

## A TRIBUTE TO PROFESSOR G. SIDNEY BUCHANAN UPON HIS RETIREMENT

### SIDNEY BUCHANAN IS LAW REVIEW

*Carol E. Dinkins, Board 8\**

Professor Buchanan *was* the *Houston Law Review* when I transferred from The University of Texas to the University of Houston between my first and second years of law school. Having come from The University of Texas, I thought Law Review was law school. So Professor Buchanan was immediately a key person in my mind. Decades later, my view is unchanged.

Whether grappling with a difficult writer, intransigent editor, implacable colleagues, or unforgiving deadlines, in Professor Buchanan a *Law Review* Candidate or Member of the Board of Editors could always find a calm and soothing spirit, thoughtful counsel, an understanding heart, and practical suggestions on how to move forward.

When I first wrote for the *Houston Law Review*, its volumes numbered in single digits. It is long past that now, with the one constant having been Sidney Buchanan. He has fostered and nurtured an institution that is of great pride to legions of his former students, and one that is a keystone in the stature of the University of Houston Law Center.

Godspeed to Professor Buchanan as he brings his special personality and wise ways to the realm of retirement. May his retirement be as long and as great as has been his role with the *Houston Law Review*.

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## AN APPRECIATION OF G. SIDNEY BUCHANAN

*D.J. Baker, Board 10\**

Some institutions are fortunate enough to have great longevity and continuity in their leadership. Such longevity often (but not always) contributes greatly to the character and distinction of the institution. Unfortunately, long tenure in leaders can also become stultifying to the institution, fostering mediocrity and lack of distinction. Advance prediction of the positive or negative impact of a particular individual's long association with an institution is impossible; only as a long tenure draws to its conclusion can one determine what the impact of such tenure upon the organization has been.

Professor G. Sidney Buchanan is now concluding (at least on a full-time basis) his long service as Professor of Law at the University of Houston Law Center and senior faculty advisor to the *Houston Law Review*. It is appropriate, therefore, to consider the impact of that tenure on the law school and on the *Review* over the past decades. Happily, it seems clear that Professor Buchanan falls decidedly into that fortunate and revered group of individuals whose long service has contributed immeasurably to improving and enhancing the organization and institution in question.

Because I was privileged to work with Professor Buchanan as a member of Board 10 of the *Houston Law Review* from the spring of 1972 through the spring of 1973 and thereafter on a continuing basis on matters related to the *Review*, I can definitely attest to the importance of his contribution to the *Review's* development. The members of Board 10 had worked as candidates with Board 9 during the period 1971–1972, confronting the various challenges of candidacy, some *Review*-related and some not. It was with excitement and a certain amount of trepidation that we assumed our new roles as editors and realized that it was up to us to get the *Houston Law Review* out on time, or reasonably close thereto, with content that would reflect well on the *Review* and on the law school.

Our predecessors on Board 9 told us that we would enjoy working with Professor Buchanan. He had become the advisor to the *Review* concurrently with the election of Board 8 in 1970,

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replacing a highly regarded predecessor who had left the law school to accept a position elsewhere. Professor Buchanan was, of course, reasonably well known to us as law students, and most members of Board 10 had taken his Trusts & Estates or Constitutional Law classes. We knew that he was one of the most approachable of all of the faculty members, not just because he was one of the younger members of the faculty, but also because of his puckish sense of humor. (We all knew of his delight in Gilbert and Sullivan!) Board 10 knew that Professor Buchanan was well regarded by students and by his fellow faculty members, but few of us had had significant firsthand contact with Professor Buchanan.

Shortly after the names of the members of Board 10 had been announced, Bill Wiggins, the Editor in Chief of Board 9, suggested that he and I should meet with Professor Buchanan to discuss the *Review*. Accordingly, we joined Professor Buchanan in his office to discuss his involvement with the process, publication issues, and related matters. At that meeting, Professor Buchanan said that it was his policy to try to read all of the items to be published in the *Review* and to offer whatever comments he thought appropriate. Generously, he indicated that Board 10 should regard his comments as suggestions rather than mandates.

I assumed that Professor Buchanan would look at the major articles published in the first part of the *Review* and that he would pass over the student works. I was mistaken. Professor Buchanan did, in fact, read every word that was published in Volume 10, including articles, comments, and notes. After the members of Board 10 had completed their review and editing of a work, we would forward it to Professor Buchanan. Some days later, we would receive back from him his suggested comments. The comments were always extraordinarily polite, generally in the vein of, "You might want to consider this change," or "I'm not quite sure about this choice of word." I believe that we incorporated every comment he made, not so much because of his position as advisor to the *Review* as because his comments invariably improved upon the work in question. And that is, of course, the objective that everyone involved in the process of getting out the *Review* over the years has shared: a commitment to excellence in legal scholarship and writing.

