

Opening Frontiers:

An institute is born, and a school is reborn

By Jeffrey L. Cruikshank
and John Sedgwick¹

In the steamy heat of a late July day in 1978, the provost of the University of Cincinnati walked into the office of the University's ambitious new president, Henry Winkler, with a letter that contained some upsetting news.

The letter was from Gordon Christenson, a nimble administrator and high-wattage legal scholar who had recently left a successful deanship at the Washington College of Law of American University to become a professor of International Law at the Naval War College.ⁱ According to all the accounts from the east coast, Christenson knew how law schools ticked.

But President Winkler, too, knew more than a little bit about law schools. As acting president of Rutgers, he had overseen both of its law schools—in Camden and in Newark—and he had a good idea of what kind of leadership they required. After an exhaustive search, Winkler had decided that Christenson was the right man to head the struggling College of Law within the University of Cincinnati.

At that point in its long history, Winkler had already concluded, the College of Law was in need of energetic leadership. The most recent accreditation report had been hard on the school, criticizing everything from its cramped main building and too-small library to its inadequate faculty salaries. On a

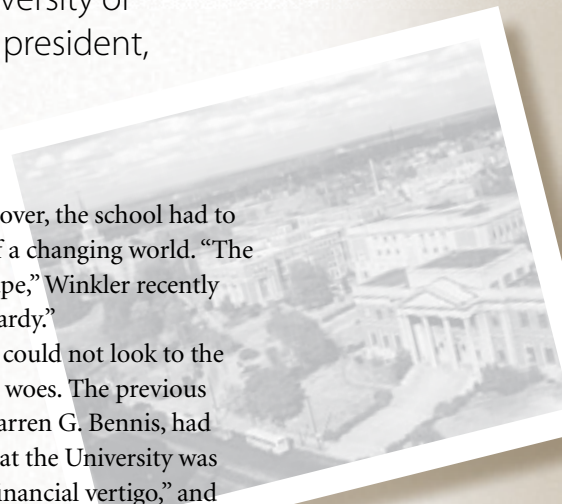
more fundamental level, moreover, the school had to redefine itself in the context of a changing world. “The law school was in very bad shape,” Winkler recently recalled.ⁱⁱ “It really was in jeopardy.”

Unfortunately, the school could not look to the university to solve its financial woes. The previous year, Winkler's predecessor, Warren G. Bennis, had told UC's Board of Trustees that the University was suffering from “a bad case of financial vertigo,” and that, if it were a business, it would be contemplating bankruptcy. “Without further funds,” he had told his board at the time, “we will be unable even to think about excellence.”ⁱⁱⁱ

The baseline: multiple challenges

■ Of course, there were many around the University, including the College of Law, whose job was precisely that: to think about excellence. One of them was the law school's Dean Samuel S. Wilson, '61, then nearing the end of a four-year term that might best be described as tumultuous.

The tumult mostly arose out of the College's constrained physical plant and rapidly declining financial situation. The condition of Taft Hall presented the most obvious challenge. The 60,000-square-foot edifice had been erected in 1925 with an anticipated capacity of 200 students. (This small capacity was purposeful. The College's leaders at the time wanted to make sure that the intimate school stayed small, and limiting the size of their new building seemed like a good way to achieve that end.) But by 1972, according



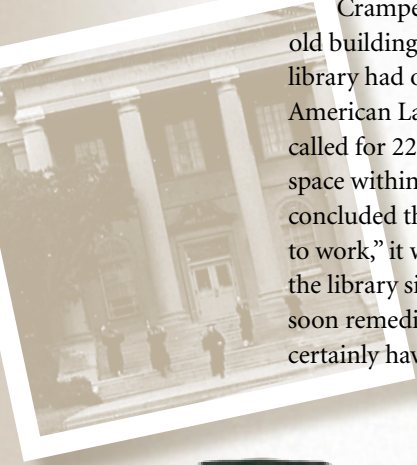
Aerial view of the old law school

(Left to Right) Deans Sam Wilson and Gordon Christenson and UC President Henry Winkler—key figures in UC Law history.

Opening Frontiers:

An institute is born, and a school is reborn

UC Law School
pre-renovation



to an internal study, Taft Hall housed 340 students, 17 faculty and 11 staff members, and presented “a serious physical facility problem.”^{iv}

Cramped and increasingly obsolete, the once-grand old building now poured water during rainstorms. The library had only 164 seats, whereas the Association of American Law Schools’ (AALS) accreditation standards called for 221. It was on a pace to run out of shelf space within two and a half years. Another report concluded that while the library was a “pleasant place to work,” it was half the size it needed to be.^v By 1975, the library situation was deemed dire. “If [it] is not soon remedied,” yet another report declared, “it will certainly have a devastating effect upon the future of the College of Law.”^{vi} Unless circumstances

improved, concluded a long-range planning document, the College of Law would be the only one in Ohio without “a viable facility,” or the prospect of one.^{vii}

“We send applicants a catalogue with pictures of big white columns, then you come here and find floods in the basement and mice running around,” associate professor Theodore Hagelin complained to the *Cincinnati Post*. “There’s no question we have the most inferior facilities of any law school in the state.”

