



Oral History Interview of David Sargent (OH-016)

Moakley Archive and Institute

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Oral History Interview of David J. Sargent

Interview Date: September 16, 2003

Interviewed by: Robert Allison, Suffolk University History Professor and Joseph McEttrick, Suffolk University Law School Professor

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Interview Summary

David J. Sargent is a graduate of Suffolk Law School (class of 1954), former professor (1956-1972), former law school dean (1972-1989), and current president of Suffolk University (1989-present). In this interview he talks about Suffolk University and Suffolk alumnus Congressman John Joseph Moakley. His interview covers how he first met Congressman Moakley; how Suffolk University has changed since 1954; Mr. Sargent's work in the legal field; Congressman Moakley's involvement as a member of the Suffolk University Board of Trustees; and Congressman Moakley's legacy.

Subject Headings

Boston (Mass.)

Moakley, John Joseph, 1927-2001

Sargent, David J.

Suffolk University

Suffolk University Law School

Table of Contents

Meeting Congressman Moakley

p. 3 (00:02)



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Oral History Interview of David Sargent (OH-016)

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Suffolk University Law School	p. 4 (01:20)
Mr. Sargent's work in the legal field	p. 6 (06:33)
Changes at Suffolk University (1954-present)	p. 7 (09:53)
Congressman Moakley's service to Suffolk University	p. 8 (12:59)
Congressman Moakley's legacy	p. 10 (18:45)

Interview transcript begins on next page

This interview took place on Tuesday, September 16, 2003, at Suffolk University Law School,
120 Tremont Street, Boston, MA.

Interview Transcript

PROFESSOR JOSEPH McETTRICK: It's Tuesday, September 16, 2003, and this is an interview with David J. Sargent, president of Suffolk University, with Professor Bob Allison and Professor Joe McEttrick.

PROFESSOR ROBERT ALLISON: Well, thank you for being with us today.

PRESIDENT DAVID J. SARGENT: My pleasure.

ALLISON: We would like to find out a little bit more about your relationship with Joe Moakley, if you remember when you first met him and his involvement with the university.

SARGENT: I first met him forty-seven or -eight years ago this month when he was a senior student in the law school and I was teaching my very first semester of classes. And I remember the occasion very well.

McETTRICK: And was that the trusts course that you had then, Dave?

SARGENT: I was teaching trusts, which was then a senior course, and the bottom line of all of that was that I gave four failing grades. And they were all either state senators or state representatives, including Joe Moakley. (laughter)

ALLISON: So he got a failing grade in class?

SARGENT: Joe got a failing grade from me. We have laughed about that many times over the years, much more in the later years than we did in the early years. (laughter)

McETTRICK: Could you set the scene a little bit for us in terms of your own connection with Suffolk University and Suffolk University Law School, and what the school was like in the 1950s in terms of size and the building, and who was going to law school?

SARGENT: The entire university was located in one building, now called the Archer Building,¹ all of the faculty and all of the students. It was a small fraction of the number that we now have. In the day division, in those years, I recall we admitted twenty-six full-time day students and graduated, from those twenty-six, thirteen. And in the evening division it was somewhat more than that. We probably brought in sixty-five or seventy and graduated thirty-five or forty.

McETTRICK: And you were graduated from the law school yourself in 1954?

SARGENT: Right, just two years before I started teaching.

McETTRICK: And so what brought you to law school, and did you go in the day or at night?

SARGENT: I went to law school because a lifeguard who was serving with me went to Suffolk and thought it was a great school. And so when it came time for me to consider where to go to law school, I applied and was accepted at Suffolk.

ALLISON: Where were you a lifeguard?

SARGENT: In New Hampshire, where I met my wife on the beach fifty-three years ago.

McETTRICK: Now did you attend law school in the day or in the evening?

SARGENT: I went in the day, and I graduated the year that the school was ABA [American Bar Association] approved.

¹ Suffolk University's Archer Building is located at 20 Derne Street in Boston.

ALLISON: So there was a transition from the old Gleason Archer [the founder of Suffolk University] method of teaching to the case method, I understand, at that time?