As the *Review* developed over time, Professor Buchanan's careful suggestions shaped not only specific articles in the *Review*, but the approach handed down from Board to Board. He also set an example as a scholar. All of us on the *Review* knew that Professor Buchanan was always at work on a project that

would eventually be submitted to a law review, just as student authors were. Professor Buchanan was generous enough over the years to submit some of his articles to the *Houston Law Review*, allowing our publication to be enhanced by his scholarly reputation. Unquestionably, Professor Buchanan's work and dedication to the *Review* during his long tenure at the law school has influenced the character of the organization.

As I have gained perspective in the years since my service on Board 10 and come to understand the demands that teaching, research, and participation on faculty committees must have been making on Professor Buchanan's time, I appreciate even more the time that he gave to the *Review*. With respect to teaching, Professor Buchanan was always thoroughly prepared to lead his students in a thoughtful and entertaining way through the issues being studied. No one who took his Constitutional Law class can ever forget his collection of materials that tested the propositions of the First Amendment! Likewise, no one who was his student can ever forget the focused attention and respectful, encouraging consideration that he gave to student questions and comments. It is no wonder that the Student Bar Association named him Outstanding Professor of the Year not once, but three times. Law students can be hard to impress, and that fact speaks for itself. An enduring legacy of his long tenure will be the generations of former students who recall his approach to legal analysis as they confront new legal issues.

Professor Buchanan's contribution to the Law Center as an institution did not end with his involvement with teaching. He also shaped the academic bent of the law school as a whole through his early and continuing dedication to research and writing. He was always engaged in a project in one of his areas of interest as a scholar of constitutional law, and his projects became excellent articles and books that added to the stature of the law school. Just as importantly, his scholarship set an example for all at the Law Center. An enduring legacy of his long tenure is reflected in the Law Center's commitment to scholarship.

I know from the comments of Professor Buchanan's colleagues on the faculty over the years that he could always be counted on for full participation in law school responsibilities, whether through participation on committees or always being at faculty meetings, fully prepared on the matter to be discussed. He was always supportive and encouraging of younger faculty members. For a time, he served the law school as Associate Dean for Student Affairs. So, the development and nurturance of the law school as a whole is also a fruit of his long tenure with the institution.

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The evidence created by Professor Buchanan's long tenure teaching, advising the *Review*, and working in the ongoing scholarly and practical life of the Houston Law Center can now be reviewed in its entirety in order to determine the overall effect of that long period of leadership. Reasonable minds cannot differ in concluding that Professor Buchanan throughout his career has pushed the *Review*, all of his students, and the Law Center as a whole to be the best that they can be.

In conclusion, and with profound apologies to each of Gilbert and Sullivan, *The Pirates of Penzance*, and *The Mikado*, and also to their many fans, I would observe the following about Professor Buchanan:

He is the very model of the perfect law professor,  
He has citations of all types catalogued in his dresser;  
He knows the cases Supreme, and quotes dissents historical  
From *Marbury* to *Brown v. Board* in order categorical;  
He's well acquainted, too, with matters related to the *Law Review*,  
He has even in his tenure slugged a line or two.  
In short, in matters related to study of the law  
He is the very model of the perfect law professor.

His object all sublime  
He shall achieve in time—  
To let the editing fit the article—  
The editing fit the article;  
And make each submission sent  
Willingly represent  
A source of future citation!  
A source of future citation!

THREE THINGS I LEARNED FROM BUCHANAN ABOUT  
BEING A LAW PROFESSOR

*David S. Caudill, Board 18\**

Because Professor G. Sidney Buchanan was advisor to the *Houston Law Review* board on which I served, I was asked to reflect on his contributions to this journal in that capacity. Unfortunately, I do not recall Professor Buchanan in that capacity—perhaps two decades have for me eclipsed his contributions, but the more likely explanation is that I was too busy getting to know Buchanan in another capacity, as my professor in Constitutional Law and in Trusts and Wills. In *that* capacity, I remember him well (and often). Indeed, I wanted to be a law professor, like him, before I ever graduated from law school. Moreover, in the fifteen years of my career as a law professor, I have followed three of his professorial principles: write daily, sing to your classes, and don't be ashamed of your religion.