But there was a second, more corrosive problem to be dealt with: a lack of financial resources to support the faculty. As recently as the mid ’60s, the College had ranked 19th out of the 135 U.S. law schools in terms of faculty salaries, and first among Ohio’s nine law schools. “This high ranking suggests that we are competing with the best in the country,” observed then Associate Dean Sam Wilson, “in terms of compensation of our very loyal and dedicated faculty members.”^{viii}

In fact, the 1960s had been something of a golden era for the College. Claude R. Sowle, who became the College’s dean in 1965, provided energetic and idiosyncratic leadership. He was a brilliant, stern, Churchillian figure with high ambitions, a gift for fundraising, and a prodigious smoking habit. After reaching his daily allotment of 20 cigars, one of his assistants later recalled, Dean Sowle would shift to cigarettes, on which he imposed no limits.

“We send applicants a catalogue with pictures of big white columns, then you come here and find floods in the basement and mice running around.”
–Theodore Hagelin



Under Sowle, the full-time faculty ranks increased from 11 to 16, and the quality of the incoming students—as measured by college grade-point averages and LSAT scores—increased significantly. The year 1970 can be seen in retrospect as a high-water mark, when the College established an innovative new Civil and Criminal Practice Clinic, and also received two key gifts: the Nippert Chair of Law, and the Jacob and Rosa Meyer Endowment to support the library.

But in the world of legal education, things can unravel quickly. In 1969, Sowle left to assume the presidency of Ohio University at Athens, Ohio. Although the student body swelled to 340, faculty growth stalled at 16. Now, not only the physical plant but also the school's teachers were overtaxed. At the same time, faculty salaries—once a point of pride at the law school—also stagnated. By the mid 1970s, the accreditation teams of both the American Bar Association (ABA) and the Association of American Law Schools (AALS) were criticizing the school's relatively low pay scales.

Despite all the constraints, the law school still boasted many topnotch teachers and researchers. Transplanted Bostonian John Murphy was on everyone's list, known in equal parts for his mastery of labor law and his determination to expunge his students' Midwestern accents. "I can remember saying, 'advertisement,' Judge Sandra Beckwith, '68, recalls,



Victor Schwartz



Irv Rutter

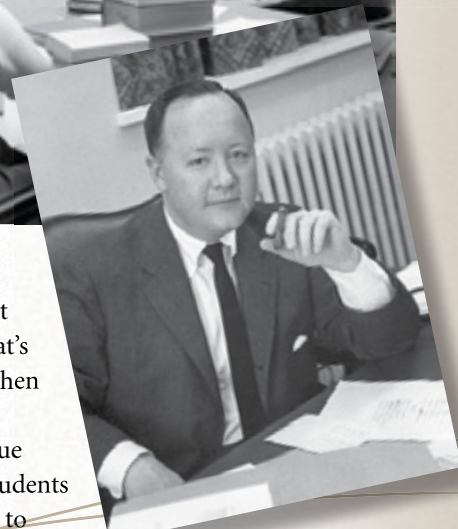
"and he would say, 'advertisement.' And I would say 'advertisement,' and he would say, 'advertisement.'"^{ix} Victor Schwartz, whose field was comparative negligence, was consistently one of the most productive writers on the faculty (and served as acting dean from 1973-74). Larry Kessler taught criminal law and criminal procedure. "When I became a prosecutor," Kathleen M. Brinkman, '75, says, "I really appreciated not only the rigor of statutory interpretation that Larry



The Marx Law Library in the 60s.

Kessler and his colleagues gave me, but also Larry's strong sense of *justice*. That's extremely important to prosecutors when they apply statutes."^x Irv Rutter, who taught Constitutional Law and a unique course called "Facts," challenged his students (as student Sam Wilson later recalled) to "visualize" the potential consequences of any dispute. Wilbur Lester taught constitutional law by a nearly pure Socratic method, only asking questions, never answering them. He had a decided impact. "He was one of those teachers who really made my mind move in ways that I thought were new and different," says Barbara Watts, '78, who took all but one of the classes Lester offered."^{xi}

Why the discrepancy between excellent teaching and meager faculty compensation? The answer was mainly structural: For decades, the University had been a municipally sponsored institution, and the Queen City took pride in helping to sustain a high-quality law school (and other University of Cincinnati schools and departments) within its borders. But as the costs of education skyrocketed and the city struggled to balance its budgets, the University of Cincinnati turned



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Opening Frontiers:

An institute is born, and a school is reborn

to the state to share financial responsibility, becoming a “municipally sponsored, state-affiliated” university in 1968.

But even that arrangement had proved insufficient. In 1973, the University announced that it would have to impose an across-the-board 2.9 percent budget cut for the next academic year.

It was in this context that—in the winter of 1974—the College of Law embarked on a national search for a new dean. One of the candidates it considered was future Supreme Court Justice Ruth Bader Ginsburg,

secured his J.D. at the College of Law. Briefly, he joined his father-in-law’s real estate practice, but soon tired of that work and returned to the law school as Associate Dean under Claude Sowle. When Sowle departed for Ohio University, Wilson succeeded him in 1969 as acting dean, serving during a tumultuous year that included the Kent State shootings and two closings of the university. Then, between 1970 and 1973, Wilson served contentedly as a faculty member under Dean Edward A. Mearns, Jr. But in the spring of 1973, Ted Mearns resigned unexpectedly, and Wilson was once again pressed into service as acting dean for several months. The University mounted a full-fledged search for a full-time dean, and—early in 1974—offered the job to one of their own: Sam Wilson.

The record suggests (and Wilson acknowledges) that the deanship—which he now held for the third time in five years—was not something that he either sought out or clung to.^{xiii} Instead, it was an obligation that fell to members of the community; somehow, he just seemed to get *called upon more* often than anyone else. But this time out, he wasn’t merely a placeholder. When he once again took up the deanship in the spring of 1974, he immediately began making bold plans to address the school’s most urgent problem: the manifest shortcomings of Taft Hall.

