

FALL 1992

Yale Law Report



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It is both intimidating, and, I have to confess, a little exhilarating. There are some things I've wanted to say to some of you for a very long time. . . .

Hillary Rodham Clinton, October 2, 1992. Continued on page 2.

What I Learned in Law School

October 2, Hillary Rodham Clinton '73—speaking without notes—gave this address to an overflow crowd of Yale Law graduates, students, faculty, and staff at Bartell Chapel, as part of the 1992 reunion weekend festivities.

Hillary Rodham Clinton

... But mostly today, I am here to thank this law school.

In many of the stories that have been written during the last months, particularly about some of the positions and issues that have been of importance to me, the credit due to the Yale Law School has not been reported as it should have been. Much of what I believe, and much of what I have worked for, and much of what I believe is at stake in this election is directly related to my time at the law school. And I would, if you would indulge me for a few minutes, just describe to you the way those various threads have come together in one life, and perhaps offer some ideas as to how this law school will continue to carry out the tradition of provoking and challenging and teaching that has so enriched my life.

I want to start by describing to you one of the letters I received a week or two ago from the law school library. Apparently because of a short film shown at the Democratic Convention, there is a steady stream of people coming to the library to ask where Bill and I met. As with so many other things that happened in our past, there seems to be a division of opinion in my house. He is absolutely sure of where it occurred, and so am I. The problem is, it is not the same place. So I am seeking guidance to those of you who were there and hope that you will, in the fine Yale Law School tradition that we all cherish, set us straight.

Because I want more people coming to the library, for whatever reason, and view this as one minor contribution. Obviously it pales in significance to the wonderful gift the dean has obtained from Lillian Goldman in New York. I mention that because that gift will be used to refurbish the law school, plus offer scholarships for women, particularly minority women, plus continue to support the day care center that I was honored to help start at a ceremony that the dean held when I visited the school a few years ago. So it is fitting that the library continues to play a major role in my life as well as the life of this law school.

When I look back at the years when those of us in the classes of '72 and '73 attended the law school, I recall those were difficult and turbulent times. There was a lot of confusion in our minds. Many arguments took place over food and drink and books in and out of the halls of the law school over what direction our country was heading. A lot of passion, a lot of concern. And what I remember most during that time is the seriousness

with which all of us—students and professors—took the challenges that confronted our country.

In the spring of 1970, there was much disturbance in the streets of New Haven. There were challenges to the physical well-being of our law school facility. I remember being very distressed at what was happening around us and sitting outside the law school on the wall just wondering what was to become of our school, and our country. Professor Kessler stopped to visit with me. He said, "You know, bad things happen in every society. I know. I lived through some of the worst. But you cannot be discouraged. You have to keep trying."

And I remember one night when there had been a fire in the International Law Library, and Dean Pollak faced that as he faced so many situations during that year, not only with grace and dignity, but with a stated commitment to the continuing role of the law, and how we had to view even disorder in a way that led us think of reasonable and legally oriented solutions.

That first year was a turning point for me personally, because I read a short *Time* magazine article one day about a woman named Marian Wright Edelman, a graduate of the Yale Law School. And then, shortly after, in looking at one of those bulletin boards that is flooded with pieces of paper announcing everything one can imagine going on at a university, I saw a very small announcement of a visit she was going to be making, and I went to hear her speak. After hearing her speak about her experiences as a civil rights lawyer, about her commitment to do what she could to use her Yale education on behalf of the poor, I went up to her and asked her if I could work for her that summer. She told me I was welcome but she had no money to pay me. I asked her whether, if I could figure out how to be paid, I could work for her. Being a good Yale Law School graduate, she said, "Of course." I went back to the law school, visited the dean's office and the placement office, and found something called a Law Student Civil Rights Research Council Grant, an unusual little grant that actually supported law students in trying to understand and further the work of civil rights—which permitted me to go to work for what was then the Washington Research Project. I was very grateful for that opportunity.

That summer introduced me to the conditions in migrant labor camps, to the problems posed by segregated academies that were fighting for tax-exempt status under the Nixon Administration.

