In Memory:

Ira Michael Heyman

UC Berkeley Chancellor and Professor of Law

1930-2011

Reflections collected by the Center for Law, Energy & the Environment
“Mike was a very good friend to me and a pioneer in bringing an environmental dimension to land use law. He was ahead of his time and a model for many of us who built on his work. I knew him for many years and I shall greatly miss him.”

- Berkeley Law Professor Joseph Sax
“I suspect just about all Boalt Hall graduates end up doing important things, and certainly an important reason for our capacity to do these things is the inspiration of professors like Ira Heyman.”

- Tom Disselhorst, Berkeley Law ’75
“ELQ [Ecology Law Quarterly] might not exist but for Mike Heyman's recognition of the importance of this student-initiated effort. He was the first nationally recognized legal academic to commit to writing an article for the journal's first issue. His commitment to write the article, which appeared in the first issue of ELQ, occurred in the Spring of 1970, just a few weeks after a group of students decided to try to start the journal. We gained hugely important credibility as a result of this expression of confidence. He was a man with a very big heart. I will miss him terribly.”

- Bill Chamberlain, Berkeley Law '71
"I knew Mike as a student, a client, and as a friend. I cannot believe he has left us. I first ran in to Mike as a 1st year in 1960. Ike was President -- and Mike had just joined the Berkeley faculty after clerking for Chief Justice Warren. That year I learned property from him, as entertainingly as one can make that subject. By third year I was taking his Land Use seminar, the best course I has at Boalt -- selective participation, half law students and half planning students. What a revelation. I walked into the seminar imbued with legal stuff about Euclidian zoning, keeping uses separate, only to be exposed to planners who spoke of "urban excitement" and the need to mix up people and uses. Through the rest of by professional career I have worked with, benefited from, and relished the interaction of law with other disciplines -- and it all began with Mike's seminar.

Years later I was in Washington, D.C., a former General Counsel of the Carter White House Counsel on Environmental Quality who had gone on to public interest law and then to private practice, and sort of knew my way around Washington. Then with the advent of the Clinton Administration Bruce Babbitt arrived as Secretary of the Interior and had the good sense to ask Mike to come to Washington and counsel him. Mike then asked me if he could pick my brain on the ways of DC. I remember eating a sandwich with Mike in a park while he laughed at the slot Babbitt found for him -- as a "special assistant" to the Secretary, a job usually reserved for promising 25 year olds. And here he was -- the former Chancellor of one of the most distinguished universities in the world. Mike was, of course, up for the challenge, amused and ready for what fate might drop onto his plate. He did, however, move on to running the Smithsonian.

I also recall talking with Mike about the challenges of having run the Berkeley campus. He observed, however, that he could draw faculty away from any university in the land -- except from Princeton, my undergraduate alma mater. I replied that we Princetonians remained pretty loyal.

Years later, with both of us back home in California, Mike was a member of the Board of the Presidio Trust, and I was their outside counsel. At one point during a board meeting I made some sort of apparently coherent presentation, and Mike congratulated me for it, saying I was "well educated." I replied that I was "well taught."

Mike thrived on opposing views, ardently expressed, and all greeted with a warm welcome and that bear hug of his which embraced both women and men, which somehow symbolized the wonderful man that we have now lost."

- Nicholas C. Yost, Berkeley Law '63
“As a personal reflection, I met Mike Heyman as a student in his environmental law and policy class in, of all places, the landscape architecture department. He inspired me to go to Boalt, to publish in ELQ even before matriculating, and to begin a career in environmental law. He opened my eyes to the wonders of the then-new Clean Air Act nearly 40 years ago, the law I’ve lived in since then. He made it all fun and deeply interesting. Later I had a chance to visit with him when he was Secretary of the Smithsonian in Washington. A wonderful man and I will miss him.”

- David Doniger, Berkeley Law ’77
“It is truly remarkable that when Mike returned to the law school after two decades as UC-Berkeley Chancellor, Counselor to the Secretary and Deputy Assistant Secretary for Policy at the Interior Department, and Secretary of the Smithsonian Institution, he chose to teach the first year property law course. And he did not merely go back to his old notes. He sought out the latest materials and built an entirely new course. It was extraordinary to have such a distinguished senior colleague seeking out younger faculty to talk about how to approach this venerable subject in the most up-to-date manner.

But that captures Mike’s remarkable personal qualities -- larger than life in stature and accomplishments, yet always learning, challenging himself, and treating others with the utmost of respect.”

- Berkeley Law Professor Peter Menell
“Mike Heyman and I became friends in 1957 or 1958 when I was a law student at Boalt Hall and he joined the Boalt faculty. We played tennis frequently, which is a good way to get to know someone well. It was my misfortune never to have taken a class which he taught. Nevertheless, when we met at social gatherings over the years later, he took delight in introducing me to his friends as "one of his students," and I, of course, was thrilled by the compliment. Mike was invariably a warm, gracious and fun person to be with.