But how could he do so, in the context of a municipal university that already was deep into troubled financial waters?

Fighting for a building

Here’s where luck and a good Rolodex entered the picture. In the late 1960s, Wilson had taught a bright young student named Norman Murdock, who had won a seat in the Ohio House of Representatives while still a third-year student at the law school. By the time Wilson came knocking on his State House door in the mid ’70s, Murdock was the second-ranking Republican in the Ohio House.

Wilson explained the problem to his former student. The external review committees had been hinting that the College of Law might actually lose its all-important accreditation if the school’s facilities (and especially its library) were not improved. Wilson asked Murdock for \$11 million for a new building, in the vicinity of today’s Martin Luther King Drive, on the north end of the campus. “I was sympathetic,” Murdock



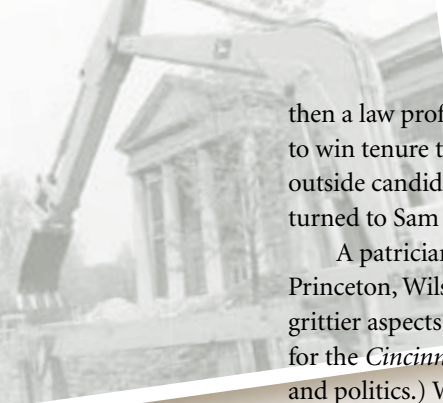
Dean Sam Wilson and UC President Warren Bennis (right and center, respectively) accept Goldman Foundation grant in 1974.

“By golly,” he says emphatically, the law school was my client, and I was going to push their case just as far as I could.”

—Dean Samuel Wilson

then a law professor at Columbia, and the first woman to win tenure there. But no consensus developed for an outside candidate, and, in March, the College of Law turned to Sam Wilson.

A patrician-looking graduate of Deerfield and Princeton, Wilson had gained an appreciation for the grittier aspects of life from his twelve years as a reporter for the *Cincinnati Times Star*. (His beat included crime and politics.) When that paper shut down in 1958, he



Ongoing renovation at Taft Hall.

recalls, “but I told him that it was not possible to build new, and that they’d have to go for rehabbing the existing facility.”^{xiii} Murdock then called his friend Bill Wilkins—finance director under Governor Jim Rhodes—and asked him to put in a request for \$11 million for renovations to Taft Hall.

“But of course, that was no quick fix,” Murdock explains. “Normally, you put in a request like that, and then you wait several years to get to the front of the line. When you get there, and *if* the request is still seen as appropriate, and *if* the state has the money, then you’re likely to get your funding.”

Meanwhile, though, the clock was ticking. “Unless a firm commitment to the construction and funding of adequate facilities is made by June 1, 1977,” one of the accreditation bodies had written, “a notice shall issue... for the purpose of determining whether this College of Law should be removed from the list of approved schools.”

In retrospect, the threat may have been overblown—after all, there were plenty of law schools in more severe straits than the College of Law—but Wilson had to take it very seriously. He had to *fight*—and in that fight, he would have plenty of allies. In July 1976, for example, five students had formed a Committee of Concerned Law Students to press the case for a new building; they had gotten motivated after the library and some faculty offices were drenched in a flood that, they said, attested to the “shortcomings of the present facility.”^{xiv}

The faculty likewise joined the campaign with a resolution of its own, insisting on a new building “at an approximate cost of 16 million dollars” and endorsing a forcefully worded statement entitled, “Can U.C. Afford Not to Have a Great Law School?” The answer to the rhetorical question, not surprisingly, was “no.” There was in Cincinnati (the document argued) a strong historical link between commercial prosperity and an expanding pool of talented and creative lawyers. If Cincinnati hoped to keep up with the needs of an increasingly complex economy, then its law school had



Renovation begins summer '79.

to be a great one.

Much of Wilson’s tenure as dean was devoted to a high-stakes, sometimes contentious three-way poker game among the accrediting bodies, President Bennis’s (and later, President Winkler’s) office, and himself. Starting with his own back-channel overture to Norm Murdock, and continuing through his deft maneuverings with the AALS and ABA

representatives, Wilson stepped right up to the line of insubordination—and occasionally may have stepped over it. Some 30 years later, he remains unrepentant. “By golly,” he says emphatically, “the law school was my client, and I was going to push their case just as far as I could.”^{xv}

Ultimately, Wilson’s back-channel tactics—and Norm Murdock’s careful shepherding of the capital request at the State House level—paid off, securing for



Dean Jorge Carro checks progress in the 1980s.

the college a \$6.25 million allocation for a new building. The University committed itself to mounting a \$2 million fund drive to augment those state funds, and also agreed to address both the number of faculty slots and the compensation issue at the law school.

But serious issues still remained. When the provost early in 1977 released preliminary financial plans for the 1977-79 biennium, they showed deep reductions across the board—including cuts that, the provost candidly

Opening Frontiers:

An institute is born, and a school is reborn



The first research and writing teachers Chuck Thatcher and David Gilbert

admitted, might result in the disaccreditation of the law school. At a special meeting in May, the faculty expressed “shock” at the apparent willingness of the provost to put the very survival of the law school in jeopardy, and demanded that he “expeditiously reaffirm the

University’s commitment to guarantee the continued accreditation and academic excellence of the College of Law.” Acting President Winkler stepped in to calm this situation, but relationships had been harmed.

