



3-16-2022

Academic Leadership is a Full-Contact Sport: Reflections from a Law School Dean

Rooksby, Jacob H.

Follow this and additional works at: <https://digitalcommons.law.scu.edu/lawreview>



Part of the [Law Commons](#)

Recommended Citation

62 SANTA CLARA L. REV. 91 (2022)

This Article is brought to you for free and open access by the Journals at Santa Clara Law Digital Commons. It has been accepted for inclusion in Santa Clara Law Review by an authorized editor of Santa Clara Law Digital Commons. For more information, please contact sculawlibrarian@gmail.com.

ACADEMIC LEADERSHIP IS A FULL-CONTACT SPORT: REFLECTIONS FROM A LAW SCHOOL DEAN

Jacob H. Rooksby*

Leadership in any setting is hard, often physically as well as emotionally. Academic leadership requires a full-dimensional, mind-body-soul effort that uniquely calls upon one's baseline character, positionality, and preparation for leadership. Our willingness and ability to read the word as we also read the world combine to shape our approach and range as leaders. And ultimately, our legacy is our imprint on people. This article shares the views of a law school dean on how life experiences, leadership lessons, and book learning intertwine to inform our humanity and charter our influence on people and organizations.

* Dean and Professor of Law and Leadership Studies, Gonzaga University School of Law. I dedicate this article to my wife, Dr. Susan Rooksby, whose light guides and sustains me every day.

TABLE OF CONTENTS

I. Life	92
II. Leadership	94
A. Embrace being part priest and part politician.....	95
B. Live authentically	96
C. Lead from the middle	96
D. Get a coach	97
E. Don't complain.....	97
F. Don't confuse friendliness with friendship	97
G. Keep your ego small.....	98
H. Be a measured voice in the room	98
I. Prepare for full contact.....	98
III. Literature	100
Higher Education History.....	101
Modern Higher Education Leadership and Context.....	104
Work, Life, and Leadership.....	107
IV. Legacy	110

Life is painting a picture, not doing a sum. . . . Life is a roar of bargain and battle, but in the very heart of it there rises a mystic spiritual tone that gives meaning to the whole. It transmutes the dull details into romance. It reminds us that our only but wholly adequate significance is as parts of the unimaginable whole. It suggests that even while we think that we are egotists we are living to ends outside ourselves.¹

– Associate Justice Oliver Wendall Holmes, Jr.

I. LIFE

March 27, 2018 was a day my outlook on life began to change. Something unusual happened on the cross-country flight back to the East Coast from my on-campus callback interview at Gonzaga Law School in Spokane, Washington.

I was thirty-six years old, interviewing for a new job for the first time in seven years, after having taught full-time for six. It was also the first time I had interviewed for a leadership position in higher education—the job as the law school's dean. After forty-eight hours on campus, I did not have the opportunity to check in to my flight ahead of time and pick an aisle seat, as I typically do. That oversight meant I was relegated to a middle seat for a long flight from Denver to Pittsburgh.

1. OLIVER WENDALL HOLMES, JR., SPEECHES 96-97 (Little, Brown, & Company 1913).

Having gone to the airport straight from the interview, I was still wearing the suit I felt I had practically lived in for the past two days. All I wanted to do was change out of that suit, relax, and not be stuck on an airplane in a middle seat. After discussing my ideas and vision for the law school with multiple audiences in a variety of venues and formats over two days, my state of high anxiety was finally over, and I felt I had given the interview everything I had. As an introvert who can play the role of an extrovert, provided there are breaks, I was overdue for some time alone to decompress.

The passenger in the window seat next to me was a young woman. I noticed she seemed antsy as the crew prepared the plane for take-off. As we started to taxi down the runway, she turned to me, exasperated, and blurted, “I get really nervous flying. Can I hold your hand?”

This occurred pre-COVID-19. Even then, I was not usually one for touching strangers on airplanes if I could avoid it. If my past behavior in life up to that point was any indication, I would look for a way to wiggle out of the situation. But there was no room to wiggle—I had to answer the question. More to the point, this person needed help, and I happened to be in a position to offer it. After a moment’s hesitation, I got over my hang-ups and gave her an enthusiastic “sure!” After days of trying to manage my own anxiety, I figured the least I could do was support someone else with theirs. I just happened to be the person sitting next to her.

She held on to my hand tightly. I thought our embrace would end after takeoff, but I was wrong. She continued to grasp my hand for the first twenty minutes of the flight.

Something like this had never happened to me before. We exchanged no words, and she did not look at me. Finally, she said, “thank you” and released my hand back to me. It was a little sweaty from the contact. I started to talk to her, but she put on her headphones and began to look out the window. The need for my help having subsided, our exchange was over.²

This random occurrence on the airplane caused me to think more deeply about the interview and what I hoped was to come in my professional life. With the long flight, I had plenty of time to reflect and ponder what might lie ahead.

After this interaction with my fellow passenger, a sense of calm came over me, for the first time in years, with where I felt I was headed

2. The exact cause or reason for her anxiety was never clear to me. But no matter. I acknowledge my own socioeconomic privilege in being generally comfortable on an airplane after having spent the better part of my life flying for work or for pleasure several times per year. Her life experience with air travel may have been different than mine.

in my career. Those unanticipated moments of reflection led to two tentative conclusions I could not shake. One, the exchange with my fellow passenger was emblematic of the act of leadership—adjusting one’s preference in service of another person’s needs. And two, if I was fortunate to land the job for which I had interviewed, I would experience a lot more interactions like that one.

II. LEADERSHIP

What prepares one for academic leadership, and how did my preparation serve or disserve me for the role of dean? The flight back to Pittsburgh did not offer all the answers. But it did start my thinking as to where to look.

Now over three years into the job, I certainly do not have all the answers. A small literature does exist on the life of a law school dean, published in law reviews, and I consulted it from time to time in the aftermath of my selection for the role. But most of those articles struck me as too technical to help me—they often wax, for example, on strategies for working with faculty or senior administration. But few seem to offer meaningful insights into the human aspects of the job. Unlike some in our profession, or writing in the space, I did not want to view a deanship as either a punishing sentence or the *ne plus ultra* of one’s work in academe. In my view it is neither.