SARGENT: That had really occurred before my day. The method of teaching in my time was pretty standardized, and that resulted from the fact that Frank Lesley Simpson² was passed over for dean at BU [Boston University] in favor of the president's son-in-law. He was the heir apparent, Frank Simpson was, and he was a full-time member of their faculty and a very prominent member of the legal profession. And so he came to Suffolk and brought with him a number of people from the BU faculty. So the days of teaching as Archer had done—and they were pretty effective ways for the time—had already come and gone before I arrived at Suffolk. It was a pretty traditional casebook approach.

ALLISON: And about how many would be in a typical class when you were studying?

SARGENT: In my class, in the day division—and I was in the transition; when I arrived at the school it was not ABA-approved and when I graduated, it was. So admissions standards increased dramatically. So when I describe the twenty-six entering freshmen and graduating thirteen, that was after ABA approval. So when I came in there were probably seventy-five or eighty in my day division entering class, and we graduated forty-five or fifty of those.

McETTRICK: So was Frank Simpson dean when you were a student or was that subsequent?

SARGENT: He was the dean when I entered and he had some problem with the board of trustees and departed. And in my senior year, John F. X. O'Brien³ was the acting dean.

McETTRICK: Right. And then Fred McDermott⁴ became dean?

² Frank Simpson was dean of the law school from 1942 to 1952.

³ John F. X. O'Brien was a member of Suffolk's law school faculty from 1948 to 1976 and served as dean of the law school from 1952 to 1956.

⁴ Frederick J. McDermott (d. 1964) was dean of the law school from 1956 to 1964.

SARGENT: And then Fred McDermott became the regular dean in my first year of full-time teaching.

McETTRICK: Because by the time I arrived at the school I think Don Simpson⁵ was dean. And I don't know how long he had served as dean because it was 1972, I think, was the last year that he had served as dean. But I don't know when he came to this school.

SARGENT: Don Simpson had an interesting history as the son of the former dean. And physically, Frank Simpson was a giant, and he was in the legal profession as well; argued a tremendous number of cases before the SJC [Supreme Judicial Court] and was really a greatly revered person. And Donald had some problems being in the shadows of his father and working for his father. And he stayed at the law school for maybe fifteen or twenty years at exactly the same salary that he had the day he arrived, which was six thousand dollars a year.

McETTRICK: So after Joe Moakley left the school, did you have much contact with him initially or did you keep in touch with him?

SARGENT: Not initially; I'm not sure that he was terribly happy at that time with the grade that I had given him. But we really didn't have any contact. But then I became involved with representing both the Massachusetts Bar, where I served for a number of years as chairman of the Committee on Trial Practice, and representing the American Trial Lawyers Association. So in that capacity I had a lot of contacts with him and all kinds of lawyers in the legislature. So that's really where I got to know him fairly well.

ALLISON: So you remembered the F he had gotten in trusts?

SARGENT: We didn't talk about that a whole lot in those days; that kind of went unanswered.

McETTRICK: Now was this the period that you did work with the trial lawyers on the so-called tort reform proposals and no-fault insurance?

⁵ Donald Simpson, the son of Frank Simpson, was dean of the law school from 1964 to 1972.

SARGENT: That was among them, certainly including Mike Dukakis⁶ who was a pretty obscure state representative, and in the course of our activities, became governor. But it included a lot of other things, too, including medical malpractice. You may want to lump that under court reform or tort reform but it was broader than just automobile tort reform.

McETTRICK: We did our homework, because we did look at the website and look at some of the items you had listed: Chairman, Massachusetts Supreme Judicial Court, Commission on the Future of the Courts is mentioned. And I think there's some other bar activities. But the [Massachusetts] Bar Association Committee on Trial Practice and the Chief Justice's Committee on Court Reform— what were the issues that they got into, and were those some of the things that you were at the state house on and had contact with Joe Moakley?

SARGENT: They involved all kinds of things, including limitations on damages in products liability cases, abolishing the right to sue in so-called small automobile accidents. Eliminating liability altogether was proposed in medical malpractice cases, or at least putting a cap on them so that it would become financially unfeasible to pursue those remedies. All kinds of things of that nature occurred, including the setting up of screening panels for medical malpractice cases to go forward. And that was a stop-gap measure that I had proposed, and I was absolutely positive that it was unconstitutional because it was fee paying in order to get justice. But to this day, as you well know, they are still in existence. But that was really put up to buy some time in a very desperate situation.

