasis. But there is more.

Teaching and scholarship are lonely occupations. There is little day-to-day feedback on one's performance. Students' approbation, even adulation, is there almost for the asking, and any honest, self-respecting teacher must guard against excessive solicitousness toward them. As a man or woman heads into the forties and the fifties, the surest talisman against the dark nights of self-doubt, the surest warrant of one's right to belong in the company of a major faculty, is that sturdy row of publications on one's office shelf. I do not wish to be misunderstood. Research and publication plainly have loftier, more intrinsic objectives and justifications than those I have recounted. But in this discussion I am only interested in research in relation to teaching and the health of the teaching environment. And if a teacher is to maintain a healthy self-esteem throughout his career, I see no substitute for the proof of worth that comes with original, creative research. The alternative may be a faculty member who loses his nerve in mid-career and shrinks from the classroom as if from a pit of dragons. Or it may be someone who turns to such shabby ploys as assuming the mantle of standup comic or student confidant. The latter approaches may even win temporary applause; in later years the students will realize they have been defrauded.

Where does the dean of a small unit like a law school, or a departmental chairman in a large liberal arts college, fit into all this? To capsulize, he must seek to enhance classroom performance by playing such diverse roles as I would liken to those of nay-sayer, mother hen, cheerleader, and indentured servant.

Nay-sayer. I found out as dean of the Law School that I couldn't always get my way about whom we would invite to join the faculty, which was undoubtedly all to the good. But we never hired anyone I didn't want. I think most deans or departmental chairmen can exercise that sort of veto. I do not assert that we have any personal powers of evaluation superior to those of other colleagues, but we do have the assigned job of assessing appointment needs and candidates' qualifications, and we are in a central position that is a natural repository for other appraisals, both from within and without the faculty. A sage colleague once declared that all substantial doubts ought to be resolved against an appointment. This should be especially true in law schools, which tend to grant tenure to all candidates who come close to living up to initial expectations. In light of this, I never hesitated to be the nay-sayer when I thought it appropriate.

Students often cross-examined me about the weight I would give the promise of good teaching in a faculty appointment. I assured them it was a *sine qua non,* but then I would qualify that assurance by what I have said earlier here. Thus, the operative test was the likelihood of creative scholarship. That did not necessarily equate with exceptional grade point averages. It was not enough that someone had spectacular talents for wending his way through the examination mazes contrived by others; we wanted someone who could put together his or her own constructs. And how could we divine that potential? This has to be a subjective *gestalt* judgment, and I'm not sure that the terminology we employed from time to time in the Law School in expressing ourselves would find favor with HEW. Did the candidate "have fire in the belly"? "Some coming out the ears"? Did she exhibit "sparkle"? Did he produce "a warm glow"? I would also hold out for "quiet but intense percolation within." Anyway, I trust the idea comes across.

Mother hen. Some faculty members, particularly junior faculty, view academic administrators with a wary eye. How could anyone genuinely devoted to the life of the mind consign himself to an endless round of budget hearings, alumni luncheons, and aimless paperwork? Yet administrators' importance cannot be gainsaid, if only because of their influence on compensation, promotions, course assignments, and the like. So, skeptical or not, faculty members will at least pay some heed when administrators address themselves to academic matters. There are quite specific steps that can be taken to improve classroom teaching, and I feel deans and departmental chairmen have an obligation to effectuate them, either by acting personally or by encouraging colleagues to act.

At the Law School we have an established program for the systematic visitation of the classes of junior faculty, both by the dean and by selected faculty members. We have not done enough of this, but I am satisfied that the results of even limited efforts have been salutary. Criticism has been constructive, and received in good spirit. We have also experimented with videotaping the classes of more senior colleagues and then holding faculty "seminars" on the end product. The tapes were eye-openers in more than one sense, and verbal comment was usually superfluous. Excellence, or the lack thereof, spoke for itself.

Each year at budget time, I made a point of sitting down with, or writing

to, all faculty members to inform them about the institution's financial condition and about their individual salaries for the coming year. This also provided an ideal opportunity to discuss teaching or research, especially with anyone who might benefit from some counseling. It was a chance to remind inexperienced teachers that in their ardor to master the substantive content of their subject, they might overlook the importance of reserving adequate time for "packaging" their message in a form assimilable by students. It was a chance to urge the occasional procrastinator to get on with his research, to seek out the suggestions and criticisms of congenial colleagues, and not to dally too long over that first chilling plunge into print.

Finally, I supported students in enlisting the cooperation of faculty members in a formal program of teaching evaluations. As indicated before, I doubt that students will always look for the most significant elements in good teaching. I also recognize that some teachers will find student ratings extremely painful. But I have always found students eager for help in improving their questionnaires and fully ready to consider faculty views on what makes for teaching excellence. Although a few sick minds may seize this occasion to abuse a disfavored teacher, the vast majority are fair, positive, and even charitable. In any event, I see no reason for academics to be the only group in our society immune from client or customer complaint. I myself have often found student evaluations perceptive and useful. At the very least, we have given the students a hearing on a matter of vital concern to them, and that alone would justify the exercise for me.

Cheerleader and indentured servant. To achieve their full potential as teachers and scholars, faculty members need both moral support and logistical support—in different proportions at different times. Moral support is most often required at the beginning of a career, when a brilliant young teacher discovers that knowing all the answers does not guarantee the ability to communicate with 100 students of varying intelligence and background, and perhaps also at some critical juncture in mid-career, when an established scholar suddenly confronts a writing block or else the fear that all his works have been "writ in water." In those circumstances, I was always prepared as dean to become a simple cheerleader, and to tell people how good I thought they were, in so many words. I pride myself that I have never knowingly paid anyone a false compliment, but I sometimes wonder whether, in this cynical age, we have lost sight of the powerful therapeutic effect of a well-deserved commendation, forthrightly extended.

The last responsibility of dean or chairman I shall discuss is the least academic of all, in terms of means, but it may be crucial for the attainment of important teaching and research goals of the faculty. It can call for an administrator to rearrange class schedules and secure instructional replacements in order to accommodate a last-minute yet well-warranted leave request; it can call for scurrying about for funds to launch a promising new research project or educational program; it can call, on occasion, for an administrator to turn himself into chauffeur, tour guide, janitor, bartender, or dish washer. Yet even in this menial role that I have analogized to that of indentured servant, delicate discretion may have to be exercised. The administrator may have to resist, for example, the siren song of equality in dispensing institutional benefits and burdens. The proven, prolific scholar may have to be given more frequent leaves than others. More controversially, the teacher who is a towering figure in a small group but who sinks into oblivion in a large auditorium will have to be given more seminars, while his extroverted colleague who shines brightest before a clamoring throng is induced to shoulder the additional bluebook load. This last epitomizes the essential task of the administrator: to meet institutional needs and at the same time enable every faculty member to do what he or she does best.