

Northern Illinois University Law Review

Volume 1 | Issue 1

Article 1

11-1-1980

A Dedication to John S. Bainbridge

William Burnett Harvey

Follow this and additional works at: <https://huskiecommons.lib.niu.edu/niulr>



Part of the [Law Commons](#)

Recommended Citation

Harvey, William Burnett (1980) "A Dedication to John S. Bainbridge," *Northern Illinois University Law Review*. Vol. 1: Iss. 1, Article 1.

Available at: <https://huskiecommons.lib.niu.edu/niulr/vol1/iss1/1>

This Essay/Newsletter is brought to you for free and open access by Huskie Commons. It has been accepted for inclusion in Northern Illinois University Law Review by an authorized editor of Huskie Commons. For more information, please contact jschumacher@niu.edu.

A DEDICATION TO JOHN S. BAINBRIDGE

*Wm. Burnett Harvey**

The retirement of a friend — especially one viewed as a contemporary — evokes remembrances of things past, perhaps invites assessments, and stimulates at least half-envious thoughts of less encumbered hours for reflection, the doing of long-deferred “fun things,” and (let’s be honest) some plain loafing. So stimulated, I welcome this opportunity to write briefly about John Bainbridge.

My recollections of John span many years; they retain the glow of stimulating, creative work together, and they are warmed by continuing friendship. I first met John not long after he had left practice and had accepted a position in the Columbia University School of Law. We were in that rather small group of American lawyers who had become interested in the adaptation of African legal institutions to respond better to the imperatives of recently acquired sovereignty and to the rising expectations of the African peoples. I’m happy to recall that we did not regard ourselves as dispensers of ready-made blueprints for change, but rather as learners in complex legal orders, polities, and cultures far different from our own. Our “expertise,” if any we had, was in universities, and particularly in the education of lawyers. Since the establishment of law faculties and the creation or expansion of an indigenous legal profession were high priorities in many of the newly independent countries, American lawyers went to Sierra Leone, Ghana, Nigeria, Ethiopia, and other countries, as teachers, researchers, or administrators of law faculties.

John Bainbridge did not settle down in an African university, but remained in New York. Though I feel some discomfort with the military analogy, it’s apt: the troops in the field needed a vigorous quartermaster-general in this country to assure that the

* Prof. of Law and Political Science Boston University School of Law; A.B. Wake Forest (1943); J.D. University of Michigan (1948). Dean and Prof., Univ. of Ghana, 1962-64; Dean and Prof. of Law and Pol. Sci., Ind. Univ., Bloomington 1966-71; Prof. of Law and Pol. Sci., 1971-73; Visiting Fulbright Prof., Univ. of Nairobi, 1971-72; Visiting Prof., Duke Univ., 1972-73; Prof. of Law and Pol. Sci., Boston Univ. since 1973; Vis. Prof. of Int’l Law, Fletcher Sch. of Law and Diplomacy, 1975-76; Vis. Prof. of Law, Harvard Law School, 1977-78.

needed flow of resources — money, books, and teachers — was uninterrupted. In time, a counterflow began, as young African lawyers began to arrive in this country for post-graduate education on fellowships provided by American donors. It is hardly an exaggeration to describe John's role in New York as that of the quartermaster-general for the various law programs in Africa that sought and received American support. Each year, he visited a number of countries to ascertain needs and provide encouragement. But in the main, he operated from different bases in New York — the SAILER Project in the Institute of International Education and the International Legal Center — to marshal and administer the resources that were vital to the success of the efforts many of us were investing in various parts of Africa.

Those years of work together, in enterprises we believed in, provided the bedrock of an on-going relation long after the major American involvement in African legal education had ended. Over the years our professional paths have crossed recurrently — during John's participation in the launching of the new school of Pace University and into his period as Dean of the College of Law at Northern Illinois University, from which he will soon retire.

To assess John Bainbridge's career would be for me an act of presumption, but I claim entitlement to write an appreciation. When John left practice, he defined himself as an educational administrator. He appreciated excellence in teaching and scholarship and thus demonstrated, I believe, that sensitivity to the real heart of the academic enterprise that distinguishes the good administrator from the merely efficient functionary. One seeking the unifying theme in John's career would find it, I suggest, in *development*, in helping to build new, vital and responsive educational institutions in many places, from the new nations of Africa to the western suburbs of Chicago. Such a commitment to building institutions necessarily involves an acceptance of high-risk ventures in which the satisfactions of creative successes are always counterbalanced by the hazards of failure. The developer must be a risk-taker, fully vulnerable to the stresses and dangers of his professional world. Holmes once observed that the person who seeks detachment from the tensions of his time runs the risk of being judged not to have lived at all. Adopting Holmes' standard, I would suggest that John Bainbridge must be deemed to have lived fully indeed.

Lest these brief comments end on a note of sad farewell, may I conclude with a look ahead. My guess is that, for John, days of unencumbered leisure hold no charm. I know nothing of his plans,

but I would expect active pursuits — perhaps a new position that offers a novel array of challenges, certainly further work with his book on the publicly-exhibited art in his beloved New York. In whatever he does there will come from his friends fond good wishes for fruitful and satisfying years ahead.

