Philip Selznick
1919-2010
BERKELEY LAW

Memorial Service

Philip Selznick
1919 – 2010

Thursday, January 20, 2011
Four o'clock in the afternoon
Bancroft Hotel Great Room
Berkeley, California
Greeting
Christopher Edley, Jr.
The Honorable William H. Orrick Jr.
Distinguished Chair and Dean

Moderator
Lauren B. Edelman
Associate Dean for the Jurisprudence & Social Policy
Program, Agnes Roddy Robb Professor of Law and
Professor of Sociology

Speakers
Martin Krygier
Gordon Samuels Professor of Law and Social Theory
Co-Director, Centre for Interdisciplinary Studies of Law
University of New South Wales

Neil Smelser
Professor of Sociology, Emeritus

Philippe Nonet
Professor of Law, Emeritus

Kenneth Winston
Lecturer in Ethics and Faculty Chair, Singapore Program
Harvard Kennedy School

Robert A. Kagan
Emanuel S. Heller Professor of Law and
Professor of Political Science

Lloyd Burton
Professor and Concentrations Director
University of Colorado Denver School of Public Affairs

Sanford H. Kadish
Alexander F. & May T. Morrison Prof. of Law, Emeritus

Doris R. Fine

Cellist
Leighton Fong

Mourners’ Kaddish – David Lieberman

Please join us for a Reception following the service.
I want to thank all of you for joining us to celebrate and commemorate the life and work of Philip Selznick, a great scholar, teacher, and friend—and the founder of both the Jurisprudence and Social Policy Program and the Center for the Study of Law and Society.

We are so happy to have with us members of Philip’s family—his wife, Doris Fine, and members of her family, his daughter, Margaret Ledwith, … as well as Philip’s friends, colleagues, and students, some of whom have travelled half way around the world to be here.

Philip will be missed as an intellectual giant, as a friend, but most of all, as a teacher. No matter how we knew Philip—through his many brilliant works of scholarship, his piercingly intelligent commentary at CSLS colloquia, over dinner at his house—one couldn’t help but learn from him. I recall how he used to come to every CSLS talk and would usually ask the first question—and it was invariably a question that was brilliant, clearly right, and yet curiously nonobvious.

The originality of Philip’s thinking led to the masterful influences he has had over the fields of organizational sociology, the sociology of law, jurisprudence, and in his later years, humanity and community.

When other organizational sociologists were thinking about efficient management ratios and spans of control, Philip was exploring the politics, commitments, and values inherent in bureaucratic life, an approach that came to be known as institutional organizational sociology.

When other law and society scholars were bringing the methods of the social sciences into the study of law, Philip went further, drawing on the normative traditions of philosophy and jurisprudence and upon the internal logic of law.

When others were content to have legal expertise and social scientific studies of law operate as separate worlds, Philip (along with Sandy Kadish) brought them together in the form of the first and still only PhD program that operates wholly within a law school.

My own journey with Philip began when, as a graduate student in Sociology at Stanford, I read *Law, Society, and Industrial Justice*. I had been frustrated by the managerial orientation of 1970s organizational sociology. *Law, Society, and Industrial Justice* opened my eyes to questions of governance and legality, to the ubiquity of law even in private institutions, and to the importance of understanding law not only as a social scientist who studies law from the outside in, but also as a lawyer who understands law from the inside out.

For the first time, I saw organizational studies not simply as the analysis of efficiency and control over recalcitrant workers, but as sites in which technological imperatives and profit motives were necessarily colored by legal ideals, and as normative realms in which everyday interactions brought employees closer to being citizens with rights and responsibilities.

While it didn’t take a lot to get me to focus on legality and governance instead of efficient
management ratios, Philip’s broad thinking both on the relationship of organizations, law, and governance, and his methodological interests in exploring variation and social context, became the building blocks for my own work, as they have been for so many scholars over the years.

Over time, as Philip moved toward communitarian approaches and I became more skeptical of the capacity of legal values to overcome at least some forms of social status and power, Philip and I enjoyed a number of wonderful lunches where we explored our divergent views. One did not need to agree with Philip to learn from him.

I feel very honored to have been one of Philip’s students and even more honored to have later become his colleague and friend. As the current chair of the program that Philip founded, I feel a special responsibility to carry out his vision—which was way ahead of its time—of a scholarly world in which the normative tools of philosophy could be married with the empirical tools of the social sciences in a way that produces scholars who embrace simultaneously the values within, and the historical, social, political, and economic facets of the institution known as law.
I’m honoured to be asked to speak today, first because of my deep admiration and affection for Philip, and also because I’m in the company of so many distinguished people who share those sentiments. Indeed, it’s a bit of a puzzle why I’m here at all. I was not a student of Philip’s nor a collaborator, not even an institutional colleague; just a blow-in from the Antipodes, who has kept blowing back in. For some years, however, Philip’s thought has occupied an inordinate amount of space in my own thoughts. I’ve often wondered why.

Of course there is no shortage of reasons one might be drawn to admire and learn from Philip, and no doubt we’ll recall many today. But the Tennessee Valley Authority is not a subject of huge interest in Sydney, nor American labor relations, to take just a couple of his subjects. Of course he had many other subjects, and many profound thoughts, but I’ve come to think something else has drawn me to him as well. I think it has a lot to do not simply with what he thought or what he thought about, but with how he thought, and specifically with his distinctive sensibility. I’m not exactly sure what the word means, but I’ll try to explain why I think it’s apt.

I first met Philip almost exactly 29 years ago, in December 1981, when he had begun work on his remarkable Moral Commonwealth. That work confronted large questions of public morality that had occupied him all his life, but which he had not written much about directly and in the round since his youth as the sometime Trotskyist arguer in Alcove 1 of the City College cafeteria, and later editor, with Irving Kristol, of the truly ‘little magazine’, Enquiry. A Journal of Independent Radical Thought, which appeared intermittently between 1942 and 1945.

That origin is important, as Philip often acknowledged. I think it so for 2 reasons in particular. First, like many of his closest friends from that time, Philip was intellectually formed before and beside the academic disciplines he went on to profess with such distinction. He was formed as an intellectual, who drew on the full palette of resources available to that type, not merely as a ‘disciplined’ professional. For today’s academics, by contrast, a tight and demanding professional formation is the primary, often the only, intellectual formation available. This has consequences. Most contemporary social scientists command a more limited span; indeed, more commonly it is not theirs to command. The discipline dictates the range, and these disciplinary dictates are not becoming more ecumenical, to use Philip’s word, over time.

For such a mind, ‘humanist science’ of the sort he advocated can only be a contradiction, not a goal. Philip was different.

Secondly, his thought was spurred by several dramatic, indeed world-historical and world-shattering, events, specifically the Great Depression, and the epochal competitions between liberal democracies and Nazism that culminated in World War II, and with Communism both before and after the War. These prompted urgent and large questions about public morality,
and about the worth of different sorts and arrangements of public institutions. He didn’t forget such questions, even as he wrote about many other things.

I was born precisely 30 years after Philip. My parents, his precise contemporaries, were politically engaged refugees from Nazism and Communism who had, largely fortuitously and wholly fortunately, ended up in a relatively blessed liberal democracy, Australia. I absorbed by inheritance political and moral concerns that Philip’s and my parents’ generation confronted directly. In particular, concerns about the gulf between radically evil regimes, those we once called totalitarian, and relatively benign ones. Those concerns went deep, and in my case had two relevant consequences.

First, confronted by hostile criticisms of capitalism and liberal democracy, say from the student movement in the 60s or Critical Legal Studies in the 70s and 80s, I thought them insufferably light-minded, frivolous, in light of the really-existing alternatives on offer. I thought it enough to ask ‘compared to what?’—not a bad question, I still believe, but not a sufficient one. Secondly, my intellectual/moral formation had been one of sharp dichotomies: democracy and dictatorship, good and evil, friends and enemies, fears and hopes. One chose.

In Philip I found a thinker who was light-minded about nothing, well knew the comparisons that so concerned me, ‘knew the score,’ to use a phrase he used in this context, shared many of the same concerns, and didn’t trivialize any of them. However I also learnt a new language and way of speaking, as well as new thoughts and ways of thinking. These rejected the often polarized ways of thought that I had shared with both allies and opponents.

Philip recognized evil and the importance of resisting it. However he refused to let that realism douse idealism: a forced choice between the two, he insisted, was commonly a false choice. It was possible—it was right—both to acknowledge that things could be worse while at the same time seeking to make them better. Security against the first was crucial; aspirations for the latter equally so. These are simple points to state, but harder to appreciate and internalize, to live. They pull in different directions, typically appeal to people of different temperament.

Philip came to live them. He was that rare but distinguished type: a Hobbesian idealist, temperamentally and intellectually alert both to threat and to promise. For me his sustained combination of realism with idealism was a revelation; not so much a point in an argument as an outlook on the world. It went with his determination to accommodate complexity, his toleration of ambiguity, suspicion of all-or-nothing choices, the interpretive charity he extended to arguments of so many thinkers with whom he disagreed—they might, he insisted, yet have something important to say.

Philip’s writings manifest a way of thinking that is also a way of feeling and, indeed, of being: there are of course strong arguments and wisely reflected-upon evidence but a characteristic intellectual and moral sensibility—above all, scrupulous and nuanced; judicious and thoughtful—imbues his work and lends it an identifiable tone and character.

He had an almost allergic response to shrill rhetorical heightening of the dramatic in social life. Apart from anything else, it wasn’t his style. The tolerance for ambiguity that he com-
mends allows that social life will be full of tensions and ambiguities. These might not be resolved any time soon, or perhaps any time at all, but that doesn’t necessarily make them inexorable, unsustainable contradictions. We often just need to work out how to live with them, not ditch one option because there’s another.

A person of Selznickian sensibility will be sensitive to empirical variation and crucial distinctions; alert to the significance of qualifying adjectives as much as reifying nouns; be aware that very little that matters in social life is ‘nothing but...’, or apt to be successfully resolved by a choice between all and nothing; avoid the pseudo-drama of so many ideological confrontations; be suspicious of a quick fix; avoid intellectual habits that dim one’s vision, even if they might quicken one’s pulse.

Virtues, we learn to recognize, are typically mixed with corrupting vices; vices often have redeeming virtues. It is rare that we can soar over life’s predicaments as the crow flies, but that doesn’t mean we’re stranded; we should endeavour to navigate as best we can. If some aspects of modernity give us reason for ‘hopeful sadness,’ as he once put it to me, both the adjective and the noun matter. There are sources of hope as well as of sadness; sometimes they’re the same; sometimes one generates the other. Neither should be thought a priori to cancel the grounds of the other.

Sensibility too is evident in his treatment of other thinkers. He disagreed with many, often strongly but rarely polemically or even harshly. *The Moral Commonwealth* is a large and intricate mosaic of refined appreciations of thinker after thinker, from each of whom he sought to extract something valuable as he gently distinguished their views from his own. This exemplifies more than a style, unless in the sense that ‘le style c’est l’homme même.’

These matters, as much of sensibility as of argument, of style of thinking as much as particular thoughts, are distinctive and they are rare. There are many other virtues that I might name including, as Ken will observe, culinary ones. But I’ll stop here.
Remarks by Neil J. Smelser
January 20, 2011
Philip Selznick

I have the honor of having been one of the young sociologists that Philip Selznick and his colleagues hired of spectacular growth of the department in the late 1950s and 1960s. I visited here in the Fall of 1957 in the days in which you didn’t really give a job talk but appeared for a mutual inspection, and a conversation with each of the faculty members along with a collective lunch. To tell you the truth, I don’t remember my interview with Philip very well, largely, I believe, because he was so civil. Kingsley Davis conducted a humiliating oral exam on my knowledge of the British cotton industry in the nineteenth-century economic, and Marty Lipset offered an aggressive sales pitch about Berkeley.

In my early years I made a point of reading Philip's still monumental works—*The Organizational Weapon, TVA and the Grass Roots,* and *Leadership in Administration.* These were his signal contributions to that creative burst of organizational sociology in those years that included Robert Merton, Peter Blau, Melville Dalton and Alvin Gouldner before he went crazy. I read his works out of admiration. You don’t very often have the impression that here is a scholar who has got it right both empirically and analytically, but that is how his work has consistently struck me, then and now.

Phil joined Berkeley’s Department of sociology in 1952 as an Assistant Professor after teaching at Minnesota and UCLA. He was always a good departmental citizen. His greatest moments in the Department and on the campus came during his Chairmanship, 1963–67, which coincided with the explosive years of the Free Speech Movement and its aftermath. He was a model chair, listening well, responding sensibly and rationally to the passionate arguments and actions of colleagues and students, and keeping a steady hand on Departmental affairs. Yet he also entered the fray. During the FSM he took a strong stand favoring free speech and expanded student political activity on campus (while rejecting extreme militancy) and debated publicly with colleagues like Nathan Glazer on his right. During the height of the 1964 crisis he played a central, mediating role on the Committee of 200, a faculty group that contributed responsibly to the faculty resolution of December 8, 1964. I always stood in admiration of his unusual synthesis of advocacy and peace making.

