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DEAN WILLARD L. ECKHARDT IN THE 1970s

DAVID RADUNSKY*

The 1970s, especially the early 1970s when I was in law school, were a continuation of the turbulent times of the late 1960s on college campuses. Student protests against the war were becoming widespread and increasingly violent. Contemporaneously, student body assertiveness in administrative matters at universities across the country was becoming bolder. These facts were far more evident at other campuses than at Missouri; nonetheless, the University of Missouri-Columbia was a far different place, in these respects, than it had been in 1964, when I began undergraduate school.

It was in this context that Mr. Eckhardt accepted the nomination to become Dean of the School of Law and began his eight year tenure in that position. It was generally recognized, even by many students, most of whom were not overly sympathetic toward university administrators, that the pressures and tensions being continually generated by the outside forces mentioned above would make the deanship an exceedingly difficult position. To guide the School of Law through those times required a strong, assertive individual of even temperament, who placed the long-term goal of continuing to supply a quality legal education above all else.¹ Dean Eckhardt adhered unswervingly to that goal and exhibited the strength, assertiveness, and temperament necessary to achieve it.

Dean Eckhardt clearly recognized that excessive turmoil on the campus, especially if it involved the law school, would have an adverse effect on the school. Being a state school, the law school was, essentially, totally dependent on funding by the legislature. At that time, the legislature was fairly conservative and lacked much sympathy for the merits of the positions being asserted by vocal students. It was the Dean's expressed hope that the law school would be able to survive the turmoil by "staying out of the newspaper." Generally, this was achieved; sometimes it was not.

Probably the most difficult event during that period occurred right after the Kent State shootings on May 4, 1970. The following day a large group of student protesters gathered at the columns. Speeches were made, and songs

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1. I do not mean to imply any comment on the merits of the multitude of important issues that were consuming the country at that time or to suggest that they were less important than the stated goal for the law school, but I do believe that had the law school not been guided toward that goal above all else, it would have suffered considerably.

were sung. Naturally, many law students participated.² After a while, some state troopers came and, after announcing that they were going to enforce the University policy prohibiting such gatherings, started escorting some of the students to waiting buses; the remainder generally dispersed.³

Within hours, a group of second year law students had begun preparing a class action petition to file against the University in the Boone County Circuit Court to obtain injunctive relief that would permit peaceful gatherings.⁴ Naturally, all of this was in the news.

I would not want to imply that Dean Eckhardt was pleased with these developments, but he did take them calmly and in stride; he also exhibited his ability as a teacher of law. Over the next several days, in discussions about the suit, he pointed out to us the defects in our positions, the errors we had made, and the difficulties we would experience. I see, in retrospect, that this was an instructional exercise only in minor part. Principally it was good negotiating on his part to encourage the quick and calm resolution of the incident. In any event, that happened; the suit was dismissed within days on an informal understanding that the University would permit assemblies elsewhere.

During the following school year, 1970-1971, Dean Eckhardt was required to face many of the then fashionable demands of student bodies: no grades or pass-fail, no required class attendance, fewer required courses, and the like. It was my feeling then, as it is now, that Dean Eckhardt dealt with these demands in ways that avoided confrontation and the resulting unproductive, even destructive, situations that developed at other schools. Strength, determination, and even-tempered restraint were necessary to achieve that. Dean Eckhardt exhibited those qualities and achieved the results.

Among the topics discussed at that time were methods to increase minority enrollment. Although the law school was using a number of techniques, such as financial help, to encourage more minority students to attend the school, the students suggested more. As the student representative, I presented the suggestions at a faculty meeting. Characteristically, Dean Eckhardt carefully analyzed the suggestions and expressed the concern that unlawful discrimination might be involved.⁵ About seven years later, the United States Supreme Court proved him right.⁶

2. The extent to which the spring weather and approaching final exams increased this participation has never been determined.

3. The law students on the buses were easily identifiable by their complaints about not receiving appropriate *Miranda* warnings. The students were driven downtown, kept on the buses a brief while, and released, having to walk home.

4. I was one of the name plaintiffs.

5. Of course, embarrassingly, this thought had not even crossed our minds.

6. See generally *Regents of the University of California v. Bakke*, 438 U.S. 265 (1978).



To over forty entering classes, Dean Eckhardt made the study of the fee “simple.”

Dean Eckhardt, of course, continued to teach property law while fulfilling his duties as dean. Most importantly, he taught about being a lawyer, not merely about the law. This was not done by lecture, but by his approach to problems or cases. He exemplified the desirable characteristics of patiently analyzing situations to prevent jumping to conclusions, care and exactness in drafting documents, and imagination.

I observed Dean Eckhardt in the 1970s; during that decade, he contributed significantly to my legal education, to the legal education of hundreds of other students, and to the University of Missouri-Columbia School of Law as an institution. The dedication of this edition of the *Missouri Law Review* to Dean Willard L. Eckhardt is well deserved and a token repayment for the decades of dedication he has shown to our school.