Left to right: Steven S. Honig '72, Peter Alesi '59, Robert S. Raymar '72, Hillary Rodham Clinton '73, Morton H. (Tim) Fry '71, Guido Calabresi '58, Raymond Groth '72.
on October 2.



and I came back to law school with a growing commitment toward children, and particularly poor children and disadvantaged ones. How lucky I was, therefore, to find on the faculty people like Joe Goldstein and Jay Katz, who had been working and studying about children and families and what the law could or could not do for many years. Because of conversations with them, because of research that I was fortunate enough to do on a book Joe was writing with Anna Freud and Al Solnit, I began to think through a lot of the issues that affect children, both visible and invisible, and the role that the law can and cannot play.

All during this time, there was a great amount of ferment and confusion about what was and wasn't the proper role of the law school education. We would have great arguments about whether we were selling out because we were getting a law degree, whether we should be doing something else—not often defined clearly but certainly passionately argued—whether we shouldn't somehow be “out there,” wherever “there” was, trying to help solve the problems that took up so much of our time in argument and discussion.

Most of us stayed the course. Most of us were committed to thinking of ways to use the law to further our particular concerns and interests in society.

I remember well the kinds of arguments that we would have about constitutional law. How fortunate we are in this school to have so many theorists who approach that from different angles, opening our minds to inquiry about what is and is not appropriate interpretation. I remember well the challenges that were posed in various seminars and the difficulties all of us confronted in trying to reconcile the reasoned, ordered world we were studying with what we saw around us.

All through that time, many on the law school faculty were there to continue the conversation with us. This afternoon I received a packet of materials from Charles Black, who said that he could not be here but he was sending to me, as he has over the last twenty years, his latest writings about what should be done to further civil rights, and about his continued, impassioned advocacy against the death penalty. He has never wavered for a minute in putting forward eloquent arguments for what he believes, and he wanted me to read them before I came to speak to you. We are fortunate to have that quality of concern.

One of the things that marked Yale Law School then, and still does, is the people who have come before us who have made such contributions. We are in such great need now of all of our continuing contributions.

Today, we don't see stores boarded up from fear of violence in New Haven. But they are often boarded up because of economic decline. We are in a city where over a third of the children live in poverty, and up the road, in Hartford, over 43 percent do—the sixth highest percentage in the entire country. So the problems around us may not be so visible, but they are very present and eating away at the quality of our lives together.

There is also great room for hope. Some of it springs from the human heart and is there no matter what, but some of it springs from the deep commitment every American inherits: we have a system that truly does work, if only we become involved in it.

I was also fortunate when I left the law school. Two things happened. The first is that I went to work for the Children's Defense Fund and began to do the work of a lawyer using the skills I had acquired on behalf of children. The second was that in January, at the recommendation of Burke Marshall, I was able to work on the impeachment inquiry staff of the House Judiciary Committee. Never have I been prouder to be a lawyer, and to be an American, than I was during those months, working with Burke Marshall and Owen Fiss and John Doar, and so many others, including five of my classmates, as we struggled to define the constitutional meaning of impeachment, and to carry out our obligations with the highest professional standards. It was both a great relief and, I thought, a great credit to the president when President Nixon resigned. But it was also a resounding victory for the system that I had studied and learned about here at this school.

There has been, as you all well know, some amount of lawyer-bashing in the last weeks and months, often for political purposes, often to make points that, frankly, have some grain of truth in them. But I think part of the great message of this law school has been that being a lawyer means many different things. It means being a public advocate, a legislator, an executive. It means being a practitioner and using one's skills in a variety of areas. It means being a teacher. It means taking the lessons that we have been taught and using those to help further the goals of society as we see them.

I have to tell you that in the last year, as Bill and I have traveled around this country, we have seen

so much to be hopeful about. Yes, a lot of the statistics are grim. And those of us who are privileged and able to make good livings for ourselves must always keep our eyes open to the faces and the people behind those statistics. But there is also great room for hope. Some of it springs from the human heart and is there no matter what conditions might exist, but some of it springs from the deep commitment that every American inherits, whether he or she admits it or even knows it: that we have a system that truly does work, if only we become involved in it.

We have been privileged for the last several months to be traveling around on busses, which I recommend to you. It is a way of seeing things in a different light, kind of at eye level, instead of flying over or whizzing by in a car or a train. You are forced to interact with people, and we have had the experience of looking into the faces of hundreds of thousands of Americans. A lot of them come up and ask questions, and the questions are sophisticated. They'd do well in one of Guido's classes. They may not have much education, but they show a lot of learning and understanding of the human condition and what is happening in the world around us. And there is a great hunger that somehow the system be made to work again for all Americans. Probably the greatest threat we have is the growing feeling among too many of our fellow citizens that it doesn't work for them. And "them" is defined in a variety of ways, leaving out great classes of people.