When I joined the Chancellor’s office in 1965 as Assistant in the area of student political activity, he took the occasion to speak with me from time to time on one issue or another, always helpful in his counsel. In that connection I must relate a study that no one in this room knows. At the eight of the Filthy Speech Movement in March and April of 1965 a number of activist students, including Mario Savio, called on me to demand campus approval of an appearance of Lenny Bruce, the off-color if not obscene comedian. That event would been a major embarrassment for the campus in the context. I tried to persuade the students that his visit would not be in their interests, and I tried to persuade others to persuade them to that end. In the middle of it all I got a cryptic phone call from Philip, telling me that Bruce's lawyers were advising not to appear on the campus, because it would weaken his case in connection with several obscenity law suits pending his visit. In the end the visit was called off. I do not know what kind of
spy system Philip had, or how he came by that information. I never asked him, but the campus heaved a great sigh of relief, and my sigh was greater than any others’.

In the spring of 1964 Philip and I co-taught—at his initiative—the required theory course for first year sociology graduate students. Many students outside sociology also took or audited the course. I confess an early uneasiness; I didn’t quite know what to expect from this powerful intellect whose theoretical predilections differed in some ways from my own. For me the adventure was a glorious one. We generated a format for each two-hour meeting: either he or I would begin with a half-hour on the topic of the week (for example, Weber’s political writings); the other would then respond for twenty minutes; then we would converse for a while, and then the class would join for the final forty-five minutes. That was a good format, but what made things so special was the quality of discourse: high-level, relevant, sometimes electric, occasionally competitive, always interesting, and always mutually respectful. I attribute those ingredients mainly to Philip and his intellectual style. Philip had already entered the more philosophical phase of his career, and he used this perspective consistently to a higher level. I also co-taught that course with others—Kingsley Davis, Art Stinchcombe, and Michael Burawoy—but those experiences never came close to the intellectual heights I experienced in 1964.

I would not describe my personal relationship with Philip as intimate, but maintained a positive friendship over all those decades from the late 1950s into the twenty-first century. I remember with special affection his role during the 1960s when I was receiving periodic offers to move to other institutions. Most of my other colleagues, even friends, stood idly by on such occasions—that seemed the departmental’s cultural style. But on every occasion Philip took the initiative to contact me, to express his and the Department’s support for me, to laud my career in sociology, and to urge me to stay at Berkeley. Those are the moments one remembers.
In Memory of Philip Selznick
Philippe Nonet

We have heard much today and in the last few months about Philip Selznick's accomplishments, especially about the institutions he founded on this campus, namely the Center for the Study of Law and Society, and the Jurisprudence and Social Policy Program. Such praise is particularly common in this age of technique, where men are evaluated just like machines for their effectiveness in performing this or that work. But is this a fitting way to praise a man?

Perhaps it is now time to remember a saying of Démokritos, known as Diels-Kranz fragment 269: “Man's venture is what begins action, over its end, however, luck has all power.” I shall praise what Seznick ventured, not what he accomplished. Selznick's venture can be captured in one word: he sought to think. He did so in a context, namely the modern university, that does all it can to discourage thinking.

Academics, scientists and scholars, including law professors, calculate, but they do not think. Calculation yields results, while thought never does, since it poses again and again the same old unanswerable and inextricable questions: Who is man? What is God? What is it to be? What is truth? What is art? What is freedom? What is evil? And so on. Questions unanswerable, but that must nevertheless be decided, if a man is to be human. But the university, where the technical ordering of the world has its center, wants results, not thought: what have you accomplished recently?

In his attempt to think, Selznick was sustained not by the academic world, but by his own intimate relation to great art, especially poetry and the plastic arts. There can indeed be no thinking without such a union with art. Selznick was fluent in German, and had memorized a substantial number of German poems, some of which he was still able to recite in the middle of his devastating illness.

Why think at all if thinking is of no use? It must be that one thinks only for the sake of thinking. But Selznick also harbored another ambition, typical of the teacher, which however he kept mostly secret. Never did he speak or write of it publicly, rarely did he confide it in the intimacy of friendship. Tact, diplomatic prudence, and a profound distaste for imposing his views restrained him from expressing himself. He sought to help social science be thoughtful, by setting an example, in his own sociological work, of how such thoughtfulness might be attained. An impossible aim, it turned out.

Selznick had long ago been struck by the astounding propensity of the sciences of man (here broadly understood to include history and philology) to trivialize themselves and their topic, namely the humanity of man. He surmised that the only way to rescue them from this propensity, was to keep them under the close guidance of philosophy, from which they had all originated. He thought, in his own words, that “social science without philosophy is a dead end.” (Of course by “philosophy,” he did not mean what is now done and taught in academic departments of that name; he meant the old tradition of metaphysical thought, dedicated to the essential questions I outlined above.) That conviction is why, in the department of sociol-
ogy, he taught “social theory” in relation to “social thought,” the title of a course he founded there. That is why he thought the “sociology of law” had to govern itself by the philosophical concept of “natural law.” That is also why “social policy” had to be studied in the light of “jurisprudence.”

Did his efforts reach their end? Let everyone decide for themselves. From the little I know, I fear that not a single student or colleague of his followed his leadership. Mostly, he was not understood. We live in an age of virtually complete indifference to metaphysical questions, and consequently of virtually complete metaphysical illiteracy. Along with the end of metaphysical thought has come the end of all great art. Almost no one was able to hear Selznick and see the direction in which he pointed. His greatest work, *The Organizational Weapon*, is no longer read; he himself no longer referred to it, because of the humiliation it brought on him.

But even the very few who understood something of his thought eventually found themselves parting from his way. Even I, who was perhaps for a while the nearest thing he had to a disciple—not near enough: I never shared any of his admiration for John Dewey —brought an end to my collaboration with him, when I was unable to persuade him to reconsider his embrace of the concept of “value.” (Nic. Eth., I, vi, at 1096 a 11-18) Rightly or wrongly, I thought, and still think, that whoever employs this concept asserts the fungibility, and hence the rational calculability, of all ends that human beings set for themselves. That is the same as subordinating the determination of human ends to the supremacy of the technical order.

Perhaps I have said enough for us to see the tremendous intellectual isolation that Selznick endured in his life, with the same strength and grace with which he endured his blindness. Along with that, we may be able to see also the irreparable loss we have suffered with his death. Alas! this may not be a loss that this institution can truly experience. How can one “lose” what one never “had”?
It is a great pleasure to participate today in celebrating the life of Philip Selznick, and the forty-year relationship we had.

I have been asked to speak about Philip as a mentor. A mentor is a loyal colleague, a teacher, a counselor, a friend. Philip was all of those things to me—and much more.

In the late 1960s and in the 1970s, I had several opportunities, for brief spells, to spend time at the Center for the Study of Law and Society, to participate in the intellectual life of the Center and, more importantly, to spend time with Philip and Gertrude. That was the beginning of an affiliation that became a relationship of deep and enduring importance in my life.

The crucial development came in 1980, when Philip began work on his magnum opus, The Moral Commonwealth (TMC), and decided he wanted me to play the role of interlocutor, to engage in a sustained conversation about the main ideas of the book as he wrote it. This involved extensive correspondence, beginning in the days before computers came to dominate our lives, as well as annual visits to Berkeley. Our exchange began with outlines and a prospectus, and continued as each chapter was drafted and redrafted, until the book was finally published twelve years later.

In the acknowledgements to TMC, Philip commends me for my “unflagging commitment to getting things right.” Like everyone else trained in analytic philosophy, I was attuned to ambiguities in meaning—and eager to make distinctions. I put pressure on Philip to state more explicitly what he meant to say. But, in the text of TMC, Philip gives a different meaning to the phrase “getting things right.” He comments that, for John Dewey, getting things right meant engaging in effective social reconstruction to anticipate and deal with social problems. So, although Philip complimented me for helping him get things right, I was the one who actually had to learn how to get things right in the Deweyan sense, that is, move beyond my academic training and learn how to think about ideas in a practical way, to be guided in my thinking by problems of life and practice, not academic disputes or disciplinary methods. That was a long process of mentoring, and I hope I finally get it.

When I visited Philip in Berkeley, we would set aside time each day and usually retreat to his study, where he would sit in a large leather chair. I would sit nearby, usually in a rocking chair. He would have some jottings he had made in anticipation of our meeting, and I would have a large yellow pad, to take notes as we went along. Year after year, we followed this routine. These conversations were my best introduction to the life of the mind—and the power and range of Philip’s mind, in particular.

Philip taught that particular relationships were what mattered most. In 1983, he wrote in a letter: “Our deepest responsibilities flow to people in whose lives we are implicated directly…. ” These are what sociologists call primary relationships, and mentoring (in the sense I mean to capture) shares many of their features. People relate to each other as whole persons. What
counts is who you are, not simply what you can do or accomplish. Obligations adhere to the relationship. Judgment is colored by loyalty and natural sympathy.

Philip’s mentoring, I have to say, was not confined to intellectual pursuits. He also mentored me about food, for which, under Philip’s influence, I gradually developed an enthusiasm bordering on excess. My notes from the early conversations actually say very little about the writing project and a great deal about good eating—at home and in local restaurants. On one occasion, for example, in the mid-1980s, Philip picked me up at the San Francisco airport, and on the way home we stopped at a Chinese fish market in Oakland for squid and prawns. In the afternoon, we prepared a marinade for the squid, which was to be followed at dinner by the prawn dish and cold poached salmon with homemade mayonnaise mixed with sorrel from the garden. We worked on the meal together, and this shared activity mattered a great deal to the two of us. The truth is I came to cherish good recipes from Philip as much as insights on the distinction between conventional and critical morality.

Although we often went to fine restaurants, Philip’s favorite place (during this period) was actually Denny’s, where he could get a decent cheeseburger. He knew this might not be the best thing for his health, but he valued Denny’s for its lack of pretension and its proximity to the marina and the shoreline where we often walked.

On the reciprocal side, what modest influence I had was also not confined to ideas. In the mid-1970s, I had become a fanatical birdwatcher, and some of my enthusiasm rubbed off on Philip. At one point, I gave him a pair of binoculars, and from time to time he would report his sightings, whether it was white pelicans at Drake’s Beach or rufous-sided towhees in the garden. (Parenthetically, Philip, Doris, and I often took walks at Point Reyes. Doris would look for flowers, I would look for birds, and Philip would take an avid interest in everything.)

By the time Philip was putting the final touches on TMC, he knew we diverged on the communitarian theme that, in the end, came to unify his argument. As he was working on the page proofs, when he and Doris were in Paris, he sent me a copy of the acknowledgements and said: “I hope what I have written [about you] is ok, but there is still time to make a change if, for example, you would be more comfortable with a disclaimer of some sort. I want you to feel good about this!” Well, of course, I felt perfectly fine, because what mattered were the years of intellectual and emotional engagement we had had, not whether we agreed on this or that philosophical point.

Did Philip have a grand theoretical perspective? I leave it to others to argue the point. But if not, I would suggest it should not be regarded as an absence but as a necessary consequence of his views. Philip adopted a problem-solving approach to issues, integrating empirical and normative inquiry, and drawing on any discipline that could throw light on the subject matter. Did Philip have disciples? I would say, rather, that he had students and colleagues who shared his concerns. Philip’s philosophical orientation was defined by his concerns. Although I dissented from the communitarian strand in his thought, we shared a basic orientation.

And this brings us back to primary relationships. If Philip had one overarching concern, it was,
in my view, the ongoing project of reproducing, in appropriate ways, the virtues of primary relationships in broader institutional and communal settings. Formal or impersonal institutions must be judged by whether they acknowledge that relationships matter. For Philip, institutional life, including government, is about sustaining a moral order, not simply the efficient coordination of activities or rational management of collective resources. To govern is to take responsibility for the character of a group and its basic institutions. It involves the care of people who are objects of moral concern, not interchangeable, expendable units, to be used, manipulated, or discarded as efficiency may require.

This is a demanding conception of public life, not easily realized, but it guides me in my life’s work, which is teaching professional ethics to senior public servants from countries around the world. They are deeply involved in the task of governance, and my constant hope is that they will get it right in just the sense that Philip had in mind.
Remarks for Selznick Memorial Service
Robert A. Kagan

I have had the immense good fortune to have been Philip Selznick’s colleague and friend since I arrived here in Berkeley in 1974. I have spent three-and-a-half decades in the academic house that Philip Selznick built, the Center for the Study of Law and Society—a house that, just as he envisioned it, became a world-famous model for integrating the study of law, social inquiry, and justice. Today, I would like to tell you about two encounters with Philip that set me on my path to Berkeley.

In the mid-1960s, I was a practicing lawyer in New Jersey. My uncle, Herb McClosky, a political scientist here at Berkeley, mailed me Volume 1, Issue 1 of the Law & Society Review. In it, I read articles written by three of the brilliant scholars whom Philip had drawn to the Center for Law and Society,—Jerry Skolnick, Shelley Messenger, and Jerry Carlin. They exemplified a Selznickian vision of sociolegal studies—using careful empirical research on the law in action to inform the quest for justice. I was captivated.

