

TO PROFESSOR BEN DAVIS, MY BROTHER IN THE ACADEMY

*Jelani Jefferson Exum**

“Hey, Sister!” These words always warmed my heart as I sat in my office or walked down the halls at the University of Toledo College of Law. They meant that Prof. Ben Davis was nearby. Along with his familiar salutation he would nod or wave and we’d exchange pleasantries as we passed by one another. If this was one of his always-welcomed visits to my office, he’d sit and tell me a story with a chuckle. I never knew exactly what was coming, but I always knew it would be entertaining. Perhaps it would be a funny thought he had while working on an article, a tale of some mischief he raised at an International event, or a gem from the treasure trove of fascinating memories he has collected throughout the decades. Whatever was coming, it was always a pleasant break from the task I was working on at that moment. I miss those moments of Ben that I was fortunate to have during my 8 years at UT Law.

The first time I met Ben was in 2005 when I interviewed with Toledo at the teaching marking in Washington, DC. Ben was on the hiring team and I, like them, was finishing up a long day of interviews. We were all exhausted and had what can only be described as a punchy conversation filled with repeated reference to how tired we all were at that point. Ben led the pack with the humorous quips. I remember that he told me I should title my then-upcoming article about the Federal sentencing case, *U.S. v. Booker*, “Throw the Booker at ‘Em”, and he accompanied the suggestion with his signature hearty laugh. We all laughed. It stands out as my best memory during that time of interviewing for law teaching positions.

Ultimately, it was a fruitful session, and I got to see Ben again during my call-back interview in Toledo. I had dinner the evening before my visit to the school with Ben Davis and Beth Eisler. If you spent any time with Beth Eisler before she passed, then you would understand how amazing it was to dine with this duo. “Wise” would be a word I’d attribute to both of them. “Kind” is another. They both took me under their wings, and we talked, not only the ins and outs of Toledo, but the promises of an academic path. In their own ways, each promised to support me along the way in this career. And, in their own ways, they both did just that. I ended up declining an offer from Toledo Law that year, but the warmth and encouragement from Ben and Beth made a lasting impression on me.

I found my way back to Toledo Law when I joined the faculty there in 2011. The 8 years that I spent at UT are filled with memories of Ben’s encouragement,

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wisdom, courage, and humor. I consider Ben to be the consummate mentor. He was inspiring when he was trying to be, but also at times when I'm sure he wasn't even aware of how much he was uplifting me. I think of him as confident in his own skin (and T-Shirts!) and real in his convictions. I remember him walking out of a faculty meeting in protest and, while I'm sure some of my colleagues at the time were annoyed by his "antics", I swelled with pride. If Ben didn't think it was right, he was out. I admire that immensely.

Ben is generous with his words of motivation, and I hold those words dear. When I told him I was leaving Toledo, he told me to keep pushing and that I would go on to do big things. Just recently, when I was congratulating him on his retirement, he told me to own my greatness. When I think about continuing in this career for the next decade or so, I hope to have done at least some of what Ben has done. Fight for truth and justice, speak even when others may tire of listening, teach with passion, stand firm on principle, and do it all with an infectious sense of humor.

Ben, as you go on to collect more stories to share with those lucky enough to cross your path, I wish that all the lessons, laughter and support you've gifted to others will be showered upon you. I know that there are many fascinating exploits to come. I can't wait to hear about them. Thank you, Brother!