McETTRICK: You know, what's interesting is we have done interviews about Joe Moakley and of course the progression of his role as a politician, and his career and his areas of interest. And you probably saw similar growth in the law school, and the changing nature of the law school in its role in the city. Could you tell us a little bit about that? I mean, from 1954 to present is a long time, a half a century. And how would you describe some of the highlights of

⁶ Michael S. Dukakis (1933-), a Democrat, served in the Massachusetts House of Representatives from 1962 to 1970, then as governor of Massachusetts from 1975 to 1979 and from 1983 to 1991. He was the Democratic presidential nominee in 1988, but lost the presidential election to Republican George H.W. Bush.

the development of the law school or development of Suffolk University? Because you've been at the center of it, really, for half a century.

SARGENT: It has changed so much and yet I hope it hasn't changed in one crucial way, of still providing an access for excellent education to people from all walks of life. And I don't think that change has occurred and I think we are steadfast to our mission in that respect. But we have changed from the point of view of being a very parochial school that attracted students from almost exclusively fifteen miles of the city of Boston. I came from New Hampshire and to the best of my knowledge, with one other exception—one student came from Rhode Island and I was from New Hampshire—we were the only two non-Massachusetts people in my class in the law school.

And we now, as you know, attract people from more than one hundred ten countries around the world. We are changing in that regard, more dramatically, perhaps, than in any other. The idea that we're "just a commuter school" was dispensed with quite a long time ago. We had many trustees who had as their motto "Suffolk will never have dormitories." And it took a long time but we now do have two very beautiful dormitories, much better than typical dorms at other institutions, and they are very well received.

And interestingly, although we did it to attract students from broader horizons, we have found that the typical commuter student wants to live in dormitories, as well. More than 90 percent of all of our applications in the undergraduate school want housing. We're not able to accommodate them—or at least in dormitory housing—but we do, through other off-campus housing, accommodate probably 80 percent of them, anyway.

ALLISON: Do you remember when Joe Moakley joined the board of trustees?

SARGENT: Very well.

ALLISON: And how did that come about?

SARGENT: Well, we had as our chairman Jim Linnehan,⁷ who was a classmate of Moakley's in law school, in that first class that I taught. And Linnehan and Moakley used to sit with one another in law school and became lifelong, truly best friends. And I got, through Linnehan, to know Moakley much better in the course of a number of years and found him to be a remarkably wonderful, practical, down-to-earth, sincere kind of guy.

And so when a vacancy developed on the board of trustees I proposed him, along with Linnehan, and it was overwhelmingly well received. We went to see Joe; he was thrilled with the idea and became a very highly respected and extremely valued member of the board.

ALLISON: Even though he was very proud of his connection with Suffolk University, was that a pride he felt between the time of graduating and joining the trustees? Did you have any encounters with him at alumni events, outside of the work you would do at the state house?

SARGENT: Most of my contacts with him were either of a legislative nature or political nature. He was a South Boston guy and both of us and Linnehan spent a lot of hours in either Jimmy's Harborside [Restaurant] or [Anthony's] Pier 4 [Restaurant], not always at the dining table. And we just had a wonderful time with each other. Joe had a marvelous sense of humor, loved to sing, and just the nicest, most sincere guy I ever knew in my life.

McETTRICK: You mentioned yourself that there were a number of people who were members of the legislature who were attending the law school, and that was really something of a tradition at one time. What was that like? I mean, if you could recreate for us how that would happen, that so many legislators wound up coming to law school while they were serving?

SARGENT: Well as you know, then the entire university was located in the Archer Building and they would literally, some of them, attend day school, not evening. And they would arrange their schedule as best they could and run back and forth. They'd come down the back stairs of the state house, and cross Derne Street, and run up one flight of stairs to where the law school

⁷ James F. Linnehan, Sr., was a classmate and close friend of Moakley's and is a member of Suffolk University's board of trustees. OH-065 in the John Joseph Moakley Oral History Project is an interview with Mr. Linnehan.

classrooms were, and attend class. And if there was an important vote, a messenger would show up and knock on the window of the classroom and the legislators would disappear. It didn't happen a lot, but it certainly did happen.

Al Cella,⁸ our beloved colleague on the faculty who was a state rep for a number of years, that's the way he went through. But literally, they would run down that stairwell from the third floor of the state house, cross Derne Street and up into the law school. It probably was less than a four-minute trip.