But how could I get involved in that enterprise? During my summer in 1967, I took a trip to the West, ending up in Berkeley. Herb McClosky—who had been a colleague and friend of Philip at the University of Minnesota in the 1940s, and then again at Berkeley in the 1960s—suggested I go talk to Selznick about my new interest. So I visited him at his office in the Center and asked him how I could find a way to do the kind of research I had read in the Law & Society Review. “You need to get a PhD,” Philip told me. My reaction was “Oh no! That would take years!” Well,” Philip replied, “if you are really serious about this kind of work, that is what you must do.”

Most of you here today, I imagine, can virtually hear the convincing, rabbinical weightiness with which Philip said “really serious.” So what could I say? ‘No, I’m not really serious, I’m really a dilettante, I’m here just to waste your time?’

And so the intellectual and moral magnetism that Philip radiated worked on me, as it has with many others. He led and influenced us precisely because of that seriousness, because of the passion of his commitment to thought and learning, his commitment to the kind of social inquiry that advances hopes for a good society. “Scholarship matters!” Ideas matter!” Avoiding ungrounded utopianism, getting the social facts right, is important! Finding the right balance between conflicting values is important!, Its not just an intellectual game!” That was the subliminal message that always accompanied his Philip’s words as he wrote, as he taught, as he asked a question in a seminar.

Philip’s last book, A Humanist Science, written with enormous effort when he barely could see, was published in 2008. It states his credo: inquiry into any social or institutional sphere should be alert to the extent to which human dignity, freedom, and security is protected; the extent to which our social arrangements promote mutual trust, good faith, appropriate self-restraint; the extent to which they foster satisfying and nurturant relationships.
That mission, both ambitious and compassionate, idealistic yet deeply grounded in social and political realities, explains why, throughout the years, I came away inspired whenever I heard Philip give a talk. To me, he was a high priest of the academic religion.

To return to my own story, in 1969, two years after my first encounter with Philip, I was a beginning graduate student at Yale. I had been instructed about analytically separating social-scientific research from debates about ideals and values. I found it all interesting, but not completely satisfying. Then, in my sociology of law class, Stan Wheeler had us read Selznick’s just-published book *Law, Society and Industrial Justice*. By the time I finished its wonderful opening chapter, I felt re-energized. Philip’s book illustrated and reaffirmed the idea that one could make the empirical study of how and why legal values were realized in the real world—or when and why legal institutions failed in that regard—the heart of one’s agenda as a teacher and scholar.

I told myself, “That is an intellectual train I would like to get on.” Thanks to Philip, it is a train I have been trying to catch every since. Year after year, I have assigned and taught Selznick’s work to undergraduates and graduate students. I’ve quoted it in my writings. I repeatedly stress Philip’s conception of “responsive law,” which so insightfully illuminates the ways in which the American legal system—and many other systems as well—have changed in the last half century. And coming full circle, I was honored to have spent two terms as chair of the Center for Law & Society.

So with Philip’s passing, I have lost an intellectual father and role model; lost a giant on whose shoulders I could sit, if not always stand; lost a warm, wise friend from whom I would often receive an encouraging pat on the back. His ideas, and the institutions he created, will live on, of course. But I will miss Philip himself, miss him greatly.
Person of Faith. As is true for many of us here today, Philip Selznick is someone whose words and deeds have had a transformative effect on my own life. So I am grateful for the invitation to offer a few words of remembrance on behalf of the charter class of the Jurisprudence and Social Policy Program, of which Philip was the founding director and I its first graduate.

What I wish to call attention to this afternoon is a quality that I have not so far heard attributed to Philip, which is faith. The observation I want to share is that in my view, Philip Selznick was very much a man of faith, although not in the conventional religious sense of the term.

When I first learned of the founding of the Jurisprudence and Social Policy Program in the summer of 1977 (before the charter class had been admitted), it sounded intriguing. So I dropped by the Law and Society Center at Boalt Hall to find out more about it, where Phil happened to be in his office.

We had an unscheduled, free-ranging discussion that ran for an hour and a half. By the end of it, I felt intellectually invigorated—perhaps even a little exhilarated—in a way that I seldom had before in my life. I felt I had also been significantly intellectually challenged, although never denigrated or intimidated. It was like sparring with a martial arts master who intends you no harm.

This experience engendered in me a measure of trust in Philip’s intellect and teaching capability, and so by extension in this new program he was directing; so I decided to apply. He must have also had a certain amount of faith in me, as in other members of the charter class, since we were admitted into it.

Faith Tested. By the end of the first semester of the inaugural JSP program seminar co-led by Phil and Martin Shapiro (who with Harry Scheiber would become other valued mentors of mine) we students learned that conceptually, the program was still very much in its formative stages. We found ourselves telling each other, “These guys are literally making it up as they go along.”

By the end of the first year, we realized that we were making it up as we went along; for we had been invited to participate in the ongoing co-creation of the JSP program. It bespoke Philip’s considerable faith in us not only to invite us to help fulfill his and others’ vision of the program, but to make original contributions to that vision as well.

For students and faculty alike, in those early years JSP was not a program for the faint or heart, or for those who had strong needs for structure, focus, and direction. It was we ourselves who were collectively beginning to provide these programmatic qualities.

In so doing, I think we were actually manifesting in practice some of the very attributes Philip has written about so eloquently regarding the potential for the fostering of genuine commu-
nity within organizations. For we who persevered, the very process of engaging in the ongoing development of the program was an adventure in experiential education that equaled anything we learned by more traditional means in seminar. It was indeed a moral community, even if sometimes a fractious one.

The JSP Core. In the early years of the program, there was a great deal of existential angst generated over the question of what constituted the conceptual and intellectual core of the Jurisprudence and Social Policy program. And it was a question over which Phil refused to be pinned down.

On the part of some students (and maybe some of his colleagues), this resulted in a certain lack of trust in Philip and in his vision for the program. They began to suspect he was being coy or cagey, or that he actually didn’t have a very clear idea himself of what the program was really all about.

But on reflection and in occasional conversation with Philip over the years, I found that his vision remained clear even as his eyesight was dimming. What I came to understand is that for him, the core was never as much about content—which might change and evolve over time—as it was about process.

The core was a gathering place for the meeting of minds, for the exchange of ideas and the fashioning of new ones. It was the intellectual eye of the storm—the conceptual commons of the JSP program. Philip’s respect for the power of the commons and its creative potential led me to sometimes see him as a modern-day emanation of one of the ancient Taoist sages such as Lao Tzu, who wrote,

_We join spokes together in a wheel, but it is the center hole_  
_That makes the wagon move._

_We shape clay into a pot, but it is the emptiness inside_  
_That holds whatever we want._

_We hammer wood for a house, but it is the inner space_  
_That makes it viable._

_We work with being._  
_But non-being is what we use._

Philip’s Faith In Us. Philip trusted that if you bring together the right people in the right institutional setting with at least a threshold level of common academic cause, something of substance that was rich and creative and worthwhile would come forth. In working with Dean Kadish and others to establish the JSP program, in recruiting its faculty and in selecting its students, Philip ultimately had faith that we were the right people, and that Boalt Hall was the right setting.

May we all—and may the Jurisprudence and Social Policy Program itself—continue to be worthy of the faith that our friend, colleague, and mentor Philip Selznick reposed in us.
As penultimate speaker I may avoid repeating what others have said by speaking about my own associations with Philip over the years. Regrettably this will result in more personal pronouns than is seemly, and I apologize at the outset.

Philip and I both attended the City College of New York in the years before the Second World War. We didn’t know each other then, but the place was a crucible of intellectual and political ferment and the experience left a common mark on all of us. Of course many led ordinary lives as business men or lawyers, and some no doubt (there were hundreds of us, after all) became swindlers and cheats. But its graduates included a highly a disproportionate number of Nobel Laureates and distinguished and influential scientists and scholars like Philip. Students were the principal drivers of the ferment that yielded this dividend and most of it took place in the alcoves of the giant basement where we lunched or played or agitated, or all three. Certain alcoves belonged by prescriptive right to certain groups—ping pong players, bridge players, Stalinists, Trotskyists as well as self styled revolutionaries of subtly differentiated stripes and flavors. Philip lunched with the Trotskyists, I, it must be confessed, with the frivolous ping pong players. Berkeley once had its share of graduates of these alcoves, but alas, with Philip’s death I may be the end of the road.

I first met Philip In January 1964 when I was visiting from Michigan. Someone invited me to join a discussion group led by Philip at his Law and Society Center on, as I recall, the adversary system. From then on I saw much of Philip and the group he had assembled around him. The Law School was a different place then and it was Philip’s Center that provided its principal intellectual milieu.

Philip was an institutional inventor and academic leader, skills, he once confessed to me, he honed during his early tenure with the Joe Hill Unit of the 4th International. In addition to creating the Law and Society Center he put the Law School doubly in its debt in the 1970s by leading an effort to establish the Jurisprudence and Social Policy Program. When the Criminology School was dissolved Chancellor Bowker faced the daunting political problem of what to do with the freed resources. He appointed a committee to advise him, shrewdly choosing Philip as its chair and including several of us from the Law School, as well as faculty from other units, as members. In that capacity and later as Dean of the Law School, I confess with pride to having played a collaborative role with Philip, especially in helping overcome bureaucratic university hurdles and establishing the JSP in the Law School. But it was Philip who was the theoretician and chief architect of the concept.

Though by all accounts JSP turned into a major success, it left Philip disappointed in one particular: He wanted its faculty and its students to devote their energies to establishing the intellectual foundations of JSP as an independent discipline, what he called “the core of JSP,” but it never happened. Whether it ever could have I have no sure convictions on.
These were happy associations I have described. Philip was at once gentle, kind, brilliant, inventive, learned and deep. If he ever got angry or careless of another’s feelings it was not in my presence. I will miss him greatly and I will miss the foursome we constituted with our wives, Doris and June. Still, he will long be remembered in the annals of Berkeley Law as the non lawyer who was one of its greatest intellectual benefactors.
Dear Friends,

I am so pleased to see so many dear friends here. Your presence honors me. Thank you for coming.

I owe special thanks of course to Dean Edley and all those who have made this event not only possible but exceptional. Very special thanks to Rosann for her kindness and patience. It was her idea to gather photographs of Philip together with letters of tribute and remembrance from those who could not join us here today, and to assemble them into a memory book as a keepsake and perpetual memorial. My heartfelt thanks to those who have spoken earlier about the Philip they have known, admired and loved. I only regret the absence of so many of the friends and colleagues who sadly have predeceased him, and whose loss he keenly felt. Shelly Messinger, Caleb Foote, Leo Lowenthal from this campus come to mind, as well as his older comrades, Martin Diamond, Irving Kristol and Herb Garfinkle. Philip would often comment on the fact that living to be old, much as he welcomed every day as a blessing, was a sad succession of goodbyes to those whose love and companionship had filled and enriched his life.

Now that he too has incredibly died, those who have spoken on this occasion of remembrance have appropriately and admirably attempted to characterize his impact, both scholarly and personal, and to offer their insights into key aspects of his character, including some of his lesser-known traits. Perhaps you are now expecting me, who knew him best, to add my views on just who he was, what he was really like. But despite our many years together, going back to the early 70s when I was a graduate student, it is beyond my powers to describe or understand what it was that gave him such enduring charm, such stunning intellectual gifts, and a resolute moral character. What was it that attracted and reached out to us, and that led to his distinguished reputation and influence? What was there about him that we were drawn to and loved? It is an elusive subject, one I hope yet to explore. I suspect I will find clues as I reflect upon our last months and days together when caring became for us both a deeply moral experience.

As for his legacy, a subject some have already spoken about, Philip, above all a most modest man, was particularly fond of the following words of William James, one of several American philosophers who influenced his work. James, speaking about the legacy of Ralph Waldo Emerson, wrote,

“The phantom of an attitude, the echo of a certain mode of thought, some pages of print, some interesting discovery … these are all that will survive even the best of us.”

Such are my thoughts today. So that is all I am going to say. Instead I am going to invite you to listen to what Philip, if he were here, would have welcomed more than any words, namely, some beautiful music. Leighton Fong of the Berkeley Department of Music, whom you may have heard earlier, is going to play the Sarabande from Suite #5 for unaccompanied cello by J.S. Bach. This is music Philip deeply felt for its spiritual qualities. It is, in effect, my offering to this, his memorial service, my way to express my gratitude for having been by his side through a lifetime of love, kindness and happiness. May music speak to all of us and bring us much comfort in the days ahead as we confront the fierce certainty of his absence.
June 16, 2010

Dear Doris,

I heard the sad news from Malcolm that Phil died. I am very sorry, and I want you to know that Carol (Fargo) and I are thinking of you.

Memories of Phil flood back to me, most of all how kind he was when I first arrived in Berkeley in 1986. I felt that he took me into his work; we engaged at a deep level on issues about liberalism and community and that engagement continued for the next 8 or 9 years. If we have not been in touch much since I moved East, that doesn’t mean that I have forgotten his kindness — and yours. I remember wonderful dinners at Eucalyptus Road — and the
I am very proud to have known him and worked with him, and to have had the benefit of many conversations and his gentle, inspiring argument and admonitions. It really made a difference to me—and remarkably so, since our initial fields were so different.