1. *Write Daily.* Each semester Professor Buchanan lets his students know that his admirable productivity as a legal scholar is due in part to his practice of writing a few pages almost every day. I am not sure why he tells his students about this habit, except to allow them to get to know him better, but I was impressed and I have never forgotten the advice. Like all university professors who “publish or perish,” law professors are supposed to be productive scholars,<sup>1</sup> but I've known many who, by the time they fulfill their duties of teaching and service (on committees, etc.) to the law school, cannot seem to find the time to publish. Perhaps they wait for a large block of time, a nonteaching summer, or a sabbatical, but even then the research does not always result in a publication. Enter Buchanan, who says “just do it”—every day, a little bit, and after a few months a manuscript will appear and can become an article or a book

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1. My own dean, for example, reminds me often not only that law professors are quite well paid and lead relatively comfortable lives, but also that they are being paid to teach *and* publish—the latter is not an option to be exercised only by those who are so inclined.

chapter. In my experience, it works, and I'll credit Professor Buchanan for the insight.

2. *Sing to Your Classes.* Professor Buchanan did not ever recommend or advise aspiring professors to sing often in class, but *he* did (and does) sing to his students, much to their entertainment. Buchanan is not a composer, but rather a humorous poet; he regularly appropriates a melody from a popular song or Broadway showtune, and then rewrites the lyrics to make the song relevant for legal education. The process is actually a bit more complex, because the theme or message of the original song is always preserved in the new lyrics (for the old melody)—for example, if the character in a Broadway musical sings about his indecisiveness or inability to make a principled decision, that theme would be present in Buchanan's own lyrics about an ambivalent Supreme Court Justice who authored an opinion that the class is reading. That skill is the basis, of course, for the political satire of singing groups like "Capitol Steps,"<sup>2</sup> but Buchanan's students enjoy a regular fare of such performances in everyday course work.

Like the habit of writing a little scholarship every day, I noticed that Buchanan's songs also worked, and I am inspired several times each semester to follow the Buchanan model. One might imagine that the pressure to do a good job—to write terribly funny lyrics, to perfect one's singing voice, to perform confidently—would be unbearable, but in my law school experience, Professor Buchanan did not seem to be nervous or anxious. Indeed, he did not seem to spend weeks preparing either his lyrics or his voice—like his daily writing, he just does it; and if he gets some laughs, even in his self-deprecation, he wins. There's not a lot of competition among singing professors, and a little effort goes a long way. After all, the professor who waits until he can perform a perfect song, like the professor who gets writer's block because he wants to write an elite law review blockbuster, ends up accomplishing very little.

3. *Don't Be Ashamed of Your Religion.* Some people think that professors should be neutral in their teaching, and that they should not impose their personal opinions on students. I'm sure that Professor Buchanan did not "impose" his views on anyone, but he never pretended in class that he was a "neutral" voice, or that he could speak from a neutral, authoritative space. In the

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2. Information about "Capitol Steps," including audio examples of recent songs, can be found at <http://www.capsteps.com>.

terms of contemporary critical pedagogy,<sup>3</sup> which has now caught up with him, Professor Buchanan located or positioned himself in class as a Christian living within a particular constellation of beliefs, influences, traditions, and communities.<sup>4</sup> Far from indoctrinating students, which is likely not possible in any event at the University of Houston Law Center, Buchanan was demonstrating that legal education is never neutral or apolitical,<sup>5</sup> and that a law professor is never without philosophical assumptions or foundational presuppositions. Such assumptions or presuppositions may not be systematized or identified by, or even known to, the law professor under their influence, but they are inevitable and function to make neutrality impossible.<sup>6</sup> Moreover, because there is no universal rationality or common sense to which professors can appeal to ground their perspectives on law, their assumptions and presuppositions are matters of faith, not unlike religious commitments.<sup>7</sup> Why, then, should anyone be ashamed of his or her religion?

In the arena of legal scholarship, Professor Buchanan is unique in his productivity—two books and thirty-five years of frequent law review publications. At the risk of belittling his accomplishments as a prolific writer, I think that he is even more unique in his capacity to steal melodies, to pen legally and pedagogically significant lyrics, and to sing to ambitious and demanding law students. But his greatest service to me (and to

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3. See generally HENRY A. GIROUX, *PEDAGOGY AND THE POLITICS OF HOPE* (1997) (presenting a collection of essays on critical pedagogy, which challenges the notion that education should be, or even can be, objective, neutral, impersonal, or free from an historical context).

[P]edagogy . . . signals how questions of audience, voice, power, and evaluation actively work to construct particular relations between teachers and students, institutions and society, and classrooms and communities.

. . . Pedagogy in the critical sense illuminates the relationship among knowledge, authority, and power.

HENRY A. GIROUX, *DISTURBING PLEASURES: LEARNING POPULAR CULTURE* 30 (1994).

