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WHY SHOULD WE HONOR STEVE SHIFFRIN?

*Gerald P. López**

Ron Collins called and asked if I would take a few minutes to answer the question: Why Should We Honor Steve Shiffrin? I had taken for granted that everyone knew the answer to that question. Apparently, though, several had asked if Steve had lots of money, lots of connections, or a judicial appointment on the near horizon. In our shared stocks of archetypes, we who work at academic institutions honor the living apparently only when we believe we can tap their bank accounts, their social capital, their raw power.

As far as I know, Steve isn't wealthy, connected to the influential, or about to become a judge. He has, however, through his enormous scholarly contributions, made us all better than we might otherwise have been. This weekend's events honor his work in commercial speech. We might just as well have paid tribute to his contributions to the messy things we call the First Amendment, or the Constitution, or democracy itself. His ideas have changed the way we think about everything from advertising to dissent to our national community. Today and tomorrow, Loyola gives us, at once, an opportunity and proof: an opportunity to come together to thank Steve, and proof we honor one another for many reasons indeed.

That should do it, I realize. If you have accomplished what Steve has through the written word, you justly deserve many tributes (here in Los Angeles, in New York, and everywhere from Paris to Guadalajara to Prague to Columbus, Indiana, and Jerome, Arizona). But I keep thinking Steve merits the tribute we bestow for deeper reasons still. It is fair if you are saying to yourself, "What can be deeper than changing through written work how we think about the institutions and practices central to the way we live with one another?" Yet if I'm weird for thinking there is something deeper,

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the fact that Steve exists at least means I am not delusional for believing what I do.

For several years, approximately two decades ago, I served with Steve on the same faculty. I knew almost nothing about how to write, how to teach, how to make a law school and a university work well; Steve already knew lots, and others around us knew remarkable amounts.

As fate would have it, I had many opportunities to be around Steve. In both informal and formal settings. In front of large audiences and by ourselves. Exploring ideas and events. Agreeing and disagreeing about much. Fighting at each other's sides and occasionally opposing one another. I saw Steve comfortably cruising along and getting deliberately blindsided; saw when others regarded him as capable of doing no wrong; saw when others misunderstood and even betrayed him; saw him cycle through the ups and downs and ins and outs of work and life. Perhaps most importantly, I saw him in many moments when he behaved as if no one were watching, as if no one were there recording what he did.

But, I was watching and recording. And what I saw during those years seems to me to be true of how Steve has conducted himself throughout his life. When I am around Steve, I really can believe that those fortunate enough to teach for a living actually try their very best to live life in the very same way they write about it.

If you urge a robust democracy, you must appreciate the views of others—not just the views of your own kind, but rather, the views of anyone and everyone. If you encourage dissent, you must open yourself to learning from those who may be disputing your own authority every bit as much as you revel in challenging the convictions of others. If you value privacy, you must stop yourself from joining gossip-slinging cabals, appreciating that what others do not know about your life is reason enough for you to treat as sacred what you cannot know about the lives of others. If you insist upon equality, you treat all those working with you as having names, as not being there just to service you (much less to tolerate degrading and derisive outbursts), as offering labor that matters to what you do together. If you sing the praises of community, you open yourself to the often dizzying mix of conflict and cooperation through which we inescapably define our time together.

I cannot claim to know the origins of Steve's behavior—the sources of his drive to be the sort of person who could live comfortably in the vision of democratic life he helps the rest of us imagine through his work as achievable. Is it traceable to the utterly lost-in-his-own-thoughts teenager who routinely baffled everyone with his academic underachievement and his joy for surfing the Southern California beaches? Is it related to the gifted high school pitcher who loved team play even more than he liked being singled out for the natural movement on his fastball? Is it an expression of his own brand of radical Catholicism? Is it a reflection of what he experienced as the white teacher and debate coach who was asked by his black students to teach the first-ever black studies courses at Cal State Northridge? Is it reinforced through his years as an elected school board member in the racially, culturally and economically complex Ithaca school district?

If I cannot in any way help you understand why Steve tries to live his convictions, I can tell you why I watched and why I recorded. Having been raised right here in East Los Angeles, having utterly respected and loved a dad and mom who astoundingly dreamed the biggest sort of radical democratic dreams even while being regarded by so many as genetically and culturally inferior, I found myself from a very early age looking for others who thought like them and behaved like them. No, I was not searching for saints. Trust me, I wanted flawed flesh-and-blood, folks who made mistakes and needed forgiveness, and yet who not only talked about how we should be together, but, more astoundingly still, tried each and every day to live out what they imagined for us all.

Yes, I love Steve's scholarship. I read it, re-read it, time and again finding something new, an insight, a trajectory. His written work can alone easily explain the decision to honor him. For me, though, the deepest reason Steve deserves our tribute is because through his everyday living, as much as through his scholarship, he helps return certain robustly democratic aspirations from the world of the miraculous to the world of the real. Through his behavior as much as through his thoughts, he openly challenges all those who snicker at these aspirations and regard them as undoable, against our nature, and impractically romantic.

I cannot imagine that trying to live this way has been any easier for Steve than it was for my mom or my dad. But I want him to

know that others pay attention, draw inspiration, and try in blemished and humble forms to emulate. For proving the wondrous can be realized plenty often enough if we try. Thank you, Steve, thank you from all of us here, and thank you from all those, like my mom and dad and like your parents, who are with us in spirit.