Doris, I know this is a sad time. I hope it helps to know that people remember Phil so fondly and treasure his work and the time he spent among us.

With great affection

Jeremy
June 15, 2010  
201 West 72nd Street, 20c  
New York NY 10023  

Dear Doris:  

I just heard that Phil has died. Although the news was scarcely unexpected, its  
finality made me deeply saddened. I had known Phil for a very long time, since  
February 1962, nearly half a century ago.  

Did I ever tell you about our first meeting, at the Law and Society Center, then on  
Telegraph Avenue? Phil was Chair of the Center and Shelly was vice-chair. As I  
walked in I saw two men. One of them had graying hair, the other looked younger. I  
assumed the younger looking one was Messinger. So when he started to tell me  
about life in Berkeley, and how he and Reinhard Bendix worked at home a great  
deal, I thought Messinger was being a bit presumptuous, comparing his writing  
regimen to that of Bendix. It took me a few minutes to figure out that the younger  
looking guy was Selznick, by 1962 already a famous name in sociology and sociology  
of law. (The leading Berkeley scholars of that era had dreary university offices, and  
splendid home offices, often with Bay views.)  

I owe so much to Phil and learned so much from him. He invited me to co-teach the  
sociology of law with him in 1962, and supported me as a friend and colleague  
through good times and bad for nearly half a century. We didn’t always agree,  
especially during the turbulent 1960’s, but we were always friends, always  
amicable. And, in retrospect, Phil was always right.  

I was teaching at the University of Chicago in 1968, when I was asked to head up a  
“task force” for the National Commission on the Causes and Prevention of Violence  
that was eventually published as The Politics of Protest (and was recently reissued  
by NYY Press—I’ll send a copy when I get to my office this week or next.) Phil  
offered to take me and my staff in to the Center. I had asked for his help, because I  
knew that—to produce a first rate report— we needed the intellectual give and take  
that Phil had always provided at the Center. Of course Phil was a great scholar, an  
inspirational figure, especially in the sociology of law. But he had also been a  
socialist in his early years, with an alias, as I recall, Sherman. So Phil was a political  
guy—a shrewd political thinker— as well. That political understanding showed in  
TVA and the Grass Roots. Who today completes a doctoral dissertation at 24—much  
less one that becomes a classic?  

Of course, like many of us, Phil had his contradictions. As you know, in later life, Phil  
was to write about the need for community, indeed became a philosopher of  
community and an advocate of communitarianism. Yet every July 4, when our local  
community had a neighborhood July 4th celebration, I would look for Phil, and he  
wasn’t there. And Phil had retired early from the one community to which he had  
belonged, the university (he had no religious attendance) so he could work at home,
undisturbed, and write about community. Don't we all have our contradictions of thought and action.

Arlene and I have so much enjoyed and appreciated our friendship—we hope it will continue. We plan to be in Berkeley later this summer and hope we can enjoy a meal together. Our condo is rented so we will be staying at the Claremont Hotel, or maybe for a few days with Steve and Ann Brick. (Judge Brick was my R.A. in 1970.) We will call and make plans before we arrive. Arlene sends love and condolences, as do I.

As ever,
Dear Doris,

We haven’t heard much from each other in the last years, but I would like to offer our condolences on the news of Paul’s death. My wife Gerda and I vividly remember our meetings in Berlin, Berkeley, Washington and other places, and we are so sad to hear the news. We hope that your husband died recently.

I am currently at an advanced study institute in Sweden and writing this letter from there. Philip Behrman was one of the most admired colleagues in my personal perspective. We hope in the memory of your love.

Warm regards,

Than Joe.

SWEDISH COLLEGIUM FOR ADVANCED STUDY
Linnaeum, Thunbergsvägen 1, 752 38, Uppsala, SWEDEN
Phone: +46 18 55 70 83, Fax: +46 18 52 11 09, www.swedishcollegium.se
Dear Doris,

July 3, 2010

I read with great sorrow and sympathy your message about the passing of your dear husband Philip. I followed your indication of the Berkeley Website to learn that he passed on the 12th of June. I am writing, together with Hiroko, to send you and your family our deepest condolences.

When I visited you and Philip at home a few years ago, I was quite happy to find him well and cheerful, knowing nothing about the kind of disease you mention that he was about to suffer from. I can imagine how painful it was for you to see him in such a state, but I am relieved to know that he closed his long and fruitful life peacefully.

Professor Selznick was my great teacher and mentor in the sociology of law. I went to Berkeley as a graduate student because he was there at the Center for the Study of Law and Society that he had just created. He was also the Chairman of the Department of Sociology when Hiroko and I were studying there. He had a vigorous style of lecturing with his lips protruding, and leaning forward with his one leg planted on a chair. He was a very kind and considerate advisor to a foreign student like me; when, for example, I asked him to support me for obtaining a grant-in-aid to prolong my precious stay in Berkeley. I also remember him making an eloquent speech representing the faculty position in front of a large crowd of students gathered in protest in the Sproul Plaza.

I need not mention that Professor Selznick was a pioneering leader of the US socio-legal studies that began to flower in the mid-sixties. The sociology of law in Japan is also much indebted to the Selznickian perspective bringing sociological insights to the analyses of legal institutions and highlighting the particular cultural values inherent in law. It helped us a great deal to strike a balance against the negative view of law, prevalent here at the time, looking exclusively at the aspect of power and domination; it also helped us to avoid falling captive of the positivistic approach to law and society. Many of our students, some senior to myself, visited his Centre and contributed with what they learned there to the reshaping of the Japanese sociology of law, and eventually to the creation of a new chair in the Law Faculty, first at the University of Tokyo and gradually at other state universities as well.

Many scenes of friendly chat that I shared with Philip keep coming back, taking bath together in a spacious hot spa room in Aomori, or strolling on the bank of the River Biswa in Warsaw... As you say, he was a truly sensitive person, both esthetically and humanly, equipped with a deep feeling capacity. Let us pray that his soul rest in peace.

With most sincere regards,

[(Signature)]

Kohri

with Hiroko
Dear Doria,

Philip was in every way a great man, and his passing leaves a tear in the universe that cannot be mended. I deeply mourn his passing - he was like an intellectual father to me. I cannot begin to imagine the pain you must be in, but am writing to share your grief and to affirm all
the magnificent contributions, personal and scholarly, that Philip added to humanity and to those lucky enough to have known him.

Robert
Dear Doris,

I heard that Philip had passed away. Yoshie and I are very sorry and send our deepest condolences to you. Philip was really a great scholar and a great teacher. I still remember how much I was surprised when I saw the title of his lecture in sociology at Berkeley. That was "the sociology of morality." Coming from Japan, I had somehow believed that "morality" had been something old and oppressive, which would work only for vested interests. Philip showed me that we could approach "morality" from a totally different perspective.

I still believe that morality is one of his core elements which constitute "Humanist Science." In Japan, we have to create or establish new morality, in a sense. But I still learn from him when I read his books and articles. I feel one epoch of the sociology of law is gone with him.

Yoshie and I felt you were doing a miracle, when we saw how you took care of Philip. We hope you are doing well.

Please take care,

Masayuki

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Professor Masayuki Murayama, Ph.D.
School of Law
Meiji University
1-1 Kanda Surugadai
Chiyoda-ku, Tokyo 101-8301
Japan
29 July 2010

Professor Trond Petersen, Chair
Department of Sociology
University of California, Berkeley

Dear Colleague:

I take the liberty of writing to ask you to forward this note to the colleagues and family of the late Professor Philip Selznick. I did not have the privilege of knowing him well, but like so many in my generation profited greatly from his work.

I began my graduate work in the sociology section of Harvard’s Department of Social Relations in 1947, then dominated by the person and ideas of Talcott Parsons. Professor Selznick’s work was a great encouragement to those of us who greatly appreciated what we learned from our respected teacher, who was indeed a gentleman and a scholar. Some of were so bold as to think that perhaps there were other perspectives not only in heaven but on earth. Professor Selznick’s work certainly helped us to form our own views, by providing exemplary instances of how large scale analysis could be combined with acute historical and political sensitivity.

I later spent some time in Europe (from 1953 to 1966)—and can testify that sociologists of the generation of Bottmore and Lockwood, Dahrendorf and Habermas, Crozier and Touraine, and Pizzorno, had a very high opinion of our colleague’s work.

With very best regards,
Dear Doris Fine,

Since learning of Phil’s passing, I have wanted to write to you. Though to my knowledge we have never met, I have heard so much about you from our many mutual friends. Their descriptions have always emphasized the closeness of your relationship to Phil, and the selflessness with which you supported him during your life together.

Phil and I go back a long way. Of all the people who came of age in that wonderful intellectual culture of New York City, Phil was a very special personality. He encouraged so many of us in the slightly younger generation and beyond. His works were invariably disciplined and insightful. Many of his books and articles were familiar to me, leaving me with an appetite for more. Only recently, though, have I turned to The Moral Commonwealth and found there another major gift that he left behind.

I have not yet had the time to give that book the careful reading it deserves. Even so, I’m fascinated by the wonderful way Phil describes the strength of piety and civility, and the advice he offers to us as individuals and to the society as a whole for balancing these two powerful motives. Though I have known much of his earlier work, this book brings it all together in an understandable and usable way. He has presented us with a legacy that we need, and that hopefully we can implement in our work and in our lives.

Regretting as all of us do Phil’s passing, we are comforted by the knowledge that he continues to be our valued friend and counselor. I felt the need to express these feelings, and trust that you will find some comfort in them.

Most sincerely,

Richard (Red) Schwartz

Richard Schwartz
(from Roger Cotterell)

Dear Doris,

Thank you very much for your message. Despite the unhappy circumstances I am very glad to hear from you. I have been thinking about you a great deal. I had not wanted to bother you with messages from me in the past weeks because I felt that very many people, much closer personally to you and Philip, would have wanted to be in touch and your time would have been very fully occupied in responding to them. Perhaps it was a mistake not to write but I did not want to add to burdens on you, thinking you would need much space and time and imagining how busy you would be.

I was very sad to hear the news. Thinking about Philip, treasured memories come back. The time I spent with him was precious to me. I remember a long conversation in Tokyo with him after we first met, when I had just been introduced to him by Malcolm Feeley and Paul Van Seters. Then a few years later, of course, there was the wonderful time when he and I talked at length at your house over several days for the oral history project. I remember very well your lovely hospitality and the friendly way you and he invited me into your home. One little amusing thing sticks in the mind. I brought a tin of biscuits from London and, as we talked, Philip unceremoniously opened the tin up and munched away while we talked on the tape. So there are comments about the biscuits (he really enjoyed them) scattered in with intellectual discussion on the tape, and I think the transcriber noted the occasional munching sounds. At least they can be clearly heard on the tape. Philip was so easy to talk with and I felt that we had a very good personal chemistry, but I am sure very many other people felt the same way. He was certainly someone who could reach out to other people and embrace them with his warm personality, and his wit and humour. In the oral history conversations at your house he was always generous in discussion wanting to understand accurately the way I was thinking and then expressing his own ideas clearly and richly in ways that made it possible for our thoughts to connect (even where we didn’t quite agree) without misunderstandings. As you say, I certainly value his work highly. But then so do very many others and, in my view, Philip thinking about the necessary connections between law and morals and about the sociology of law as a morally important enterprise will only grow more influential. These ideas, as I hold them, come from Durkheim above all. I think that for Philip they were built from Dewey especially. But there are many convergences and Philip’s books will always have an honoured place on my shelves.

Once again, many thanks indeed for your message. I hope that there may be an opportunity to meet again before too long.

With best wishes,

Roger
Dear Doris,

The news of Phil’s death reached me in the wilds of north Vietnam, near the Chinese border—one stop on a very long journey that included Cairo, Goa, Xi’an, Hanoi, and Seoul. I apologize for the delay in expressing my condolences. The long hours on planes and buses gave me a chance to reflect on all that Phil contributed to my education. There is no question in my mind that I would not be where I am today were it not for the potential he nurtured so many years ago. In the end, our substantive interests diverged, and he was always more of a Theorist than me. But the conviction that scholarship should matter to the world we live in is something you, Phil, and I shared. You are both in my thoughts.

Love, Kathy
When I arrived at JSP, my ignorance of the law was equaled by my ignorance of the law and society movement. Phil extended his intellectual generosity to me. I enjoyed and benefitted from our conversations over the years. Like the man for all seasons, Phil was a man for all ideas.

Sincerely,

Bob Cooter

Robert D. Cooter is the Herman F. Selvin Professor of Law and Director, Program in Law and Economics, U.C. Berkeley School of Law.

I interviewed Phil during the process of trying to decide whether to apply to the JSP program, in the summer of 1977. We had a lively and far-ranging conversation that lasted for well over an hour, an experience I think we may have both found energizing and enriching (at least, I know I did). In short, I think he was probably instrumental in seeing to it that I was admitted to the charter class—thus changing my life forever. And as the first graduate of the program, I couldn’t miss this opportunity to bid him a fond farewell.

