

Washington Law Review

Volume 78
Number 4 *Dedication to Joan Fitzpatrick*

11-1-2003

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Recommended Citation

Roland L. Hjorth, Dedication, *Joan Fitzpatrick: In Memoriam*, 78 Wash. L. Rev. 973 (2003).
Available at: <https://digitalcommons.law.uw.edu/wlr/vol78/iss4/2>

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JOAN FITZPATRICK: IN MEMORIAM*

Roland L. Hjorth†

Joan Fitzpatrick graduated from Harvard Law School in 1975. Women were then beginning to enter the legal profession in increasing numbers, but role models were still important in encouraging women to become equal partners in our profession. Joan was an especially effective role model for our students. I think she realized that. It was one of the things that drove her to excel in everything she did. Joan told me—more than once in fact—that she earned every penny she made. It was a point of pride to her. She was a hard worker whose work yielded very important results. And she was the kind of teacher who would make students think: If Professor Fitzpatrick can do that, then I can also do great and important things. Joan joined our faculty in 1984. In her eighteen years with us, she became an internationally known and respected authority on human rights. She was a primary author or editor of six books, the author or co-author of fourteen book chapters, and the author or co-author of about forty scholarly articles. Joan spoke on issues of international human rights throughout North America and Europe. In the words of one of her admirers, she was “brilliant, eloquent, and internationally renowned.”

Joan had a great impact on our students. They recognized her commitment to scholarship and to the furtherance of fundamental human rights. They also knew Joan as one of the truly outstanding teachers in the Law School. Some have told me that Joan was the most significant teacher they had in their entire life. Joan received the Law School’s Professor of the Year Award in 1986 and again in 1988. But as I have talked to former students in the past two weeks I have come to realize that Joan was more than a popular teacher. One of her students told me, “It is not so much that Professor Fitzpatrick was a popular teacher as she was an honored and revered teacher.” Many referred to her fondly—and I suspect behind her back—as “Saint Joan.”

* Remarks made at a memorial service for Joan Fitzpatrick.

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Joan was active in service to this Law School, this University, and to the world outside this community. She served as associate dean of the Law School and as acting vice provost of the University. She was active in the national and international organizations that were important to her work. For many years, Joan served on the Executive Committee of Amnesty International and on the Executive Council of the American Society of International Law. She was Rapporteur for the Enforcement of Human Rights Committee of the International Law Association. Her accomplishments in scholarship, teaching, and service caused many of us to raise our own aspirations for ourselves.

I have tried, as I know many have tried, to make some sense out of the tragedy of Joan's death. Her lifetime of professional achievement was a source of good in the world. She cared deeply and passionately about human rights, and did all she could to champion the cause of oppressed peoples. And her achievements were recognized. The Law School Executive Council, with my enthusiastic concurrence, recommended that Joan should be the inaugural holder of the Jeff and Susan Brotman Professorship, and I know that she prized that Professorship as one of the great achievements of her life.

Joan's achievements should have been a source of great satisfaction to her. Many of us on the faculty thought of Joan as somewhat of a loner, but as I observed her publications during her tenure here, I was always impressed by the number of people with whom Joan collaborated in her scholarly efforts. At least seventeen other people appear as co-authors with Joan on scholarly publications. These co-authors ranged from professors to practicing lawyers, to students. As I have talked with students I have become increasingly impressed by how Joan regarded scholarly activity as something that should involve all of her students. It may be somewhat of an exaggeration, but it was often said that Joan supervised as many student writing projects as the rest of the faculty combined. In her work with students and colleagues in other schools, Joan was a co-worker—not a loner.

And yet, all of Joan's achievements and work with other people did not lift the veil of loneliness and depression that fell over her. We who knew her saw the pain. We also saw sparks of anger that were often symptoms of that pain. In later years we learned of the disease that was tormenting her. We were continually amazed at Joan's stellar accomplishments despite the pain and the disease. But speaking for myself, I am not sure I was sufficiently aware of the extent of Joan's pain, or that I took enough effort to concern myself with doing

something about that pain. I have been acquainted with Joan for eighteen years. But I did not really know her until a little more than two years ago. Joan's disease and the pain accompanying that disease required me to talk with Joan about the situation. We had a long talk that was initially difficult for me and undoubtedly more difficult for Joan. But as our talk went on, the conversation became easier for both of us. At the end of that talk, I turned to leave. And as I was headed for the door, I hear Joan's voice say, "Ron." I turned around. Joan stood up from her desk and gave me a heartfelt hug. I will remember that hug for the rest of my life.

I believe Joan's death should remind all of us in the law school community that we *are* a community. At our best, we should be a community that genuinely rejoices in the accomplishments of our members. We should be a community that recognizes pain in our fellow members in the same way we recognize pain in members of our own families.

Joan's death saddens us deeply. Our most sincere sympathy goes out to Joan's son Devin and to other members of her family. Joan was a member of our community for eighteen years. Our students were much richer because of her presence here. The cause of human rights throughout the world was advanced by Joan's work. We are proud of her accomplishments, and we are deeply grateful for her presence in our community for these many years. But our pride and gratitude will always be touched by a tinge of sorrow.

For an unaccountable reason, Joan's death reminds me of lines from a song about Vincent Van Gogh:

Now I think I know what you tried to say to me,
How you suffered for your sanity,
How you tried to set them free.
They would not listen, they did not know how.
Perhaps they'll listen now.¹

¹ DON MCLEAN, *Vincent (Starry, Starry Night)*, on DON MCLEAN: STARRY, STARRY NIGHT (Don McLean's Starry Night Music Inc. 1999).