The most helpful piece I read in the law school dean genre came from former Dean Blake Morant, who both in person and in writing exemplifies servant-leadership in higher education. He is the essence of grace and humility. He wrote that “a successful dean possesses a keen sense of self. In other words, effective deaning requires acute self-awareness.”³ His words made me analyze my own degree of self-awareness. What do I think I know? What do I value? And to what extent do my actions reflect those values?

We all have lived experience that informs our authenticity and our ability to be authentic. That experience, for better or worse, shapes our worldview and helps determine how we approach leadership. When I began the interview process for the deanship at Gonzaga, I immediately confronted immense feelings of self-doubt. I knew I had to be on the younger side of the applicant pool—how would that fact play with the interviewers? I also knew I lacked some of the life perspectives and work experiences that other candidates brought to the table—how would those facts affect my chances? Ultimately, the kind and knowledgeable

3. Blake D. Morant, *Reflections of a Novice: Four Tenets for a New Dean*, 40 U. TOL. L. REV. 385, 391 (2009).

search consultant put my doubts to rest when I expressed them to her. She reminded me that I was not going to become ten years older, or change my demographics, or gain new, content-rich experiences within a matter of days before my interview. She told me I had no other choice than to own up to who I am, confront and embrace my own values and ideas, and be my authentic self.

In the end, I found her advice and the entire interview process freeing, particularly because I was working in an educational environment that had started to feel confining. I feared being my true self because of what it might mean for my advancement and professional development at that institution. By contrast, the interview process at Gonzaga allowed me to see what it would be like to live my own values within an institution that seemed to share many of them. I vowed from that moment on, whatever the outcome of the interview, I would do just that.

As I now think about some of the accumulated wisdom I have inherited, based on my experience on the job, or watching others over the years do it, some tentative conclusions and adages stand out. The following is a non-exhaustive and tentative list of reflections on leadership that I hope readers might find useful. Some suggestions are framed in the descriptive while others can or should be read as aspirational. Perfection and leadership are incompatible, and to be sure, there are times when I am less mindful of the following words than I hope to be. Their collection here serves as a reminder to me, too, and hopefully they will be useful to others as well.

A. Embrace being part priest and part politician

There is a pastoral quality to academic leadership. Like a priest or a pastor, deans are expected to show up to mark occasions and make ceremonies official. Also, like members of the clergy, people go to deans with their problems and to seek personal advice. Words from the pulpit take on special meaning, as do a dean's words in email, in the hallway, or in faculty meetings.

The political aspect of the job is perhaps more widely understood. Deans must attempt to make peace between warring factions, fashioning solutions that are accepted only because they mean that no person is receiving 100% of what he or she wants.⁴ Historically, politicians and members of the clergy were both nearly uniformly respected because of the difficulties and sacrifices inherent in their roles. While the general respect in which those professions are held may have dwindled,

4. Morant, *supra* note 3, at 389.

depending on one's perspective, I think the combined pastoral and political nature of the dean's job is what in part lends the position respect in some environments.

B. Live authentically

A former two-time dean whose counsel I sought while starting the job told me that the more authentic one can be in the position, the better one will be at it. "What does that mean?" I wondered. "It means don't do or say things that you think you should do or say just because you're the dean. Be yourself." The advice was well stated, even if at times a challenge to follow. Deans get asked to communicate messages to various audiences practically daily, often with little notice. I frequently ask myself, "What is it *you* want to say in this moment?" Often that message may be shorter or less erudite than what I think an ideal leader should say, and sometimes it means declining the invitation to say anything at all. But authenticity always lands better than bloviation.

C. Lead from the middle

Books on leadership often stake out two extreme positions: leaders should either lead from the front of a group—directing people with a "follow me" type of approach to leadership⁵—or else "lead from behind," which is taken to mean a less visibly demonstrative form of leadership where encouragement and persuasion wins the day.⁶ Academic leaders often mix approaches.

In my view, leadership from the middle is the best, and most effective, course for a dean to pursue. This approach entails constant coalition building and making sure that a critical mass is pursuing initiatives or ideas in any one direction.⁷ At the same time, the dean must be a part of the coalitions and the critical mass in order to be most effective. Deans engage in actual work alongside faculty and staff to show that they are not leading from the front or the back, but rather from the middle, right where everyone else is.⁸ Dynamic tension on either side means the dean is safely in the action, with—but not ahead of, or behind—other people. Restraint is fundamental to leading from the middle.

5. See generally ANGIE MORGAN & COURTNEY LYNCH, LEADING FROM THE FRONT: NO EXCUSE LEADERSHIP TACTICS FOR WOMEN (2017).

6. See generally DIRK DEVOS, MANON DE WITT & ROBERT LUBBERDING, LEADING FROM BEHIND: TURN ANXIETY INTO COURAGE (2018).

7. See Morant, *supra* note 3, at 389-90 (discussing how deans must work with administrators and faculty to adopt and incorporate the visions and goals of the university).

8. *Id.*

D. Get a coach

Coaching is not just for performance athletes. Academic leaders, like other professionals, need them, too. Coaches are not to be confused with friends, or mentors, or colleagues. Coaches are professionals who get paid to ask questions, work through actual problem scenarios, and dispense performance advice.⁹

My first coach was my sister-in-law. She runs an executive coaching consultancy. She helped me immensely as I prepared for my on-campus interview. A trained professional in the field of coaching, she mooted my job talk, then asked probing questions about my goals, my thoughts, and my mental orientation toward the interview. Because of our sessions I arrived at a state of relative mental peace in the lead-up to and execution of the interview.

I now have a different coach. We talk once a month. He lives states away, has never been to my institution, and we have never even met in person. I talk to him about problems I face at work and in life.¹⁰ He listens, asks questions, and gives me analytical tools to work through whatever is on my mind. Our relationship is immensely valuable to me, and I have spoken with other academic leaders who also have coaches and have found them to be helpful. As one put it to me: “My coach helps me see blind spots.” Mine does, too.

