

WESTERN MICHIGAN UNIVERSITY THOMAS M. COOLEY LAW SCHOOL

FACULTY RESOLUTION REPUDIATING RACISM¹

WE, THE LAW-SCHOOL FACULTY, acknowledge the following truths:

- Our nation’s history is steeped in racial animus, racial prejudice, and the subjugation and enslavement of people of color;
- That legacy still manifests today in the disproportionate incarceration of persons of color; race-based disparities in health, income, political power, wealth, and education; and other forms of structural racism;
- Our legal system has contributed to systematic racism and has failed to uniformly hold accountable those who engage in vigilantism, violence, and racial oppression;
- These injustices have existed since the original sin of slavery and have been furthered by Jim Crow laws and the unequal treatment of Black Americans in our legal system;
- Black Americans and members of other systemically disempowered communities have been subjected to a long-standing pattern of brutality, excessive force, and brazen disregard of their rights and their lives;
- Ongoing tolerance of institutional racism has resulted in the killings of countless Black Americans and members of other systemically disempowered communities—some whose names are familiar, most who remain unknown;
- These manifestations of racial injustice breach the promise of equal justice under law and undermine the rule of law itself.

WE, THE LAW-SCHOOL FACULTY, find the following systemic changes to be essential:

¹ The Law School community acknowledges and adopts much of the work of the law-school faculties of Washington and Lee Law School, Penn State Dickinson Law School, and the University of Pittsburgh School of Law.

- Americans need to engage in peaceful protest and constructive acts to make a meaningful difference toward societal change;
- We must clear the path for more people of color to become lawyers and judges. To foster trust and understanding between the public and the judicial branch, people must see themselves, their experiences, and their backgrounds reflected in the bench and bar.
- Families affected by poverty must receive fairness and compassion, no matter their color. Our legal system must protect the disadvantaged and vulnerable. It must not abandon them to fend for themselves—or crush them beneath the system’s weight and complexity.
- Our legal systems must provide the platform for the poor and people of color to be heard through a collaborative model of justice, one that fosters legitimacy among those who might feel shut out; that informs and reforms those who might otherwise abuse power; and that promotes real, tangible conversations about our community’s most pressing needs and issues.

WE, THE LAW-SCHOOL FACULTY, are proud of this Law School’s long-standing commitment to diversity and inclusion in the legal profession; nevertheless, we find the following personal and institutional commitments to be essential:

- Our profession as lawyers, scholars, and educators requires that we call out racial injustice and continue the daily work of being anti-racist;
- Our role as mentors and colleagues compels us to address and empathize with the spectrum of emotions affecting our students, faculty, staff, alumni, and their families in response to racism and extrajudicial killings—whether pain, anger, frustration, grief, or depression;
- Our relative privilege compels us to act in solidarity, as steadfast allies, with those who are disempowered or marginalized by our nation’s racist structures;
- Our humanity obliges us to resist apathy, accepting nothing short of an institutional commitment to eradicating all forms of oppression;
- To further our duty to ensure access to justice and uphold the rule of law, we must innovate and champion efforts to reform our legal institutions;

- To ensure that the work of fairness and justice continues, we must elevate the role of implicit-bias training in our curriculum and educate ourselves about disproportionality and racial disparities in the justice system;
- Finally, as individuals, we must recognize that systemic racial injustice against Black Americans, and all people of color, is not an omnipresent specter that will inevitably persist. It is the collective product of each of our individual actions—every action, every day. It is only by carefully reflecting on our actions, taking individual responsibility for them, and constantly striving for better that we can address the shameful legacy we inherit. We call on every member of our legal community to reflect on this moment and ask how we may work together to eradicate racism.

WE, THE LAW-SCHOOL FACULTY, are a diverse body—yet, on the matter of racism, we speak with one voice.

BECAUSE OF THESE TRUTHS AND NECESSITIES, WE RESOLVE:

- to repudiate racism in all its forms;
- to acknowledge our continuing responsibility, individually and collectively, to identify, challenge, and condemn structural inequity, however it manifests;
- to hold ourselves accountable for the inward-focused and outward-facing work of dismantling the systems of oppression that perpetuate racial inequities in our society and community;
- to strive and learn as we teach and work, listening to and amplifying the voices of those who are marginalized.

WE FURTHER RESOLVE that this resolution be preserved in the records and minutes of the Western Michigan University Thomas M. Cooley Law School Faculty Conference and be prominently displayed on the Law School website.

Adopted by unanimous vote on July 7, 2020.