Meanwhile, inflation—then running rampant—caused a 22.5 percent increase in the cost of the proposed new building; this would have translated into a 40 percent drop in net square footage. Reluctantly, in November 1977, the University and legislature agreed to a renovation and expansion of Taft Hall, rather than the construction of a new facility. Through the spring of 1978, plans were drawn up to rebuild Taft Hall in stages, to minimize disruptions.

By this time, Sam Wilson had decided that one four-year hitch as dean was enough. He knew that his tenacious advocacy for the College of Law had burned bridges with the central administration, and that staying in the line of fire would be a mistake. He announced his intention to relinquish the deanship at the end of August 1978, and willingly—even happily—returned to his teaching.

The quarry

■ The search for Wilson’s replacement got underway in the spring of 1978, with President Winkler and Provost John McCall closely involved. Winkler quickly settled upon Gordon A. Christenson as his man.

Trim, almost wiry, with an artist’s goatee and the twang-and-gravel voice of a rancher from his native

Utah, Christenson had the intellectual energy, vision, and personal magnetism that Winkler believed were essential to relaunching the College of Law. And then, of course, there was Christenson’s resumé: After earning his law degree at the University of Utah, he’d clerked for the Chief Justice of the Utah Supreme Court, served in Air Force intelligence during the Korean War, and worked in President Kennedy’s State Department before returning to academia to snap up a post-JD doctorate.

He then began teaching international law part-time at George Washington University, but soon took a challenging post as legal counsel to J. Herbert Hollomon, whom President Kennedy had installed in the Commerce Department to establish a national civilian science policy. In 1967, Christenson followed Hollomon to the University of Oklahoma, where Hollomon served as president and Christenson served as his assistant and also taught international law. This led, in turn, to a stint as Educational Dean for Development for the state university system in New York, where Christenson helped devise a kind of university without walls. It was from there that he went to Washington College of Law at American University as its dean in 1971.

All in all, it was not hard to see why, in the summer of 1978, President Henry Winkler was so taken with the peripatetic Christenson, and why he hoped Christenson would take up the deanship of the College of Law.

Rejection, and reaction

■ But then came Christenson’s letter. Winkler’s eyes must have tightened as they coursed down the crisp paragraphs: “I do not see how I could accept the appointment,” Christenson wrote, with a bluntness that the law school community eventually would come to recognize as characteristic. The College of Law lacked “a clear vision about the...future direction about law and legal education.” It lacked the resources needed to recreate itself—let alone to build the national and international stature that Winkler envisioned. “Decisions of that magnitude require the most unshakable clarity of purpose,” Christenson concluded. “This will of purpose I found wanting.”

No one would have faulted Winkler if he had given up the chase at that point. But Henry Winkler hadn’t achieved his own renown by giving up easily. Instead, he redoubled his efforts to land Christenson, albeit this



Students Jim Helmer and Kathy Brinkman.

time with a modified strategy. He put a glittering lure before Christenson's eyes: a proposed new institute for the study and promulgation of human rights around the world.

Remember that this was the late 1970s, when the overarching geopolitical framework was still the Cold War. Building on initiatives begun in the Ford Administration, Jimmy Carter's presidency was leading some of the nation's more farsighted legal thinkers to look beyond the Cold War to one of the fundamental issues that made autocratic regimes so objectionable in the first place: the violation of human rights. Seen in that light, this wasn't simply a U.S./U.S.S.R. conflict; it was a clash of *ideas*, being played out on a worldwide stage.

Winkler suspected that Christenson might be tempted by the opportunity to help address an issue of such enormous global implications. Meanwhile, of course, if a human rights institute were established and endowed at the College of Law—making it the first such institute in the *world* under a formal law school umbrella—that would help put the school on a new trajectory toward international significance.

Winkler knew his man. While in the international program at George Washington University, Christenson had written his dissertation on the rights of individuals brought before international tribunals.^{xvi} More recently, working with colleagues at Washington College of Law and the University of Virginia, he had helped establish the pioneering International Human Rights Law Group.^{xvii}

If anybody would respond to the chance to open this new frontier, Winkler knew, it would be Gordon Christenson.

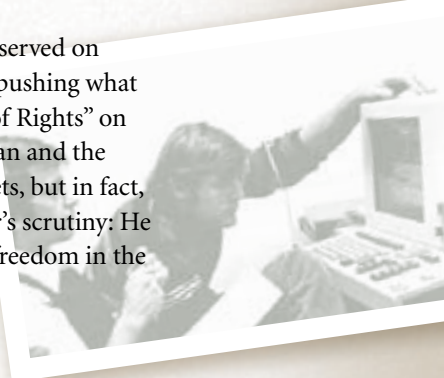
Seeds of an institute

Not least important, Winkler now had more than \$1 million in the pipeline that he could direct toward this endeavor. The funds came from the estate of a highly successful New York interior designer named Urban Morgan, who'd grown up in Cincinnati, graduated from the University, and—upon his death in 1977—left his alma mater a substantial bequest. According to the terms of Morgan's bequest, the specific object of his generosity was to be decided by his lawyer, William Butler.

The New York-based Butler came to this task with both relevant experience and personal passions. In parallel with his other professional responsibilities, Butler had long been driven by a powerful interest in human rights. This first took the form of a commitment to civil rights, which he had pursued as staff counsel for the American Civil Liberties Union, where he worked with the organization's founder, Roger Baldwin. In subsequent years, Butler twice argued and won landmark civil rights cases before the U. S. Supreme Court.