E. Don't complain

What is the point? Academic leaders are well compensated for doing jobs that are challenging, varied, and fun. Deans receive many complaints from others, and often are themselves the subject of gripes, critiques, and speculation. But no one wants to hear their dean complain. The complaints will sound petty and achieve little other than lessening other people's confidence in the direction of the institution and the dean's capacity for leadership.

F. Don't confuse friendliness with friendship

This admonition may be particularly difficult to heed for those who become leaders at schools where they have served on the faculty and already have friends and alliances. But professional distance is important. Deans' decision-making is insulated when they are viewed

9. For a wonderful article that describes the benefits of coaching, I recommend Atul Gawande, *Personal Best: Top athletes and singers have coaches. Should you?*, NEW YORKER (Sept. 26, 2011), <https://www.newyorker.com/magazine/2011/10/03/personal-best>.

10. After all, one informs the other.

as impartial, particularly with respect to faculty.¹¹ That stance becomes compromised when deans place concern for popularity, whether individual or collective, over doing what is best for the institution.

To be sure, friendliness without friendship may be difficult to maintain when one's faculty is small. For boundary keeping purposes, a former dean suggested to me an informal rule that I try to respect: deans can safely accept any invitation for social engagement extended to them by faculty or staff, but should hesitate before inviting colleagues to private social events. What the dean thinks of as fun the invitee likely thinks of as work.

G. Keep your ego small

The irony of this proposition is that academic leaders like deans are widely viewed as having big egos, if not the biggest on the faculty, and of course some do (we have all seen people like this, or maybe even worked for them). I do think some ego is required to seek any leadership position. But keeping the position and succeeding at it requires a much smaller ego. Ultimately, an institution's success is never due to one person, and anyone who thinks or suggests as much is forgetting the many team members who contributed along the way. I believe the true mark of accomplishment for a dean is the record of successes that he or she enables for others. Fostering those successes—that others rightly may claim as their own—requires hard work but does not require a big ego.

H. Be a measured voice in the room

Faculty sometimes overly concern themselves with the academic prowess of their colleagues. They may make assessments based on publication records, academic pedigrees, or by judging who makes the most incisive comments in academic discussions, in the process overlooking the humanity that unites us all. Unfortunately, these tendencies often foment if not reflect professional and personal insecurities that can be harmful and enduring.

For deans who have been faculty members directly prior to assuming a deanship, the temptation for academic chest puffing may continue, but must be resisted. Any person, let alone a dean, attempting to come across as the smartest person in the room invariably will miss

11. Stephen R. McAllister, "Insider" Deaning, 34 U. Tol. L. Rev. 121, 122 (2002) ("But a dean must be impartial and evenhanded to do the job effectively. That can be difficult if there is a preexisting history between the dean and a particular faculty member, or the dean knows of a history that the faculty member has with the institution and previous deans.").

the mark and suffer for trying. A dean should, however, strive to be one of the most measured voices in the room, which always takes restraint in the face of pressures to say more. Academic leaders do their jobs best when they prize actual displays of reason over attempted displays of intelligence.

I. Prepare for full contact

Growing up, much to my disappointment, my parents were reluctant to let me play full-contact sports. They said injuries come too easily in full-contact sports, and my future was unlikely to be in professional athletics. Repetitions in sports like football and hockey lead to enhanced exposure and increased chance of injury, ailment, and burnout. Protection is vital, and care must be exercised at all times. Full-contact sports mean you will feel the bruises tomorrow, not to mention the exhaustion today from the effort.

Academic leadership is a full-contact sport.¹² The role of dean, for example, is physically challenging because of the job's demanding schedule. Furthermore, potential psychological and emotional hazards present themselves on the field of play, seemingly on a daily basis.

The contact is nearly continuous because being dean is not a role one can easily take on and off. Every interaction with faculty, students, and staff is likely to be viewed through the prism of the position—you are no longer “just” a colleague or faculty member.¹³ I have learned that everything from the lunchtime company I keep to the questions I ask of others can be taken as indications of how decisions will be made, who is being favored (the implication being that someone is being disfavored), or in what direction the school might be moving.

Also, one never stops being seen as an academic leader by others, even in personal moments outside the university. I confronted this one Friday evening early on in my tenure, as my wife and I went out to dinner with some friends in Spokane. As we entered a bar, a group of students recognized me and shouted, “Hey, there’s Dean Rooksby!” I was surprised to be recognized out of the context of the law school, although in hindsight I suppose I should not have been. Even when one might want to take off the dean’s hat—for example, in the airport security line,

12. This sentence, along with the Article’s title, is not meant to suggest that leadership is a competition, or a game, or combative. My intention is to examine the concept of required full contact as a trope for academic leadership.

13. Instead, you often will be referred to as, or a member of, “The Administration,” a moniker that academic leaders across the profession abhor. The ominous-sounding Administration harkens images of cold, faceless bureaucracies that exhibit little care or feeling—in other words, the exact opposite characteristics of the cultures we work to sustain.

before a 6:45 a.m. flight, or on a date with your spouse—the clothes come with you.

Academic leadership also requires *being* in constant and full contact, with yourself and others. By that I mean academic leadership as a dean is not a cloistered, one-dimensional endeavor. The role has dimensions that are physical, psychological, emotional, political, and intellectual. Those forces necessarily involve contact, and sometimes even full contact, with oneself and others. One never knows which of those dimensions will be most at play on any given day, and most days contain significant interactions of two or more dimensions. But there is no question that the role involves full contact, and close to constant contact, with others and with one's sense of self.