4. "Naming one's experience and placing that voiced experience in context is the essence of dialogue." Mary E. Boyce, *Teaching Critically as an Act of Praxis and Resistance*, *ELECTRONIC J. RADICAL ORG. THEORY*, Sept. 1996, at 4 (citing PAULO FREIRE, *PEDAGOGY OF THE OPPRESSED* (1970)).

5. See ANTONIA DARDER, *CULTURE AND POWER IN THE CLASSROOM* 77 (1991) ("Unlike the traditional educational perspective that views schools as neutral and apolitical in nature, a critical theoretical perspective views power, politics, history, and culture as intimately and ideologically linked with any theory of education.").

6. See generally David S. Caudill, *A Calvinist Perspective on the Place of Faith in Legal Scholarship*, in *CHRISTIAN PERSPECTIVES ON LEGAL THOUGHT* 307–17 (Michael W. McConnel et al. eds., 2001).

7. See *id.* at 317 ("When we're talking about . . . our theories about how legal questions and controversies should be handled, something like a religion, insofar as religion is associated with fundamental perspectives on who we are and what we should be doing, necessarily is involved in our written and spoken words.").

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his religious students over the years) is his challenge to the pretense of neutrality in the classroom, which takes the form of making his own belief system transparent and then creating an atmosphere of tolerant pluralism—a level playing field. Anything less would be a disservice.

Again, I have heard that G. Sidney Buchanan was my faculty advisor as a law review editor, and I'm confident that his advice, which I do not remember, was good. As to his advice to a future law professor, I remember that well, and I know that it was good.

## THE SIDNEY BUCHANAN RULES OF LOGIC AND EQUITY

*Evelyn Keyes, Board 25\**

Getting to know Sidney Buchanan was one of the treasured experiences of my years at the University of Houston Law Center. I was fortunate to know Professor Buchanan not only as *Law Review* advisor, but also as curriculum committee advisor during his time as Associate Dean, and as professor in his highly sought after Trusts and Wills course. So it should be for such a good grounding in law and professionalism that I remember Professor Buchanan best from my law school days (as opposed to the years of friendship that have followed—accessibility being another attribute of a great teacher). Or perhaps I should remember him best for the showman in him that kept us in legal tunes or for his high sense of moral purpose. But I do not. I remember him best from those days because I was personally able to confirm one of his pet theories; and the memory of that mutual triumph has stayed with me ever since.

Professor Buchanan had the theory that the law of secret and semi-secret trusts was inequitable and irrational and that any intelligent twelve-year-old would arrive at the opposite result from the courts, using basic logic and fairness. As it happened, I had an intelligent twelve-year-old at home, my son David, so I tried out the Buchanan theory.

Here's the puzzle, and I put it forward for entertainment and nostalgic purposes. According to the law of secret trusts, if O wills Greenacre to T in reliance on T's oral promise to hold Greenacre in trust for the benefit of B, but states in his will only that he conveys Greenacre to T without saying that Greenacre is to be held in trust by T for B, and afterwards T refuses to perform his promise to turn the property over to B, a constructive trust arises that can be enforced against T. (Got it?) But then what happens if O wills Greenacre to T in reliance on T's oral promise to hold Greenacre in trust for B, but states in his will that he has conveyed Greenacre to T "in trust" without saying who B, the beneficiary of the trust, is, *i.e.*, the trust is semi-secret? (Professor Buchanan would, of course, announce this entire problem at breakneck speed and then call on the class to answer, right?)

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According to the Sidney Buchanan rules of logic and equity, the addition of the words “in trust,” which reveal the nature of O’s conveyance to T, should not change the result if T refuses to turn Greenacre over to B; a constructive trust should arise in favor of B and be enforceable against T. But the legally correct answer is that, when a trust is mentioned in a will, but is not sufficiently defined in the will to be enforceable, Greenacre passes by way of resulting trust to the residual beneficiaries in O’s will or, if none, to O’s heirs at law, and no extrinsic evidence is allowed to prove up the nature of the trust intended by O. (By the way, in case you were wondering, as the well-trained lawyer you now are, whether this distinction is still good law, it is. Check out *Olliffe v. Wells*, 130 Mass. 221 (1881), on Westlaw or Lexis.)

I passed this problem on to my intelligent twelve-year-old son—not as fast as Professor Buchanan passed it on to us; we were law students—and he duly pronounced that a constructive trust should be imposed on T to turn Greenacre over to B when a trust is semi-secret, just as when it is secret, confirming the Buchanan theory that ordinary logic and equity are affronted by *Olliffe v. Wells*. (David, not having learned, as we did, the greater lesson that legal puzzles are exciting, went on to become a doctor, where he does medical puzzles instead; but he too still fondly remembers this experiment.)