He took this cause overseas when he served on the International Commission of Jurists, pushing what he conceived of as an "International Bill of Rights" on oppressive governments like the Shah's Iran and the Philippines. These were high-profile targets, but in fact, no country was too small to escape Butler's scrutiny: He had also worked to promote democratic freedom in the

Students use Lexis/ Nexis system.



"Bill Butler had long been driven by a powerful interest in human rights."



Bert Lockwood, the first director of the Urban Morgan Institute, with William Butler.

Opening Frontiers:

An institute is born, and a school is reborn

tiny nation of Palau in Micronesia. He focused on state terror, torture, disappearances, genocide—all issues that have since emerged as central human-rights causes, but which were then relatively unbroken ground.

No surprise, then, that Bill Butler wanted to use his late client's benefaction to create a center for human rights at the College of Law. But in the year that Butler actively began pondering the idea—1977—the school wasn't prepared to take on such a project. Dean Sam Wilson had his hands full with accreditation-related issues, and planned to step down the following year, at the end of his four-year term.

Wilson's immediate successor in the deanship, Law Librarian Jorge Carro, took over as acting dean in September 1978.

Accordingly, Butler lobbied Carro on the subject of the proposed institute, and found him to be more than sympathetic. Carro had been born in Cuba, where he'd been a prominent

criminal defense lawyer and an early and fervent supporter of Castro's anti-Batista revolution. Disturbed by the subsequent excesses of the Castro regime, Carro had broken with Fidel—his former law school classmate—and fled to the United States. Under Carro's temporary leadership, however, the College was mostly marking time. Carro responded positively to Butler's entreaties, but wasn't in a position to make major institutional commitments.

Meanwhile, the University had been going through its own upheavals. President Warren Bennis resigned in 1977, and was succeeded by Henry Winkler, who immediately stepped into the middle of the law school's ongoing accreditation struggles.

Again, though, the clock was ticking. If Urban Morgan's bequest wasn't put to a specific use that would be approved by the University's governing boards—and if that use didn't pan out, in Bill Butler's estimation—the money would revert to the general funds of the University. A unique opportunity to put the College of Law on a new frontier would be lost.

To secure the institute for his law school, Winkler knew, he needed to secure Christenson. Working closely with University colleagues in the summer and fall of 1978, Winkler made a second run at his quarry.

A walk in the West End

Despite having once rebuffed the law school in Cincinnati, Christenson now found several things about the proposed human-rights institute enticing.

First, of course, there was the potential impact of the institute itself. But just as important, something significant was being said about the College of Law: People had *ambitions* for the place. They were pushing for it to be stronger, and bolder, and have more impact.

There were personal factors, as well. In the fall of 1978, he'd fallen in love. In London for a conference early that November, he bought an engagement ring for his fiancée at a Covent Garden antique market. He took in a play in the West End, then returned to his hotel in the Strand. Somewhere along the way, it came to him that he would take the post in Cincinnati after all. "A new marriage," he recalled, "a new challenge...an entirely new life."

Unexpectedly, the College of Law was his destiny. He returned to Cincinnati once more, and this time he told Henry Winkler *yes*: He was ready for a new challenge.

At a momentous January 1979 meeting, the College of Law faculty learned that President Winkler had informed the ABA and AASL accrediting bodies that all outstanding issues—including physical plant and faculty salaries—had been resolved. (Provost McCall had committed the University to making two \$25,000 additions to the law school's salary line over and above any collective bargaining increases.) The faculty also received formal notification that the "Urban Morgan Human Rights Institute" would be created within the College of Law. Bill Butler would be not only the director of the new Institute's advisory committee, but also Special Assistant to the President, thus cementing the Institute's ties to the larger University.

And finally, the faculty learned formally of Gordon Christenson's appointment as dean, effective April 1, 1979. Many among the faculty must have guessed that a new day was dawning. Few, perhaps, understood the scope of the changes that lay ahead—including the ones that they themselves would lead.



Venn Diagram of Christenson's "Sub Di" plan of action.

A rebirth: the “Sub Di,” buzz, and beyond

■ Almost from the minute he agreed to take the law school job, Christenson began training his formidable intellect on the challenge before him. From his forays into the natural sciences, he was fascinated with the process of nucleation, whereby an outside particle initiates the formation of a crystal. Christenson drew an analogy to his own impending role: *Change comes from the outside*. But as with crystallization, change also requires a receptive environment. Would his new faculty be open to new ideas?

There was only one way to find out: to commit those ideas to paper, and then subject them to vigorous debate. So Christenson wrote up a short paper that purported to be about the special needs of the third year of study, but which actually explored the complex relationship between the law school and the world its graduates would enter and influence—in other words, the school’s fundamental mission. The paper became the subject of an early faculty retreat, and subsequently of a longer, more intricate paper rather grandly entitled, “Substantive Directions in Legal Education at the University of Cincinnati: Planning, Choosing, Implementing.”

In this second iteration—adorned with an epigraph from the Roman philosopher Julius Polyaeus of Sardis—Christenson asserted, provocatively, that the entire third year of study was all too often forfeited to short-term concerns. Given that unhappy reality, he continued, the entire

“...Gordon was a strategist: always planning and plotting, always succeeding—even in retreat.”

—John McCall



Opening Frontiers:

An institute is born, and a school is reborn

educational effort of the school might better be directed to three larger, more enduring topics:

- the essential skills of the profession,
- an understanding of basic human rights and liberties, and
- a still larger appreciation of the “collective whole”—in other words, the great beehive of commercial activity that lawyers facilitate.

