

Thursday, October 26, 2006

The "ghetto" party by UT law students: Some possible future leaders showing their true colors.

The news is so over-saturated, that sometimes I miss such important stories as the "ghetto" party hosted and attended earlier this month, off-campus, by some University of Texas law students. Cox News Service reports that photos from the party "showed the students holding 40-ounce bottles in brown paper bags and wearing Afro wigs, gold teeth and such gang-related attire as bandanas, according to students who saw the images. Some of the party-goers wore name tags with names such as 'Tanika' or 'Jesus' to play on a black or Hispanic stereotype, the students said. The photos are no longer online." The First Amendment fully protects the right to host and attend such a party, and also gives people the right to state their views about such a party, which I do here. Unfortunately, the legal community often has lagged too far behind in becoming more enlightened about race relations. For instance, bar association after bar association (including the American Bar Association, at least into the 1930's) barred black members right into this century. The University of Texas law school (until the Supreme Court forced integration in 1950) and the University of Maryland law school, to name just two, previously barred black law students, to the point that the late Justice Thurgood Marshall was ineligible to attend the University of Maryland law school, which sits in the same city where he grew up. Until Washington's Cosmos Club accepted women members in 1988 when faced with the prospects of discrimination litigation, high-powered male lawyers hob-nobbed there for lunch, with women entering only at a male member's invitation. The Brethren reported that former Chief Justice Earl Warren -- for all he did to benefit individual liberties -- still ate at a lunch club with his law clerks, that barred blacks. The list clearly goes on and on. Notice how party attendee and first-year law student Nick Transier -- who uploaded party photos to the Internet, but then removed them -- asserts "We had no intention by any measure to choose a group or class of people and make fun of them." How many times do we hear such excuses over actions that dehumanize others? Race relations problems are not limited to the legal community, of course. Nevertheless, since lawyers and judges often are at the forefront of racial justice issues, it is particularly troubling to see such attitudes persist by students attending one of the top-rated law schools. Graduates from top-ranked law schools have more professional opportunities -- including federal judicial clerkships and federal judicial positions; it is important to know what members of the legal community are doing or not doing about race relations. I am not one to advocate legal solutions to every social ill. I do very much favor shining the light on social ills, because such light-shining is necessary as part of solving the problems. The National Lawyers Guild and its United People of Color Caucus condemned as weak the UT law school administration's response to this matter, and demanded that the "University take more aggressive steps to educate students and adopt an anti-racist curriculum." Law school dean Larry Sager met with some of the party's attendees, stated his views about the party, and said no disciplinary action was planned. This activity is First Amendment-protected, so disciplinary action at this government-run law school would violate the First Amendment. Where to go from here, then? Minorities and women still continue to be underrepresented at law firms, including in the partnership ranks; the Supreme Court has only one woman justice; and the list goes on. The legal community needs to become color-blind, and this effort becomes all the more a challenge the more that an old boy network culture permeates so much of the legal community. Jon Katz

Posted by Jon Katz in Jon's news & views at 00:15