I trust that Professor Buchanan has been reporting this confirmation of his theory of secret and semi-secret trusts to his classes ever since. I know that this puzzle and others teased out like it confirmed in me the thrill of legal conundrums in general and the sense that something is wrong with the law (not with our legal reasoning) when the law does not reflect our commonsense beliefs about what is logical and what is right—perhaps because generally the law is both rational and fair, as we learned from those who, like Sidney Buchanan, understood how it works and taught us.

I should add that I did have to go back to Sidney Buchanan to get the details of the puzzle, which I remembered better for its larger lessons; but he remembered it all. That’s part of the reason he was such a great teacher. He knows the law, and he is dedicated to teaching it to others with boundless enthusiasm for the subject and for students and a great good will towards humanity.

I hope this story has brought back some of your own memories of the University of Houston Law Center and of Professor Buchanan and has reminded you, as it reminds me, of why we should all be so grateful for the enthusiasm and sound

scholarship of Sidney Buchanan, who greatly helped make that law school experience and that University of Houston law degree so valuable and so cherished by so many.

## FOND MEMORIES OF LAW SCHOOL

*Hunter White, Board 26\**

I understand that after many years of loyal service, Professor Sidney Buchanan will be retiring soon. On that day, the *Houston Law Review* will lose a valuable faculty advisor and the University of Houston Law Center will lose a wonderful professor. I had the honor of knowing Professor Buchanan in both capacities.

I was a member of Board 26 of the *Houston Law Review*. As a willing and accessible faculty advisor to the *Law Review*, Professor Buchanan's advice was often sought and always welcome. His involvement helped the *Law Review* continue to publish on time (still an extraordinary feat among such publications). Professor Buchanan's willingness to give his time and to give of himself made my job as Editor in Chief much easier.

Like many Boards of the past (and, perhaps, the present), my Board debated to what degree the *Houston Law Review* should focus on topics that are more useful to Texas practitioners versus more national and abstract legal topics, which are typically more useful to scholars and politicians. In short, the debate concerned the evolving identity of the *Houston Law Review* itself. In this debate, Professor Buchanan freely offered his views regarding what direction the publication should take, but he never forced his opinions on us. He did make sure, however, that the current students serving on the Board did not forget the history of the publication. His guidance was of tremendous value and aided my Board and others in achieving the correct balance. With Professor Buchanan's help and guidance, the *Houston Law Review* continues to be one of the highest quality law review publications, and I believe Professor Buchanan has forever left his imprint on it.

I would be remiss in my comments regarding Professor Buchanan, however, if I failed to mention something about his singing. I cannot say that I remember all of the details of the many First Amendment cases I studied in Professor Buchanan's class, but I will never forget Professor Buchanan belting out several showstopper songs at the end of class. After he retires, I hope Professor Buchanan takes his shot on *American Idol*. His joy is infectious, and he is one of the main reasons that I have such fond memories of law school.

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\* Hunter White graduated from the University of Houston Law Center in 1989. He is a partner in the corporate and securities practice of Andrews Kurth LLP.

## A MODEL ADVISOR

*Tim Moore, Board 27\**

I am truly honored to pay tribute to Professor Sidney Buchanan, a man who exhibits a rare blending of intelligence and humor, strong will and gentle nature. I never enjoyed the good fortune of participating in a course taught by Professor Buchanan, so my exposure was entirely extracurricular. My first impression was created when he sang a song at the “Follies” in the spring of 1987—a definite departure from the *Paper Chase* professorial template.

At the time, I had no inkling that within a year he would become my sounding board and counselor for knotty problems at the *Law Review*. Always available but never intrusive, he offered sage advice whenever asked. In short, he was the very model of Advisor to the *Law Review* (to the tune of “Modern Major General” from Gilbert and Sullivan’s *The Pirates of Penzance*):

I am the very model of Advisor to the *Law Review*;  
Whenever things have gone askew, I’ve helped to set the course  
anew;

I’m very erudite in any matters editorial,  
And should be since I’ve been Advisor since time immemorial;

After more than thirty years, I’ve knowledge categorical,  
About the *Law Review* I can provide all facts historical.

Put to rhyme today’s events and all those that have gone before,  
And set them all to music from *The Music Man* or *Pinafore*.

(Chorus):

And set them all to music from *The Music Man* or *Pinafore*,  
And set them all to music from *The Music Man* or *Pinafore*,  
And set them all to music from *The Music Man* or *Pina-pinafore*.

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\* Vice President, General Counsel, and Secretary of Plains All American Pipeline, L.P.; Editor in Chief, *Houston Law Review*; J.D., University of Houston Law Center, summa cum laude.