Christenson described these topics as three “centers,” each of which was in tension with the others. He included a Venn diagram showing three overlapping circles to underscore the point. Collectively, they added up to a very specific roadmap to excellence. *Skills* had clear curricular implications, especially in the clinical realm. The “collective whole” concept argued for developing close working relationships with practicing lawyers, including internships and other real-world experiences. As

for *basic human rights*, the Urban Morgan Institute obviously would play an absolutely central role.

A law school that delivered excellence along all three of these dimensions would be an outstanding institution, indeed. But perhaps most exciting about this vision was not its particulars, but its sheer sweep and

ambition. Barbara Watts, who had returned from private practice to work with Christenson in the dean’s office, recalls its enduring impact:

Much of what we’re doing today still grows out of some concepts that Gordon set forth at that time. He really had what we would call today a vision, although “vision” wasn’t as ubiquitous a word back in the early ’80s.

We used to joke about Substantive Directions in Legal Education, his secretary and I. We called it the “Sub Di.” From time to time, we would need to refer to it, but we’d find it was missing: “Uh, oh—where’s the Sub Di???”

And though I can’t say that I memorized it, it really was a very well thought-out plan for the arenas in which any law school should be pursuing educational initiatives.

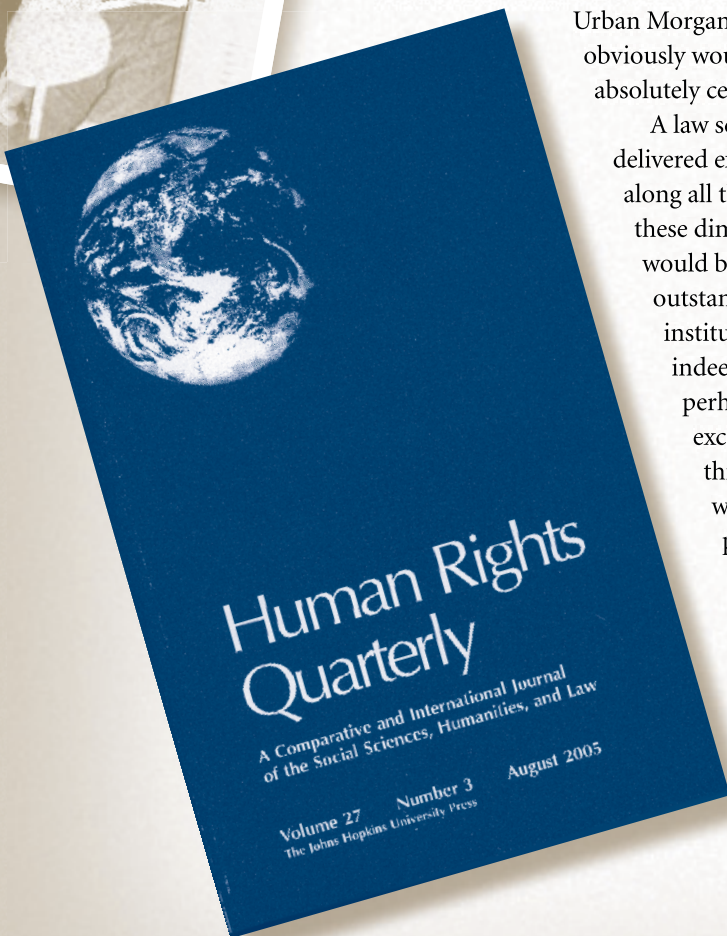
But the Sub Di was only an opening salvo. By the following year, Christenson was outlining in detail the kind of professors he wished to attract to enact the three aspects of the plan, and was starting to fill faculty openings with talented people who possessed (as he put it) “an understanding of the broader role of law in society as made practical through decision.”

In recruiting faculty talent, however, Christenson recognized that he faced a nearly insoluble challenge. As a small school in the Midwest—and one on a budget—the College of Law inevitably played farm team for the “big league” law schools, particularly on the east coast. The better the law school did at finding and grooming talent, the more likely that talent would be bid away by richer schools in larger cities. There was only one (partial) solution: Bring promising younger faculty along rapidly, so that the College could get the benefit of that talent just as long as possible.

One of Christenson’s first personnel moves was to bring in Bert Lockwood—who had been his associate dean at Washington College of Law and had helped

“Thus began Lockwood’s personal ‘Iron Man’ run as editor—which continues to this day—and thus were planted the seeds of a worldwide reputation for the Urban Morgan Institute.”

Student Wanda Perkins, late 70s.



set up the International Human Rights Law Group in Washington—to serve as the first director of the Urban Morgan Institute, and help implement the human-rights portion of Christenson’s tripartite plan for the school. Like Christenson, Lockwood firmly believed that in order for the Institute to succeed, it would have to be in the mainstream of the law school’s educational experience. Knowing that he would have to capture the interest of some of the College’s best students, Lockwood made sure that the dozen or so Fellows whom he attracted to the institute were first-rate students—and indeed, many Institute Fellows went on to finish their law school studies at the head of their classes.

With Christenson’s blessing, Lockwood acquired a prestigious publication—the *Human Rights Quarterly*, published by Johns Hopkins University Press. Thus began Lockwood’s personal “Iron Man” run as editor—which continues to this day—and thus were planted the seeds of a worldwide reputation for the Urban Morgan Institute. By the spring of 2007, Lockwood was able to celebrate not only the arrival of his hundredth issue as editor of the *Quarterly*, but also the journal’s unchallenged status as the world’s leading academic journal in its field. This success, he explains, grows in part out of the contributions of College of Law students:

The actual editing of the articles is done by the students who are associated with the program. This past year, for example, I had 80 students working with me on the Quarterly. And while the Quarterly is multidisciplinary, we follow the Law Review style of editing, which means that every footnote has to be checked back to the original source for form and accuracy—a very intensive process.

