

The image is a promotional graphic for a book. At the top, a horizontal border of small blue stars runs across the width of the page. Below this, the title 'OUR PROFESSOR,' is written in large, red, serif capital letters. To the right of the title, the word 'Lucy' is written in a large, elegant, red cursive script. In the lower-left quadrant, there is a black and white portrait of Benjamin Harrison, an older man with a full white beard and mustache, wearing a suit and tie. In the lower-right quadrant, a quote from 'The New York Times' is displayed in a blue serif font, enclosed in a thin blue rectangular border. The quote reads: 'The little-known story of how a President of the United States, Benjamin Harrison, helped launch Stanford Law School.' The background of the entire graphic is a light cream or off-white color. In the bottom-left corner, there is a small, faint logo that reads 'STANFORD ARCHIVES'.

Thurs



THE PRESIDENT

Decision

By Howard Bromberg, J.D.

STANFORD'S first professor of law was a former President of the United States. This is a distinction that no other school can claim. On March 2, 1893, with two days remaining in his administration, President Benjamin Harrison accepted an appointment as Non-Resident Professor of Constitutional Law at Stanford University.

Harrison's decision was a triumph for the fledgling western university and its founder, Leland Stanford, who had personally recruited the chief of state. It also provided a tremendous boost to the nascent Law Department, which had suffered months of frustration and disappointment.

David Starr Jordan, Stanford University's first president, had been planning a law program since the University opened in 1891. He would model it on the innovative approach to legal education proposed by Woodrow Wilson, Jurisprudence Professor at Princeton. Law would be taught simultaneously with the social sciences; no one would be admitted to graduate legal studies who was not already a college graduate; and the department would be thoroughly integrated with the life and



STANFORD ARCHIVES

Leland Stanford (left) entertained President Harrison (seated) and Postmaster General John Wanamaker (right) at the Senator's campus home during the presidential tour of 1891. Wanamaker would later help Harrison prepare the Stanford lectures.

mission of the university. It was a dynamic blueprint that Jordan hoped would attract established scholars.

He was soon disillusioned. Most of the well-known law professors Jordan approached showed interest in his plans, but no more than that. Two professors did accept offers of employment; but one subsequently decided to go to Cornell, and the other, after some thought, asked for a leave of absence to observe the progress of Jordan's plans. It appeared that the Law Department

would open in the 1893-94 academic year without a single professor.

And then Leland Stanford managed one of the more spectacular coups in the history of American education.

LELAND STANFORD and Benjamin Harrison had been firm political allies since the days when they were both United States senators. Their alliance ripened into a close friendship

during Harrison's four difficult years in the White House.

In 1891, Senator Stanford helped arrange a presidential cross-country train tour, during which Harrison visited and was impressed by the university campus still under construction. When Harrison was defeated by Grover Cleveland in the 1892 election, it occurred to Senator Stanford to invite his friend—who had been one of the nation's leading lawyers before entering the Senate—to join the as-yet empty Stanford law faculty.

Few expected President Harrison to accept. Not that Senator Stanford had failed to make the terms attractive. Harrison was offered a limited teaching schedule; the opportunity to lecture on any topic he chose; and the then-fantastic salary of \$10,000. But Harrison had already made it clear that he wanted to spend the years after his presidency quietly.

The President also had to consider the proper role of an ex-president. America had a strangely ambivalent attitude toward its former chiefs of state: It was thought undemocratic to provide them with pensions, but degrading to their former office for them to accept paid employment. Certainly no ex-president had ever joined a college faculty. Teaching per se—much less, teaching at a struggling young college—might not be an appropriate sequel to the nation's highest office.

Nonetheless, after several weeks of zealous effort by Senator Stanford, Harrison did accept. His reasons can best be described as patriotic. Harrison had become convinced during his presidency that American public life had been corrupted by greed and selfishness. The remedy, he concluded, was to educate Americans in the benefits of self-government and instill a "greater reverence for law." If he could inculcate in new generations the values of disinterested citizenship and service, he wrote President Jordan, he would "accomplish a work more lasting than anything I have yet been able to do."

enjoyable” that they had heard at Stanford.

Perhaps more significant, however, was the reaction of the apple-cheeked Stanford student who would someday himself be President: Herbert Hoover. “I profited by the lectures,” he would recall. Harrison’s stay also gave the earnest 19-year-old his “first contact with a great public man”—an amusing episode still vivid to Hoover when he began writing his memoirs some twenty years later [see *opposite page*].

Harrison, though at Stanford primarily to speak on constitutional history, also participated actively in the life of the University. The former President delivered speeches on Founders Day, at the Students’ Midwinter Fair, and to the Stanford Christian Association and the Trustees; visited the Stanford chapter of his old fraternity, Phi Delta Theta; and gave several tender eulogies to his friend, Leland Stanford, who had died the previous summer.

Among his many get-togethers with student groups, Harrison had a private meeting with 70 law students. He encouraged them to engage in “profound study,” not only of the decisions of cases, but of the general principles that determined those decisions. The former President also urged them, once they become lawyers, to put the well-being of society before their own professional goals. They should be “influential . . . on the side of justice, good morals, and right politics.”

PRESIDENT HARRISON left Stanford on April 16, 1894, for his home in Indianapolis. His plan, he then announced, was to resume his lectures the following year, bringing the story of the Constitution from its adoption to the present day.