Gratefully,

Lloyd

Lloyd Burton is the Professor and Concentrations Director, University of Colorado Denver School of Public Affairs.

Thank you for sending me the Dean’s invitation to the Memorial Service for Philip. Unfortunately, as I have to teach the last class of the second semester on the 20th of January, I will not be able to attend the service.

Philip’s work has been widely accepted in Japan and is still inspiring scholars not only in the sociology of law but also in his initial special field, the sociology of organization (I have met Japanese scholars in business management who learned a lot from his work).

Best wishes,

Masayuki

Masayuki Murayama is Professor in the School of Law, Meiji University.
Please accept my deepest condolences on the passing of Professor Selznick. I will always appreciate his kindness, generosity of mind and scholarly contribution to legal thought. His pursuit of questions examining the reconciliation of individual and collective well being and consideration of how legal scholarship can advance questions of social good have set a positive example for many. He will be missed.

Shahla Ali

Shahla Ali is Assistant Professor of Law at the University of Hong Kong.

Dear Doris and the JSP community,

One of my highlights as a graduate student at Berkeley last decade was serving as Philip Selznick's research assistant in 2003. I recall getting the bus from campus and walking up the steep hill to Philip’s house, where he would be waiting for me to discuss his book, to edit his writing, or to draft emails to his colleagues. Philip and Doris warmly welcomed me into their home. He gave me copies of his earlier books to read as we worked together on his last one, A Humanist Science. I was honored to learn from a founder of the JSP program and to be exposed to his ideas. Philip's values are very much alive in my writing today, and I hope to carry on his humanistic orientation to social-science research.

I am deeply sorry for this loss. Philip’s memory remains alive for the many students whose lives he touched, and I cherish the time I spent with him.

Fondly,

Mark Massoud

Mark Massoud is Assistant Professor in the Department of Politics at UC Santa Cruz.

Phil was an amazing intellect, a person who combined insight with rare common sense and the ability to cut through to the heart of any issue under discussion; and at the same time, a person of compassion and a life-long thirst for justice.

He will be sorely missed.

Yours, Lawrence

Lawrence M. Friedman is the Marion Rice Kirkwood Professor of Law at Stanford Law School.
REMEMBERING PHILIP SELZNICK

January 2011

Paul van Seters

September 1972 I first met Phil Selznick in person in the seminar that Philippe Nonet taught at UC Berkeley in the Fall semester of 1972. A few months earlier I had graduated from the School of Law of Utrecht University in the Netherlands, and in August 1972 I had arrived in Berkeley as a graduate student in sociology. The Nonet seminar, given at the (old) Law and Society Center, was attended by three or four regular students but also by six or seven professors—among whom Phil. Needless to say, for me that was quite an intimidating environment. Shortly after my arrival in Berkeley, I also started to go to the regular bag lunch meetings that were organized at the Law and Society Center. As I recall, Phil was always present at those meetings. Both in the seminar and at the bag lunches, Phil struck me as the primus inter pares. However heated the debate, however complicated the arguments, there always and inevitably came the moment that he intervened, gave structure to the issue being discussed, and created clarity. It was as if a helicopter went up, and from some distance put its lights on the muddle the rest of us had created and gotten stuck in. The sovereign quality of Phil's intellect never failed to impress. I know he had this effect on students, but I believe the same is true for colleagues and peers. In his presence, I think, it was difficult for anyone to stop feeling a student.

June 2010 A few days after Philip died (somewhere on this journey, Phil had become Philip) I received an e-mail from Martin Krygier with a reference to the URL of a videotaped interview that three Berkeley graduate students had made with Philip Selznick back in 1987. I watched the interview, which went on for about an hour and a half, and was mesmerized. In the 1970s, I had become a friend of Phil and his first wife, Gertrude Jaeger. The three of us often went sailing in their boat on the San Francisco Bay. Since I had left Berkeley and had returned to the Netherlands, the friendship with Philip and his second wife, Doris Fine, remained. Over the years I regularly returned to Berkeley, sometimes accompanied by my family, and I/we always stayed at the Selznick-Fine house on Eucalyptus Road. Philip and Doris came to Utrecht in 1986, when Philip received an honorary doctorate from my alma mater. There were ceremonies and seminars, but we also went sailing on the IJsselmeer. In later years Philip stayed a couple of times at my house in Utrecht. The last decade or so, I had grown accustomed to the fact that Philip's physical and mental strength was slowly fading away. But the hour-and-a-half of the 1987 interview confronted me with the old Philip, fully in control and commanding all the intellectual force that I had come to admire when I first met him in 1972. I feel privileged to have had such a mentor and friend.

Paul van Seters is Professor of Globalization and Sustainable Development at TiasNimbas Business School, Tilburg University, the Netherlands, and was previously Professor of Legal Sociology at Tilburg Law School, Tilburg University.
Remembering Philip Selznick

January 14, 2011

My relationship with Philip Selznick began in the mid-1960s when I read TVA and the Grassroots in graduate school at Minnesota. This book has had an enormous influence on my work since. This relationship took on something of a personal nature when during a course in the philosophy of the social sciences at Minnesota, I learned that my instructor, May Brodbeck, was Philip’s sister. I was intrigued; how could two siblings have almost diametrically opposite views of the social sciences. Later, still before I met him, I was powerfully influenced by Law, Society and Industrial Justice, and Law and Society in Transition with Philippe. Interestingly, this influence has been powerful but always indirect. I never set out to apply any of Philip’s ideas, but when reading drafts of my work, I found that they had crept in.

The first time I met Philip was at the first national meeting of the Law and Society Association, held at Red Schwartz’s new law school building in Buffalo. I sat in a packed auditorium to listen to my two intellectual heroes, Philip and Lon Fuller, hold forth on sociology, law, and natural law. I remember afterwards asking similar questions to both of them: “Why,” I asked of Philip, “does the sociologist sound so much like a philosopher?” And of Fuller, “Why does the philosopher sound like a sociologist?” I don’t recall a word of what either of them said to me, but I do recall that they took my questions seriously and responded at length. What I do still vividly recall was my reaction. I felt like Lou Gehrig in his last appearance at Yankee Stadium. “To be talking to these two men! I’m one lucky guy who has stumbled into the right line of work.”

Now nearly forty years later, with over thirty of them here at Berkeley as Philip’s colleague, I still feel that way.

Malcolm Feeley

Jurisprudence and Social Policy

Malcolm M. Feeley is the Claire Sanders Clements Dean’s Chair Professor of Law.

Phil Selznick was a great academic and a great person. I don’t think God (or Darwin) is making sociologists like Phil any more. If I could attend the memorial, I would...

Mel

Mel Eisenberg is Koret Professor of Law.
Unfortunately, I cannot be at the January 20th Memorial/Celebration for Phil for a reason that he would appreciate. Currently I am serving as a juror on a multi-count, major felony case being tried before the Alameda County Superior Court in Oakland. Trial hours are 9:30 am - 4:30 pm thereby overlapping with the Memorial service. In my juror’s role I am a participant/observer of the Criminal Justice system—Alameda County version—in action. Many of the concepts which Phil and other colleagues at the Center for Law and Society have developed regarding that system are being played out before me on a daily basis. Race, class, gender, education, age, occupation and ethnicity are among the pertinent elements in the case, a heady mixture for students of the sociology of law. During varying stages of my Berkeley career, Phil was my teacher, mentor, colleague and friend. He challenged me intellectually but always in a supportive manner and helped me grow as a scholar. He was a model for me of intellectual integrity and commitment to principle. He possessed the wonderful capacity to put ideas into action; witness the birth and growth of the Center for the Study of Law and Society and the Jurisprudence and Social Policy Program which are legacies of his contributions to the Berkeley campus. In keeping with his Brooklyn origins, Phil retained the common touch. He was never pretentious or posturing—building up people rather than putting them down. He was a man of great pride but little ego. To summarize, Phil Selznick was a Gentleman, Scholar and Mensch, a rare individual who inspired admiration and emulation for all of these qualities. At this difficult time, Sandra’s and my thoughts are with Doris.

Edwin M. Epstein

*Professor Emeritus Haas School of Business and International and Area Studies*

With Professor Selznick’s guidance, those of us in the Jurisprudence and Social Policy Program learned to analyze law as part of everyday life, in organizations, and in the state. The perspective he instituted opened us to taking account of law in areas it mattered most, including in employment, migration, and health and safety regulations. He modeled a commitment to the normative values of the rule of law integrated with the empirical investigation of how and where law worked, or didn’t. The aspirations of the Jurisprudence and Social Policy Program remain integral to my life, including in trying to bring ‘the gradual reduction of arbitrariness,’ a phrase from my graduate education that stays with me, to my daily work life in university administration. I am grateful for having been able to learn from the model of scholarship Professor Selznick provided.

Best wishes.

Susan M. Sterett

*Associate Dean, Arts, Humanities and Social Sciences, University of Denver*
Thinking about Philip, treasured memories come back. The time I spent with him was precious to me. I remember a long conversation in Tokyo with him after we first met, when I had just been introduced to him by Malcolm Feeley and Paul Van Seters. Then a few years later there was the wonderful time when he and I talked at length at your house over several days for the oral history project. I remember very well your lovely hospitality and the friendly way you and he invited me into your home. One little amusing thing sticks in the mind. I brought a tin of biscuits from London and, as we talked, Philip unceremoniously opened the tin and munched away while we talked on the tape. So there are comments about the biscuits (he really enjoyed them) scattered in with intellectual discussion on the tape, and I think the transcriber noted the occasional munching sounds. At least they can be clearly heard on the tape. Philip was so easy to talk with. He was certainly someone who could reach out to other people and embrace them with his warm personality and his wit and humour. He was always generous in discussion—wanting to understand accurately the way I was thinking and then expressing his own ideas clearly and richly in ways that made it possible for our thoughts to connect without misunderstandings. I certainly value his works highly and, in my view, Philip’s thinking about the necessary connections between law and morals and about the sociology of law as a morally important exercise will only grow more influential. These ideas, as I hold them, come from Durkheim above all. I think that for Philip they were built from Dewey especially. But there are many convergences and Philip’s books will always have an honoured place on my shelves.

Best wishes,

Roger Cotterrell is the Anniversary Professor of Legal Theory in the School of Law, Queen Mary University of London.

“As I wrote in the preface to my book The Genesis of Values, I consider Philip Selznick one of my virtual academic teachers. I never was his student or collaborator, but his writings in the sociology of organizations, in the sociology of law and in legal theory, and his efforts to develop a liberal communitarianism had great influence on my own intellectual development. In meetings on both sides of the Atlantic with him and his wife I had the opportunity to experience his generosity, sincerity and seriousness. I know that another German scholar, the leading legal theorist Winfried Brugger of the University of Heidelberg, a close personal friend, would support what I am writing, but he himself died tragically a few weeks ago.”

Sincerely,

Hans Joas

Hans Joas is Director of the Max Weber Center for Advanced Cultural and Social Studies at the University of Erfurt, Germany, and Professor of Sociology and Social Thought at the University of Chicago.
Dear Doris Fine,

Since learning of Phil’s passing, I have wanted to write to you. Though to my knowledge we have never met, I have heard so much about you from our many mutual friends. Their descriptions have always emphasized the closeness of your relationship to Phil, and the selflessness with which you supported him during your life together.

Phil and I go back a long way. Of all the people who came of age in that wonderful intellectual culture of New York City, Phil was a very special personality. He encouraged so many of us in the slightly younger generation and beyond. His works were invariably disciplined and insightful. Many of his books and articles were familiar to me, leaving me with an appetite for more. Only recently, though, have I turned to *The Moral Commonwealth* and found there another major gift that he left behind. I have not yet had the time to give that book the careful reading it deserves.

Even so, I’m fascinated by the wonderful way Phil describes the strength of piety and civility, and the advice he offers to us as individuals and to the society as a whole for balancing these two powerful motives. Though I have known much of his earlier work, this book brings it all together in an understandable and usable way. He has presented us with a legacy that we need, and that hopefully we can implement in our work and in our lives.

Regretting as all of us do Phil’s passing, we are comforted by the knowledge that he continues to be our valued friend and counselor. I felt the need to express these feelings, and trust that you will find some comfort in them.

Most sincerely,

Richard Schwartz, aka Red

*Richard D. Schwartz is a Senior Research Scholar in Law at Yale Law School and the Ernest I. White Research Professor at the Syracuse University School of Law.*
I deeply regret that I will be unable to attend. Please find attached a review of Phil’s last book, which truly encompassed his long and distinguished life as an academic. He was not just a great scholar and close friend, but such a ‘mensch’.