The interplay I am proposing between academic leadership and full contact is reminiscent of the dialogue in *The Velveteen Rabbit* between the Velveteen Rabbit and the Skin Horse, about how one becomes "real." The Skin Horse tells the rabbit,

"When you are Real you don't mind being hurt. . . . It takes a long time. That's why it doesn't happen often to people who break easily, or have sharp edges, or who have to be carefully kept. Generally, by the time you are Real, most of your hair has been loved off, and your eyes drop out and you get loose in the joints and very shabby."¹⁴

Similarly, academic leadership invites injury—exposing one's vision, hopes, and aspirations for an organization is not an activity for the faint of heart, given the inevitable conversations and even conflicts that come from such exposure. But those who pursue academic leadership with open hearts, open minds, and thick skin seem less prone to injury. However, the risk is always there. Being real means to risk getting hurt.

The joy of the work comes from seeing the personal growth that full contact brings, for yourself and others. In my case, the growth means recognizing that next time there will be no hesitation in holding a fearful passenger's hand on a flight. Because leadership more than influences lives. It defines our legacies.¹⁵

III. LITERATURE

I was a student of higher education while I was a law student. I pursued a master's degree in the social foundations of education while in law school, and later went back to complete a Ph.D. in higher

14. MARGERY WILLIAMS, *THE VELVETEEN RABBIT* 13 (Doubleday, Doran & Company, Inc. 1922).

15. See CHRIS LONEY, *HEROIC LEADERSHIP: BEST PRACTICES FROM A 450-YEAR-OLD COMPANY THAT CHANGED THE WORLD* (2003) (positing that we are all leaders and that we are always leading).

education. Those experiences in another discipline opened my eyes to how the broader university works, outside of law schools, and I think in many ways they helped prepare me for the work I do now. Ironically, few outside my family seemed to see the value of those degrees as I was pursuing them.

Occasionally I field questions from those who are thinking about an administrative leadership role in higher education, whether it be dean, associate dean, or director of an academic program or center. My advice on what to do to prepare oneself is manifold, depending in part on the person and the context. But I do believe that one can engage in general preparation, in the form of focused and diverse reading, that will pay dividends in the future. A wide literature exists on life and leadership, both in higher education and in general. The sooner one acquaints oneself with meaningful voices and important historical and ongoing dialogues in the literature, I believe the sooner one becomes prepared for higher education leadership.

As I look at my bookshelf and think of the good fortune I have had in this profession, it is inescapable how much I have benefitted both from intentional book-learning and providential real-world learning. Growing up in the Midwest, my family impressed upon me that you work hard to put yourself in a position to get lucky. But above all else, no matter what happens, you work hard.

Below is a reading list of thirty books that have positively impacted my life. I have separated them out by general category. Most involve higher education, although not all do. I share these not because I think each is indispensable and that one should read them all—and clearly there are important books in these genres that I have omitted from the list. But I share them because good advice and enduring lessons often come from the written words of others. My attempt here is simply to document and share my experiences with books that have benefitted me in my own career.

Higher Education History

- *Experience and Education*, by John Dewey.¹⁶ Founder of pragmatism, Dewey writes eloquently on thinking and doing and how the best form of education is a constant negotiation and awareness of the interplay between both.

16. JOHN DEWEY, *EXPERIENCE & EDUCATION* (1938).

- *Pedagogy of Freedom: Ethics, Democracy, and Civic Courage*, by Paulo Freire.¹⁷ Freire was a provocative pedagogue in Brazil, and later the United States, who challenged elitism and, like Dewey, encouraged students and educators to theorize practice while practicing theory.¹⁸
- *Robert M. Hutchins: Portrait of an Educator*, by Mary Ann Dzuback.¹⁹ Robert Maynard Hutchins, former president of the University of Chicago, was one of the legendary college presidents of the twentieth century.²⁰ This biography details his unrelenting pursuit of excellence and what that pursuit meant for him and the University of Chicago.
- *The Uses of the University*, by Clark Kerr.²¹ This is a classic in the canon of higher education history. Based on lectures he gave at Harvard after leaving the chancellorship of the University of California - Berkeley, Kerr coined the term “multiversity” and provided ample insight into the competing demands and expectations of university administrators.²²
- *A Free and Ordered Space: The Real World of the University*, by A. Bartlett Giamatti.²³ Giamatti was president of Yale University before becoming commissioner of Major League Baseball.²⁴ Like Kerr’s, this book goes into much detail about the complexities and realities of higher education leadership.
- *The Chosen: The Hidden History of Admission and Exclusion at Harvard, Yale, and Princeton*, by Jerome Karabel.²⁵ This book, which in parts reads like an exposé, details the invidious history of anti-Semitism, racism, and homophobia in the elite

17. PAULO FREIRE, *PEDAGOGY OF FREEDOM: ETHICS, DEMOCRACY, AND CIVIC COURAGE* (Patrick Clarke trans., Rowman & Littlefield Publishers 1998).

18. *Paulo Freire Biography*, FREIRE INST., <https://www.freire.org/paulo-freire/paulo-freire-biography> (last visited Aug. 8, 2021).

19. MARY ANN DZUBACK, *ROBERT M. HUTCHINS: PORTRAIT OF AN EDUCATOR* (1991).

20. Office of the President, *Robert Maynard Hutchins: 1929-1951*, U. OF CHI., <https://president.uchicago.edu/directory/robert-maynard-hutchins> (last visited Aug. 8, 2021).

21. CLARK KERR, *THE USES OF THE UNIVERSITY* (5th ed. 2001).

22. Grace Hechinger, *Clark Kerr, Leading Public Educator and Former Head of California’s Universities, Dies at 92*, N.Y. TIMES (Dec. 2, 2003), <https://www.nytimes.com/2003/12/02/us/clark-kerr-leading-public-educator-former-head-california-s-universities-dies-92.html>.

23. A. BARTLETT GIAMATTI, *A FREE AND ORDERED SPACE: THE REAL WORLD OF THE UNIVERSITY* (1990).

24. *A. Bartlett Giamatti*, GOODREADS, https://www.goodreads.com/author/show/569496.A_Bartlett_Giamatti (last visited Aug. 8, 2021).