Meanwhile, I tell our students that the standard we’re trying to hit is that any article that appears in the Quarterly ought to be able to be understood by any literate reader. If they have trouble understanding something that one of our authors is saying, then it’s likely that many of our readers would, too. So they work with the authors to make everything clear, and compelling. I think that’s really been a key contributor to our success.^{xviii}

From the outset, the Urban Morgan Institute not only advanced the quality of thought given to the topic of human rights, it also helped to spread the word that *great things were happening* at the College of Law at the University of Cincinnati. This created energy and buzz, which in turn made the next strong faculty appointment easier.



Professor Ronna Greff Schneider

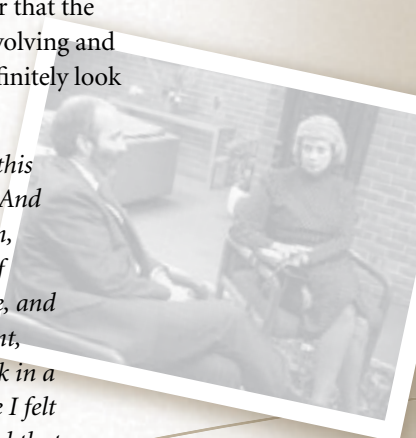
For example: A young Boston College law graduate, Ronna Greff Schneider, was looking to relocate from Boston to Cincinnati in 1980, and was considering getting into full-time academic law. Her faculty mentor at BC, Dean Richard Huber, told her that the

College of Law was on the move—rapidly evolving and transforming itself—and that she should definitely look into it:

Dick [Huber] was so enthusiastic about this place, and that really meant a lot to me. And then I came here and talked with Gordon, and that only confirmed my own sense of enthusiasm. He was very new at the time, and what I mainly remember is his excitement, and drive, and warmth. I wanted to work in a place where I liked the people, and where I felt exciting things were going to happen. And that was very palpable, here.^{xix}

That one of Christenson’s first faculty appointments was a woman was not coincidental. When he arrived in 1979, there was only one untenured woman on the faculty and two minority representatives. “I had to invent ways to make the faculty more diverse,” he says today. “Fortunately, there’s plenty of ‘draw’ here—plenty of ways to lure first-rate faculty in.”^{xx} Together with labor-law authority John Murphy—who had agreed to chair the faculty appointments committee—Christenson began looking for appropriate candidates to “lure” to Cincinnati.

On almost every front, in fact, Christenson actively stirred the pot. He created a research grant fund to support scholarly research, and let his professors know that superior scholarship was essential to professional advancement. (Almost overnight, at least in academic



Dean Joseph Tomain and Justice Sandra Day O’Conner.

Opening Frontiers:

An institute is born, and a school is reborn

terms, the number of articles by College of Law professors appearing in prominent legal journals began increasing.) When Chief Judge Carl Rubin of the U.S. District Court for the Southern District of Ohio proposed a Judge-in-Residence program, Christenson embraced it happily, and—beginning in 1982—Rubin conducted a federal civil jury trial in the school's Trial



Professor Glen Weissenberger and student.

Courtroom, under the scrutiny of students in the gallery. Meanwhile, Christenson also made a successful overture to the Cincinnati bar to bring the law school's students into closer contact with practitioners in the city. ("We have an excellent local bar," Christenson says today, "which has a very positive influence on

the place.") In response to Christenson's request, Judge Nathaniel Jones of the Sixth Circuit Court of Appeals agreed to offer a seminar in Civil Rights Litigation.

Of course, Christenson was not alone in recasting the College of Law. His vision—combined with his ability to turn up the necessary funds—enabled many of his colleagues to strike out in new directions. In 1984, for example, Professor Glen Weissenberger set up the Center for Studies in Professional Skills to help integrate lawyering skills throughout the curriculum. In addition to chairing the faculty appointments committee, John Murphy led a faculty committee that took on the difficult task of rewriting the school's tenure, promotion, and retention standards. (A then-recent hire and future dean, Joseph Tomain, later called this undertaking "absolutely central to what has subsequently happened to the College."^{xxi}) A reinvigorated library staff, blessed with an adequate acquisition budget and plenty of shelf space, effectively doubled the collection (from 100,000 volumes in 1978 to 200,000 in 1985).

Christenson and the College also had the great good fortune of a resolutely supportive president. Henry Winkler told his dean that he could retain any money he raised, rather than having funds revert to the larger University coffers. This provided Christenson with critical running room that his predecessors had lacked. And Winkler went further still: in 1982, he

allocated \$1 million from the University's Lapp bequest to the completion of the reconstructed Taft Hall.^{xxii}

And, it must be said, Christenson had the blessing of great timing. In 1980, in the depths of a severe national recession, the placement rate for College of Law graduates (by October after graduation) was only 66 percent. Four years later, with both Christenson's innovations and a rebounding national economy kicking in, that rate had increased to a robust 96 percent.^{xxiii}

Gradually, through the combined effect of strong leadership at the University and College levels, initiative by individual professors and staff members, and ample doses of good luck, the institution that Christenson had first outlined in the months before his arrival came into focus. As a result, the College of Law began engaging more fully with the world as it was: complex, unruly, and full of opportunity.

And by pursuing some of those opportunities, including but not limited to the Urban Morgan Institute, Christenson and his colleagues helped the College return to one of its oldest traditions: that of opening frontiers.