When we were at Yale Law School, arguing, worrying about what was going on around us, we were not only given many reasons to believe that the system can work, that law can be a tool for positive change and for uplifting the human condition, but we were also given examples of how that could be done. I sense a new spirit of openness and positive energy around us that can be translated into change if we are committed to seeing it through. Lawyers will be important in so many ways to making that happen, working with others, working through our profession.

The lessons of Yale Law School that I carry with me every single day have convinced me that the struggle to define our lives together using the law as a tool, making those relationships work, is one of the worthiest that we could ever be engaged in. I'm here mostly just to say thank you for making that possible in my life and for giving me the understanding that we all have a role to play in making this country what it ought to be.

SPEECH DELIVERED BY HILLARY RODHAM CLINTON

at

YALE LAW SCHOOL

October 2, 1992

Thank you. Thank you. Thank you very much. Thank you.
Thank you. Thank you very much. Thank you.

Thank you so much for that introduction and for that welcome. It is a remarkable feeling to come back to a place that has had such an influence on one's life and have the last twenty years just dissolve before your very eyes, and it is with great gratitude that I thank the law school and the Alumni Association for inviting me to have this opportunity to speak with you for a few minutes.

I said earlier to a group of friends who were gathered over in Worcester Square at Sally's Pizza that of all of the occasions I have experienced in the last year during this campaign of my husband's for the presidency, the three that have been the most intimidating, caused me to lose the most sleep and worry, have been a return trip to my high school, a commencement speech at Wellesley and this event. There is nothing like knowing you are about to stand before people who have been your teachers, your professors, your classmates, and hold forth for a few minutes. It is both intimidating and, I have to confess, a little exhilarating. There are some things I have wanted to say to some of you for a very long time.

But mostly today I am here to thank this law school. In many

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I want to start by describing to you one of the letters that I received a week or two ago from the law school from the library. It now seems that because of a short film shown at the Democratic Convention called "A Man From Hope", there is a steady stream of people coming to the library to ask where Bill and I met. And, as with so many other things that happen in your past, there seems to be a division of opinion in my house. He is absolutely sure of where it occurred, and so am I. The problem is it is not the same place. So I am seeking guidance from those of you who were there and hope that you will, in the same fine Yale Law School tradition that we all cherish, set us straight, because I clearly want more people coming to the library, for whatever reason, and view this as one minor contribution. Obviously, it pales in great significance to that of the wonderful gift that the Dean has

obtained from Lillian Goldman in New York, and I mention that because that gift will be used to refurbish the law school, plus offer scholarships for women, particularly minority women, plus continue to support the Day Care Center that I was honored help start at a ceremony that the Dean held when I happened to have been there a few years ago. So, for me it is just more than fitting that the library continues to play a major role in my life as well as the life of this law school.

When I look back at the years that those of us in the classes of '72 and '73 attended the law school, those were difficult and turbulent times. There was a lot of confusion in our minds; there were many different arguments that took place over food and drink and books, in and out of the halls of the law school, over what direction our country was heading. A lot of passion, a lot of concern. And what I remember most during that time is the seriousness with which all of us - students and professors - took the challenges that confronted our country. I remember with particular concern that spring of 1970 when there was so much disturbance in the streets of New Haven. There were challenges to the physical well-being of our law school facility. And what I remember most are two conversations I had during that time - one with Professor Fritz Kessler, and one with Dean Pollock. I remember being very distressed at what was happening around us, and sitting outside the law school on the wall, just wondering what was to become of our school, our country, and Professor Kessler stopped to visit with me, and he said, "You know, bad things happen in

every society. I know. I've lived through some of the worst. But you cannot be discouraged. You have to keep trying." And I remember one night when there had been a fire in the International Law Library, and Dean Pollock faced that as he faced so many situations during that year - not only with grace and dignity, but with a stated commitment to the continuing role of the law and how we had to view even disorder in a way that led us to think of reasonable and legally oriented solutions.

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Thank you very much.