Sincerely,

Amitai Etzioni

_Amitai Etzioni is University Professor and Professor of International Affairs and Director, Institute for Communitarian Policy Studies, at the Elliott School of International Affairs, George Washington University._

_Excerpt from Etzioni’s review of A Humanist Science: Values and Ideals in Social Inquiry (Stanford University Press, 2008), published in 44 Law & Society Review 185 (2010):_

“Philip Selznick provides, in _A Humanist Science_, a remarkable capstone to a long and outstanding lifetime of scholarly work. Although the themes of this book are touched upon in his previous major tomes, only here do they come into full relief… Above all, the publication of this seminal work provides an occasion to celebrate an outstanding long life of scholarship, public philosophy, and engagement of a towering social scientist, a powerful beacon of humanist science.”

I always will associate Philip Selznick with the phrase, “Properly understood.” Properly understood, an organization is an institution and properly understood, a grape is a drop of wine. This phrase testifies to Philip’s antipathy to the superficial. Determining a proper understanding of the not-superficial led him and Gertrude Jaeger to contentious inquiries about the meaning of the unconscious in the mind of a moralist. “Properly understood” also testifies to Philip’s antipathy to uninformed action. He wanted to challenge those engaged with public policies, and sociology students were not always grateful for his challenges. Despite sometimes being called a conservative, Philip did not use convention or tradition to supply content to what is “proper.” For me, Philip’s achievement was to reveal new ideas, expanded ways of being responsive, and challenges for action when he began sentences with “Properly understood.”

Robert Rosen

_Robert E. Rosen is Professor of Law at the University of Miami School of Law._
Tribute to Philip Selznick

I am pleased to join the legions of former students who had the privilege of working closely with Philip during his years as the leader of the law and society community at Berkeley in contributing this memorial. I am in good company in noting that I would not be where I am today without him, either intellectually or professionally, and that he has long served as my model as a mentor, a model I have tried to emulate with my own students over the decades since my years in Berkeley.

Let me begin by saying a few words about his role as a mentor. Philip was a challenging presence in my life as a fairly young doctoral student. His persistent interest in the universals of normative beliefs ran contrary to what most anthropologists of the time saw as the central message of their discipline. Relativism held sway then as it does now, deriving from the long standing commitments of forefathers like Boaz and his students, for whom the ravages of World War II in Europe and the xenophobic preoccupations of the United States in the interwar years led to an attack on universalism as it surfaced in neo-Spencerian views of national and racial superiority. Selznick perceived great philosophical and political dangers in relativism, in its inability to provide a solid center of critique or yardstick of moral measurement. For him, a universal posture was necessary for any meaningful criticism; for anthropologists, this position was a dangerous colonial holdover.

Thus my weekly encounters with him, in which he would send me on a mission to find evidence of universal responses to transgression, were inevitably spirited debates between a very senior scholar and a very junior graduate student. He would have been within his rights to take that status difference into account, but to his everlasting credit, he treated me as a worthy sparing partner. Hence, in his company, I learned two vital lessons that I have tried to keep in mind in working with my own students: ideas, not rank, are all that matters; and debate, not easy consensus, is the whole point of academic work.

At the time, I thought of our discussions as largely philosophical. As my own scholarship evolved into far more public forms, I came to appreciate how much Philip’s selection of topics was guided by his convictions about what problems mattered in the civic sphere. This, then, was the third lesson I learned at his side: social science should be about issues of grave importance in the world beyond the walls of the academy. Even when dressed in the language of moral philosophy, Philip’s central preoccupations had to do with the meaning of justice, the importance of deliberation, the conditions of true freedom, and the constraints on individual liberty that must be observed in order to protect a genuine deliberative democracy.

Philip retired at what I now regard as an early age, but was as vital a writer and scholar after ending his formal role in the university as it had been when he was a full time teacher. This too was a lesson to me, one that has become even more immediately relevant to me as a Dean than it was when I was his student: the life of the mind knows no institutional boundaries. For him, what really mattered were the ideas, not the trappings, and the individual who abides by that motivating force will never lack for intellectual company. Decades after my years in Berkeley, when I was a full professor at Princeton, I had the pleasure of attending a lecture given
by Martin Krygier, one of the many international figures interested in Philip’s work. Before the presentation, which focused on Selznick’s ideas, the audience was asked to go around the room with the usual introductions. One by one, some three dozen people at a university 3,000 miles from Philip’s home territory, explained how he had played a formative role in their thinking. More than two decades after his retirement, his reach was truly remarkable, and that is precisely the kind of influence any scholar would hope for, the kind that flows from the conceptual power of a great mind at work.

Although our substantive interests diverged over time, my convictions about what kind of scholar I hoped to be remained very much in debt to the man I have always called my one true mentor. I know I have hundreds of like minded colleagues who make the same claim. The wonderful thing about Phil Selznick is that he had room for us all. For that reason, he will always be remembered. And in our finest moments, we will strive to exemplify the life of the mind that he represented.

Katherine Newman

Cape Town, South Africa

January 10, 2011

*Katherine Newman is James B. Knapp Dean of the Zanvyl Krieger School of Arts and Sciences at Johns Hopkins University.*

SocCommunity:

Philip Selznick was a leading member of the Sociology Department for many years before affiliating with the Law School after founding the field of Law and Society and directing the Center for the Study of Law and Society.

Philip Selznick labored hard and long for Sociology and Law. I learned a great deal from him. May he rest in peace.

David

*David Matza is Professor Emeritus of Sociology, U.C. Berkeley.*
Dear Doris,

I can understand why I’m unable to reach you by phone (my first impulse), so I’ll use this more modern communicator. I was struck with sadness (but not great surprise) by your message of last week, which, alas, I didn’t see for a few days. From our most recent conversations, it was clear Philip was going through, as you told us, a debilitating neurodegenerative disease, but death at any age and from any cause, as we ourselves grow older, is a shocking experience.

Philip and I had known each other since we met at UCLA in, I suppose, 1949, when he was new to the faculty and I an eager immediate ex-student. Within a year, we were very close friends, and the more so when we taught a few classes together at something called the The Liberal Center, an attempt to teach Californians, at least those in Los Angeles, some of the principles of which Philip had written and I had learned. I shall always remember a conversation we had when I, wanting to go to law school but worried I’d be 31 when I finished after three years, and Phil admonishing me, gently but firmly, that after three years I’d be 31 anyway, and might as well have a law degree. That sold me, we each headed to Berkeley, where for those three years we lived only a few doors apart, and saw each other constantly, along with some concentration on law studies for me, and work for Philip on his memorable text with Leonard Broom.

It was in those years our friendship turned, there is no better word, to affection, why I always treasured our relationship and always will. I loved his concern for me, his gentle language whether discussing RFK’s presidential campaign, some other aspect of my career, or the more serious explanations of his newest book or article. In short, I cherished our memories, and I eagerly sought out new conversations, new opinions, new insights.

I loved him, Doris, and I miss him, and I always shall.

Love,

Frank

*Frank Mankiewicz, former president of NPR, is a vice chairman of Hill & Knowlton’s Washington D.C. office and a senior member of the public affairs practice.*
Dear Doris,

I heard that Philip had passed away. Yoshie and I are very sorry and send our deepest condolences to you. Philip was really a great scholar and a great teacher. I still remember how much I was surprised when I saw the title of his lecture in sociology at Berkeley. That was “the sociology of morality.” Coming from Japan, I had somehow believed that “morality” had been something old and oppressive, which would work only for vested interests. Philip showed me that we could approach “morality” from a totally different perspective.

I still believe that morality is one of his core elements which constitute “Humanist Science.” In Japan, we have to create or establish new morality, in a sense. But I still learn from him when I read his books and articles. I feel one epoch of the sociology of law is gone with him.

Yoshie and I felt you were doing a miracle, when we saw how you took care of Philip. We hope you are doing well.

Please take care,

Masayuki

Masayuki Murayama is Professor in the School of Law, Meiji University.

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Dear Doris,

I learned with great sadness of Phil’s death, and want you to know that although I did not have extended or frequent contacts with him, I saw him enough from my years long ago on the faculty and after my return to Berkeley to recognize that his combination of intelligence, deep scholarship and gentleness made him a most unusual and downright luminous man. I will miss him. Judith joins me in these sentiments.

Warm regards,

Stanley Lubman

Stanley Lubman is Distinguished Lecturer Emeritus and Senior Fellow of the Miller Institute for Global Challenges and the Law.
Dear Doris,

This is sad news. You know how important Phil was for me. As a teacher he taught me how to bridge sociology and law. As a scholar he was exemplary for me in his uncompromising search for truth and for his personal integrity. As a friend I was grateful for his empathy and affection. Looking for a good father in my whole life, Phil came closest to what I was looking for.

I very much hope that you find the inner strength you need now to overcome the pain of losing this wonderful man.

Our thoughts are with you.

Gunther and Enrica

Gunther Teubner is Professor of Private Law and Legal Sociology at the University of Frankfurt.

Dear Doris,

I wanted to let you know how sad I was to learn of Phil’s death. He was an icon in the field, and had a great impact on me personally. Both his focus on the study of law in social context and his focus on organizations as institutions have been very influential in my professional life. I still remember when I first met him as an undergrad in the sixties, and he encouraged me to study sociology at Berkeley rather than go to law school.

It was wonderful to see him again and to meet you when he received the Kalven award, and I am sorry that he couldn’t be there when I gave my LSA presidential address, which looked at LSA as an institution, drawing on his perspective.

Yours,

Howard

Howard Erlanger is Professor of Sociology and Law and Director of the Institute for Legal Studies at the University of Wisconsin – Madison.
Dear Doris,

I am so very sorry to hear of Philip’s death. And not at all surprised to hear that he, like Irving, was stoical—“philosophical,” as they say—to the end. In many ways, I think, their characters were similar—hard-headed and generous-minded, good-natured and loyal. Irving and I had (have) the fondest memories of the happy if misguided youth we shared with Philip. And we always regretted that we lived so far apart and weren’t able to keep in touch as much as we would have liked.

I regret that I won’t be able to participate in the memorial service to Philip. But I shall think of him, as always, with great admiration and affection.

With warmest condolences and best wishes,

Bea

Bea Kristol (Gertrude Himmelfarb) is Professor Emerita at CUNY Graduate Center, and the widow of Irving Kristol.

Dear Doris,

How very sad it is to hear about Philip. I can barely imagine the loss you must feel. He was very fortunate to have you with him for all those years. I, too, loved the man. There was a certain greatness to his sense of the scholarly vocation and the way he fulfilled it. I am so grateful for the opportunity I had to get to know him a bit. Kathy joins me in sending our deepest condolences.

All the best to you and yours,

Mike Lacey
Dear Colleagues,

 Probably most of you never had a chance to know Philip Selznick. It is fitting that all of us—those who did not know Phil as well as those who did—stop for a moment to acknowledge the magnitude of his half century in our school. As David Lieberman said in his email to us, Phil and Sandy Kadish conceived the JSP program and got it established. Their vision was remarkable and even more remarkable has been its realization; the JSP program is an enormous success, an enormous influence in legal education everywhere. Phil's contributions are enduring also, of course, through his substantive influence on his younger faculty colleagues and, as David says, through his distinguished scholarship, heroic in scope and values and highly influential everywhere.

 What I would like to add has to do with Phil's extraordinary integrity and inspiring presence. He was an intellectual, who was eager to pursue ideas, including criticism, wherever they went. He treated everyone with complete respect, regardless of their status or point of view. He believed that working out ideas the best we can is deadly serious business. And he knew what he was talking about; he was learned and wise. When you were talking with Phil, in a large setting or privately, you felt called upon to give it your best, because his very presence set a high intellectual standard. With all of this, he was at the same time a model of modesty. Nor do I mean to suggest that his presence was heavy or sobering; on the contrary, he was delightful to be with.

 His presence also carried with it a sense of history, from his radical, left wing days at CCNY in the late 1930s all the way to his recent, and I think somewhat conservative, communitarianism. Others on the faculty know far more about his scholarship and thinking than I do, but what I think was the great continuity in it was his belief in the possibility of identifying the common good, in varying contexts, and his powerful convictions that it morally ought to be sought and could be realized in significant ways. He pursued these convictions ever more maturely in his writing over the decades. He put them into action as a public participant in political issues at Berkeley. The JSP program itself exemplified his convictions.

 The death of a person of such virtue and achievement in our field should command our attention wherever he spent his career. Yet, in some emotionally persuasive way, it is especially important that we who share the institution in which he spread his glow, even those who did not know Phil, should mark his passing and reflect on a life of this kind of nobility that was spent in this place.

 Bob

 Robert H. Cole is Professor of Law, Emeritus.
Dear colleagues:

Although I barely got to know him, I’d like to add my thoughts to those already expressed by others about this great scholar and teacher. Specifically, I want to add the perspective of someone who, six years ago next week, came to Boalt as its first outside dean in 50 years.

There are many special things about this place, only a few of which I perceived and none of which I fully appreciated before coming. In my judgment, no distinction is more important and luminous than the JSP program.

