A Talent for Risk and Trust: A Tribute to Aryeh Neier

Rosa Brooks
Georgetown University Law Center, rosa.brooks@law.georgetown.edu

This paper can be downloaded free of charge from:
http://scholarship.law.georgetown.edu/facpub/1101

(forthcoming)
A Talent for Risk and Trust

A Tribute to Aryeh Neier

Aryeh Neier has a talent for risk and a talent for trust.

The first time I met Aryeh I was a bored child, glumly tagging along with my mother to a workshop at the New York Institute for the Humanities, where she was a fellow. I don’t think I was older than ten or eleven, but Aryeh introduced himself to me as gravely as if I were a visiting dignitary – an emissary from the far-off planet of childhood.

The second time I met Aryeh, I was twenty-five or so, and only a little bit wiser than I had been at ten. Gara LaMarche had just been lured away from Human Rights Watch, where I had been a law school intern, to run OSI’s new U.S. Programs Office. Gara hired me as a consultant, asking me to identify and interview experts who might suggest interesting new directions for the US Programs Office. I did so, then wrote several lengthy and enthusiastic memos, outlining numerous potential initiatives for OSI initiatives. Gara took me in to see Aryeh, who received me as gravely as he had fifteen years earlier. I babbled away. Aryeh nodded solemnly, and said little. I left convinced he thought I was young, foolish, and possibly insane.

But within a few weeks, I was meeting once again with Aryeh, this time at George Soros’s house in New Bedford. I felt as out of place as my battered little Toyota Tercel looked in George Soros’s driveway. I was so dazed by my surroundings – I was at a billionaire’s house! My dented little car was parked in a billionaire’s driveway! There were horses somewhere close by! There was a butler! – that I almost missed Aryeh’s suggestion that we go speak to George. (George! We were calling a billionaire “George”!)

“George,” said Aryeh, sounding rather disengaged, “I believe Rosa has some ideas you may find of interest.” He nodded to me. Cued, I babbled out an abbreviated version of my various memos. I don’t remember most of what I said, but I do remember at some point blurring out a suggestion that OSI create some sort of fund to help legal immigrants navigate the shoals of immigration reform.

“Mmmm,” said George. “I like this idea. How much money would you suggest we put into this fund?”
How much money? I knew how much my student loan payments came to, and I knew what it had recently cost to fix the ailing Tercel, but I most certainly did not know how much money it was reasonable for a billionaire to spend on immigrant advocacy programs. “Ah, maybe… five million?” I suggested, picking at random a number that seemed suitably large.

“A bit more, perhaps,” murmured Aryeh.

“Let’s say twenty,” George decided. “A fund of, let us say, twenty million dollars.”

“It will need a name,” Aryeh noted.

“Yes… a name.” George looked at me. “What shall we call this fund?”

I was flummoxed. I searched desperately for inspiration. “Maybe something to do with the Statue of Liberty? You know that Emma Lazarus poem?” Next thing I knew, I was quoting “The New Colossus.” Everyone knows the “huddled masses” bit, but most people don’t read the whole thing:

Not like the brazen giant of Greek fame,
      With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cries she
With silent lips. "Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!"

As poetry, it’s of dubious merit. But it still moves me. “So,” I concluded breathlessly, recitation complete, “we could call it the Golden Door Fund! Or the Mother of Exiles Fund!”

“Perhaps,” said Aryeh, rather drily, “We could simply call it the Emma Lazarus Fund.”


And this, to the best of my recollection, is how the Emma Lazarus Fund was born. It eventually became a $50 million fund, and I believe it did a great deal of good.

* * *
Most likely, neither the Emma Lazarus Fund nor a great many other programs would ever have come into existence had Aryeh Neier not exercised his twin talents for risk and trust. It didn’t bother him that I was young, that it was Gara LaMarche and not he who had hired me, that my foundation experience was nearly non-existent, or that I wanted George Soros to make multi-million dollar bets on politically unpopular causes. Aryeh heard me out, poked and prodded a bit to see if my ideas would hold up, and then he turned them into realities.

Working for Aryeh in those years was both wonderful and terrifying. Between 1996 and 2001, I worked on and off for Gara and Aryeh as a paid consultant. Later, I did some pro bono consulting, and later still, in 2006-7, I served as Aryeh’s Special Counsel (an undeserved title: I was essentially a fellow, working on my own writing).

Aryeh assigned me projects in a rather roundabout way, usually starting off with a slow, baffling anecdote or two about a country or issue that interested him. He would mention far-away events and people I’d never heard of, and I’d try not to look bewildered. Occasionally he would pause and ask if I knew so and so, the well-known Russian cinematographer, or the prominent Nigerian activist. “I know the name,” I’d say vaguely, hoping he wouldn’t press.

Then eventually, the assignment would emerge: “I’d like you to go to Indonesia and see whether there’s anything interesting we might do there.” Or “I believe it would be valuable for you to spend some time in Sierra Leone,” or “Perhaps you could do a little checking on some things in Gaza.”

There was rarely much more guidance than this. Those who have dealt with Aryeh professionally know his manner. Aryeh’s silences — of which more in a moment — could induce fits of prolonged babbling in his conversation partners, but they also tended to discourage the asking of silly questions. Matters of logistics, money and, for that matter, mission could seem astonishingly frivolous in Aryeh’s presence. I found it quite wonderful: he trusted me to figure it out, and to get it right. It was, for the same reason, quite terrifying. Why was he trusting me? What did I know? What if I got it all wrong?