McETTRICK: Well I do remember thinking about Joe Moakley and Suffolk University, his help on the juvenile justice program, the juvenile justice grant that we received. Could you tell us a little about, really, that grant or other involvement that Joe had in helping with the development of the school, I guess particularly after you became president?

SARGENT: That's true. We approached Joe with regard to the proposal for the Criminal Justice Institute and some other fundraising things that we thought the government should be involved with. And in this one in particular, I can't say that he played a major role; he really played the only role. We did have some professional lobbyists working there and not to denigrate them, but rather to emphasize Joe's commitment. He took that ball and ran with it very, very successfully.

I think that grant totaled six and a half million dollars over a five-year period, and it simply would not have happened without Joe's involvement. He brought people to the school, showed them the school, what was going on—was very proud of it. And he knew which people to bring: the chairman of the Appropriations Committee of the U.S. House of Representatives, and people of that ilk. And that did more for us than all of the lobbying in the world.

McETTRICK: We've heard many people talk about Joe Moakley's legacy, both as a politician and as a member of the Massachusetts community. How do you see Joe Moakley's legacy?

⁸ Alexander Cella (1929-1993), Suffolk University Law School class of 1961, served two terms in the Massachusetts State House of Representatives before becoming a member of the law school faculty in 1971.

What contributions would you point to or what influences, assistance has he given to the community, not only to the law school but the city of Boston and the Commonwealth?

SARGENT: I really think he's had a more pronounced impact on average citizens in the city of Boston than probably any politician, mayor, U.S. senator or other congressman that I can think of. He was really phenomenal. Buildings are named for him almost wherever you turn. He was an incredibly popular person who never forgot where they came from. He had a wonderful common man's touch and was as beloved by his constituents as I think any politician ever was.

ALLISON: When we dedicated the Moakley exhibit⁹ back a year or so ago, Jim McGovern¹⁰ talked about going to see Joe Moakley when he was in his final hospitalization. And he was on the phone with a college president, trying to get someone into law school. Is that something that he would do at his—?

SARGENT: Oh, yes. Joe certainly knew better than anyone in the world how the game was played, and I don't know that it was necessarily me that he was calling, but it very well could have been. But it also could have been any number of other people because he did an awful lot of great things for a lot of schools.

ALLISON: I've spoken to a number of people who say the reason they're here is because of Joe Moakley. So he was always sending people to the university, or bringing people into the university?

SARGENT: He would find a man or a woman that he thought had exceptional talents or an incredibly bad streak of luck, but he still thought that there was promise there, diamond-in-the-rough kind of thing. And he would sell that to you until, one way or another, you agreed.

⁹ Prof. Allison is referring to the Moakley Archive and Institute exhibit *John Joseph Moakley: In Service to His Country*, which was on display at the Adams Gallery at Suffolk University Law School from November 28, 2001, to April 7, 2002.

¹⁰ James P. McGovern (1959-), a Democrat, has represented Massachusetts' Third Congressional District in the U.S. House of Representatives since 1997. He was a member of Moakley's congressional staff from 1982 to 1996.

McETTRICK: Can you tell us a little bit about how it is that we have a J. Joseph Moakley Law Library? What was Joe's reaction to that?

SARGENT: I think it was probably the greatest honor, in Joe's mind, that he ever received. He was dumfounded with the idea. But perhaps you'll recall, he said that he thought that he was extremely unworthy of it, because the only two places in law school that he never visited was the ladies' room and the library. And I think that's probably pretty close to the truth. He was not what we would all call a scholarly kind of person. Bright as can be, but he did not spend a lot of time studying.

McETTRICK: We interviewed Jeanne Hession¹¹ a few days ago, and she related the story that had been circulating, that Joe would explain how Jeanne Hession had gotten him through law school by recapitulating the class notes and helping him focus on the subjects when the time came.

SARGENT: Well I think that's an absolutely true story. Joe wasn't the only recipient, but those were days prior to Xerox, and she used to mimeograph her notes for a whole flock of people. And Jeanne was and is a very bright woman, and a scholar, and they are indebted to her for the rest of their lives. But certainly that contributed greatly to Joe's success. Unfortunately, I don't think she shared her trust notes with him. (laughter)

McETTRICK: Well Jeanne had related that, I guess it was at one particular occasion, she and Joe were having a cup of coffee over at Conda's in between classes. And I hadn't really thought much about Conda's until she had mentioned; it's one of those touch points that brings back an entirely different era. And she related one story of Joe being very solicitous for a person who was really out there on the sidewalk in the neighborhood, and wanted to make sure this person was cared for and so forth before they left. So it was a very human side of Joe.