That distinctive dimension of our excellence certainly draws from the quality of the people and their intellectual project. What is even more remarkable, however, is the how the success of that project has influenced the teaching, research and intellectual community of the rest of the Law School, setting us apart from peer law schools while drawing us closer to our colleagues across this great University. Others are better qualified than I to comment on the success of JSP’s “internal” project, but I can attest with great conviction and admiration to the success of its “external” project. Without the vision, intelligence and good sense of Phil and the founders of JSP, the claim that Boalt is the most important Law School would be both vain-glorious and risible. With JSP, however, the claim may be prideful, but it is certainly defensible.

If one is describing the structural pillars of the modern Boalt Hall, my account of the history and the architecture would note Philip Selznick in the same breath with Prosser. Think of it this way: Prosser set Boalt on a path to join the club of nationally prominent law schools, while Selznick was central to giving it something that, even within that elite club, makes us extraordinary.

Quite a legacy. We are obliged to sustain it and build upon it.

Chris

Christopher Edley, Jr. is The Honorable William H. Orrick Jr. Distinguished Chair and Dean.
Dear Colleagues,

I would like to thank Chris and Bob for sharing their thoughts on Philip and David for writing the beautiful obituary that appears on the website and elsewhere. And I would like to share a few of my own as I was fortunate enough to know Philip first as a teacher and mentor and later as a colleague.

It is difficult to overstate the impact of Philip Selznick’s work on the fields of sociology and law and society. His distinctive perspective, which emphasized the role of values in the lives of social institutions and in particular, bureaucracy, has had an enormous influence on generations of scholars. All of Philip’s work is amazingly rich and insightful, but for me personally, it was his 1969 book, *Law, Society, and Industrial Justice* that was most influential. LSIJ emphasized law as generic, as a strain and tension that existed within private as well as public governance. At a time when most sociology saw law as an external constraint, Philip’s much more nuanced understanding of law was mind blowing, and it strongly influenced the direction of my own work. First as a student and later as a colleague, I was fortunate to have had a number of conversations with Philip over the years, most of which focused on our mutual interest in the nexus of law and organizations. We had somewhat different perspectives in that he saw much hope in the value of legality while I have tended to be somewhat more skeptical, focusing on the power of managers to undermine legal values. But virtually every time I pointed out to Philip what I thought was a reason why his focus might be too optimistic, he reminded me of a place in his work where he had already anticipated and addressed that complication. To this date, each time I read Phillip’s work, I am amazed and impressed by its nuance.

Philip’s role in JSP goes far beyond founding our program. Philip’s vision in founding JSP is reflected, I hope, in our continued quest to infuse law with social scientific and theoretical knowledge, to marry the social sciences and the humanities by grounding normative models in the analysis of everyday problems and experiences, and to focus legal scholarship on variation across social contexts and on the strains and tensions that law and legal values impose upon institutions, and then to use that knowledge to influence law and public policy. Thirty years ago, in the *California Law Review*, Philip wrote that integrating the humanist, social sciences, and policy perspectives is not easy. He was right, but it is a task that JSP faculty and students embrace and relish.

Laurie

*Lauren B. Edelman is Associate Dean for the Jurisprudence and Social Policy Program, Agnes Roddy Robb Professor of Law and Professor of Sociology.*
Dear All:

I have also sad news to report. Philip Selznick died on June 12 this year at the age of 91. He is one of the most distinguished sociologists to have taught in the department. He came here in 1952 and represented the grand tradition of humanistic sociology, as well as founding the Law and Society Program. He was a most dignified and brilliant intellectual, one of the great public sociologists of our era. There is an interview with him from 1987 that can be found at http://sociology.berkeley.edu/publicsociology/facultyvideos/oldseries/selznick/play.php

He was a firm and articulate defender of free speech and at the beginning of the Free Speech Movement had a very famous debate with Nathan Glazer who was also teaching here at that time. He is the author of such classics as TVA and the Grass Roots, The Organization Weapon and more recently, The Moral Commonwealth and The Communitarian Persuasion. He will be fondly remembered by many of you, I’m sure.

Best wishes,

Michael Burawoy

*Michael Burawoy is Professor of Sociology.*
The following tributes appeared in the July 2010 Newsletter of the Law and Society Association:

Remembering Philip Selznick

by David Lieberman, University of California, Berkeley

Philip Selznick, Professor Emeritus of Law and Sociology at the University of California, Berkeley, died on June 12, 2010, following a long period of illness. With his death, the Law and Society community lost one of its post-war academic giants, whose scholarship and leadership helped shape the theory and sociology of organizations and transform the social study of law.

Selznick’s defining experiences occurred as an undergraduate at the City College of New York which he entered in 1935 at age 17. It was here that he was exposed to the philosophical materials, especially John Dewey’s pragmatism, and to the European social theory which informed and inspired his lifetime’s research. No less shaping was the political education of these years, when he joined and sometimes led a Trotskyite youth organization and met as friend, collaborator or adversary a group of future and fellow luminaries who included (among others) Irving Kristol, Gertrude Himmelfarb, Daniel Bell, Nathan Glazer, Herbert Garfinkel, and Seymour Martin Lipset, and his first wife, Gertrude Jaeger. Many of the themes and issues to which he devoted himself over the next 70 years—the relationship between individual leadership and bureaucratic forms; the fate of values and ideals in the processes of organizations and politics; the social and cultural forms that best strengthen human community—received their first rehearsal in the heady setting of student radicalism and anti-Stalinist socialism.

Selznick’s academic training was interrupted by military service in the US Army from 1943-46. He completed his Columbia University doctorate in sociology in 1947, under the supervision of Robert K. Merton. Two years later he published the now-classic study, *TVA and the Grass Roots*, which launched his academic career. The book, along with the later volumes, *The Organizational Weapon* (1952) and *Leadership in Administration* (1957), established him as an authority in the theory and sociology of organizations and a founder of the institutional perspective in organization theory. Selznick himself later characterized these and similar investigations as “preoccupied with the conditions and processes that frustrate ideals or, instead, give them life and hope.” These initial volumes secured Selznick’s lasting impact within academic sociology; an influence that was further enhanced through his 1955 textbook, co-authored with Leonard Broom, *Sociology: A Text with Adapted Readings* (7th edition, 1981), which introduced the discipline to over a generation of undergraduates in the US.

In 1952, following positions at the University of Minnesota and UCLA, Selznick joined the Berkeley Sociology Department as an assistant professor. He chaired the Department from 1963-67, an assignment made all the more challenging by the debates and fractures generated by the Free Speech Movement. Though he rejected later student aims and militancy on the Berkeley campus, in 1965 he voiced a forthright defense of student free speech and protest in a celebrated exchange with his Department colleague, Nathan Glazer, which appeared in *Commentary* magazine.
Selznick’s position in post-war academic sociology was always distinctive in its concern to make ideals and values objects of central concern and to enrich social research through the perspectives of philosophy as well as other disciplines. (He would eventually refer to this capacious form of social inquiry as “a humanist science.”) In the 1950s, his attention increasingly turned to the social study of law. He developed an approach that ambitiously combined elements of traditional jurisprudence concerning the aims and nature of law with social science understandings of organizational dynamics and constraints. The resulting mixture of institutional realism, social theory and normative inquiry—embodied in such works as *Law, Society and Industrial Justice* (1969) and *Law and Society in Transition* (1978), the latter co-authored with Berkeley colleague Philippe Nonet—offered a novel approach to the understanding of legality and the rule of law, while making a decisive contribution to the developing field of “law and society.”

Through a series of institutional innovations which again owed much Selznick’s vision and leadership, Berkeley emerged as one of several major centers for the developing law and society field. The Berkeley Center for the Study of Law and Society, where Selznick served as Founding Director from 1961-72, became a leading destination for interdisciplinary research on law and legal practices. Scholars attached at the Center were active in the founding of the Law and Society Association, and many of the Association’s past and current leaders have had affiliation with the Center as visiting scholars, participants and directors. In 1978, Selznick became the Founding Chair of Berkeley Law’s doctoral program in Jurisprudence and Social Policy, the first and for many years sole Ph.D. program based in a major US law school.

Retirement in 1984 did little to diminish the scale of Selznick’s scholarship and renown. In 1992, he published the work he considered his magnum opus, *The Moral Commonwealth: Social Theory and the Promise of Community*. The work, whose size and scope recalled an earlier tradition in social theory, provided an expansion and synthetic recasting of past writing on law and organization theory, as well as the opportunity to link his concern with the institutional supports for moral ideals with the then-current “communitarian” turn in liberal political philosophy. Further elaboration of the latter theme appeared in his 2002, *The Communitarian Persuasion*. His last book, published in 2008 at the age of 89, *A Humanist Science*, offered a final statement of the moral and methodological ideals that guided his distinguished research.

and the Lifetime Achievement Award from American Sociological Association Sociology of Law Section in 2009.

For those who met Selznick as a well-established academic leader, it was hard to imagine his pre-war student beginnings as a radical militant. His published writings eschewed rigid categories and doctrinaire approaches. His progressive politics and scholarly convictions, nourished alike from the resources of Dewey and the Pragmatist tradition, insisted on a toleration of ambiguity, the recognition of diverse and pluralistic commitments, and a firmly ecumenical spirit. In his personal dealings, he displayed a large heart, easy humor and generous loyalties, and an endless delight in the exploration of new places and scholarly domains. These qualities made him a revered teacher, mentor and friend to generations of scholars and students. His teaching, warmth and example will be sorely missed by colleagues, friends, and his beloved wife, Doris Fine.
Reflections on the Passing of Phil Selznick

by Richard “Red” Schwartz, Yale University and Syracuse University

There live among us certain people who are recognizably larger than life. When such a person passes away, we who remain are filled with regret that they have left us. Soon afterward, though, we realize they are still very much with us—continuing as in the past to guide and inspire us.

Philip Selznick was just such a person. For all who knew him—and many who did not—Phil’s influence will live on. His work and his personality provide an example for us to follow. Essentially he helps us to find new projects and to develop, in what we have already done, new potentials to move forward toward greater understanding.

Phil’s vita exemplifies a wonderful way to spend a scholarly life. Each of his written works draws together available knowledge and presents it in an original and insightful way. His sociology text, written with Leonard Broom, helped students to understand the basic sociological perspective. That was no easy task, considering that sociology can otherwise appear to be an impenetrable jungle of ideas, methods, and findings. From there, Phil went on to demonstrate how the sociological viewpoint can illuminate the inner workings of organizations as diverse as the TVA and the Soviet Politburo.

After that, Phil turned his great scholarly talent to the field of law and society. At the time, law was a virtually unplowed field—not yet discovered by American sociologists. Unlike Weber and Durkheim, sociologists in America acted as if law lay beyond their reach. Busily describing the structure and pathology of inner cities, they largely ignored the role of law in controlling or exacerbating the phenomena they were studying. Phil, independently intellectual as always, pioneered the study of law and society.

Starting with a Russell Sage grant in 1961, Phil organized at Berkeley the Center for the Study of Law and Society. The initial grant was arranged by a distinguished urban sociologist, Leonard S. Cottrell, Jr., who knew Phil and his work well. Slats Cottrell was looking at the time for ways of accessing law as a legitimate subject for sociology. Knowing Phil’s work and character, he saw that the combination of Phil and Berkeley would be the best place in the world for developing a whole new field of sociology in America. He figured that if anyone could do it, Phil could. He was so right!

The evidence is clear and convincing—especially for those of us who watched from a distance. The Berkeley Center has led the way in the field of law & society. It fostered the talent of a generation of scholars whose works will be familiar to the readers of this Newsletter. To name a few: Philippe Nonet, Jerry Skolnick, David Matza, and Shelly Messinger were leading sociologists who worked there. Phil also welcomed scholars from law, political science, history, economics, anthropology, and philosophy.

His spirit of openness to constructive thinking continues to be manifest in the Center, now capably headed by Calvin Morrill. That intellectual development has had ramifications for scholarship worldwide. In a world much in need of law as part of a civil path to peace, the heritage that Phil left will continue to inspire generations of scholars in the years to come. Ave atque vale, Phil, Hail and Farewell.
The following tribute by Neil Smelser appeared in Footnotes, the newsletter of the American Sociological Association in Sept/Oct 2010:

**Philip Selznick**

**1919-2010**

With the death of Philip Selznick on June 12 at age 91 in his Berkeley home, the social sciences lost one of its 20th-century giants. He was a true innovator in the sociology of organizations, institutions, the sociology of law, and social philosophy.

As a youth and college student (City College of New York) during the Great Depression years, Selznick was one of those many Trotskyite and other radical youths (including Seymour Martin Lipset, Daniel Bell, and Irving Kristol) who later became noted sociologists and commentators. One of his subsequent books, *The Organizational Weapon* (1952) was a brilliant analysis of the ideals, strategies, and tactics of radical cell organizations, and perhaps a coming to terms with his own past.

Among his many publications written over six decades, the following are most notable:

- *TVA and the Grass Roots* (1949), perhaps the most notable case study of the adaptive and informal aspects of a formal organization.

- *Leadership in Administration* (1957) in which he invented and elaborated the institutional perspective on organizations.

- *The Moral Commonwealth* (1992) and *The Communitarian Persuasion* (2002), in which he established himself as the most sensitive and noblest spokesman for communitarianism in the social sciences and humanities.

