

# HARRY TRUMAN AND THE JOY OF DEANING

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“Being president is like riding a tiger. A man has to keep on riding or be swallowed.”  
Harry Truman

I have two confessions to make. First, I am a Harry Truman fan. I think he would have been a great president but for a “do nothing” Congress and a little problem on the Korean peninsula. President Truman was a pretty ordinary fellow (a farm boy and a failed businessman) who was thrust into a wartime presidency, having to follow one of the greatest leaders of our time.<sup>1</sup>

But he grew to like the job, enjoying the challenge of adjusting the rules of government so that for once they would, in his plain-speaking words, “give the little guy a break.” And he became a legend himself in American politics with his astounding come-from-behind victory in the 1948 presidential campaign.

As to my second confession, I’m what we call in this business a recidivist dean, just finishing my second year of my second deanship. Like Truman, I enjoy my job and consider myself a lucky guy to have it. But I didn’t always have that sense of satisfaction. At the end of my second year in my first deanship I was telling an old friend about all my problems. It seemed like that year I had been the victim of a sophomore jinx with a different crisis erupting each week. After listening to my woebegone tale for some time my friend finally asked me: “Is there any part of being a law school dean that you like?” And I was hard pressed to give her an answer.

But with a little perseverance things turned around and I soon felt like I was hitting my stride. Just about a year later I found myself part of a “sensitivity session” with a bunch of other deans. My colleagues were complaining bitterly to each other about their terrible situations. As one dean after another went on about the constant stress they all felt and the pervasive ingratitude they received for their dedicated efforts, I felt compelled to share President Truman’s pithy advice about the need for mental toughness in leadership: “If you can’t take the heat, get out of the kitchen.” I also reminded them of his realistic take on the nature of human relations: “If you want a friend, get a dog.”

A few years later, after some decent accomplishments in my first deanship, I decided to step down to explore other opportunities. My initial decanal tenure was not only good, I believe, for my old school in the contributions that I made to its development, but it was also a success for me personally in terms of my own growth and fulfillment. And despite a few bumps along the road, things seem to be going

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1. Commenting to reporters the day after his accession to the presidency, Truman said: “When they told me yesterday what had happened, I felt like the moon, stars, and all the planets had fallen on me.” DAVID MCCULLOUGH, *TRUMAN* 353 (1992).

pretty well at my second deanship too. Attitude, as they say is everything and "Give-em-hell Harry" had plenty of it. So let me share with you some of the approaches, Trumanesque and others, that I find helpful in making this job a gratifying experience.

#### THE BUCK STOPS HERE

That, of course, was the famous sign that President Truman stuck at the front of his desk in the oval office. As a law school dean you are the institution's chief executive officer and have an unlimited job description. So I would presume that anyone who seeks such a post would have a highly developed sense of responsibility

Along those lines, I think it's very important for a dean not to lose touch with what's going on at the school. Harry Truman shocked Washington by taking daily strolls around his White House neighborhood. Unfortunately, many beautifully designed new law school facilities, like mine, have the dean's office tucked away somewhere in the back of the building. So several times a day the dean should get out and about to take the temperature of the faculty staff, and students. It's also not a bad way to exercise your important role as cheerleader-in-chief, offering words of appreciation and support where appropriate.

Listening sessions and evaluative surveys of your performance as dean are also helpful. Ed Koch, when he was Mayor of New York City, used to go around asking people: "How am I doing?" Chances are if you ask that question of your faculty colleagues, you may get some answers you won't initially like. But if you give some serious reflection to their responses you may learn how to be a better dean. Harry Truman bristled when the Supreme Court rebuked his actions in the steel seizure case,<sup>2</sup> but he later admitted the Court was absolutely right.<sup>3</sup>

#### IT'S A DIRTY JOB

As dean you have to do a lot of difficult things that no one else can, like holding your faculty colleagues accountable for deficient performances. Irish diplomacy—the ability to tell people to go to hell so that they look forward to the trip—is the ideal way to handle such matters. But it's a high art and, even when practiced with perfection, it often doesn't succeed. So unfortunately in many instances, more direct and forceful measures are necessary

In fact it often seems that enduring a myriad of distasteful events is part of a dean's lot. You have to explain tuition increases and other unpopular policies to students. Then there are the roller coaster rides that go with the annual appearance of bar exam results and the *U.S. News* rankings. And of course it's part of your job to take the heat when the central administration decides that it's necessary for across-the-board budget cuts. In such times, probably the best advice you can give yourself is: "Suck it up" and "Gut it out."

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2. See generally *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952).

3. MCCULLOUGH, *supra* note 1, at 901.

Law school deaning, like legal practice itself, is often a messy business. Recent scholarship has been coming to grips with that unpleasant reality. Charles Fried has written that lawyers who have often been held up idealistically as the architects of society might be better describes as its janitors.<sup>4</sup> As a complement to that grim outlook, Pierre Schlag has called for the development of a “jurisprudence noire.”<sup>5</sup> It was probably no coincidence then that after a few years as a dean I became a big fan of Raymond Chandler novels. Like his heroes, it’s best for deans to consider “Trouble” their middle name and to take a certain existential relish in trying to make the best of things in an imperfect world.