But over and over, Aryeh took risks on me, and over and over, he trusted me and backed me. He backed me when I proposed peculiar new projects (micro-grants in Sierra Leone — some as small as $50 — for instance), and he repeatedly came through when I asked him for help. In 2000, when I needed to make ends meet while searching for an academic job, Aryeh put me on retainer as a consultant and sent me off to Russia, Ghana, Indonesia, Sierra Leone, Israel and Palestine. When I called him in 2003 to say that I was determined to travel to Iraq, and did he want me to look into anything while I was there, he immediately found something for me to do. When I needed to find a way to live in New York for a year, he called me “Special Counsel,” parked me in an office around the corner from him, and left me alone to write and think.

During that time, I was writing weekly columns for the Los Angeles Times and beginning to research and write about an issue that I continue to write about today, both in my
academic work and in columns for Foreign Policy: the complex topic of civil-military relations and the changing role of the military. I recall that in 2007, I organized a roundtable on civil-military relations at OSI. The guests included a two-star general who arrived in his dress uniform, resplendent with brass and ribbons. “This is not a sight I see very often in these halls,” commented Aryeh. But it was typical of Aryeh that – however bemused he might be—he was willing to give me space and time and willing to let me experiment with new ideas, without any insistence on an immediate pay-off.

He did this not only with me, of course, but with a great many other people as well. I would guess that his willingness to take risks and trust in people has launched or furthered hundreds of careers over the decades. I could not begin to name all the people whose lives he has shaped: most are people I don’t know. I’ll mention a couple of names, though. At my suggestion, Aryeh funded Tom Perriello, then a young law student at Yale, to spend a year in Sierra Leone keeping an eye on some OSI projects and helping a law school human rights clinic get off the ground. Tom later ran successfully for Congress, and he now runs the Center for American Progress’s political action wing. Aryeh was also happy to help fund a talented young woman at Harvard who had a book about genocide coming out: that was Samantha Power, pre-Pulitzer; she now serves as a senior official on President Obama’s National Security Staff.

* * *

Let me close by saying a few words about Aryeh’s famous lack of small talk, a subject that few tributes to Aryeh, serious or humorous, fail to address. Aryeh does not chat. He doesn’t enquire politely about the weather; he doesn’t idly pass the time of day. He does not babble or burble or prattle or gush. When he speaks, he speaks eloquently and sometimes brilliantly, but always… succinctly.

This can be disconcerting and intimidating— even off-putting— for some. Nearly everyone who has met Aryeh has a story of being reduced to near-hysterical panic by Aryeh’s failure to engage in ordinary small-talk.

Why Aryeh is so devoid of small talk is a much-discussed mystery amongst his colleagues and acquaintances. I don’t know the source of his famous silences, either, but when I think of Aryeh, I often think of a short passage in his book, Taking Liberties. In Taking Liberties, Aryeh manages to be about as impersonal as it is possible to be in a memoir, but he does offer one anecdote of his boyhood so understated it’s painful to read. After his family fled Hitler’s Berlin in 1939, two-year-old Aryeh was separated from his parents and his sister: “For eleven months,” he writes laconically, “I lived in a ‘hostel’ for refugee children, apart from my parents, where, I am told, I stopped speaking for a time.”

When I think of Aryeh’s silences, I always think of this passage. In some ways, Aryeh remains, in his mid-seventies, the little boy who stopped speaking. Perhaps he never really
learned to speak again. And this does not seem so inappropriate: in the face of war, cruelty, and prejudice, perhaps there is sometimes nothing that can be said.

But there is much that can be done. Aryeh’s silences never stopped him from acting with passion and conviction in the face of cruelty and injustice, and his disconcerting withdrawals never truly hid his fundamental warmth. Watch Aryeh with a small child, or with his wife, and the warmth is right there on the surface. Even in his silences and his rather halting conversation, his eyes often twinkle. Just a little – but enough.

* * *

Aryeh has plenty of blockbuster achievements to boast of. (For his friends and admirers to boast of, I should say, since I have never heard Aryeh boast). Executive Director of the ACLU, a founder and Executive Director of Human Rights Watch, first president of OSI: these are big deals. But in some ways, I suspect that it is the ripple effect of his countless small acts of trust that have had the most impact on the world: the hundreds of people whose work he funded at crucial moments, the people whose ideas he took seriously when no one else would, the people he introduced to others with whom they would go on to collaborate for years.

It’s almost ridiculous: meet someone interesting, meet someone working on any major national or international issue relating to human rights, humanitarian policy, rule of law, civil rights or criminal law, and if they’re even moderately progressive, odds are they’ve met Aryeh. Odds are, he funded them or published them or invited them to the conference or workshop that helped them make the crucial contacts that allowed their later success. Think of any major international criminal justice, civil rights or human rights institution that exists today, and the odds are, Aryeh helped shape it.

Perhaps I’m exaggerating, but if I am, the exaggeration is slight. Aryeh truly is someone whose willingness to go out on limbs has changed countless lives, and indeed the world. Perhaps the age of human rights would have come about without Aryeh’s help—but perhaps not. I have a feeling that if Aryeh had not been around, our world today would be a little bit colder, and a little but crueler.

These are loud achievements, from a very quiet man.