To the Section on Legal Education and Admissions to the Bar:

As an emeritus professor of law I no longer have a personal stake in this issue. However, based on my 43 years of law teaching, including engaging in public advocacy as well as internal university disputes during periods of considerable political and social turmoil, I wish to express my dismay that the ABA Council would propose encroaching upon the institutional and individual protections afforded by tenure.

Law professors above all other scholars have a responsibility to engage in controversial discourse regarding social and political issues that ultimately involve legal policy choices, to vigorously speak their truths to those in power, and to be exemplars to our students of the importance lawyer advocacy plays in preserving our freedoms. Tenure not only provides the foundation of security for such advocacy, it also ensures that a professional life devoted to scholarship and to students will not be undercut by shortsighted efforts of those who judge efficiency or effectiveness solely by unit costs.

The statement being submitted to you by the Association of American Law Schools Section on Minority Groups is a sound assessment of the proposal under discussion and I fully endorse the Section on minority Groups' statement as reflecting a realistic understanding of the nature and burdens faced by law teachers in their efforts to contribute to our nation's and profession's well-being, to find new ways to analyze and understand legal theory and the law's impact on society, and to develop better ways to train new lawyers. Please do not pursue this drastic encroachment upon one of the foundations of the strength of our educational system.

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