

William & Mary Law Review

Volume 42 (2000-2001)
Issue 2

Article 3

October 2000

Tribute to John E. Donaldson

Timothy J. Sullivan
William & Mary Law School

Follow this and additional works at: <https://scholarship.law.wm.edu/wmlr>



Part of the [Legal Biography Commons](#), and the [Legal Education Commons](#)

Repository Citation

Timothy J. Sullivan, *Tribute to John E. Donaldson*, 42 Wm. & Mary L. Rev. 351 (2000),
<https://scholarship.law.wm.edu/wmlr/vol42/iss2/3>

Copyright c 2000 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.

<https://scholarship.law.wm.edu/wmlr>

TRIBUTE

TIMOTHY J. SULLIVAN*

Teach him he must deny himself.

Robert E. Lee

Every great institution owes its greatness to the sustained devotion of large-hearted men and women who define personal ambition in terms that transcend personal gain. Because greatness is rare, such persons are few. Professor John Donaldson belongs in that small company. When the William & Mary Law School's modern history is written, John Donaldson will be remembered as one of the heroes of the story. My purpose in writing this remembrance is to explain why.

When I joined the Law School faculty as a junior member nearly thirty years ago, John Donaldson was already a respected colleague. At a relatively young age, he had occupied important positions of administrative leadership both in the College and the Law School. Then as now, he was a teacher deeply admired—even revered—by his students. Long before the Law School had formally organized an alumni program, John was one of the school's most important ambassadors to a generation of former students. When difficult decisions required faculty action, John was invariably a reliable guide whose clear judgment showed us the straightest path to the right place. Because John's intellectual attainments and high character were so widely admired, he often spoke for the Law School to the larger College community in the years when that

* President and John Stewart Bryan Professor of Law, College of William & Mary.

larger community found little to praise about legal education at William & Mary.

John's remarkable abilities have been recognized far beyond the relatively small world of William & Mary. For almost all of his 37 years at the bar, John has been a lecturer in high demand before state, national, and international professional groups. His exhaustive knowledge of tax and the estate law, combined with a brilliant gift for lucid exposition, made him an early and long-lived star on the lecture circuit. In later years, John developed a formidable expertise in the law relating to the elderly and the disabled. He has made significant contributions to law reform in these areas as well as his first love—taxation.

From the beginning, the mission of the William & Mary Law School has been to educate citizen lawyers. We define citizen lawyers as men and women whom our founder, George Wythe, would have recognized as model leaders possessed of a strong commitment to serve the public good. For a generation, William & Mary students and faculty have been blessed to have in John Donaldson a serious and sustained exemplar of just the kind of lawyer George Wythe had hoped would be educated here. John's record of civic service is rich, deep, and wide. He has never failed to respond to claims upon his time made by charitable groups of every kind. For preschools for handicapped children, for hospice programs, for the community hospital, and for countless others, John has always been there. His powerful sense of civic commitment caused him even to hazard the political process. He served with distinction for eight years as a member and then chair of the James City County Board of Supervisors.

The legal profession that John joined in 1963 has changed almost beyond recognition. A fair argument can be made that in the years since his admission, the profession has been more profoundly altered than in all the years since the Law School's founding in 1779. Neither the practicing nor the academic branches of the profession have been spared the consequences of radical and rapid change.

This is an essay in honor of John Donaldson, not a narrative account of the modern transformation of the legal profession. Yet, to my mind, there is a strong link between this celebration of John

Donaldson's virtues and the changing nature of the profession of which he has for so long been a proud member.

Few are the lawyers who any longer spend much time thinking of themselves as members of a learned profession. The tyranny of the billable hour is inescapable. The lack of loyalty to firm and colleagues puts one sadly in mind of the culture of professional athletics. The practice of law has become indistinguishable from the practice of capitalism.

Legal academics have also been witness to profound changes. Elite law schools have defined a new excellence, one which demands the insulation of faculty stars from significant student contact. This new order also deprecates most kinds of serious faculty involvement in the activities of the organized bar. Finally, legal scholarship that is of direct relevance to the bench and bar is typically dismissed as "doctrinal." What sells in the upper reaches of the academic marketplace is increasingly obscure work written to impress the only other two scholars in the law school universe who either know or care about the topic.

John Donaldson's professional life is a healthy—even life-giving—antidote to the ongoing degradation that has diminished both the practicing and scholarly branches of the profession. John's devotion to the law is built upon a clear understanding that the law's greatest purposes are to preserve freedom and protect civilization. John's devotion to his students is based upon not just an interest in their careers but in their lives. John's scholarship—obviously the product of a brilliant mind—is designed to help lawyers and judges do their work better in order that our society may be better and more just.

It is impossible to separate the personal and professional aspects of a great and useful life. Professional achievements in part express personal character; personal character shines through the best scholarship and the finest teaching. So it has been in John Donaldson's life and work at William & Mary. Yet, on the basis of thirty years friendship, I am convinced that what most distinguishes John is his sense of personal honor and his consistent willingness to sacrifice personal gain for the larger needs of his law school and his college.

Robert E. Lee is one of John's heroes. Late in his life, while president of Washington College (soon to become Washington and Lee University), General Lee was approached by a young mother with an infant son. "General," she asked, "[w]hat should I teach him?" Lee replied: "Madam, teach him he must deny himself." John Donaldson has lived his life by that advice. In doing so, he has enriched the lives of a generation of William & Mary law students, alumni, and faculty—all of whom have been uplifted by his example and made better by his friendship.