Our lives intersected periodically after I left government and joined the law faculty at UVa, and regularly after I migrated from Virginia to San Francisco, becoming an executive of PG&E while he was a member of our board of directors. My wife, Wendy, also knew Mike and Theresa very well since the 1960s, Wendy serving on the Cal Performances board with him. Since the mid-1990s we were near neighbors and shared many memorable evenings with them at our Stinson Beach homes. After Theresa, Mike's beloved wife of many decades, died, Wendy and I were very happy when Mike and Elizabeth Nelson were married. David Nelson was clearly Mike's closest friend ever since Dave graduated from Boalt in 1959, thereafter becoming a very distinguished lawyer in SF. To close the loop with Boalt, Dave was stuck with me as my supervising editor when I wrote an article for the California Law Review. We became friends thereafter.

Mike's battle against emphysema was waged with determination and grace, with Elizabeth providing strong and loving support. Mike was a large man, filled with large and generous thoughts and feelings about life. His was, indeed, a life well lived. We cherish our many memories of him which stretch over more than fifty years.”

- Mason Willrich, Berkeley Law ’60
“I too am deeply saddened by the passing of Prof. Michael Heyman, and wish to share a few thoughts:

Bill Chamberlain, the founding E-I-C of the *Ecology Law Quarterly*, already mentioned Prof. Heyman’s instrumental role in launching the journal that has been a major force in the development of domestic and international environmental/natural resource law over the four-plus decades. I have a few details to add.

While Boalt’s administration in 1970 was generally supportive of our (a small cadre of second-years soon to become third-years) efforts to found the *ELQ*, no financial support was offered. Despite our attempts to interest U.C. Berkeley, Boalt, the Sierra Club, and others to provide funds to publish our fledgling efforts, none was available. In search of financial support sources as a Summer Associate in the Summer, 1970 at a NYC law firm, I identified a senior partner with very strong connections to the Ford Foundation and managed to arrange an appointment for a hearing to seek the Foundation’s support. Armed with a proposal, a letter of support from Prof. Heyman, and a promise of in-kind law school support (i.e., office space, etc.) from then-Dean Halbach, I met with those at Ford having the authority to grant support who had a standing policy then of not seed-funding periodicals. However, once I specifically divulged that we students had the support and endorsement of Prof. Heyman, the deal was sealed and we received a three-year grant to publish the *ELQ*. The magic words—“Michael Heyman endorses our efforts”—were all they needed to have the confidence that our project had merit and that the Foundation’s money would be well-spent.

As Bill mentioned, Prof. Heyman was the first academic who committed to publish in our new journal too. Among our small editorial group at the time, I had the honor (and pleasure) as Chief Articles Editor of being the editor responsible for his article. The experience was formative; through working with him on his article, he taught me how to be a good editor.

As I transitioned into practice, Prof. Heyman also played an important role in my early career by encouraging me to join the ABA and become involved in its “first” committee dealing with environmental issues among its vast array of Sections, Commissions, etc.—what was then called, the “Environmental Controls” Committee of the Section of Business Law. As a young lawyer and new member, I learned the ways and culture of the profession, which stood me in good stead as I later headed the ABA Section of International Law.

Finally, I am also grateful to Prof. Heyman as he invited me as a third-year student (and my co-author and then-classmate, Steve McCaffrey) to teach a class of his Environmental Law course focusing on the issues addressed in an article we wrote. Thus, I think the seeds of a career in academia may have been sowed in both of us on that occasion, since we both today hold law school professorships.

I’m sure my own experiences mirror those of many other students. Prof. Heyman was a dedicated, sensitive and giving person, who contributed significantly to and enjoyed the many accomplishments of his students. I will be forever grateful to him for the positive impacts he had on my life.”

- Bob Lutz, Berkeley Law ’71
“I knew Mike as a student (1963-1966) during which time I did research for him. I knew him while serving on the U.C Alumni Council. Then I knew him when I served in the California State Senate and he came yearly to lobby me on behalf of the University (what a role reversal), and finally I knew him when he was with the Smithsonian where, through his good office, he managed get me invited on some rather amazing anthropological and archaeological expeditions. Most of all, however, I knew Mike as a friend – a very good friend -- for over 45 years. I doubt that he had an enemy in the world. He was a big man with a big heart. During my recent absence from the country my book, ‘Back to the Summit’ was released. In the front of the book and on the book’s website, a testimonial from Mike can be found.”

- Omer Rains, ’66
“Although I attended Boalt from 1972 – 1975, I did not have occasion to have Professor Heyman for any of my classes. Yet, his influence was certainly felt in my work with ELQ; as a summer intern at the California State Lands Department writing regulations for environmentally significant state lands; and in discussions with my father, who owned land on the lakeshore of Lake Tahoe. Fortunately, I also did get to meet Professor Heyman on several occasions. To me, one of Professor Heyman’s enduring legacies is the creation of the Tahoe Regional Planning Agency and his work on passage of the interstate compact, authorized by Congress, to allow TRPA to have jurisdiction over the environment of the Lake Tahoe basin. My father chafed at TRPA’s authority, but because of Ira Heyman’s vision, I think he understood why it was valuable.

I have been working with and for Indian Tribes in the Great Plains and nationally since graduation from Boalt Hall. The idea of cross-jurisdictional cooperation and authority in regional environmental matters may seem obvious now, but Professor Heyman’s seminal work with TRPA paved the way to make those kinds of ideas reality elsewhere. His approach and optimism about its potential benefits are a constant source of inspiration to me as I work with sovereign Tribal Nations to regain their place as stewards of the lands that are rightfully theirs.

It is my hope we continue to learn from his example.”

- Tom Disselhorst, Berkeley Law ’75