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I'm brimming full of wisdom that's as ancient as a pyramid,  
But I'm not prone to giving my opinion unsolicited;

Although I have a point of view,  
I only speak when spoken to;  
I am the very model of Advisor to the *Law Review*.

(Chorus):  
Although he has a point of view,  
He only speaks when spoken to;  
He is the very model of Advisor to the *Law Review*.

I've watched as freshly chosen novice candidates matriculate,  
And do their drudging cite checks so that authors can't  
prevaricate;

I've seen the other requisite laborious induction rites;  
And had the rubber chicken at a dozen springtime banquet sites;

Observed as seasoned editors display profound propensity  
For wandering off the beaten path, but always with intensity;

The stubborn streak might be dismissed as individuality;  
A simple euphemism for a type "A" personality.

(Chorus):  
A simple euphemism for a type "A" personality;  
A simple euphemism for a type "A" personality;  
A simple euphemism for a type "A" personali-nality.

It is a proud achievement, though perhaps not quite spectacular,  
Conversing with the editors in their own strange vernacular;

In short, when things have gone askew,  
I helped to set the course anew;  
I am the very model of Advisor to the *Law Review*.

(Chorus):  
In short, when things have gone askew,  
He helped to set the course anew;  
He is the very model of Advisor to the *Law Review*.

When problems rise to boiling point I always am available,  
To find a resolution with a logic unassailable;

I give adept advice administrative and political,  
And how to work the system without being hypocritical;

I'm at my very best when I'm resolving ambiguity,  
And never would indulge in some didactic promiscuity;

On any given day you'll find me waxing metaphorical,  
Defusing nasty situations with a quip rhetorical.

(Chorus):

Defusing nasty situations with a quip rhetorical;  
Defusing nasty situations with a quip rhetorical;  
Defusing nasty situations with a quip rhetoric-orical.

I now approach retirement at the apex of my tenure long;  
Consistent with my habit, I will sing a small departing song;

You might consider poetry  
If you should ever want to be  
The model of a faculty  
Advisor to the *Law Review*.

(Chorus):

You might consider poetry  
If you should ever want to be  
The model of a faculty  
Advisor to the *Law Review*.

## THERE'S NO PLACE LIKE HOME

*Maryanne Lyons, Board 30\**

The word "home" has multiple meanings. For example, *Webster's* defines the word "home" not only as "one's place of residence," but also as "a familiar or usual setting, a congenial environment." Under either of these definitions, Houston is "home" to many of us and has been for quite some time. Likewise, the University of Houston Law Center and the *Houston Law Review* both have been "home" to us at one point in our educational lives.

In addition to its multiple meanings, the word "home" connotes a myriad of thoughts and emotions to each and every one of us, most of which are formulated because of persons with whom we associate our "home." For me, and for many of the other people on Board 30 of the *Law Review*, our connotations of the Law Center or the *Law Review* as "home" during the years we physically spent there were engendered by, and thus always include, Professor Sidney Buchanan.

From 1970, when he first became the lone faculty advisor to the *Law Review*, through the present, Professor Buchanan has helped to create and foster a uniquely warm and congenial environment for countless legions of students at the Law Center and on the *Law Review*. He has been always eager to answer innumerable questions, always willing to provide guidance and counsel, always ready to give emotional support, always available to be there to help out however needed. It is these immeasurable qualities in Professor Buchanan, coupled with his true love of the law and of law students themselves, that have made both the Law Center and the *Law Review* "home" in every sense of the word for so many of us during the last thirty-five years.

Professor Buchanan also fostered our sense of "home" by bringing to his classroom a boundless enthusiasm for the study of law and by providing us with limitless hours of advice and counsel. His sheer dedication to and care for his students has continued to shine through in all that he has done at the Law Center, and he has immensely impacted the direction and success of the *Law Review* because of the tireless devotion he

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exhibited day after day, year after year, to nearly thirty-five of the *Law Review's* editorial boards. Simply put, neither the Law Center nor the *Law Review* would have become the "home" they did for so many of us had it not been for Professor Buchanan.

Personally, Professor Buchanan engendered in me a sense of "home" about the Law Center even before I became a student there. Before law school, I taught English in the Upper School at St. John's School, here in Houston, and had the pleasure of getting to know Sidney because his son, Martin, was in some of my classes (and because I found myself dealing with a group known as the "Furtive Five"). It was Sidney who went out of his way to advise and counsel me about law school and who helped me choose to attend the Law Center over other schools. It was Sidney who made me feel comfortable about my decision and understand that I wasn't really losing my "home" at St. John's but merely gaining another "home" at the Law Center. And, it was Sidney who helped turn that understanding into a reality, for I can truly say that I will always consider the Law Center and the *Law Review* "home."