Moving on

Within a few short years, the essential work of elevating the College of Law and restoring its momentum was well underway, and Gordon Christenson was getting strong reviews. As Samuel Wilson—chair of a committee gathered to assess the progress of the law school at the end of 1982, and himself no stranger to struggle—observed, Christenson was "very important to the future of the College of Law." The Cincinnati Bar, Law Alumni Association, faculty, and student representatives alike were all "very impressed with Dean Christenson personally and in the way he has administered the College of Law over the past three and a half years."

And perhaps picking up on some hint of restlessness or war-weariness in his successor, Wilson noted in a letter to the University's new president, Joseph Steger, "Dean Christenson has provided us with excellent leadership. It would be most unfortunate if he were not to continue."^{xxiv}

John McCall, the former university provost who had moved on to become the president of Knox College, sounded a wistful, even eulogistic note as he looked



Taft bust installed, early 90s

Notes

- ⁱ Jeffrey L. Cruikshank, president of the Cruikshank Company, is the author of numerous institutional histories and management-oriented books. John Sedgwick is the author of *In My Blood: Six Generations of Madness and Desire in an American Family*, and five other books.
- ⁱⁱ “Founding the Urban Morgan Institute,” Christenson, pp 1-4
- ⁱⁱⁱ Interview with Henry Winkler, 07.03.07
- ^{iv} Notes of the board of trustees meeting, 1976, from my own notes
- ^v Details about Taft Hall from Report on College of Law, UC, April 28, 29, and 30, May 1 1975, first page of section VIII, page # unclear
- ^{vi} College of Law Facilities Study, May and Noe, Sept 1974 p 7
- ^{vii} COL report, op cit same page
- ^{viii} From the 05.08.72 draft of the COL’s long-range plan
- ^{ix} From the 12/67 issue of Cincinnati Alumnus
- ^x Interview with Sandra Beckwith, 01.10.07
- ^{xi} Interview with Kathleen M. Brinkman, 01.10.07
- ^{xii} Interview with Barbara Watts, 07.02.07
- ^{xiii} Interview with Samuel S. Wilson, 01.09.07
- ^{xiv} All Murdock quotes are from an 08.18.07 phone interview.
- ^{xv} Letter, 07.07.76, from the Committee of Concerned Law Students

- ^{xvi} Interview with Samuel S. Wilson, 01.09.07
- ^{xvii} Interview with Gordon A. Christenson, 01.08.07
- ^{xviii} Interview with Gordon A. Christenson, 08.16.07. This group survives today as the Washington-based Global Rights organization.
- ^{xix} Interview with Bert Lockwood, 08.16.07
- ^{xx} Interview with Ronna Greff Schneider, 07.02.07
- ^{xxi} Interview with Gordon A. Christenson, 01.08.07
- ^{xxii} Interview with Joseph P. Tomain, 01.09.07
- ^{xxiii} Faculty minutes, 05.11.82
- ^{xxiv} From “Summing up: report of Gordon A. Christenson, Dean and Nippert Professor of Law, 1979-1985,” published by the College
- ^{xxv} Samuel S. Wilson to Joseph A. Steger, 11.02.82, as part of the report of the “Committee to evaluate the law school during the administration of Dean Christenson”
- ^{xxvi} John P. McCall to Samuel S. Wilson, 09.27.82
- ^{xxvii} Gordon A. Christenson to Joseph A. Steger, 08.31.84
- ^{xxviii} Gordon A. Christenson, “A Tale of Two Lawyers,” 71 University of Cincinnati Law Review 457-92 (2002)

Photo on page 3 from the collection of The Public Library of Cincinnati and Hamilton County

back on his dealings with Christenson: “He was not simply a fighter: fighters wear thin with good presidents and provosts and are ultimately boring; but Gordon was a strategist: always planning and plotting, always succeeding—even in retreat.”^{xxv}

In fact, as early as the spring of 1984, Gordon Christenson began thinking that it was time to look for his next challenge. Agents of change don’t sit still for very long, and Christenson—who felt he had accomplished most of his goals—was growing impatient with the intense, often emotional process of moving a group of talented, stubborn, opinionated people in a new direction. In August 1984, after a meandering drive across the American West with his wife, his restlessness gave way to resolution, and he gave notice to President Steger that he would step down the following year, after six and a half years in the deanship.^{xxvi}

Looking backward, looking forward

■ A few years after Christenson retired from the deanship in 1985, he began pondering what it was that had given the College of Law such resilience—not just in his tenure, but before and since. An institution that might easily have slipped into somnolence, or even

oblivion, had continued to thrive for the better part of two centuries. Why, exactly, was that so?

Christenson, a keen observer of human nature and human organizations, wondered if he (and other school leaders before and after him) had somehow tapped into some sort of wellspring of determination—some deep vein of indominability—that had been a feature of the school from its earliest days. Was there something about this place, Cincinnati, on the banks of a normally slow-moving but always powerful river, that lent strength? Was there something about the local bar, sometimes skeptical and yet always supportive, that provided a special resiliency to the place? Was there something about frontiers—both physical and intellectual—that affected the calculation, and which he needed to understand better?

Christenson soon decided that he needed not to look at the College of today, which he knew well, but rather, at the College of long ago. It had been almost two centuries since a young graduate of the Harvard Law School, Timothy Walker, ventured southwest—first by mail stage, then by the steamboat Emigrant—down the Ohio to the North’s southernmost city.^{xxvii}

So who was this Timothy Walker, and why was he drawn to frontiers? (*to be continued*)