25. JEROME KARABEL, *THE CHOSEN: THE HIDDEN HISTORY OF ADMISSION AND EXCLUSION AT HARVARD, YALE, AND PRINCETON* (2005).

admissions practices of the Ivy League.²⁶ Although much has changed in admissions since the unjust practices carefully described by Karabel, we in higher education are still working to rectify the consequences of these practices and arrive at an accepted definition of merit.

- *Academic Capitalism and the New Economy: Markets, State, and Higher Education*, by Sheila Slaughter and Gary Rhoades.²⁷ This groundbreaking book describes the influence of capitalism and neoliberal economic theories on higher education over a period of decades.²⁸ It is a must-read for anyone seeking to understand the history and context of higher education's relationships with business and adoption of corporate managerial practices.
- *The Great American University: Its Rise to Prominence, Its Indispensable National Role, Why It Must Be Protected*, by Jonathan R. Cole.²⁹ Cole's tome is not light reading, but it is nearly encyclopedic in its description of the emergence of the American research university, and its points of distinction, in the twentieth century.
- *Cultivating Humanity: A Classical Defense of Reform in Liberal Education*, by Martha C. Nussbaum.³⁰ Nussbaum's book from 1997 examines critiques, by Allan Bloom and others, of the introduction of new fields (e.g., women's studies, African-American studies) into higher education.³¹ She forcefully and convincingly places these developments in a broader historical context that shows them to be in keeping with the best principles of a liberal arts education.³²

26. *The Chosen: The Hidden History of Admission and Exclusion at Harvard, Yale, and Princeton*, CLARION MARINER, <https://www.hmhbooks.com/shop/books/the-chosen/9780618773558> (last visited Aug. 8, 2021).

27. SHEILA SLAUGHTER & GARY RHOADES, *ACADEMIC CAPITALISM AND THE NEW ECONOMY: MARKETS, STATE, AND HIGHER EDUCATION* (2009).

28. *Academic Capitalism and the New Economy: Markets, State, and Higher Education*, JOHNS HOPKINS U. PRESS BOOKS, <https://jhupbooks.press.jhu.edu/title/academic-capitalism-and-new-economy> (last visited Aug. 8, 2021).

29. JONATHAN R. COLE, *THE GREAT AMERICAN UNIVERSITY: ITS RISE TO PROMINENCE, ITS INDISPENSABLE NATIONAL ROLE, WHY IT MUST BE PROTECTED* (2010).

30. MARTHA C. NUSSBAUM, *CULTIVATING HUMANITY: A CLASSICAL DEFENSE OF REFORM IN LIBERAL EDUCATION* (1998).

31. Nicholas C. Burbules, *Book Review – Cultivating Humanity: A Classical Defense of Reform in Liberal Education by Martha C. Nussbaum*, HARV. EDUC. REV. (1999), https://www.hepg.org/her-home/issues/harvard-educational-review-volume-69-issue-4/herarticle/_150.

32. *Id.*

Modern Higher Education Leadership and Context

- *Winnebagos on Wednesdays: How Visionary Leadership Can Transform Higher Education*, by Scott Cowen.³³ This fun book by former Tulane University president Scott Cowen describes how academic administrators should respond in times of crisis.³⁴ It also speaks to the need for understanding what motivates faculty and staff in higher education (hint: not always money!).
- *Realizing the Distinctive University: Vision and Values, Strategy and Culture*, by Mark William Roche.³⁵ I found this book particularly useful in my preparation for pursuing a deanship.³⁶ Roche was the dean of the college of arts and sciences at Notre Dame.³⁷ He does a masterful job of cutting through tired cant about higher education leadership and provides a reflective account of his successes, and failures, as dean.
- *Higher Education: Marijuana at the Mansion*, by Constance Bumgarner Gee.³⁸ This provocative tell-all chronicles the life and times of the second wife of esteemed college president, E. Gordon Gee.³⁹ The author describes their shared experiences working at Ohio State University, Brown University, and Vanderbilt University, where she was famously caught smoking marijuana at the presidential mansion (to treat a medical condition).⁴⁰ That event—which looks quaint in hindsight—led in part to her husband’s departure from Vanderbilt.⁴¹ It is a fascinating book that describes as much as it reveals.
- *Leading Colleges and Universities: Lessons from Higher Education Leaders*, edited by Stephen Joel Trachtenberg,

33. SCOTT COWEN, WINNEBAGOS ON WEDNESDAYS: HOW VISIONARY LEADERSHIP CAN TRANSFORM HIGHER EDUCATION (2018).

34. *About*, SCOTT COWEN (July 2021), <http://www.scottcowen.com/about/>.

35. MARK WILLIAM ROCHE, REALIZING THE DISTINCTIVE UNIVERSITY: VISION AND VALUES, STRATEGY AND CULTURE (2017).

36. I thought so highly of it I volunteered to review it. See Jacob H. Rooksby, *Realizing the Distinctive University: Vision and Values, Strategy and Culture*, TEACHERS COLL. RECORD (Dec. 11, 2017), <https://www.tcrecord.org/content.asp?contentid=22210>.

37. Mark W. Roche, U. OF NOTRE DAME: C. OF ARTS AND LETTERS, <https://mroche.nd.edu/> (last visited Aug. 9, 2021).

38. CONSTANCE BUMGARNER GEE, HIGHER EDUCATION: MARIJUANA AT THE MANSION (2012).

39. Serena Golden, *Her Side of the Story*, INSIDE HIGHER ED (Oct. 18, 2012), <https://www.insidehighered.com/news/2012/10/18/constance-gee-publishes-memoir-time-first-lady-ohio-state-brown-vanderbilt>.

40. *Id.*

41. *Id.*

Gerald B. Kauvar, and E. Gordon Gee.⁴² This edited volume coalesces the perspectives of over twenty current or former college presidents.⁴³ They describe in short chapters what has served them well, what has not worked, what they wish they would have known before taking their positions, and what they learned afterwards.