¹¹ Jeanne Hession was a classmate and close friend of Moakley's and is a member of Suffolk University's board of trustees. OH-015 in the John Joseph Moakley Oral History Project is an interview with Ms. Hession.

SARGENT: And that's the kind of guy he was. His approach to government was kind of, one person at a time, and doing what you could, and reaching out and helping. And after awhile he'd accumulated hundreds of thousands, if not millions, of people that he really touched deeply.

McETTRICK: How do you think Suffolk affected Joe? I mean, he was there to get a law degree for a career purpose, but do you think that that became part of his persona as well, some of the principles and the values of the law school? Do you see those values played out in his career?

SARGENT: Oh, I think the Suffolk experience was very important to Joe. As you know, I think he got his undergraduate degree from the University of Miami. And I used to kid him about, "What's a poor kid from Southie [South Boston] doing at the University of Miami," which is another long story. But he related to Suffolk far more than certainly he did to Miami because these were people, in those days, who were all very, very much like himself. They were the first generation to go to school, sons and daughters of blue collar workers, extremely proud of their heritage which for most of them was Irish and Catholic. Suffolk was really a home for Joe; this was what everything was all about as far as he was concerned.

McETTRICK: When we interviewed Jeanne, when we turned off the camera, then she had several other anecdotes that she gave us about Joe Moakley, and it's very difficult to reach back and come forward with those moments until you've been really thinking about it for awhile. Is there anything along those lines that comes to mind? You know, moments when you really saw that aspect of Joe Moakley, of the helping with the single individual or that humanitarian gesture that he was noted for?

SARGENT: There was one. Someone came to me who had had some trouble and in fact been discharged by the army, a civilian employee working for the army. And he thought that he'd been discriminated against and unfairly treated. And I asked Joe if he would look into it, and he did. And this goes to show that although he had an incredible heart, he also was very practical. And he came back and told me that, "I don't know what the problem is with this guy, but there's something wrong because the army never fires anybody." (laughter) And if this guy was fired,

based on everything he could determine, he really deserved it. So you didn't just go to him with a sob story; he made his own determination as to the validity of it. And if it wasn't valid in his judgment, that was the end of it. And I was satisfied that the guy had had his day in court, and really was found wanting.

McETTRICK: We've been fortunate now to become a repository for Joe Moakley's papers; we've established the archives. And there's the Joe Moakley Institute that is doing fundraising and giving the academic scholarships. What are your hopes for the archives and the institution? As president, what do you see as the mission of the institute or the archives in the future?

SARGENT: I hope that they really will be used by people who are interested in good government and studying how people of modest means and without an organization can have a huge impact upon the lives of other Americans. I think that will happen. He is not a politician that is likely to be forgotten in the near or even long-term future. He was really a remarkable human being that, although he wasn't a perfect man by any stretch of the imagination, he certainly represented the best of us.

McETTRICK: Well I guess we always have to ask, are there other points that you really wanted to make, or other aspects of Joe that you wanted to bring to our attention? And we can only ask a few questions, but is there anything that you really wanted to bring to this interview? We've tried to be as thorough as we can, but—

SARGENT: Just the incredible nature of his humanity. For a person that was close with and worked intimately with some very, very powerful people, presidents and others, he was the same fifty years later as he was growing up in South Boston as a youth. Nothing about him—he learned a lot of things, but his demeanor never, ever changed. He had an earthiness to him and he could mingle with all kinds of people without batting an eye. But he never put on any airs with anyone, and never pretended to be anything different than exactly what he was: a poor kid, son of a longshoreman, grew up in a tough neighborhood. Went into the service underage, saw a lot of life, and saw a lot of wonderful things in people. And knew that the government had to help many of those people in order for them to reach the heights that they were capable of. So

the one thing that I would say about him that I will never forget is his great humbleness and humanity.

McETTRICK: Well we appreciate, Dave, your taking the time to recount some of your experiences with Joe Moakley, and so thank you very much for talking to us.

SARGENT: A fascinating guy.

ALLISON: Thank you.

McETTRICK: Thanks very much.

SARGENT: My pleasure!

END OF INTERVIEW