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NANCY RHODEN: A TRIBUTE TO FRIENDSHIP AND IRREVERENT INTELLECT

SALLY BURNETT SHARP†

In a profession generously endowed with intellectual prowess, Nancy Rhoden had the quickest mind, the fiercest intellect I have ever encountered. I choose the word “fierce” with care, for there was a ferocious, and voracious, quality about Nancy’s mind. More to the point, it was this quality that drove her professionally. She garnered immense professional success, indeed even international acclaim, but not because she sought these things. They were simply by-products of her relentless, uncompromising intellect. In this sense, she was one of the truest scholars I have ever known. She was scrupulously (and fearlessly) honest, rigorously precise, almost always humorous, and, at all costs, avoided that which is trite or platitudinous. She was her own motivator, her own harshest critic, her only competitor. As a corollary, she was sometimes intimidating, but always an inspiration.

She shared her talents generously among her students, colleagues, and friends. These categories of persons overlapped greatly, however, because Nancy had a warmth, beauty, and wit that equalled, and softened, her formidable intellectual gifts. She was always approachable (her office door always open, the chair across from her desk almost always occupied), eager to learn and to teach, willing to help anyone struggling with ideas—all without a hint of the arrogance that so often accompanies professional stardom. Indeed, Nancy hated intellectual pretentiousness and was well known for bringing her withering intellect and wit down upon the heads of those who practiced such a dubious academic art. True to her Southern roots, she genuinely enjoyed people, without regard to title or distinction, the more eccentric the better. She made friends easily and was a loyal and fast, if sometimes demanding, friend in return. But she was never so demanding of others as she was of herself.

Above all, Nancy shared her wit with all. Not for a moment, even during those all too frequent times in the past year when she was in pain, did she lose her sense of humor. She was particularly gifted with the capacity to laugh at herself. She once spent months trying (unsuccessfully) to duplicate a muffin recipe from a New York deli (and, in defeat, once asked me if I thought Federal Express would “do” muffins). She taught the most intellectually demanding and morally searching courses in the curriculum, laboring over the selection of readings, blending the most challenging philosophical questions with bioethical issues—and called her classes “fluff law.” Some fluff. She agonized over her obstetric rounds at the hospital and concluded, shortly after *Webster v. Repro-*

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*ductive Health Services*¹—with the long sigh that many of us remember so well—that she dreaded having to write a book defending the right of pregnant women to take drugs. I will miss reading that book. I will, like so many others, miss Nancy. Not occasionally, but daily.

In a law school chronically short of office space, Nancy's office remains unoccupied. This is not by design, for anyone could have laid claim to the office. The unintentional symbolism is nonetheless powerful and appropriate. The space that Nancy filled, in our law school and in our hearts, remains empty. As a teacher, colleague, and above all as a friend, she remains irreplaceable.

1. 109 S. Ct. 3040, 3054-56 (1989) (plurality opinion) (suggesting that at least three Supreme Court justices would reevaluate the trimester system established in *Roe v. Wade*, 410 U.S. 113 (1973), allowing a heightened state interest in early prenatal care).