

Law Quadrangle (formerly Law Quad Notes)

Volume 50 | Number 1

Article 2

Fall 2007

A Message from the Dean

University of Michigan Law School

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Recommended Citation

University of Michigan Law School, *A Message from the Dean*, 50 *Law Quadrangle (formerly Law Quad Notes)* - (2007).

Available at: <https://repository.law.umich.edu/lqnotes/vol50/iss1/2>

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A message from Dean Caminker

On June 6 of this year, Professor Rich Friedman and I were honored to speak at the National Baseball Hall of Fame in Cooperstown, New York, as part of a symposium on baseball's legendary Branch Rickey. Rickey, you may know, was the Brooklyn Dodgers' president, general manager, and part-owner—and the man responsible for signing Jackie Robinson, who broke the modern game's color barrier in 1947. What you may not know is that Branch Rickey earned his J.D. at Michigan Law in 1911. Elsewhere in this issue (see story on page 8) Professor Friedman provides detail about Rickey's academic and athletic career here at the Law School and U-M, and his essay makes for fascinating reading.

My remarks at Cooperstown—an edited version of which follows—focused more on Rickey's attitudes toward race, attitudes that informed his decision to sign Jackie Robinson but were established long before. In researching those remarks, it was impossible to refrain from drawing parallels between then and now. For us at Michigan Law, race is a particularly timely topic since we've recently modified our admissions policy to comply with passage of the Michigan Civil Rights Initiative. The newly amended Michigan Constitution prohibits state and local government from discriminating against or granting preferential treatment to any individual or group based on race, sex, color, ethnicity, or national origin in the areas of public employment, public contracting, and public education.

Our challenge today is to act in full compliance with the law—as we do—yet strive for the kind of diversity in its broadest sense that we believe is essential to educating the next generation of lawyers and shaping the leaders who will in turn shape society. So how can we find ways, within the letter and spirit of the law, to encourage minorities to attend this great law school? And recognizing the dangers of a segregated society, how can we continue to work toward integrating our spaces for work, study, and even play without taking race into account?

It's clear there are no easy answers today, nor were there for Branch Rickey, but I find his humanity, intelligence, and courage inspiring. I hope something in this excerpt speaks similarly to you.

Evan Caminker



Excerpted from Dean Caminker's address at Cooperstown:

Of the University of Michigan Law School's many outstanding students—including three Supreme Court Justices and lawyers such as Clarence Darrow—perhaps none had a greater impact on American society, and the law, than Branch Rickey. In large part, Rickey's contributions to civil rights and social change are reflective of an institutional tradition and ethos that are at the core of Michigan Law. This tradition began within the first decade of the Law School's existence, when Gabriel Hargo, an African American, graduated from

the Law School in 1870, becoming only the second African American to graduate from any law school in the country.

While most elite law schools remained all-white, Michigan Law continued to enroll minority students all through its early decades. One in particular, Moses Fleetwood Walker, deserves special mention because he, not Jackie Robinson, was the first African American to become a major league baseball player. Walker attended Michigan Law in 1881-82 and played for Michigan's varsity baseball team before heading into organized baseball prior to

graduation. He joined the Toledo Blue Stockings in 1883 when that team was part of the Northwest League. In 1884, the Blue Stockings joined the American Association, considered by baseball historians to be the first "major league."

When Walker ended his career in 1889, he was the last black player in the league. By that time, the league's directors had agreed not to offer any new contracts to African Americans. This agreement established the color line that was not broken for 58 years, until Branch Rickey brought Jackie Robinson

to the Dodgers. So Michigan Law produced both the first and last black ballplayer in the 1880s and the baseball executive who ended racial exclusion in the 1940s.

From early on, Rickey, who had several African American classmates while in Law School, saw integration as the key to reducing animosity between the races and breaking down barriers for African Americans. In the mid-1950s, he gave a TV interview in which he said: “The greatest challenge to our country today, since the Civil War, is civil rights. It takes time to break down prejudice [and] discrimination. That’s what we don’t like. It’s the long delay. A hundred years is too long to give a man full rights on paper and not to give it to him in reality. That’s not characteristic of the work of a democracy. . . .”

Right around that time, in 1957, Rickey gave a speech in Atlanta that rhetorically foreshadowed Martin Luther King Jr.’s famous “I Have a Dream” speech. In it Rickey said: “America is more interested in the grace of a man’s swing, in the dexterity of his cutting a base, and his speed afoot, in his scientific body control, in his excellence as a competitor on the field. America, wide and broad, and in Atlanta, and in Georgia, will become instantly more interested in those marvelous, beautiful qualities than they are in the pigmentation of a man’s skin, or, indeed, in the last syllable of his name. Men are coming to be regarded as of value based upon

their merits, and God will hasten the day, when governors of our states will become sufficiently educated that they will respond to those views.”

Rickey’s views and actions also foreshadow the most recent of Michigan Law’s interventions in the project of racial integration. As you are probably aware, Michigan Law was recently sued over its affirmative action program in admissions. We at Michigan care first and foremost about our applicants’ academic credentials, but we also care about enrolling a student body that is diverse across a wide range of characteristics, including undergraduate major, work experience, leadership and entrepreneurial skills, geography, socioeconomic status, and also race. The Supreme Court of the United States held that our affirmative action program was fair and legal, fully consistent with the U.S. Constitution.

Indeed, Justice O’Connor’s opinion for the Court used language that sounds as though it could have been written by Branch Rickey. The Court said that diversity “promotes cross-racial understanding, helps to break down racial stereotypes, and enables [students] to better understand persons of different races. These benefits are important and laudable. . . .” The Supreme Court also noted that “diminishing the force of [racial] stereotypes is both a crucial part of the Law School’s mission, and one that it cannot accomplish with only token numbers of minority students. Just as growing up in a particular region or having particular professional experi-

ences is likely to affect an individual’s views, so too is one’s own, unique experience of being a racial minority in a society, like our own, in which race unfortunately still matters.” The Court concluded that: “Effective participation by members of all racial and ethnic groups in the civic life of our Nation is essential if the dream of one Nation, indivisible, is to be realized.”

Of course, affirmative action remains a very controversial concept, including among our alumni, and many people who support the goal of racially integrating higher education wish there were a race-blind way to do it. I have no idea what Branch Rickey’s view of affirmative action would be. But I am confident he would applaud the goal of making sure that whites and blacks can study and work together, as well as play sports together, so they can, in his words, become interested in their mutual “marvelous, beautiful qualities” rather than their “pigmentation of . . . skin.”

In conclusion, let me end where I began: of all the many outstanding graduates of the Law School over the past 150 years, I think Branch Rickey had a greater impact on American society than any other. And he did it by contributing to a project in which Michigan Law has long been engaged—the project of racial equality. He is deservedly celebrated, and I am honored by this opportunity to acknowledge his contributions to baseball, to the University of Michigan, and to the nation.