
MARSHALL'S LAW

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BLSA Weekend

Myra McKenzie, BLSA Vice President

As the semester draws to a close, we are excited to announce that plans for the 28th Annual BLSA Alumni Weekend are well under way. As projected, we have selected a theme and secured a speaker. The theme for this year's Weekend is: BLSA's Legal Legacy: Using the Past and the Present to Create a Network for the Future. This year we want to highlight the worth of using our Notre Dame connections to achieve our collective and individual career goals and to continue our efforts to aid in Black student recruitment and retention at the Law School. With that in mind, we began our keynote speaker search amidst Notre Dame alumni, and we are pleased to announce that this year's keynote speaker is **A.J. Cooper, Jr.**

Mr. Cooper is a 1968 graduate of the University of Notre Dame, and he is currently a partner at Cooper and Associates in Washington, D.C. He founded the Black American Law Students Association and the National Conference of Black Lawyers and is also a founding member of the Black Alumni

of Notre Dame.

The Weekend is scheduled for April 6th-8th, 2001, and some of the notable events are a panel discussion entitled, "Reaching Back to go Forward: The Value of Mentoring and Investing in Today's Youth," and a roundtable discussion entitled, "Beyond the Golden Dome: Life After Notre Dame." Also in keeping with our theme, we plan to honor the first Black graduate of the law school and have him in attendance.

We have planned a variety of activities, but we need your support. Last year, alumni attendance was very low and in an effort to improve attendance this year, we will be sending out registration materials well in advance so that you have time to plan accordingly. Additionally, we want to explicitly encourage all those who graduated five, ten, fifteen, twenty and twenty five years ago to attend and reunite with classmates. Finally, we are accepting nominations for our Alumnus of the Year Award and would love your suggestions. You may send your nominations to the Law School, care of BLSA or may e-mail them to me at mckenzie.5@nd.edu.

We are looking forward to a great year and a great Weekend. We would certainly appreciate your support and look forward to your presence in the spring.

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A Fond Farewell

Qiana Lillard, BLSA President

Greetings BLSA Family. As the holidays kick into full swing I hope the season brings you rest and good times. This year I am filled with mixed emotions. While I am excited and curious about the future, I can't help but be a little afraid and sad to leave the place I have called home for the past seven years. Through the good and bad times Notre Dame is where I have grown and learned so much that it is truly difficult at times to imagine what my life will be like away from here. But, university life is filled with transitions and it seems that while you're always meeting new people and building new relationships, at the same time you learn to say goodbye to people and places that make your Notre Dame experience magical. This year the NDLS family will be bidding a fond fare well to Rev. D. Reginald Whitt, O.P. who has accepted a teaching position with the University of St. Thomas School of Law in Minnesota.

Father Whitt first joined the faculty of the Notre Dame Law School as an associate professor in 1995. He earned his B.A. from Loyola College (Baltimore, Maryland) in 1970, his S.T.B. from the Pontifical Faculty of the Immaculate Conception (Washington, D.C.) in 1974, his J.D. from Duke University in 1982, where he won the moot court competition and served on the moot court board, and his J.C.D. from the Catholic University of America in 1996. At Notre Dame Father Whitt taught torts to first-year students, and the canon law of marriage and church law for church property. Those of us who had the pleasure of being taught by Fr. Whitt can recall many funny Fr. Whitt stories and moments dealing with our classmates' attempts to "challenge" his knowledge of the law.

In recent years Fr. Whitt has served as an advisor and mentor to BLSA. He is also a member of the Canon Law Society of America and served on its Civil Law

Committee (since 1995), a member of the Canon Law Committee of the Catholic Health Association for the United States, a board member of Exodus Ministries of Washington, D.C. (since 1996), and a member of Federalist Society (since 1987). He has been a member of the ABA (1982-95) and has served on the ABA's Committee on Church and State (1990-91). Our beloved advisor has also served on the board of directors of the National Black Catholic Clergy Caucus. His teaching career has included positions as a visiting instructor at Villanova University School of Law (1985-86), assistant professor of law at the University of Kentucky College of Law (1988-90) a senior lecturer in law at Duke University Law School (spring semester 1995). Fr. Whitt also worked as an associate with the Philadelphia law firm of Duane, Morris & Heckscher.

