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Foreword

The Fifth Anniversary of the Brennan Center Jorde Symposium

E. Joshua Rosenkranz†

Six years ago, when the Brennan Center for Justice was barely a dream, we wrestled with a way to engage some of the best thinkers of our time in a continuing exploration of the issues and values that lay at the heart of the Brennan legacy. That was when Boalt Hall law professor Thomas M. Jorde approached me with a concept for a new kind of symposium series. Why not depart from the standard, static format, and present a more dynamic lecture series? Since no idea is ever frozen in a single place and time—certainly Justice Brennan's were not—why not celebrate how ideas move and evolve using a symposium that follows ideas over time and that travels from place to place?

The concept grabbed me immediately. I knew that it was worth trying on its own merit, and that it was a particularly fitting way to pay tribute to Justice Brennan, but I'll confess that the provenance of the idea made it all the more attractive. Tom, a former law clerk to Justice Brennan, was one of the Brennan Center's early architects and most generous supporters, and he attributed the idea to Robert Post, another Boalt Hall law professor who also happens to be one of the most distinguished of all the Brennan clerks. An added bonus was the opportunity to build a close and enduring relationship with Boalt Hall, which to this day holds the record for Brennan-clerk faculty appointments.

With generous support from Tom Jorde, we quickly agreed to launch the symposium series and, a year later, we held the first symposium. Within a few years, Tom established a permanent endowment to support the symposium in perpetuity—generosity that we recognized by naming the symposium after him.

† President & CEO, Brennan Center for Justice at New York University School of Law. Law Clerk to Justice Brennan (1987-88).
By any measure, the Brennan Center Jorde Symposium has been a great success in its first five years. The lead lecturers we have attracted—Frank Michelman, Stephen Carter, Robert Post, Lee Bollinger, and Kathleen Sullivan—constitute a veritable pantheon of the legal academy. Each produced an impressive piece of scholarship—all brilliant, insightful, creative, and groundbreaking. The *California Law Review* has published or committed to publish every symposium, further solidifying the bonds between the Brennan Center and Boalt Hall. Most of the lectures have expanded into books, either already published or forthcoming. Just glance at the history below, and you’ll see an equally impressive panoply of commentators from all over the country and from various disciplines. The Brennan Center Jorde Symposium has been as peripatetic as we had hoped. From its home base at Boalt, where one iteration is presented each year, the symposium has traveled to New York University, Georgetown, the University of Miami, the University of Chicago, and back to NYU. And each lecturer had the uncommon luxury of running his or her idea through the crucible of two sets of commentators, separated by a period of at least four months. Invariably, the product changed, and improved, from the first presentation to the final publication.

Most importantly, the symposium series has advanced its overarching goal of promoting discourse about the values and issues that preoccupied Justice Brennan throughout his career. The symposia have spanned a range of topics, from democracy to the Religion Clauses to antidiscrimination law to the role of cultural institutions in an open society to gender equality, mirroring the sheer breadth of the Brennan legacy. Justice Brennan once commented that “[t]he complexity and range of . . . issues before the Court changes to reflect the times. The Court’s work is actually a daily mirror of the battles of forces going on outside the Court.” For that reason, Justice Brennan believed that each generation must grapple anew with the age-old issues that were his life’s work. From this perspective, the Brennan Center Jorde Lecture is a living embodiment of the Brennan legacy.

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