

JOHN R. WESTER  
2013 DUKE LAW SCHOOL SCHOLARSHIP REMARKS

Today I follow several alumni who have spoken to the life-changing opportunities provided them through scholarships they received to attend Duke Law School. How well I remember the stirring story delivered by Happy Perkins a year ago – how the Dean at the University of Kentucky plucked him from a sea of students to ask him the question: why not Duke Law School – and then set about to assure he could come here.

When Kate Buchanan and Dean Levi asked me to speak today, I feel confident they knew, on several counts, I would represent a break from the pattern. When I received the letter of admission from this school, I knew that I had received more than my portion. I was grateful and then some to attend Duke Law School on the Louise and John Wester Scholarship.

I remain convinced that I was the beneficiary of an un-publicized, ill-considered affirmative action program that, for a couple of seats in the class, would take a chance on southern fraternity boys whose zeal for academic excellence was clear – but demonstrated unevenly.

If this admissions initiative had a rationale, it must have been: “It takes all kinds.” And I am confident that rationale endures in my invitation to speak with you today.

Dean Levi was thoughtful to mention my parents a few moments ago. Among many influences on me, they encouraged me to read poetry – even to try my hand at writing it. My father’s favorite poet was William Wordsworth, and a passage from “Lines Written a Few Miles Above Tintern Abbey” came to mind as I was considering what we celebrate on this occasion each year:

That best portion of a good man’s life:  
His little, nameless, unremembered acts  
Of kindness, and of love.

For the most part, the tradition of giving to this law school through these scholarships is neither “little” nor “nameless.” It has found its forever and rightful place in memory’s eye and ear.

However established this tradition, however warm this gathering, I am anxious that we fail to recognize the abiding threats to the opportunities of those who would follow us to this place – those who would take advantage of the Duke Law experience that has been our blessing to know, and to live.

Here are two such threats.

We can be confident that the increase in the cost of an education at this school, though it may slow in pace, will not stop.

We can be confident that the law schools that see the excellence of our faculty (Dean Levi described our “amazing faculty” this morning), – these law schools will covet that faculty, and chase after them – a chase made with money.

These threats, and others related to them, are sure things.

How shall we answer them? Will we answer them?

I am one who believes we will find answers – not that the answers are a given, or that we can see them clearly today – but I believe in the best portion of good persons’ lives, and I believe in the remarkably good persons who have built what we honor today – including many who are in this room.

If you will look at the names on the screens in this room, you may join me in my belief.

These screens provide more than a list. I would say far more. These names and the gifts behind them display a remarkable, even mysterious element in philanthropy. In nearly every instance, those who have begun a scholarship fund have no connection to, no knowledge of, no tie whatever to those who have or will receive the scholarship they provide.

Fundamental to these gifts is a faith that those benefiting will repay the gifts with lives that make for the best dividends of all – professional distinction and exemplary service. And the evidence of such dividends keeps on coming.

Great lawyers-to-be keep on coming. So we cannot stop.

Each year that I have attended this event, I have thought of the stakes embedded in what we are doing. In one phrase, here's how it feels for me: "empowering and unforgiving."

I leave you with an episode from our nation's history that should not go nameless or unremembered. It is far away from the law. It illustrates an empowering, unforgiving time when the best portion of good persons' lives came to the fore – came to the fore to aid unknown, unseen persons for reasons that leave me to wonder how powerful can be the will behind acts of kindness.

In the late 1840s, the potato famine struck Ireland with a deathly vengeance. Over one and a half million Irish men, women and children came to America during those years. Untold others, due to weakness of body or lack of money, could not leave Ireland. Pleas for aid to relieve the suffering of starving Irish reached this country, including as far as what was called the "Indian Territory," now Oklahoma.

Only a decade earlier, the United States government had forcibly removed the Choctaw Indians from Mississippi to the Indian Territory. *Over a quarter* of the Choctaw died from starvation and disease during their journey. Nonetheless, when the Choctaw learned of the plight of the starving Irish, they raised the equivalent, in today's currency, of \$25,000 for relief.

We have a March 1847 letter from an officer in the Indian Territory, Col. G.W. Clarke, setting out this account of the Choctaw response to the Irish tragedy:

After the reading of a letter from the Irish Relief Committee of Memphis, the chairman adverted to the condition of Ireland, briefly and most feelingly. A subscription list was then opened, and in a short time [\$25,000] were subscribed and paid. By reference to the list, you will perceive the names of many full-

blooded Choctaw Indians, who knew nothing more, cared for nothing more, than the fact that across the Big Water, there were thousands of human beings starving to death. Is not this a sublime spectacle? The Red man of the New World bestowing alms upon the people of the Old World! With them, it is literally complying with the golden rule ... of returning good for evil.

It is near certain that a Choctaw Indian in the Oklahoma Territory never knew an Irish person living with famine. And these Choctaw had reason enough to worry for their own outcomes. These facts of separation, however, were no barrier to their extending their hands, and much of their fortunes, to the Irish of the 1840s.

To be sure, the circumstances between this episode and giving to our law school are dramatically different. They hold in common, however, an abiding faith in blind generosity and in a greater good that those who are giving do not stop to measure.

I walked to school this morning. Perhaps some of you did. Each time I do so, I experience a rush of memories that come to greet me whenever I want them, whenever I need them. Before I leave, I will walk these hallways all of us know so well and take my own tour of the library where I came to know what is a real basement – and how often late night could become last night. As much as anywhere I know, when I take these walks in this place, I realize why some of life's experiences are timeless.

It is especially good to come here, as we do today, on the cusp of spring – when this campus starts to blush her finest colors – begins to show her daffodils, promises her dogwoods and azaleas – and if your timing is good, her cherry blossoms too.

I thank Kate Buchanan and Dean Levi for this high honor. It is wonderful to be with all of you today.

John R. Wester  
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