Thomas Wolfe is often quoted for his immortal line, "You can't go home again." Yet somehow, with respect to Professor Buchanan, I think that Thomas Wolfe is wrong, for Professor Buchanan will always be a part of the "home" he has at the Law Center and the *Law Review*, the "home" for which he gave so much of himself to create for so many of us. I simply can't thank him enough.

## SIDNEY BUCHANAN: THE CAL RIPKEN OF LAW PROFESSORS

*Robert Sergesketter, Board 32\**

It's often said about great baseball players, "He can flat out hit." About great basketball players, "He can flat out shoot." And about great track stars, "He can flat out run." So I suppose it is fitting to say about great law professors, "He can flat out teach." Sidney Buchanan can flat out teach.

The University of Houston Law Center has seen many great professors pass through its classrooms. But I can think of none whose passion for teaching burns hotter than Professor Buchanan's. Day after day, semester after semester, year after year, Professor Buchanan brings into the classroom an enthusiasm that is both unequaled and contagious. His love of the law and his love of law students shines through during every class he teaches. Simply put, Professor Buchanan always shows up and never has a bad day. He is the Cal Ripken of law professors.

When I served as Editor in Chief of the *Law Review* in 1995, we dedicated an issue to Professor Buchanan in honor of his twenty-five years of service as a faculty advisor for the *Review*. We began the issue with a tribute that read:

Since its inception thirty-two years ago, numerous students, faculty, and practicing lawyers have helped shape the Houston Law Review. None, however, has impacted the direction, focus, and success of the Review more than Professor G. Sidney Buchanan.

In 1970, with just seven volumes under its belt, the Houston Law Review stood poised to become a respected and widely referenced legal journal. It was in that year that Professor Buchanan was selected to become the Review's lone faculty advisor. Based on his even temperament, open mind, and experience as an editor on the Michigan Law Review, Professor Buchanan seemed the perfect choice. Few could have fully realized the quality, wisdom, and endurance of their selection.

For a quarter of a century, Professor Buchanan has provided astute counsel, practical guidance, and emotional support to nearly 1000 law review students comprising 25

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\* Robert Sergesketter graduated from the University of Houston Law Center in 1995. He is Corporate Counsel to Apache Corporation.

editorial boards. His untiring and consistent service to the Houston Law Review has proved invaluable. For this, we pay tribute to Professor Buchanan and dedicate this issue in his honor.<sup>1</sup>

I find it quite amazing that Professor Buchanan has served the *Law Review* and hundreds more editors for nearly another decade since I wrote that tribute. It is with a sense of honor and admiration that I write this latest tribute in recognition of a man who has given so much—and meant so much—to literally thousands of students who were fortunate enough to have studied under him. He truly is one of the great law professors in our school's proud history. As difficult as it is to imagine, perhaps it is time for Sidney to pass the torch to a younger group of professors who are just now embarking on what most certainly will be distinguished careers. Let us hope that torch continues to burn as bright as it did during every day of the more than thirty years that Sidney carried it.

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1. *A Tribute to Professor G. Sidney Buchanan*, 32 HOUS. L. REV. 1 (1995).

## A TRUE TEACHER, WHO WILL BE MISSED

*Tony Buzbee, Board 34\**

When I was asked to discuss my reflections and thoughts about my law school days with Professor G. Sidney Buchanan, many fond memories came to mind. I feel truly privileged to have studied under such a remarkable and talented man. Professor Buchanan has a zest for teaching that clearly shows in his day-to-day teaching. It is evident that he believes that each student should be judged by his or her own merits, not by age, sex, or social class. Professor Buchanan led the way in redefining the goals of a law school education and inspiring students to take an individual approach to their studies. He also believes in taking an individual approach to teaching. Throughout my law school career, I can honestly say that he was the only professor I had that sang aloud in class. I am not talking about humming silently in class or tapping out a tune with his fingers on the desk, but rather singing choruses out loud, unafraid of what other students or faculty might think. In such a serious forum as law school, he was, and still is, not scared to take a chance with his teaching style or to break the stuffy professor stereotype. His classes were refreshing and taught me to grasp life and break from the norm. His singing, although unconventional, brought the lessons home—and we all learned.

I also remember that Professor Buchanan's door was always open for students—he was accessible. His mind was always open for new thoughts and new ideas. When you talked to him, he really listened. I always enjoyed being able to go to his class and openly talk and debate different subjects. He was always curious to learn his students' thoughts and motivations, always teaching them to strive to reach for more knowledge. Professor Buchanan's focus and drive for teaching is amazing. He is smart, energetic, and entertaining, and he is incredibly attentive to students' needs and interests. He cares about the currency and applicability of what he teaches. He has passion and compassion. He was a true teacher in every sense of the word.