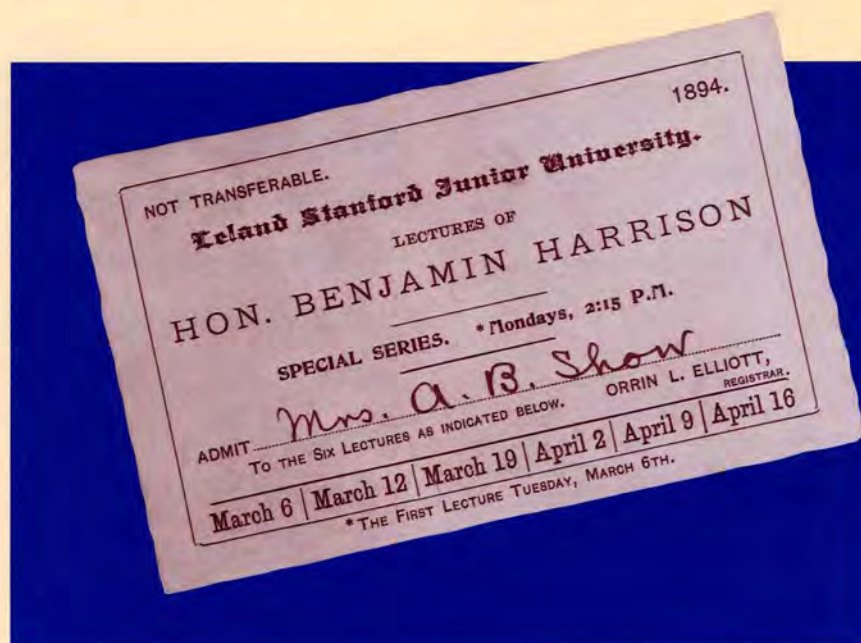
It never happened. Harrison remained officially on the faculty until 1896, but did not return to the Stanford campus. There were several reasons. Leland Stanford’s death had broken the strong link of friendship. Equally important, it

removed the only University official with experience at the highest levels of government. Without the founder’s guiding hand, the University administration dismayed the former President by allowing unauthorized publication of Harrison’s lectures, and by ineptly handling a theft of wine from Harrison’s room. (An account of this curious episode appeared in the June 1991 issue of *Stanford Magazine*.)

Perhaps the most important reason for Harrison’s change of plans,

United States Senate.”

Harrison’s tenure at Stanford, though brief, was of great significance. From a national perspective, the Stanford lectures were a major educational and civic event, presenting to a broad audience—apparently for the first time—the evolutionary theory of the Constitution. In addition, Harrison’s professorial undertaking established university teaching as worthy of an ex-President. Several of Harrison’s immediate successors in the Oval Office would in fact follow his example.



however, was the severe strain that teaching exacted on the weary former President. He had found the task of preparing definitive lectures—they would eventually be published as a book—so draining as to be “work and not fun.” Nor was delivering the lectures any easier. Harrison was famous for his oratorical abilities—one of the reasons why Senator Stanford was so eager to recruit him—and enjoyed the swirl and noise of the political hustings. But when he looked out on a hall packed with 800 eager Stanford students, notebooks open, pens in hand, Harrison felt “more trepidation” than when he “addressed the

To Leland Stanford’s young university, the appointment of the former President brought a new and precocious stature. Stanford University and its influential founder had accomplished a feat that had eluded even the most hoary and prestigious of the eastern colleges.

But the greatest impact of Harrison’s tenure at Stanford was on the newly launched law program. Formerly spurned and humiliated by several professors, the Law Department became the most glamorous department in the University the instant Harrison joined. Enrollment more than doubled, the library expanded, and the vacillating pro-

fessor on leave came to teach. In the sometimes difficult years to follow, the Stanford Law Department, soon to be the Stanford Law School, could always take inspiration from the lofty example set by its first professor. □



The Lectures

Although somewhat dated by their too-heavy emphasis on the evolutionary nature of constitutional formation, Harrison's Stanford lectures still make interesting and informative reading. They are contained in *Views of an Ex-President* (Bowen-Merrill, 1901), a posthumous collection of Harrison's speeches published by his widow.

The drafts of the lectures—over 860 pages worth—are among the Benjamin Harrison Papers at the Library of Congress (also available on microfilm). From these documents, it is possible to observe Harrison's painstaking preparation, as well as the extensive readings and authors he used for authority. —H.B.



HOWARD BROMBERG taught *Legal Research and Writing* at Stanford Law School from 1988 to 1990 and is currently a candidate for the J.S.D. degree. Trained in both history and law (Harvard B.A. 1980 and J.D. 1983), he has been commissioned to write the history of Stanford Law School's first 100 years. Readers with papers, anecdotes, or photographs from the School's past are encouraged to get in touch with Bromberg at Escondido Village 96-D, Stanford, CA 94305; telephone (415) 497-0887.



Once and Future Presidents

HISTORY SOMETIMES takes curious turns. One such was the encounter at a Stanford baseball game of the twenty-third President of the United States and the impressionable student who would eventually become the thirty-first in that high office. Their meeting—described by Herbert Hoover in his memoirs—was both amusing and revealing:

“Former President Benjamin Harrison had been induced by Senator Stanford to deliver a course of lectures upon some phases of government. I profited by the lectures. But then as manager of the baseball team I had a stern duty to perform. We had no enclosed field. We collected the 25 cents admission by outposts of students who demanded the cash. One afternoon Mr. Harrison came to the game. Either he ignored the collector or the collector was overcome with shyness. Anyway that outpost reported to me that Mr. Harrison had not paid. I collected the money. Mr. Harrison was cheerful about it and bought also an advance ticket to the next week's game. He would not take the 50 cents change from a dollar. But I insisted that we were not a charitable institution and that he must take it. Justice must occasionally be done even to ex-Presidents . . .”

—Herbert Hoover, *The Memoirs of Herbert Hoover*,
Vol. 1: *Years of Adventure* (Macmillan, 1951), p. 21.