- *A Humanist Science: Values and Ideals in Social Inquiry* (2008), published when he was nearly 90. This was a most important publication; it gave him the opportunity to make his most mature statement on the normative and moral-philosophical dimensions of the social sciences.

My own reading of the man is that these aspects of social inquiry were his greatest passion. Certainly all my dialogues with him ended up there.

The latter years of his career were spent in the Berkeley Law School, where he was the intellectual entrepreneur in creating and leading the Center for the Study of Law and Society, the graduate program in Jurisprudence and Social Policy, and an undergraduate major in legal studies—all distinguished and all remarkable, given the history of resistance to such innovations in many law schools.

Such was Selznick’s catholicity and reach that he befriended colleagues from many departments and many ideological and political persuasions. This was vividly seen at a gathering honoring him in his home about one year before his death. Most of those gathered had difficulty speaking with one another, but all exuded affection and admiration for Philip.
Selznick joined Berkeley’s Department of Sociology in 1952 as an Assistant Professor after teaching at the University of Minnesota and University of California-Los Angeles. He was a good departmental citizen, though not as aggressive as Herbert Blumer, Seymour Martin Lipset, and Reinhard Bendix during its institution-building years of the 1950s.

His greatest moments in the department and on the campus came during his chairmanship, 1963-67, which coincided with the explosive years of the Free Speech Movement (FSM) and its aftermath. He was a model chair, listening well, responding sensibly and rationally to the passionate arguments and actions of colleagues and students, and keeping a steady hand on departmental affairs. Yet, he also entered the fray. During the FSM he took a strong stand favoring free speech and expanded student political activity on campus (while rejecting extreme militancy) and debated publicly with colleagues like Nathan Glazer on his right. During the height of the 1964 crisis he played a central, mediating role on the Committee of 200, a faculty group that contributed responsibly to the faculty resolution of December 8, 1964. I always stood in admiration of his unusual synthesis of advocacy and peace making.

In the spring of 1964 Philip and I co-taught—at his initiative—the required theory course for first year sociology graduate students. Many students outside sociology also took or audited the course. Though I had taught the course before and knew him through our six years together in the department, I did not quite know what to expect from this powerful intellect whose theoretical predilections differed in some ways from my own. For me the adventure was a glorious one. We generated a format for each two-hour meeting: Either he or I would begin with a half-hour discussion on the topic of the week (for example, Weber); the other would respond for 20 minutes; we would converse for a while, and then the class would join for the final 45 minutes. That was a good mix, but what made things so special was the quality of discourse: High-level, relevant, sometimes electric, occasionally competitive, always interesting, and always mutually respectful. To this day I attribute those ingredients mainly to Philip and his intellectual style. I also co-taught that course with others—Kingsley Davis, Art Stinchcombe, and Michael Burawoy—but those experiences never came close to the intellectual heights I experienced in 1964.

I must conclude on a personal note. Though I would not describe my relationship with Philip as intimate, we maintained a positive friendship over all those decades from the late 1950s into the 21st century.

I remember with special affection his role during the 1960s when I was receiving numerous offers from other institutions. Most of my other colleagues, even friends, stood idly by on such occasions—it seemed the departmental style. But on every occasion Philip took the initiative to contact me, to express his and the department’s support for me, to laud my career in sociology, and to urge me to stay at Berkeley. These are the moments one remembers.

Neil J. Smelser, University of California, Berkeley
Philip Selznick

Philip Selznick could have retired at 60 and spent time on his farm, reading books, writing books, or just contemplating a great career. Instead, he did all those things and started the Jurisprudence and Social Policy Program as well.

My academic friends warned me as I left Australia in 1978 to join the first JSP Program intake, not to expect to see much of the great names who grace the big American universities; they were often on leave, committed to research programs, and so on. My experience could not have been more different.

Philip taught the foundational JSP seminar twice per week as he and we wrestled with the idea of the program via the greats of sociological jurisprudence. He made his students reach for the deeper understandings and, although there were times when we (or at least I) felt inadequate in his company, he got us to go much deeper than we had before.

Three years further on—when he was about to retire and could have called all his time his own—he agreed to serve on my thesis committee. As far as I know, Philip had not previously delved into the founding of a penal colony in New South Wales. But it is a measure of his curiosity and generosity that I did not once feel that this was a chore for him.

Philip's generosity to his students stands out and I consider it a great privilege to have worked under him.

Beyond student life, my wife Kin and I valued the time we were able to spend with Philip in Melbourne when he came out many years ago, and with him and Doris at their home in Berkeley on our visits over the years.

Philip, Shelly Messinger and Sandy Kadish were father figures to me in a way and I valued the warmth of their personal friendship as we went beyond the teacher student relationship. I have tried to emulate them in their commitment to ideas, universities and students. I have missed Shelly and I will miss Philip too. I hope Sandy is well.

David Neal

January 2011

*Dr. David Neal is Senior Counsel at the Victorian Bar in Melbourne, Australia.*
Before I even met Philip, he had changed my life. I had come across his book, *Leadership in Administration*, while walking the stacks as a master’s student in Boston in 1992, and discovered in that slight volume the most astute understanding of leading complex organizations written by an academic that I had ever seen. This book, which remains a touchstone for me and which I teach in my Leadership and Ethics classes, was largely responsible for my decision to leave the business I had run for 16 years in order to get a PhD and become a professor.

At the University of Pennsylvania, Philip’s *TVA and the Grass Roots* was assigned reading in my Wharton course on macro-organizational theory. I read every word and footnote, and learned what it meant to be a scholar; to conduct work with care, confidence, conscience, and creativity; and what I remain convinced is the best method to study organizations. I was, quite literally, inspired. I then read every word and footnote of the remainder of Philip’s work: *The Organizational Weapon; Law, Society, and Industrial Justice* (with Philippe Nonet); *The Moral Commonwealth*, and his many published articles.

When I met Philip, he was working on *The Communitarian Persuasion*. I had emailed him at some point to thank him, and we had corresponded a little over the next year or so. I mentioned that I had written a paper on his body of work, which he asked to read, and did. He was complimentary and kind—he said “I learned a lot about my own work” from reading it, and invited me to come see him if I were ever in the area. The following summer I was, and he and Doris invited me to lunch. Philip and Doris both treated me with enormous hospitality, and after lunch Philip and I talked about the kind of work we thought was important—a conversation, really, about methodology. He showed me his computer, which helped him read; he said he thought *The Communitarian Persuasion* would likely be his last book (thankfully, it was not; he gave us the parting gift of *The Humanist Science*). We discussed my dissertation ideas, and he encouraged me and advised me on their peculiar challenges. We talked about books, and ethics, and he told me stories about his life, including how he decided to write *Leadership in Administration* as a kind of summary of TVA because that was so lengthy that most people wouldn’t read it or couldn’t process it all. He made a joke about how he was writing *Communitarian Persuasion* for the same reason: *Moral Commonwealth* was so huge. And we talked about whether, if it could be arranged, he would come to Wharton to give a talk, something he was not doing too much anymore. With Doris’s considerable energy and support, he came. He spoke to faculty and students about communitarianism and his views of society’s challenges and needs, and we ate together one more time.

I don’t mean to suggest by any of this that Philip and I were particular friends, or close, or that I was even a student in which he took a special interest. We were not, and I was not: he simply made me feel as if I were. Perhaps you all do, who have experienced Philip’s natural, easy-going modesty, his kindness, his humor, his piercing intelligence concentrated on listening and responding to what you had to say: his engagement with you. He had a rare gift for connection. Of course, Philip and I were both born in Newark, NJ, and that counts, too.

For me, Philip is immortal. I think about him and his work all the time, and have since I picked up that first slender volume in a library 3,000 miles from where he lived. In writing these remarks, I discovered something I had forgotten: the title of the paper I wrote about
his work was, “Is there life after Philip Selznick?” The paper analyzed his work in relation to theorists who had followed him, and my question was whether anyone had really said anything new about institutions beyond what he had already taught us. My answer in that paper was “no.”

But in remembering him, and honoring him, we can only try. Organization studies is showing a return to the concerns that marked Philip’s work throughout his generous and purposeful scholarly life: the careful tracing of organizational process, particularly as it relates to “organizational character” and “distinctive competence”; attention to language, values (indeed, morality), creativity, professional discretion; and decision-making and justification; the commitment to studying organizations both as wholes in themselves and as shaped by, and shaping, larger systems, including political and legal systems. We can try, to use his own words, to “show the organization responding to a problem posed by its history, an adaptation significantly changing the role and character of the organization”; to “look beyond the formal aspects to examine the commitments that have been accepted in the course of adaptation to internal and external pressures” and thus “place the interpretation of organizational behavior in historical perspective.” (12, 42, 103, LIA). Following Philip, this is what I try to do. As I said, he inspired me.

Jane Robbins, PhD

Vanderbilt University
I knew Philip Selznick for more than fifty years, first as his student, and then as a colleague in
the department of sociology for thirty years. During this period the faculty was a cast of giants:
no one knew so much about so many things as the late Franz Schurmann; no one had so much
data at his fingertips as Seymour Martin Lipset; none of us could rival Erving Goffman in cre-
ative imagination or stature in the larger intellectual community. But no one was as smart as
Philip Selznick. When he spoke at department meetings, and he did only rarely, he spoke with
an authority, a depth. A wisdom that was unrivaled.

During the late 60s and through most of the 1970s Sociology was riven by deep division over
politics, cleavages that began during the Free Speech Movement of 1964-65 and deepened
during the debates over Black studies and related issues a few years later. In this period Phil
Selznick’s voice was a voice of reason; more than anyone else he could bridge the deep divide
that had estranged colleagues, sundered long friendships, and threatened to shipwreck what
was considered the nation’s leading department.

His voice was not limited to department meeting; he also took the floor during meetings of
the Academic Senate. I can recall how proud I was that we had someone who could speak with
conviction and with eloquence, and was the peer of Senate leaders like Carl Schorske, John
Kelley, and Charles Muscatine. Phil, like them, took the side of the students during the crisis,
in contrast to people like Marty Lipset and Neil Smelser. To the rest of us members of the
committee of 200, the name of the Left caucus, he was on the side of the angels, courageous
enough to be critical of the university’s clumsy administration.

Phil was dedicated to what he called “the life of the mind,” and while that was true I would also
say that his life was equally devoted to friendship. The list of his close friends are legion, going
all the way back to Paul and Ruth Jacobs in the 1950s to such people as Leo Lowenthal, Bill
Kornhauser, Franz Schurmann, Charles Glock and dozens of others. Selznick’s friendships,
and the serious talk that these friends exchanged, was to my mind as central a part of his life as
scholarship and teaching.

Never as close a friend as the people I’ve mentioned, I was still privy to witness Phil Selznick’s
circle of intimates since I was regularly invited to the parties that he and Gertrude hosted in
the 1950s and 1960s. This was my first introduction to elegant living: the drinking, the lavish
food, what an impressive style of life. The Selznicks evidently had money, and it was widely
believed that it was the introductory sociology textbook that had made him rich, and we did
not begrudge him his good luck.

Phil Selznick had very high standards: “excellence” was the buzzword then. In 1960 Marty
Lipset was prepared to sign an early draft of my dissertation. Selznick, my second reader, told
me that I should take another year to rewrite it. Because of him it became an important book,
instead of just a passable thesis.

Finally my teacher was a very kind man. I can offer an example from the very first time we met.
Phil was chair of the committee on department fellowships, and in that capacity was review-
ing my application to be an R.A. for Lipset. It’s 1957 and the Levering Act loyalty oath is in
effect. With a beating heart I watch Selznick look over the page where I have listed my recent memberships in the Communist Party and a half dozen other organizations on the Attorney General’s list. I know that he was a socialist in his youth—indeed a leader of a Trotskyist sect—but they were mortal enemies of the Stalinist C.P. that I had belonged to. Will I be disqualified, what’s that wry smile coming over his face?

Finally after what seemed like hours, I hear his words, “Welcome to the club.”

Bob Blauner

*Bob Blauner is Professor of Sociology, Emeritus.*

Unfortunately, though I had allowed for jet-lag, the addition of an extremely debilitating cold means that I won’t be able to come this afternoon.

I am extremely sorry not to have been able to hear the tributes of others. For me, Phil’s visit to Oxford, along with Philippe Nonet, in the summer of 1971, and his participation in a series of seminars on the sociology of law I was involved in arranging, was a milestone in my academic life. In his breadth of moral and intellectual vision, which he so well retained, he gave us a sense of what was possible in what some of us had seen too much as a technical, though important, field. For you all at Berkeley his significance was obviously enormous at every level. I am sorry not to be there with you as you remember his life.

Philip

*Philip Lewis, Centre for Socio-Legal Studies, Oxford.*

Phil was an amazing intellect, a person who combined insight with rare common sense and the ability to cut through to the heart of any issue under discussion; and at the same time, a person of compassion and a life-long thirst for justice.

He will be sorely missed.

Yours, Lawrence

*Lawrence M. Friedman is Marion Rice Kirkwood Professor of Law at Stanford Law School.*