Remembering Robert F. Drinan, S.J.

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Robert Frederick Drinan, S.J., departed from this life on Sunday, 28 January 2007—86 years after he had entered it on November 15, 1920. During that time, he engaged in so many activities and touched so many people that it seemed he lived at least three lives, not one. It was the gift of celibacy, he said, that allowed this Jesuit priest the time to do so many different things.

At Boston College, he earned his B.A. and M.A. in 1942. He entered the Society of Jesus that same year, studying at the Weston Jesuit School of Theology in Massachusetts. Even then, he was not finished adding letters after his name. Bob Drinan subsequently earned an LL.B. in 1949, and his LL.M. in 1951—both from Georgetown. In 1953, he was ordained a Jesuit priest, and earned his theology doctorate in 1954 from Gregorian University in Rome. To that list, we should add the 22 honorary degrees that schools

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2. One of Bob Drinan’s classmates was Daniel Berrigan, who later gained fame—or infamy—as a radical Jesuit peace activist. See Martin, supra note 1. Berrigan was a member of the Catonsville Nine, a group of nine Catholics who burned draft files to protest the Vietnam War. See generally MURRAY POLNER & JIM O’GRADY, DISARMED AND DANGEROUS: THE RADICAL LIVES AND TIMES OF DANIEL AND PHILIP BERRIGAN (1997).
awarded him throughout his life.3

Father Drinan returned to Boston College in 1955 as Assistant Dean of the law school. The school named him Dean in 1956, at the ripe old age of 36. He held the post until 1969, converting the place from what a federal judge once called a “moribund institution” into a highly regarded law school.4 As Dean of Boston College Law School, Bob Drinan strongly opposed the de facto segregation of the Boston Public School System. This made him no stranger to controversy. From 1969 to 1970, he was Vice President and Provost of Boston College. Then he ran for Congress in 1970, vying for one of Massachusetts’s seats in the House of Representatives.5 He ran mainly because he thought that the Democratic incumbent was insufficiently opposed to the Vietnam War. Father Drinan won the election on an anti-war platform and unseated the 14-term incumbent,6 becoming the first Roman Catholic priest to become a voting member of Congress.7 The initial election was not easy, and his victory was an upset.8 Many of his own constituents expressed concern about a man of the cloth sitting in Congress. Protestant ministers had served before, but Father Drinan was the first priest with a vote. Bob did not shy away from the controversy, however. One of his 1970 campaign posters declared, “Father Knows Best.”9 He always wore his Roman collar when campaigning and when serving in the House. “It is the only suit I own,” he said.

Bob Drinan served in Congress from 1971 to 1981 as one of its most liberal Democratic members. He supported federal funding for abortions and he was a strong pacifist. Like Milton Friedman—the Nobel Laureate who also recently died—Father Robert Drinan supported a voluntary army and opposed the draft. He introduced the first resolution to impeach President Nixon in 1973—not because of Watergate, but because of the President’s bombing of Cambodia.

When Pope John Paul II decided to enforce a rule that forbade priests from

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3. See Georgetown Press Release, supra note 1. In addition to receiving honorary degrees, Bob Drinan served as a visiting professor at four American universities. Id.
4. See Feeney, supra note 1.
6. See Legal Ethicist Dies, supra note 5.
7. The Rev. Gabriel Richard, a Catholic priest, served in Congress from 1823-25, but he was a nonvoting delegate from the Michigan Territory. The Rev. Robert John Cornell, an ordained Roman Catholic priest in the Norbertine Order from Wisconsin, was elected to two terms in the House four years after Bob Drinan. He served two terms but was defeated in the 1978 election. See Martin, supra note 1.
holding elective office, Bob’s choice was either to leave the priesthood or to leave Congress. For him, the answer was simple: he left Congress and started teaching at Georgetown University Law Center, his alma mater. When asked about this decision, he said, “As a person of faith, I must believe that there is work for me to do which somehow will be more important than the work I am required to leave.”

In addition to being a devout Jesuit and active politician, Bob Drinan was a gifted scholar. Barney Frank, who was elected to Bob’s vacant seat in the House of Representatives, once remarked, “Bob Drinan wrote more books than many of his congressional colleagues have ever read.” An exaggeration perhaps, but an understandable one: Bob published a dozen books in his lifetime. When he started teaching at Georgetown Law in 1981, he was already 60 years old—an age when many people start planning for retirement. But not Bob Drinan. From that time until his death, he wrote 9 books—published by academic presses like Yale University and Loyola University Press, and general presses, like Harper & Row. For Bob’s words could reach very distinct audiences—the general public as well as academics and the practicing bar.

And, of course, he wrote articles. Many articles. Not counting his more popular works—including his op-eds in various newspapers and his columns in the National Catholic Reporter and America—Bob Drinan authored nearly 140 law review articles. He did so after he started teaching at Georgetown Law.

While writing, he remained very active in the classroom. Some professors seek ways to escape the burden of teaching, or brag about how they have managed to reduce their teaching load. Bob never did. Over the years, he taught over 6,000 students. He was teaching a course on religion and government and an advanced seminar on legal ethics this semester. While he taught, Father Drinan always motivated his students to explore and implement their learning outside the classroom.

Somehow, Bob Drinan still found—or made—time to be active beyond the law school campus. He was a member of the Board of Directors for the People for the American Way Foundation and the Center for Arms Control & Non-Proliferation. He served as a member of the National Governing Board for Common Cause and the boards of directors for Bread for the World and the NAACP Legal Defense and Education Fund. He founded the Lawyers Alliance for Nuclear Arms Control, and was honorary President of the World Federalist Association, Vice Chairman of the National Advisory Council for the ACLU, and a member of the Helsinki Watch Commission. And the list goes on.