- *Designing the New American University*, by Michael M. Crow and William B. Dabars.⁴⁴ Crow has been president of Arizona State University (ASU) for nearly twenty years and has made a name for being the leading disrupter of the status quo at a major research university.⁴⁵ This book describes what ASU has achieved under his leadership: the merging of schools and cutting down of disciplinary silos; expansion of access to the university for the underprivileged and underserved; all while raising the institution's research profile.⁴⁶
- *Land-Grant Universities for the Future: Higher Education for the Public Good*, by Stephen M. Gavazzi and E. Gordon Gee.⁴⁷ Two of Gee's presidencies (West Virginia University; Ohio State University) have been at land-grant universities, and this book is a paean to that form of institution, succinctly describing their history, purpose, contributions to society, and future opportunities.⁴⁸
- *The Innovative University: Changing the DNA of Higher Education from the Inside Out*, by Clayton M. Christensen and Henry J. Eyring.⁴⁹ Christensen generated much attention for his prediction that traditional American higher education was ripe for widescale disruption by the likes of online education, most

42. LEADING COLLEGES AND UNIVERSITIES: LESSONS FROM HIGHER EDUCATION LEADERS (Stephen Joel Trachtenberg et al. eds., 2018).

43. *Leading Colleges and Universities: Lessons from Higher Education Leaders*, JOHNS HOPKINS U. PRESS BOOKS, <https://jhupbooks.press.jhu.edu/title/leading-colleges-and-universities> (last visited Aug. 9, 2021).

44. MICHAEL M. CROW & WILLIAM B. DABARS, *DESIGNING THE NEW AMERICAN UNIVERSITY* (2015).

45. *Designing the New American University*, JOHNS HOPKINS U. PRESS BOOKS, <https://jhupbooks.press.jhu.edu/title/designing-new-american-university> (last visited Aug. 9, 2021).

46. *Id.*

47. STEPHEN M. GAVAZZI & E. GORDON GEE, *LAND-GRANT UNIVERSITIES FOR THE FUTURE* (2018).

48. *Land-Grant Universities for the Future*, Johns Hopkins U. Press Books, <https://jhupbooks.press.jhu.edu/title/land-grant-universities-future> (last visited Aug. 9, 2021).

49. CLAYTON M. CHRISTENSEN & HENRY J. EYRING, *THE INNOVATIVE UNIVERSITY: CHANGING THE DNA OF HIGHER EDUCATION FROM THE INSIDE OUT* (2011).

particularly Massive Open Online Courses (MOOCs).⁵⁰ Widescale disruption in the sector has not happened—yet. Regardless, this book prompts much needed examination of many of higher education’s sacred cows, including the semester system, class hours, and faculty tenure (of course).

- *Universities in the Marketplace: The Commercialization of Higher Education*, by Derek Bok.⁵¹ Bok was president of Harvard University from 1971 to 1991, and then served again in an interim capacity from 2006 to 2007.⁵² Harvard is arguably the world’s first, and best, market-oriented university. This book contains Bok’s reflections on that fact, how it came to be, and whether it is good. The chapters on athletics and academic research are particularly insightful.
- *Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education*, by David L. Kirp.⁵³ Kirp’s book presents a series of case studies on commercialism practices in higher education and describes how they are hurting the soul of the university.⁵⁴ His chapter on the University of Virginia—“Mr. Jefferson’s ‘Private’ College”⁵⁵—goes to the core of the dilemma of how public institutions contort themselves by using private dollars and business practices to further public aims.
- *How to Be an Intellectual: Essays on Criticism, Culture, and the University*, by Jeffrey J. Williams.⁵⁶ An English professor at Carnegie Mellon University, Williams coined the term and founded the humanities-based field of Critical University Studies.⁵⁷ This engaging collection of essays provokes thinking

50. Clayton M. Christensen & Michelle R. Weise, *MOOCs’ disruption is only beginning*, BOS. GLOBE (May 9, 2014), <https://www.bostonglobe.com/opinion/2014/05/09/moocs-disruption-only-beginning/S2VlsXpK6rzRx4DMrS4ADM/story.html>.

51. DEREK BOK, *UNIVERSITIES IN THE MARKETPLACE: THE COMMERCIALIZATION OF HIGHER EDUCATION* (2003).

52. Scott Jaschik, ‘Higher Expectations’, *INSIDE HIGHER ED* (Aug. 19, 2020), <https://www.insidehighered.com/digital-learning/article/2020/08/19/derek-bok-discusses-his-new-book-teaching-college-students>.

53. DAVID L. KIRP, *SHAKESPEARE, EINSTEIN, AND THE BOTTOM LINE* (Harv. U. Press rev. ed. 2004).

54. *Shakespeare, Einstein, and the Bottom Line: The Marketing of Higher Education*, HARV. U. PRESS, <https://www.hup.harvard.edu/catalog.php?isbn=9780674016347> (last visited Aug. 9, 2021).

55. See KIRP, *supra* note 53, at 130-45.

56. JEFFREY J. WILLIAMS, *HOW TO BE AN INTELLECTUAL: ESSAYS ON CRITICISM, CULTURE, AND THE UNIVERSITY* (2014).

57. Jeffrey J. Williams, *Deconstructing Academe: The birth of critical university studies*, *CHRON. OF HIGHER EDUC.* (Feb. 19, 2012), <https://www.chronicle.com/article/deconstructing-academe/>.

on why we do what we do in higher education, and how we do it, in addition to providing criticism on criticism.

- *Mission and Money: Understanding the University*, by Burton A. Weisbrod, Jeffrey P. Ballou, and Evelyn D. Asch.⁵⁸ This quick read offers a useful framework for thinking about how universities operate, what they value, and what it all comes down to in the final calculation (hint: no money, no mission).

