

TRIBUTES

THE CROWNING OF HEARTS: A TRIBUTE TO DEAN HUFFMAN

BY

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Dean James L. Huffman, the tenth law dean in the 124 year history of this law school, is the most *agreeable* person with whom I have ever had the joy to *disagree*. I puzzle over that seeming oxymoron—disagreeing with the agreeable—every bit as enigmatic as its antithesis, agreeing with the disagreeable.

After all, what makes us what we are? Certainly not our clothes, our talent with violins, colors, words, or baseballs. What we truly are has little to do with muscle, weight, height, health, or any other physicality that attracts consumers to commerce and producers to advertising. Nor can it or should it be ancestry, nationality, customs, caste, or body colors.

What we *are* has to be something at heart and mind. So, if the essence, spirit, ethos, soul of a person is feeling and thought, how can we disagree with the agreeable? Can we dissent from concepts yet embrace their conceiver? Are we true when we reject the message yet receive the courier? Is simultaneous protest and acceptance hypocrisy?

Case in point: Dean Jim, an agreeable man with whom I disagree. The affinity must be something deeper than the difference—something more of the person. Jim and I argue generally in the arena of economic analysis of law and his free market approach to it—like as though what makes the law clock tick are willing buyers and sellers and costs and benefits, all turned into dollars, numbers, and other wealth quantifications of the qualities of life, liberty, and happiness. Specifically, we part over environmental protection and the extent to which government regulators should intrude on private property and its use. Jim's Jeffersonian and Libertarian views follow the admonition that governing is best when least. His arguments in support of his notions have

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been so over-whelming that the best rebuttal I could muster was to call them “naïve”—a non-constructive epithet for which I take this forum to apologize.

Ah but, this assignment is not about argument; it’s about acknowledgment. The task here is tribute. In spite of contrariety, Jim is nonetheless a most likeable colleague and for thirteen years has been a stalwart leader as our dean. And thus, the conundrum: How can there be “agreeable” midst disagreement? The hint of an answer may lie in the following true story—a reminiscence upon an outdoor journey lived some two decades ago.

Somewhere in the mid-1980s, Professors Mike Blumm and Jim Huffman, students Jeff Bennett and Steve Owlett, Jim’s sister, Marjorie Smith, and myself, spent some days and nights camping and rafting the dangerous, white-water rapids of the Snake River as it rushed through the harrowing Hells Canyon, which separates Idaho and Oregon. After the river sojourn, there came a second journey: motoring home three hundred miles away. Ahead of us were the Blue Mountains, the Columbia Plateau, the Cascade Range, and eventually our law school in the green Willamette Valley. The route followed the same wide span taken by pioneers in the mid-1800s. What took them over a month to travel in their ox-driven wagons over uncharted lands, would take us just one long day with the advantages of paved highway, iron horse, and oases of food, coffee, and plumbing all along the way.

Jim was our driver in his cherished pick-up truck, affectionately called “Rudy”—a monster that Jim had rigged with a huge, enclosed cabin, suitable for hauling and sleeping. I was up front in the passenger seat with Jim at the wheel while the others were holed up trying to rest in that back rig along with the deflated raft, paddles, life jackets, sleeping bags, packs, and other gear. Having motored our way up and out of North America’s deepest canyon, we finally hit some smooth driving on Highway 86. At Baker City, we took to Road 7 as it wound through Dooley Pass and prairie foothills.

Jim and I were likely in conversation about Oregon frontier pioneering, a topic in which Jim, as a history major, and I, as a history hobbyist, found kinship. Suddenly, Jim pulled Rudy to the roadside and turned off the motor. Only the wind off the grasses broke the silence. He pointed to a couple of dirt ruts coming down from a distant rise to our left, crossing our highway, and then moving away to our right through rolls of prairie and range land as far as the coming horizon.

“This ought to be it,” he said.

“Ought to be what?” I said.

“Where they came and where they went,” he responded.

“They?” I must have asked.

“Pioneers. In their wagons.”

“You think this is the old Overland Passage?”

“Yep. They had to come this way.”

I made a quick mental calculation. “If so, then the ruts were blazed 150 years ago.”

“They came out of the pass and headed out there. Same as us.” By then, he was talking to himself.

“Must be the old Elliott Cutoff.” I was talking to myself as well.

Then he muttered, “Let’s have a look.”

That’s how I remember the gist of what was *said*. What is more memorable is what was *done*. Indeed, action not only speaks louder than words; it is more sure than words. And therein is my point.

Upon that lonely stretch of road not far from Hells Canyon, Jim slapped on the engine and reined Rudy onto the ruts. The Oregon Trail once again had pathfinders. We went bumping, winding, and rolling over miles and miles of rough terrain, stopping betimes to open and close a barbwire gate here and there and easing Rudy’s carcass and cargo down and out of gullies, across dry, cracked creek beds, and through some narrow defiles. It was not ground-breaking, but it was bushwhacking and body-wrenching. Mike, Jeff, and Steve in back of the covered wagon (Jim’s sister had already gone back to Montana) were tossed, toppled, and mixed with all of the possibles, provender, and other fixings. To them, the cutoff must have been most disagreeable.

But not for me. With my imagination in full swing, I was riding shotgun on buckboard with Jim at the reins, both of us enjoying every minute. We were in search of yesteryears where pioneers had struggled in search of tomorrows. Eventually, like turning the last page of a good read, we came back to concrete road and our own century.

So too has been our venture with Dean Jim as drover through years of making a law school. He is a doer and something of a maverick at doing it. How does one put together the jigs and saws of a man of so many action pieces: cookie-baker, lepidopterist, oarsman, versifier, vegetable gardener, crop-raiser, truck-rigger, coop and shed-carpenter, chicken-egg gatherer, log-lodge builder, jump shooter, mountaineer, and whatever else his immense willingness has led him to try. That spirit could be at times whimsical: he once turned his faculty parking space into a garden, made the sun-lit faculty library a greenhouse for his plant starters, and successfully bid on an auction purchase that made the two of us co-owners of *El Juez*, a wild, rogue llama.

Law is a written and talkative business. As has been said, words are the lawyer’s stock-in-trade. But, too much talk can be an undoing. Language does not *do*; it only *speaks* of doings. Turning words into work is the tribute. Jim is action-motivated, and it is by his deeds and his heart that we know him. In his thirteen years as a dean, he journeyed in search of his law school’s tomorrows; he did not just talk; he drove, sometimes off the beaten track.

He has chosen to turn off of the decanal road, where he had to foster his community. He has returned to professoring, where he can be more of an individual. If he will be as good a loner as he was a leader, we will benefit greatly from the ride no matter if we disagree with this most agreeable man.

The nation’s present political climate too often drives a wedge between individuality and community, between self-reliance and governing, between liberty and union, when in fact they fulfill one another. Dean Jim, the individual, has the respect and admiration of a community in which he sometimes may have felt alone. Let me assure him of this: it is much more crowning to have the *hearts* of the congregation across the square than to have the *ear* of one’s own choir.