

## A DEAN'S PERSPECTIVE ON ED BAKER

*Dean Michael Fitts*

Ed Baker was a unique scholar and individual—and will be deeply missed by his many intellectual colleagues and friends.

As an academic he was widely recognized as one of the country's preeminent scholars in the areas of First Amendment and communications law. His four books were full of insights and genuinely original thinking. Two of them, in particular, were extremely influential and often cited: *Human Liberty and Freedom of Speech* and *Media, Markets, and Democracy*. In the first, Ed propounded a liberal theory of the First Amendment that promoted free speech as a vehicle for progressive change; in the second, he offered a sharp critique of deregulation, calling it antithetical to a free press. Both books received critical acclaim, and both will stand the test of time—the ultimate measure of academic depth and importance.

The intellect that produced these works was as deep and playful in person as he was on the page. Everyone recognized his boundless intellect. He was completely at home with the play of ideas. We marveled at his ability to draw on so many disciplines and weave them together so effortlessly in the service of incisive work that left people wondering why they hadn't thought of that themselves.

At the same time, Ed also used his extraordinary gifts to bend the world toward social justice. For him, the personal was political. That pursuit of justice led Ed to make common cause with the ACLU. He was not afraid to call himself a card-carrying member. He relished the role of championing the little guy and preserving people's rights.

All of these things—Ed's prodigious intelligence, his love for the underdog and feisty defense of liberalism—are well-known to anyone who had the pleasure of knowing Ed. Perhaps less well-known was his lack of pretension and genuine concern for those around him, whatever their station in life. I worked with Ed when I was an aspiring academic and later as dean of this great law school. And I can say without reservation that Ed never changed his demeanor toward me. This kind, gentle, shy man remained friendly and personally supportive no matter our roles.

I first met Ed when I was a young candidate for the faculty and I only knew of him through his publications. He could have made me feel even more uncomfortable than I already was, but he did not.

Rather, he went out of his way to welcome me and to smooth my transition from government to academia.

If anything, he was protective—championing me like he did the people who needed his help through the ACLU. And I will never forget his kindness, at a time when I needed it.

When I became dean, Ed and I continued to enjoy a warm relationship. Academic life provides the best of all worlds, but, like politics, strains can develop over institutional policy. And although Ed vigorously disagreed with some of the institution's decisions, he never made it personal. I thank him for this as well.

I also remember Ed as the consummate scholar devoted to teaching. Ed did not put on airs in the classroom. Neither showy nor dynamic, Ed nonetheless took his teaching responsibilities very seriously. He wanted his teaching to spark lively discussion. At length he explained to me his teaching method. His preparation was meticulous and the results speak for themselves. To many students he was an icon. Upon hearing of his passing, a number of students visibly mourned. They reminisced about the discussions that spilled out into the hallways, lasting well beyond class.

Like these students, I feel a deep sense of loss for a renowned scholar, a wonderful colleague and a true friend. I know I speak for Penn Law School when I say that Ed Baker will be sorely missed.