Education is a noble profession, and a man who fills the measure of a proficient and meticulous educator is a valuable factor in our society. Professor Buchanan's retirement will leave a void at the University of Houston Law Center, and it is

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\* Tony Buzbee graduated from the University of Houston Law Center in 1997. He is the Managing Partner of The Buzbee Law Firm.

unfortunate that future students will not have the honor of knowing him and learning from him. I wish him well in his retirement, and I know that he has a long life ahead. I consider myself lucky to be one of the many students who can say I will always consider Professor Buchanan to be my teacher, advisor, and friend.

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## A SWAN SONG

*Andrew M. Miller, Board 40\**

I can unequivocally proclaim that although I never took a class from Professor Buchanan during my years at the University of Houston Law Center, I learned more from him about being an attorney than any substantive course could ever have taught. In a legal academic world in which the Socratic method has created an arena for increasing intimidation and distress among burgeoning law students, Professor Buchanan makes it known from the moment you meet him that such feelings have no place in his presence. What is most remarkable is that he does so in an unassuming and comforting manner that belies the domineering and legendary law school characters forever captured by *The Paper Chase's* Professor Kingsfield. He accomplishes these things by embracing the underlying good in those he encounters and taking the time and measures necessary to bring out the best in them.

I liked Professor Buchanan the instant I met him. He spoke to me not as a superior, but as a colleague genuinely interested in hearing what I had to say while engaging me further as to why I said it. What was initially inspiring about Professor Buchanan was that he did not expect his views to be mine nor did I occupy a lesser position for having beliefs that differed from his. I never felt as if I had to present myself in any manner other than simply who I was. That was always good enough for him. And for all the time I was privileged to work with Professor Buchanan in his capacity as a *Houston Law Review* advisor, a position he served with excellence for over thirty years, I came to respect him for the tremendous encouragement and dedication he offered to the countless, tireless members of the *Review*.

What is more telling is that I am but one small voice expressing such adulation for Professor Buchanan. My fellow students hold the highest regard for both his intellectual honesty and the often undeserved respect he extends to every one of us. Of course, most of my classmates enjoyed the playful songs Professor Buchanan became famous for sharing with his students in his attempt to make the often dry and unpalatable law school subjects we all studied spring to life. While he is remarkably

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\* Law Clerk to the Honorable Harold R. DeMoss, Jr., United States Court of Appeals for the Fifth Circuit; Editor in Chief, *Houston Law Review*; J.D., University of Houston Law Center.

successful in achieving a sense of levity with his lyrics and prose, it is his approach in other aspects of his teachings that leaves the most impressionable mark upon me.

The moral and ethical duties a lawyer must adhere to are taught as part of the required curriculum in every law school. And while becoming familiar with these rules is certainly important, I strongly believe that every new attorney should take a step further. While we are all very capable of *learning* the law, not everyone is able to properly *practice* the law. As part of being successful in the practice of law, I would suggest it is axiomatic that a strong moral foundation is required. And although most of us have been raised such that we can appreciate the difference between right and wrong, within the context of being a practicing attorney, there are still more resources at our disposal. One such resource is our mentors. Selecting a mentor is a delicate and extraordinarily important decision. While a mentor's professional achievement is certainly a powerful consideration, the manner in which that achievement is garnered is exceedingly more so. We have so much to gain by identifying and emulating an individual who embodies the traits that define honesty and truth in character. Professor Buchanan is such an individual.

Intellectually honest and true to his beliefs, Professor Buchanan has represented for me the moral and ethical foundation upon which I will build my career as an attorney. I cannot forget the abundance of patience he has demonstrated nor can I forget the innumerable lessons he has taught outside of the boundaries of the classroom. And for that I thank him.

My reaction when I first heard that Professor Buchanan was beginning his slow retreat from the teaching profession was one of quiet acknowledgement. I understand, as much as I can, that Professor Buchanan has accomplished so much in his own life while touching so many more. And although it is disappointing to imagine that future students will not have the opportunity to learn all that is available from this man, I am comforted in the knowledge that there are generations of people now in the world who have had the chance to better themselves simply by knowing him. Whatever recognition and praise he has and will continue to receive is simply not enough for all his years of service to the Law Center and its students.

As a final note, while most students will remember Professor Buchanan for his wildly creative legal lyrics set to classic musical scores, I will always remember him for his dedication to reaching out to students lucky enough to be within his grasp and exploring with them the wonderfully

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exhilarating and oftentimes traumatizing journey of learning the law. There could be no better mentor to guide the way.