Bob Drinan founded the National Interreligious Task Force on Soviet Jewry.

10. Id.
11. Levenson, supra note 1.
12. See Appendix.
13. See Appendix.
He was a strong supporter of emigration rights for Soviet Jews. In 1977, he wrote a book entitled, *Honor the Promise: America's Commitment to Israel*.14 The plight of Soviet Jews was just one of the many causes that was close to Bob Drinan’s heart.

The American Bar Association honored Bob in 2004 by giving him the ABA's highest honor, the ABA Medal.15 Previous recipients have included Oliver Wendell Holmes, Felix Frankfurter, Leon Jaworski, and Thurgood Marshall. ABA President Dennis Archer, the first African-American to hold this position,16 presented the ABA Medal to Bob.

When Archer first announced that the ABA had selected Bob as the recipient, he said,

[in an amazing career that has spanned more than half a century, Father Drinan has never faltered in his extraordinary humanitarian efforts and support for justice under the law. He has demonstrated to lawyers what it means to be committed to public service and to countless law students what is embodied in the highest dedication to ethical, moral legal practice. By his standards of leadership, he contributes to the luster and dignity of our award.17

Bob Drinan took many controversial positions during his lifetime of public service. We did not always agree with him, but we could never fault his dedication.

In 1995, the ABA also gave Father Drinan the Michael Franck Professional Responsibility Award based on his dedication to issues of professional responsibility, as illustrated by his creating and founding *The Georgetown Journal of Legal Ethics* in 1987.18 In 2001, the ABA Section of Individual Rights and Responsibilities created the Robert F. Drinan Award for Distinguished Service to the Section.19 This award recognizes individuals whose sustained commitment to the Section “has advanced its mission of providing leadership to the legal profession in protecting and advancing human rights, civil liberties, and social justice.”20 The ABA traditionally awards this medal at the ABA Midyear

20. Id.
Meeting. The first recipient was, of course, Robert F. Drinan.21

More recently, Bob Drinan received the 2006 Congressional Distinguished Service Award. The Award is given to “former Members of the House who have performed their duties on behalf of their constituents and the American people with such extraordinary distinction and selfless dedication as to merit special recognition.”22 And, in October 2006, Georgetown University Law Center established the Robert F. Drinan, S.J., Chair in Human Rights to honor his half century involvement in the cause.23

Bob touched many lives during his long career as lawyer, dean, congressman, author, and professor. His books and articles—his so-called “paper trail”—reveal the advocate and the scholar, but not the real man. William Wordsworth recognized that the “best portion of a good man’s life [are] [h]is little, nameless, unremembered acts [o]f kindness and of love.”24 And that—for those of us who had the pleasure of knowing Bob Drinan—is how we will remember him.

I first knew of Bob Drinan when I was an undergraduate student at Harvard and he was in the news as the combative dean at Boston College Law School. However, I did not meet him until several years later. I was a young assistant counsel working on the Senate Watergate Committee and he was—at that time—the combative U.S. Representative in the House. After our first meeting, our paths would often cross, perhaps because both his interests and mine turned to legal ethics. We met at conferences; we exchanged letters; we occasionally telephoned each other.

We often disagreed about politics and legal issues, but he seemed to enjoy our discussions. We would agree to disagree. Sometimes we would have dinner together at a local restaurant or in the Jesuit House at Georgetown. He was always knowledgeable, kind, enthusiastic, engaged—a true gentleman and a true friend.

He must have known thousands of people over the years, and I was just one of the faces in the crowd. But he always knew my name. He would see me across the room and wave. And I would see his infectious smile. I can still see his smile. He always had a welcoming smile.

There came a point when he wanted to establish The Georgetown Journal of Legal Ethics. Before he founded it, no one journal had “been established as the central forum for the discussion and development of the ethical and professional

21. Id.
22. Press Release, Georgetown Law, Professor Drinan Receives Congressional Distinguished Service Award (May 11, 2006), http://www.law.georgetown.edu/news/releases/may.11.2006.html. Former Representatives John Rhodes (R-Ariz.), Louis Stokes (D-Ohio), Robert Michel (R-Ill.), and Don Edwards (D-Calif.) are past recipients. Id.
dilemmas confronting the lawyers of America.” He wanted to create such a journal, and he envisioned its publication as a quarterly. No small task, but he succeeded.

He asked me to write one of the articles for the inaugural issue, and I was pleased to do so. That was in 1987. We are currently celebrating the twentieth anniversary of the Journal—an event that was marked in October 2006 with a Symposium honoring Father Drinan and featuring a discussion between prominent legal practitioners and scholars about the current state of legal ethics and developments in the field since the Journal was founded. Although Bob was honored at Boston University the night before the Symposium, he took the first flight back to Washington, D.C. on Saturday morning so he could be on the Law Center campus in time for the Journal’s anniversary event. That was the kind of man he was. He always showed up where he was needed. It also shows how committed he remained to the Journal long after starting it. Bob Drinan tirelessly nurtured *The Georgetown Journal of Legal Ethics* over these many years, so that it has become the premier publication it is today.

Bob Drinan’s death made the news in obituaries throughout the world. Many people emailed me about his death soon after it became public. They shared their sorrow. And several of them—people of all religious faiths, or none at all—mentioned how, in times of trouble, Bob would listen, take an interest, and say something that made things better. He cared.

We shall all miss Bob Drinan. The better we knew him, the sorrier we are for losing him. Yes, he is dead, but in so many ways, he still lives—not just in his writings and teachings, but more importantly, in our hearts and memories. I can still see his smile. He always had a welcoming smile. When he—

shall die,

Take him and cut him out in little stars,

And he will make the face of heaven so fine

That all the world will be in love with night

And pay no worship to the garish sun.28


