

REFLECTIONS ON THE IMPACT OF THE FREEDMAN FELLOWS PROGRAM

*John Hasnas**

When I was invited to participate in Temple Law Review's symposium on *Disrupting Hierarchies in Legal Education: Commemorating the Impact of the Freedman Fellows Program*, I immediately thought of the personal benefit I received from the fellowship. But at the symposium's opening dinner, Rachel Arnow-Richman told me a lovely story about Joey Passon that broadened my perspective on the fellowship's impact.

She described a conversation she had with Joey when she was in the program in which he said to her that he was proud of his effect on legal scholarship. She said that when she gave him a quizzical look, he responded that he was referring to the scholarship of all the fellows that he had helped place in the legal academy.

Although I did not know why at first, this story made me think of the off-Broadway musical, *The Fantasticks* that ran from 1960 until 2017 in Manhattan. *The Fantasticks* is a charming allegorical play about the difference between the fantasy and the reality of love. The characters are a boy and a girl and their two fathers. The boy and girl begin the play in the blush of first love caught up in romantic fantasy, watched by their fathers with the eyes of age and experience. Over the course of the play, the boy and girl experience the ups and downs of love, and in the end come to understand what love means in reality.

The first time I went to *The Fantasticks* was in 1974 with my college girlfriend and first love. The last time I went was in 2013 with my seven year old daughter. The first time, I saw the play from the perspective of the boy. The last time, I saw it from the perspective of the father.

On reflection, I realized that my memory of *The Fantasticks* must have surfaced because it was such a good analogy for my experience with the Freedman Fellowship. When I came to Temple for the Fellowship in 1989, I came as the analog of the boy. I was in love with the idea of being a law professor and caught up in the fantasy of what that involved. At that time, Rick, Joey, and Tony were running the fellowship program. They—the analog of the fathers—viewed my naive love with the eyes of age and experience and spent two years helping me begin to understand the reality of the job.

Following the fellowship, I was fortunate to obtain a teaching position, and I have spent most of my career in the academy. Interestingly, if you remain a professor for long enough, you become a senior professor. This was my fate, and, as a result, in 2011, I received a large grant to support work in what is now referred to as PPE—the interdisciplinary study of politics, philosophy, and economics. This meant that I had to find ways to use that funding that would add some value to the world.

The first idea I came up with was to create a PPE version of the Freedman Fellowship. So, my colleagues and I now sponsor a two-year post-doctoral junior faculty fellowship open to recent PhDs in normative disciplines, who we train for tenure track positions teaching ethics in universities and professional schools. Our junior fellows teach one ethics course per semester, are part of the faculty, and publish as much as they can during their time with us.

I know that this is difficult for law professors to believe, but as challenging as the law

* J.D., Ph.D., LL.M., Professor of Ethics, McDonough School of Business, Georgetown University; Professor of Law (by courtesy), Georgetown Law Center; and Freedman Law and Humanities Fellow, 1989-91.

teaching market is, the academic market for political theory and moral and political philosophy is worse. In selecting our junior fellows, we make it our mission to find people that should be part of the academy but have not received tenure track offers. We provide training in how to use the innovative experiential learning model for teaching ethics that we developed at Georgetown, support for their scholarship, and advice on how to negotiate the academic job market. I now spend a good portion of my time working to place our fellows into tenure track jobs. I have become Joey.

To return to the analogy to *The Fantasticks*, I now have the perspective of the fathers. It has become my job to guide a younger generation from the fantasy of being a professor to the reality of doing the job. Part of the reason Rachel's story affected me is because it rang so true. I have published a number of articles in my career, but I have little evidence that they have had much effect on the academic debate or even that they have been read. But I have been able to recruit a couple of brilliant junior people to our permanent faculty who would not otherwise have academic jobs and we have been able to place all of our junior fellows into tenure track positions (one of whom is currently a colleague of Rachel's at the University of Denver), who I know for a fact to have made highly significant contributions to scholarship. I am certain that the contribution to scholarship I make by facilitating the work of others far outstrips any contribution I make through my own work.

This illustrates the ripple effect of the Freedman Fellowship program. If we want to commemorate the impact of the program, then we must make sure that we appreciate its full impact. Byron Stier indicated that there are 91 former Freedman Fellows currently in the legal academy and several more in other branches of the academy. But the program's impact is not limited to the efforts of the first generation of fellows. It is not limited to the students taught and the articles written by the 91 or more of us who are employed in the academy. It includes the effects our presence in the academy has on others. It includes the students taught by our colleagues who observed our teaching techniques and decided to adopt them for themselves. It includes the articles written by colleagues that built upon or responded to those that we have published. And it includes all the effects of the second (and all subsequent) generations of professors—those like my junior colleagues and our former post-docs—who join the academy due to our efforts.

The impact of the Freedman Fellowship is literally immeasurable. I am a professor because of the Fellowship. I visited at American University's Washington College of Law in 2003-04. I taught two sections of Torts using an opt-in method of Socratic teaching I call "Present and Prepared" that was at least partially inspired by my experience at Temple. A few years later, I saw the Associate Dean of the school, who told me that Present and Prepared "went viral," and that almost all of the professors at AU use it now. This is part of the impact of the Freedman Fellowship, and there are 90 more of us out there similarly effecting changes in the legal academy that cannot be measured.

The right way to think of the impact of the Freedman Fellowship is to see Joe Harbaugh, Tony Bocchino, Joey Passon, Jan Levine, and Rick Greenstein as Johnny Appleseeds. They planted seeds from which trees grew. Those trees left their own seeds from which more trees grow. Over the course of time, the legal academy may be forested with teaching techniques and ideas that trace their origin back to the Freedman Fellowship.

Given this, I think that it is entirely appropriate that the Temple Law Review sponsored a symposium and devoted an issue of its journal to the impact of the Freedman Fellowship, and I am glad that I had the opportunity to return to Temple to express my thanks to the program's

founder and directors and to acknowledge the profound effect their efforts have had on legal education.