Work, Life, and Leadership

- *Tribal Leadership: Leveraging Natural Groups to Build a Thriving Organization*, by Dave Logan, John King, and Hallee Fischer-Wright.⁵⁹ This book changed my thinking about organizational dynamics in the workplace. The authors describe various levels of organizational behavior based on individual and group characteristics. One key takeaway: in low-functioning institutional cultures, people think “We are OK because I am great.” In high-functioning institutional cultures, people think “We are excellent, and therefore I am good.”
- *The 5 Love Languages: The Secret to Love that Lasts*, by Gary Chapman.⁶⁰ I read this book before I got married, and it has served as a useful reflection point for me and my wife for over fourteen years. The insight is that people may act in loving ways that others do not perceive as such, because how we prefer to show love and how we prefer to receive it can differ. The same dynamics apply in the workplace. For example, I learned early on in my deanship that not all staff wish to be recognized publicly for their good work, even though I imagined that is how I would wish to be recognized if I were them.
- *Essentialism: The Disciplined Pursuit of Less*, by Greg McKeown.⁶¹ This recent book has been a game-changer for me, making me realize that I have chased and worried about nonessential activities for much of my professional career. McKeown invokes the ethos of Warren Buffet, who once remarked that “The difference between successful people and really successful people is that really successful people say no

58. BURTON A. WEISBROD, JEFFREY P. BALLOU & EVELYN D. ASCH, *MISSION AND MONEY: UNDERSTANDING THE UNIVERSITY* (2008).

59. DAVE LOGAN, JOHN KING & HALEE FISCHER-WRIGHT, *TRIBAL LEADERSHIP: LEVERAGING NATURAL GROUPS TO BUILD A THRIVING ORGANIZATION* (2008).

60. GARY CHAPMAN, *THE 5 LOVE LANGUAGES: THE SECRET TO LOVE THAT LASTS* (Northfield Pub. reprint ed. 2015).

61. GREG MCKEOWN, *ESSENTIALISM: THE DISCIPLINED PURSUIT OF LESS* (2014).

to almost everything.”⁶² But opportunities beget opportunities and saying no can be difficult. This book provides strategies on how to do it and still maintain harmony with others.

- *The 4-Hour Workweek: Escape 9-5, Live Anywhere, and Join the New Rich*, by Timothy Ferriss.⁶³ This book presents a picture of a lifestyle choice that will be impractical and unattainable for most higher education administrators. But it is a tantalizing prospect that has launched a movement. It also provides insight into the thinking that seems to animate most students these days. Achieving work-life balance, now, is more important to many of them than prestige, calling, or membership in a profession.
- *Unsubscribe: How to Kill Email Anxiety, Avoid Distractions, and Get Real Work Done*, by Jocelyn K. Glel.⁶⁴ I have been teased by some when I tell them part of my preparation for being a dean was to read a book about email habits, practices, and culture. But what a great book this is! Even though email has been around for decades, unfortunately we as a society are getting worse, not better, in our understanding and use of it. Key insight: if you self-assess the tone of your email to be positive, the reader will assess it to be neutral. If you self-assess the tone to be neutral, the reader will assess it to be negative. This book, perhaps more than any other in this section, led to immediate changes in my administrative behavior.
- *Leadership Jazz: The Essential Elements of a Great Leader*, Max De Pree.⁶⁵ This book, by the longtime CEO of the Herman Miller company, provides valuable insight into institutional culture and organizational leadership.⁶⁶ I took from it the notion that the best leaders relish in creating situations and environments that lead to unexpected delight for employees. Of course, sustained production of that delight is easier said than done.

62. Jeff Haden, *Warren Buffett Says 1 Thing Separates Successful People From All the Rest (and Leads to Living a Fulfilling and Rewarding Life)*, INC. (Dec. 11, 2018), <https://www.inc.com/jeff-haden/warren-buffet-says-1-thing-separates-successful-people-from-all-rest-and-leads-to-living-a-fulfilling-rewarding-life.html>.

63. TIMOTHY FERRISS, *THE 4-HOUR WORKWEEK* (Crown Publishers rev. ed. 2009).

64. JOCELYN K. GLEL, *UNSUBSCRIBE: HOW TO KILL EMAIL ANXIETY, AVOID DISTRACTIONS, AND GET REAL WORK DONE* (2016).

65. MAX DE PREE, *LEADERSHIP JAZZ: THE ESSENTIAL ELEMENTS OF A GREAT LEADER* (Crown Bus. rev. ed. 2008).

66. *See id.*

- *Little Soldiers: An American Boy, a Chinese School, and the Global Race to Achieve*, by Lenora Chu.⁶⁷ This book provides a comparative account of primary school education in China for an American family living abroad.⁶⁸ The fundamental tension the author describes—is it better to value group harmony, or individual accomplishment—goes to the heart of the differences between China and the United States, and explains a lot about how we educate, and why.⁶⁹ Even though the particular context is primary school, I found it extends to higher education, too.
- *Suddenly in Charge: Managing Up, Managing Down, Succeeding All Around*, by Roberta Matuson.⁷⁰ A former colleague once told me that I was good at managing up, but that I needed to work on managing down. I did not know what either term meant. This book explains both and provides strategies for improvement.
- *Wait, What?: And Life's Other Essential Questions*, by James E. Ryan.⁷¹ There is an art to asking questions. Questions are particularly important in higher education. As faculty, we know that questions lead to hypotheses, which lead to research, which lead to discoveries that hopefully result in publication. But administrators besieged with information and short on time sometimes forget that questions are important to them, too. Ryan—the former dean of Harvard's Graduate School of Education, and now president of the University of Virginia—reflects on the questions that have led to fulfillment and improvement in his personal and professional life.⁷²
- *The Rise of the Creative Class*, by Richard Florida.⁷³ Florida examines why certain cities flourish while others languish. His findings suggest that cities with a higher proportion of creative workers—artists, professors, marketing directors—have better economic indicators and citizen satisfaction ratings.⁷⁴ The book

67. LENORA CHU, *LITTLE SOLDIERS: AN AMERICAN BOY, A CHINESE SCHOOL, AND THE GLOBAL RACE TO ACHIEVE* (2017).

68. Alan Paul, *A Parent Confronts Conformity in the Classrooms of China*, N.Y. TIMES (Aug. 24, 2017), <https://www.nytimes.com/2017/08/24/books/review/little-soldiers-lenora-chu.html>.

