

RESOLUTION ON THE RETIREMENT OF PROFESSOR HUGO ADAM BEDAU

Hugo Adam Bedau began his career at Tufts in the fall of 1966 with an act of principle, exhibiting the moral courage and integrity that unifies his life and works and inspires his colleagues and students.

Recruited to Tufts from a tenured position at Reed, Hugo moved his family east, but with some reservations. While visiting at Princeton in the spring of 1966, he had read an AAUP report (Hugo has always been an active member) about a controversial tenure denial in the very Tufts department that he was hired to build. He had also read a newspaper article about two young MIT professors who were fighting the Loyalty Oath that was then required of all faculty in Massachusetts.

When he received his contract that summer, Hugo refused to sign the accompanying oath. Long a "card carrying" member of the ACLU, he agreed with it that the oath violates First Amendment rights. On September 1, just before classes began, the Tufts Trustees canceled his appointment. Hugo obtained an injunction against the Trustee action, pending the outcome of the MIT professors' case. He was vindicated when the Massachusetts Supreme Court overturned the loyalty oath on constitutional grounds. Four years later, Hugo showed the same commitment to academic freedom when he assured me, a brand new member of his department, that he would not let my ongoing, and frequent arrests for anti-war activities harm my career at Tufts.

That same moral courage and intellectual integrity had ten years earlier combined with chance events to lead Hugo serendipitously to his life's work on the death penalty. In 1957, while assisting in an ethics course as a Lecturer at Princeton, Hugo reread Mill's Utilitarianism. He was struck by the remark that only a utilitarian could give a coherent account of punishment. Hugo had had little interest in normative ethics or political philosophy as a graduate student, largely because the field avoided normative issues in favor of studying the logic of ethical language. Mill started him thinking. Just then, Hugo's inveterate library and bookstore browsing led him to a book with the catchy title, A Life for a Life. Written by the Chair of the British Royal Commission on the Death Penalty, it, like Arthur Koestler's Reflections on Hanging, which Hugo happened on next, focused his thinking. By chance, H.L.A Hart, a respected philosopher of law, came to Princeton to lecture on the death penalty. Perhaps, Hugo thought, philosophers could address a real policy issue after all.

What truly prompted Hugo to action, however, was a hearing on the death penalty that his (then) wife Jan Bedau attended at the New Jersey Statehouse. At the hearing, a representative argued that if New Jersey abolished the death penalty, while New York and Pennsylvania did not, then "murderers would swarm across the Delaware and Hudson Rivers". No one could answer the implicit claim about deterrence. Hugo hoped sociologists at Princeton would reply. None did. Hugo rose to the challenge. He decided to make himself a "public resource" on this issue. Not of the "me" generation, he felt he owed it to the public that had put him through college after he left the Navy at the end of World War II. What a terrific bargain for the public, especially with tuition being what it was in those days!

The rest is history. Hugo's first book, Death Penalty in America (1964) has gone through four editions and is a watershed in Anglo-American philosophy. It is the premier example in this century of the systematic application of academic philosophical skills to a practical issue,

and the flood of work in practical ethics that has followed can rightfully cite Hugo's work as its starting point. Since then Hugo has written or edited some fourteen books and one hundred fifty articles. Some of the books are major works on punishment (In Spite of Innocence; Death is Different; The Courts, The Constitution, and Capital Punishment; Capital Punishment in the United States; Victimless Crimes); others are on justice (Justice and Equality; Civil Disobedience: Theory and Practice). The articles range over many other topics in political and legal philosophy.

Hugo's contribution to the debate about the death penalty is analytic, normative, and empirical. In the debate, there has been considerable confusion between claims about prevention, deterrence, retribution, and fair administration. Hugo's work sorts through these issues so we can see more clearly which arguments are subject to empirical testing and which require moral critique. One of his crucial contributions is empirical, namely documenting the enormous number of innocent people sentenced to death in the United States. His moral critique of retributive views is fundamental, showing that the only plausible component to such views, a principle of proportionality between crime and punishment, does not imply a life for a life or a rape for a rape. Similarly, he has shown that the debate about deterrence is not merely empirical but also moral, for we must also answer the question, how many lives should we take in order to save others? He has laid out a framework for deliberation that should govern all public debates on the matter.

Hugo's work has been recognized through many national awards, including the Abolitionist Award from the national Coalition to Abolish the Death Penalty (1989), the August Vollmer Award from the American Society of Criminology (1997), and the Phi-Beta Kappa Romanell Professorship in Philosophy (1994-5) which led to his wonderful book on casuistry, Making Mortal Choices (1997). He was invited to lecture in Stockholm by Amnesty International in celebration of its Nobel Peace Prize. He has served on the editorial boards of seven journals and served as a consultant to the NAACP Legal Defense Fund, Amnesty International, and the ACLU.

At Tufts, Hugo's teaching and citizenship are legendary. Hugo built and remains the guiding spirit of the Philosophy Department, the top-ranked M.A. program in the country. He implemented a policy, now his legacy, of making all Department decisions by consensus. He has also served on virtually every key elected and standing committee of the Faculty. Time and again he has been sought out by various administrations for his wisdom and the respect he generates when serving on committees addressing sensitive issues. All of us have long admired the elegant, crafted, thought-provoking -- breathtakingly long -- sentences Hugo can generate at the spur of the moment on the occasion of nearly any faculty vote.

His commitment to teaching warrants special thanks from this faculty and its students. Recognized by Harvard Extension School with its 25-Year Faculty Teaching Award, Hugo was also just awarded the Seymour Simches Award for Distinguished Teaching and Advising. However many times Hugo has taught a course, he can always be found before class reading afresh the primary sources on which he is lecturing, or seeking some novel insight to brighten his class.

There is no better exemplar of Tufts' proud commitment to interdisciplinary studies than Hugo Adam Bedau. His work on the death penalty shows how the brilliant command of central disciplinary skills in one area can inform and elevate work in another. Not content with one interdisciplinary crossover, Hugo has written three books on the teaching of writing (Thinking and Writing About Philosophy; with Sylvan Barnet, Current Issues and Enduring Questions; and Critical Thinking, Reading, and Writing). He also helped found the Center for

the Study of Decision-Making at Tufts years ago.

Hugo can now devote more of his amazing energy and enthusiasm to his rich family life with his four children, four grandchildren, and spouse, Constance Putnam, who just earned her Tufts Interdisciplinary PhD. Because we in the Philosophy Department remain unwilling to say goodbye to our guiding spirit, we are pleased that Hugo's retirement plans call for his returning to teach his favorite courses after a year of research in the Bentham Archives in London. Fortunately for all of us, this occasion is to say thanks, not goodbye.

I invite all of you to express our warmest appreciation and admiration to Hugo for his more than three decades of service to Tufts. On behalf of the faculty of the Department of Philosophy, I respectfully request that this resolution be spread upon the minutes of the Faculty and that a copy be tendered to Professor Bedau.

Norman Daniels