In a recent letter to the NDLS Community regarding his departure, Dean Patricia O'Hara said that Fr. Whitt "has made substantial contributions to all parts of our community in the five years that he has been with us. We will miss his abilities as a teacher in the classroom, his dedication as a scholar to the study of canon law, his learning and compassion and the many ways in which he has ministered to this community." While I am sad to see Fr. Whitt leave, I am sure that great things await him at his new home in Minnesota. **God's Blessings & Best Wishes Fr. Whitt. We'll Miss You.**

Qiana Lillard
ND '98 JD '01

Is Democracy Fair

Marcus Ellison, BLSA Member

Is Democracy Fair? Given the apparent inadequacies of our present electoral system this seems to be an appropriate question. When we block the will of the people because of an outmoded electoral, system that values the votes of "electors" over

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the votes of real people is Justice being served? If we disregard the true intent of the voters because of the inadequacies of our tabulation machines are we really honoring the truth?

Our founding fathers built this nation on the principle that all citizens should be able to participate in our political democracy equally. We premise this principle on the notion of a level playing field; in other words, each citizen should have the same say in the makeup of the democracy regardless of race, social status, or class.

In Florida George W. Bush is engaging in a systematic campaign to deny and delay the hand counting of ballots in areas that are not only disproportionately Democratic, but disproportionately minority and more specifically African-American. This is nothing less than an intentional oppression of the will of the people.

I say oppression because oppression exists when anything claims sovereignty over you and limits or prevents the exercise of your sovereign rights. This current system of legal oppression, though more refined, is not less unfair than the old policies of political disenfranchisement that were practiced against African Americans years ago through the usage of poll taxes and literacy tests.

Nearly thirty-five years ago, the passage of the Voting Rights Act put an end to such practices and secured for all African-Americans the right to vote. We were able to achieve this as a nation despite wide spread opposition from the likes of former President George H. Bush. Bush spent most of his unsuccessful 1964 Senate campaign against then Texas Democratic Senator Ralph Yarborough railing against the passage of the Civil Rights Act of 1964. I guess the apple does not fall very far from the tree.

George W. Bush's campaign to suppress the African-American vote in Florida is as insidious and unrepresentative of the will of the people as our electoral system was towards African Americans prior to the civil

rights movement. Is this really our idea of a fair democracy?

I say no. Until Florida restores the notions of fairness, justice, and equal treatment to its electoral process, and holds true to the maxim that every vote must count, our democracy must be judged an unfair form of government indeed.

The Search for the First

Tamona Bright, BLSA Secretary

At the beginning of the semester, my job as secretary included decorating the BLSA board. My roommate and I brain stormed and came up with a theme for the board: Bridging the Gap. On the board we decided to put a figure from the past and correspond that with a figure from the future. So we concluded it would be nice to have the first Black graduate's name and picture, if possible, on the board. But who was the first Black person to graduate from the law school?

I was certain that I could get an answer to this question with just a simple phone call. Well I called Qiana, the BLSA president, and she did not know. Then I called Dwight King, one of BLSA's advisors, and he did not know either, however, he suggested I call someone in the law school administration. Well I talked to about three other people that week that also did not know, but suggested that I talk to three professors who may have been here at the time the first black person *could* have graduated. Needless to say, this question became more complicated and to my surprise it was not quite that simple (and after about three months of searching, it's not getting any easier). Why is this a difficult question?

At the time the first Black person graduated from the law school, the law school did not keep record racial demographics. The only people in the law school who could attempt to give an answer to this question were three law professors who have been here for a considerable length of time. In even in

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asking them it was still a guessing game.

Pursuit of this historical fact became a guessing game, partly because whenever the professors would give me an answer, they would say *he may have been Black*, simply based on how the person looked. But we all know that Black people come in various shades, from dark to light. Why is *color* an issue? Because my closest estimate, from all the information I could gather, place the first Black graduate in the 1960s.

In the 1960s I am sure the law school climate was not the most conducive for Black students. Now I am not saying the first Black person to graduate should have been shouting at the top of his lungs, "I'm Black." But what I am saying, however, is that the law school should have taken some affirmative steps in identifying this person.

It is truly a shame, given the theme of BLSA weekend with its emphasis on connecting the past and the present, that no one, not any of the BLSA members, the law school administration or the University

Archives, knows definitively who the first Black graduate is. It would be nice to honor the first Black graduate at BLSA weekend, but how can we do this when we only have a hazy notion but no clear picture of who the First was. So the search continues...

Upcoming Events

MLK CELEBRATION*

VALENTINE'S DAY RAFFLE

2/14/2001

BLSA WEEKEND

4/6-8/2001

*To Be Determined

Correction: Last Year's BLSA Vice President, Elton Johnson's '01 name was inadvertently left off the membership roster. We apologize for the omission.

INTERESTED IN SUBMITTING AN ARTICLE TO MARSHALL'S LAW? CONTACT TAMONA BRIGHT VIA E-MAIL AT BRIGHT.4@nd.edu

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ADDRESS CORRECTION REQUESTED

Mailing Address Label