And in getting those disagreeable tasks done, deans should consider virtue (or at least internal satisfaction) its own reward. “This job is like vacuuming,” one fellow dean told me. “If you do it well no one notices.” Or as Lao Tzu put it many centuries ago: “A leader is best when people barely know that he exists.. Of a good leader who talks little, when his work is done, his aim fulfilled, the people will all say ‘We did this ourselves.’”

#### DON’T LOSE YOUR OWN VOICE AND DON’T BEAT YOURSELF UP FOR BEING HUMAN

As dean, of course, you’ll see yourself as a dynamic leader with a mission to improve your institution. But chances are there will not be universal approval of your proposals for reform, particularly by your faculty colleagues. Tact and diplomacy are essential and veteran deans give classic counsel such as “Never take anything personally.” Yet it’s hard to maintain such a consistently sanguine outlook in the face of frustrations than can occur in multiple doses almost every day.

Harry Truman famously wrote an intemperate and profane letter to the music critic of the *Washington Post* who had panned a piano recital by his daughter Margaret.<sup>6</sup> He received a lot of criticism for that outburst when the *Post* published his communication, but I’m sure Harry felt better for writing it. Sometimes a little passionate indignation can’t be helped and may even promote your effectiveness by letting people know what you really care about.

#### NEVER BE ASHAMED TO BEG

St. Francis of Assisi gave that instruction to his followers. Of course they were doing the work of the Lord. But so are we in our “noirish” way. And more than ever we need outside financial help to alleviate some of our tuition dependency in these days of escalating costs.

So when wealthy alums tell you that you’re doing a great job, just reply with one of President Kennedy’s great lines. “I’m touched by your support, now it’s my turn to touch you.”

4. Charles Fried, *Jurisprudential Responses to Legal Realism*, 73 CORNELL L. REV. 331, 333 (1988).

5. Pierre Schlag, *Jurisprudence Noire*, 101 COLUM. L. REV. 1733, 1741 (2001). See also Pierre Schlag, *The Aesthetics of American Law*, 115 HARV L. REV. 1047-1060 (2002).

6. MCCULLOUGH, *supra* note 1, at 827-29.

Begging is also necessary and appropriate when dealing with other funding sources such as the university's central administration, legislatures, and foundations. That's another aspect of this job that isn't pretty, but once again someone has to do it.

Deans can get additional inspiration from St. Francis for another part of their work. They say he could talk to anyone, even animals. Such a skill comes in handy when we have to mix in at gatherings, meeting all types of people on behalf of our schools.

#### KINDNESS SPOKEN HERE

Deans are at the epicenter of the rough and tumble of legal academics. As such we are exemplars for our students, whether we like it or not, as they prepare for a career dealing with difficult and contentious matters. As a counterweight to what many see as the increasing nastiness of our profession, there is a much needed emphasis now on the importance of civility in law practice. I would hope that we in legal education could even go beyond that by nurturing an ethic of care and concern in our students.

Such an attitude may seem to conflict with the hardened outlooks that I have advocated earlier in this piece. But if we are to be true to our essential humanity, we have to teach our students how they can temper the harsh realities they will meet in practice with empathy and sensitivity.

It's often a great challenge for me to evince such genuinely benign feelings, but leading by example is the only effective way to communicate the need for our students to put such a kindly attitude into practice when they become lawyers.

#### THE PARADOX OF SUCCESS

It was ego, I must regretfully admit, that at least in part led me to become a law school dean. Then again, I suppose one shouldn't be ashamed of his ambitions. After all, a nun in the third grade told me I had to duty to make something of myself. If that wasn't the voice of God, I don't know what is.

But by contrast, I've learned that the essential attribute you need to do this job well is humility not self-importance. Harry Truman stated forthrightly that perhaps one million Americans of his era could have been a better president than he.<sup>7</sup> I doubt that was true, but he showed great wisdom in acknowledging his limitations.

Another anecdote demonstrates Truman's admirable lack of pretense. After he ended his term as president, Truman and his wife Bess returned to their home in Independence, Missouri and finished unpacking their luggage. The former president then told his wife it was time to put their suitcases back in the attic and he took them up there himself.<sup>8</sup>

But Truman had done his work. He had restored peace to the world and given working Americans a better share in the prosperity of their land. Not a bad reward for one's labors. As the former president would later reflect: "There is enough in

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7 McCULLOUGH, *supra* note 1, at 920.

8. *Id.* at 930.

the world for everyone to have plenty to live on happily and to be at peace with his neighbors." Could such noble ideas ever be put with more straightforward logic?

Similarly, our tenures as dean will some day come to their ends. (Sooner rather than later if you look at the short life spans of most deanships.) But then our real gratification, like President Truman's, will come from being involved in a project greater than ourselves. It will result from having supported our faculties in their important work of teaching and scholarship and helped our students get launched in their careers. Through their efforts we will have contributed, I hope, to a just society where people live together with peace and mutual understanding.

And maybe we will also have had a little fun doing it.