69. *Id.*

70. ROBERTA CHINSKY MATUSON, *SUDDENLY IN CHARGE: MANAGING UP, MANAGING DOWN, SUCCEEDING ALL AROUND* (2011).

71. JAMES E. RYAN, *WAIT, WHAT?: AND LIFE'S OTHER ESSENTIAL QUESTIONS* (2017).

72. *James E. Ryan, born 1966*, HARV. GRADUATE SCH. OF EDUC., <https://www.gse.harvard.edu/about/history/deans/ryan> (last visited Aug. 9, 2021).

73. RICHARD FLORIDA, *THE RISE OF THE CREATIVE CLASS* (Paperback ed. 2004).

74. *Id.* at 235, 249.

describes the coming ascendancy of the creative class, which we are already seeing on college campuses.⁷⁵ Fewer are looking for a forty-year career with one company and a couple bosses; instead, most want to be their own bosses (i.e., independent contractors) and have work-life balance. These dynamics impact the hopes and aspirations of many students and their families.

* * *

Of course, reading can only prepare one for so much. Instincts groomed from the tribulations of life do the rest. But the unpredictable combination of life experience, academic and other preparation, and evolving thoughts on leadership combine to shape how we engage with others in the shared work of creation as academic leaders. In that process we wittingly or unwittingly fashion collective experience that says something lasting about who we are, or who we hope to be.

IV. LEGACY

Students are why we work in higher education. I have had the pleasure of working with so many whose lives have enriched mine. The one I think of most at Gonzaga is Heidi Keele.

I met Heidi in August during orientation week of my first year as dean in 2018. She was a 3L student and nontraditional in the sense that she was in her mid-forties with a family during law school. Our initial meeting was brief, and frankly I remember little about it other than everyone seemed to know and love Heidi. Her maturity meant that she was something of a peer to many faculty and students in her class looked up to her for her advice and wisdom.

The next time I saw Heidi was two months later in early October, in a palliative care facility adjacent to a hospital thirty minutes from school, in Coeur d'Alene, Idaho. Heidi had been experiencing abdominal pains toward the beginning of the Fall semester. She tried to work through them, figuring they would go away. But they did not go away, so she saw a doctor. She was diagnosed with Stage IV colon cancer. Chemotherapy began immediately.

I traveled with two assistant deans on a Sunday to see Heidi at the palliative care facility. We brought her some Gonzaga gear from the student bookstore, including a foam finger, to try to keep her spirits up. But her spirits were subdued. Heidi looked jaundiced from the chemo.

75. *Id.* at xiii.

She lacked energy to do most things and could walk only slowly. Her husband was taking care of their four children, who did not know how long Heidi would be undergoing treatment at the Coeur d'Alene hospital that was a distance from their home. We tried to keep the conversation light, but the setting was dark. My wife went through chemo nine years ago, so these circumstances brought back memories for me.⁷⁶ I kept my composure, until I asked Heidi's husband how he was holding up. He let out a big exhale that made me know what was coming. Although they remained hopeful, he confided how difficult it was. I felt a familiar feeling of fear.

We saw Heidi again only three days later. She was in hospice care, literally on her deathbed. A group of her friends, all students, drove with me and the assistant dean of students to go see her. On the way we talked about her life, her radiance, and the impact she had had on students during law school. Many of them confided that they looked up to Heidi, almost as a second mother or favorite older sister. They called her "Mighty Heidi." They said Heidi challenged them to be better people, to expect more from themselves and from others. They also said she was kind, *always kind*, and wickedly funny.

Heidi's small hospice room was full with members of her close and immediate family. On short notice, Gonzaga's president and provost had given me approval to present Heidi with an honorary degree. Unlike our highly planned commencement ceremony each May, there was no script for the conferral of this degree. We had scrambled to have the diploma made once we learned that Heidi's health was beyond the point where chemotherapy could help. The conferral was conducted at the foot of her bed, with students, family, and a local news crew all in the room. A local judge swore her in as an honorary member of the Idaho state bar after she received her degree from me. While those of us in the room fought back tears, Heidi joked that at least she did not have to take the bar exam to become an attorney.

Heidi was getting tired and our time with her was up. Students who knew Heidi much better than I did came to her bedside and offered their final goodbyes. Not knowing fully what to say in that moment, I grasped her hand, told her we loved her, and left the room. She passed away later that night.

I have unemotional and vague memories of my own law school commencement. As I left that room and looked at Heidi one last time, I knew hers was the ceremony I would never forget.

76. For more on that experience, see Jacob H. Rooksby, *Sharing Life's Work*, 63 J. LEGAL EDUC. 330 (2013).

* * *

Our assistant dean of students and I met with the students after we presented the degree and left the hospice room. We hugged, cried together, shared stories about Heidi, and tried to give words to what was happening. The local news crew interviewed one student, on behalf of the group, and she did a remarkable job in those painful circumstances of describing Heidi and her legacy.

One of the students happened to mention the name of Heidi's favorite book. She said it was the book that Heidi always recommended her classmates read. I do not know what I was expecting, but the book is not a famous novel, legal thriller, cult classic, or *New York Times* bestseller. The book is *What Every Body Is Saying: An Ex-FBI Agent's Guide to Speed-Reading People*, by Joe Navarro and Marvin Karlins.⁷⁷

I have now read the book, which is not otherwise one I would have known about or thought to read. I am glad I did because it is a book I should have read long ago. The book describes the importance of authenticity in communication, and how things like body language, tone, and other nonverbal clues can help us read people. The book is not aimed at lawyers, but more so at leaders. It is a useful reminder for anyone seeking to make a genuine connection with people—that empathetic skill we lose sight of in the face of daily challenges that seem so important. How we use our bodies reflects on who we are as people.

I wish that Heidi were here so we could talk about the book. I wonder how she first heard about it. I want to ask her why she liked it so much and what it meant to her. And I want a chance to better tell her what she meant to us. She taught me that leadership means touching people. Even when you least expect it.

77. JOE NAVARRO & MARVIN KARLINS, *WHAT EVERY BODY IS SAYING: AN EX-FBI AGENT'S GUIDE TO SPEED-READING PEOPLE* (2008).