

FACULTY
TRIBUTE

A Friend and Colleague Remembers

PROFESSOR FRANK E. BOOKER, WHO WAS ACTIVELY INVOLVED IN NOTRE DAME'S LEGAL AID PROGRAMS FOR MOST OF HIS 26 YEARS AT THE LAW SCHOOL, DIED THIS PAST MAY 8 FROM A STROKE. THE SPRING 1997 ISSUE OF *NOTRE DAME LAWYER*, PUBLISHED IN APRIL, PAID TRIBUTE TO HIM ON THE OCCASION OF HIS RETIREMENT IN DECEMBER 1996 WITH A SERIES OF REMEMBRANCES BY HIS FORMER STUDENTS AND COLLEAGUES. IT IS FITTING, HOWEVER, THAT WE PAUSE TO REFLECT ON HIS PASSING IN THIS ISSUE, WHICH CONCENTRATES ON THE LEGAL AID PROGRAM OF WHICH HE WAS AN INTEGRAL PART FOR SO MANY YEARS.

FOLLOWING IS A TRIBUTE BY HIS FRIEND AND COLLEAGUE, NDLS PROFESSOR CHARLES E. RICE, READ AT PROFESSOR BOOKER'S FUNERAL IN EDWARDSBURG, MICHIGAN, ON MAY 10, 1997.



Tom Huckworth

F R A N K B O O K E R

To Barbara and the family, I know I speak for all of Frank's friends when I assure you of our concern and of our prayers for all of you, as well as for Frank. We pray that we, too, may be graced to live with the integrity and faith of Frank Booker. He had his priorities right: God, family and then everything else.

The last time I was in this church was at the Easter Vigil in 1990 when Frank was received into the Catholic Church, received the Body and Blood of Christ for the first time and was confirmed. I was privileged to be Frank's sponsor for the Sacrament of Confirmation. Frank took that sacrament very seriously. The new Catechism of the Catholic Church tells us that Confirmation "gives

BY CHARLES E. RICE, PROFESSOR OF LAW

us a special strength of the Holy Spirit to spread and defend the faith by word and action as true witnesses of Christ, to confess the name of Christ boldly, and never to be ashamed of the Cross" (No. 1303). Frank Booker lived that spirit long before he received the special grace of Confirmation. That spirit permeated every aspect of his life.

In his profession, Frank was a real lawyer; in terms not only of competence but also of his concern for the common good and those in need. I could relate to my own knowledge cases in which Frank undertook, on his own initiative and without fee, the criminal defense of unpopular and even despised defendants who otherwise would have been bereft of competent representation. Other Law School colleagues could tell similar stories. And Frank never once issued a press release on himself.

As a teacher, Frank was one of a kind. For a few years, he and I *were* the Torts Department. However, there was no doubt: Frank was the boss. He could teach more real law with a few comments on a Far Side cartoon than I could in an hour of filibustering. But Frank's main concern in teaching was never the subject but always the students. I have seen him go to remarkable lengths, at personal sacrifice, to help students with academic or personal problems or both. From their first day in law school, he regarded his students as colleagues in a learning experience. And Frank went out of his way to stay in touch with them after graduation and to work with them in many practical ways. Bill Kemp '76 J.D., for example, is with us today.

The circumstances of Frank's death reminded me in an oblique way of Frank's dedication to students and Notre Dame. When Frank was stricken, he was watching a boxing match on television. I don't know what fight it was. But it reminded me that, for close to 20 years, Frank and I were the ringside timers for the Bengal Bouts. I have to admit that he was the brains of the outfit. He was the only one who could be relied upon to count to 10, consecutively, under stress.

And he was much better than I at picking winners. Frank developed what he called Booker's Iron Law. Let me explain. In the bouts, we used two types of helmets,

both of them adequate. The older type protected the sides of the head and forehead. But the new version was comparatively huge. It protected not only the head, but much of the middle and lower parts of the face. Booker's Iron Law was: "The guy with the big helmet is going to lose." A hulking guy wearing the big helmet would enter the ring. And a scrawny guy with the old-style helmet would enter. Frank would point at him and say, "That man is going to win this match." "How do you know?" I would say. "Because," said Frank, "he does not care what happens to his face. He is probably crazy — crazy enough to win the fight." I would say, "You're crazy." But more often than not, he was right.

Frank helped with the Bengal Bouts, with his time and money, because he wanted to help both the student boxers and the poor in the Bengal Missions who receive the proceeds of the bouts. And again, he never sought credit for himself.

Frank Booker loved Notre Dame. And yet, he was vastly underappreciated by all of us there. Self-promotion was foreign to his nature. He had disdain for campus politics and for bureaucracies of whatever type — academic and otherwise. But he had unfailing gentility and kindness for all. He was the conscience of the faculty. In political and bureaucratic terms, Frank was not a mover and shaker. And he had no desire to be. But he moved hearts and he shook the assumptions of those who think that professional success can be achieved without competence or that justice can be achieved without God.

In 1979, Frank delivered to a conference at Notre Dame an address on "The Legalization of Killing for Private Convenience and the German Experience." It was a riveting comparative analysis of the depersonalization of human beings involved in legalized abortion, the Holocaust and racial oppression in this and other countries. I mention this because his address is worth reading, but especially because here, as elsewhere, Frank's bottom line was trust in God. He said, "Many are discouraged about this and about where we may wind up. . . . But I am not. . . . I tell you, my experience is trust God, seek his guidance, do not despair, and under God's guidance, we shall overcome again, as we

have before."

Frank Booker had the mind-set and faith of an early Christian. Trust in God was a persistent theme with Frank. He was familiar with a statement by Father Walter Ciszek, S.J., the American Jesuit who spent 23 years in Soviet prisons and the labor camps of Siberia. Father Ciszek, whose cause for beatification is under way, said, "God's will was not hidden somewhere 'out there' in the situations in which I found myself: the situations themselves were his will for me. What he wanted was for me to accept these situations as from his hands, to let go of the reins and place myself entirely at his disposal." What God wants is "an act of total trust," demanding "absolute faith: faith in God's existence, in his providence, in his concern for the minutest detail, in his power to sustain me, and in his love protecting me" (Walter Ciszek, S.J., *HE LEADETH ME* 88, 89, 1975).

Frank was of one mind with St. Maximilian Kolbe, the martyr of Auschwitz, who said, "God permits everything in view of a greater blessing" (St. Maximilian Kolbe, *WRITINGS* 1204, 935). This is the spirit in which we ought to approach the death of Frank Booker.

In this spirit Frank himself approached a great personal loss in the death of his mother, Eula Sherman Booker, in 1984. Frank, however, reacted with total faith that he would see her again. Tomorrow is Mother's Day. In our hope we trust that Frank and his mother are now together with Christ and Mary, his mother and ours. And we trust that we shall join them in God's own time.

Bishop Fulton J. Sheen, whose work Frank admired, wrote, "Death is meant to be our true birth, our beginning. Christianity, in contrast to paganism, always blesses her children's spiritual birth into eternity. . . . The world celebrates a birthday on the day a person is born to physical life; the Church celebrates it when a person is born to eternal life" (Fulton J. Sheen, *PEACE OF SOUL* 206-07, 1954). So it is, we pray, with Frank Booker.

And so we ask: Eternal rest grant unto him, O Lord, and let your perpetual light shine upon him. May his soul and the souls of all the faithful departed rest in peace. Amen.