

Michael Gerhardt's TJA remarks during Faculty Council on January 19

I am grateful to the many people that made it possible for me to stand here today as a recipient of the university's Thomas Jefferson Award. I thank my colleague Bill Marshall for his kind Introduction, to both Bill and my colleague Gene Nichol for nominating me for this award, to the faculty committee for its confidence in me, and to my friends and family who have come to share this moment with me and, without whose support, I never could have imagined, much less had, the honor of receiving this special commendation. Thank you.

As someone who grew up Jewish in southern Alabama during the civil rights movement and who grew up in the shadow of the Watergate scandal, I have always been interested in law as a source for good, as bringing order to chaos, and as a guarantor of people's fundamental freedoms. That belief has led me to do the things Bill has kindly described – to be someone who has devoted his life to educating people about the Constitution and to viewing the law as a practicing art, as something to do and to participate in. My hope is that my engagement with the Constitution at moments of constitutional crisis has made me a better scholar, teacher, and citizen.

Perhaps no one understood better, or exemplified more clearly, the importance of educating the people about their Constitution and how engagement with the Constitution is an ennobling endeavor than Thomas Jefferson. If you visit his grave, you will see listed as Jefferson's accomplishments none of his public service in government but rather his authoring the Declaration of Independence and Virginia's religious liberty law and founding the University of Virginia.

Jefferson believed that partisanship and politics do not make for an admirable and enduring legacy. Rather, he believed a richer, more meaningful legacy can be based on deeds of altruism, placing above oneself the welfare of the society, and nothing is more important for enriching the common good than education. Jefferson was not the first or last president to recognize that education was the most important function of government. As he said, "I look to the diffusion of light and education as the resource most to be relied on for ameliorating the conditions, promoting the virtue, and advancing the happiness of" people.

Here, at the University of North Carolina, we do not just take these lessons to heart, but we live by them. Here, we do not do politics, and we are not partisans. We are professionals. We do not speak in political platitudes. Rather, we speak truth to power. We do not indoctrinate. Rather, we instruct and, hopefully, inspire. We are not perfect but aspire to perfection. And there is no institution better suited for acknowledging imperfections and striving to learn from them and to overcome them than the university. Indeed, there is perhaps no profession more optimistic than ours. We teach because we believe that it will enrich lives, will make people better citizens, and improve our State, our nation, and the world. There is no better place in our society for modeling how civil, meaningful dialogue about the most controversial issues of our times is possible. As academics, we are not irrelevant. We are indispensable. And so, there is nothing more important than for us to do than to do what we do best and get back to work.