

Western New England Law Review

Volume 19 19 (1997)

Issue 1 *FIRST ANNUAL NORTHEASTERN
PEOPLE OF COLOR LEGAL SCHOLARSHIP
CONFERENCE*

Article 5

1-1-1997

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Recommended Citation

David Hall, *ADDRESS TO CONFERENCE: HAVE YOU FOUND YOUR VOICE AND DO YOU KNOW HOW TO KEEP IT?*, 19 W. New Eng. L. Rev. 67 (1997), <http://digitalcommons.law.wne.edu/lawreview/vol19/iss1/5>

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ADDRESS TO THE CONFERENCE
HAVE YOU FOUND YOUR VOICE, AND
DO YOU KNOW HOW TO KEEP IT?

DAVID HALL*

It is a pleasure to be here and to be invited to speak at this gathering. It is certainly a special opportunity any time I can talk with those who are members of the same craft, especially faculty members of color who are engaged in this enterprise of teaching law. More importantly, when I look around the room I see many familiar faces. When I reflect upon the experience that many of us have had, I feel blessed to be part of an enterprise that has so many creative and brilliant people who have enriched my life.

I have been asked to set the stage for a discussion that is about to occur concerning the tenure process. In reality, there is enough insight in this room that I will be very hard pressed to say anything that you do not already know, or have not already mastered. What I share with you is borne out of my personal experience as a professor and dean, and therefore will not apply to every individual situation. But there certainly have been some common and consistent ideas that have been very important to me on my tenure journey.

The quest for tenure is certainly a topic that is worthy of discussion. It is a goal that all of us in this profession strive to achieve. It can certainly, as many of us remember, consume much of the waking hours of untenured faculty members' lives as they move along the path. Before getting into some specific strategies and ideas about tenure, I would first like to share a few thoughts about our role as faculty members of color in the academy, and thus place the tenure process in its proper perspective. Therefore, the question that I want to ask, and which captures the theme of my presentation, is "Have You Found Your Voice, And Do You Know How To Keep It?"

Buried deep within the souls of people are messages that cap-

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ture the essence of their sojourn through life. These messages often remain untold because there are no willing and able messengers. There are none willing to dig deep to cultivate the soils of the soul and extract the diamonds that exist. These are not physical diamonds, but precious stories of triumph, valuable spiritual insights, powerful intellectual trends, and captivating visions for the future that are just waiting to be unearthed. Those within the culture, those closely associated with the story, who have the precious luxury to think, read, and reflect, have a special responsibility to explore the collective soul and tell the collective story of their people. In the academy, we are given that privilege and we come from cultures whose stories have not been fully told, and whose messages have not been completely shared with the world. Therefore, faculty members of color spread throughout the academy must understand that our union cannot be solely for our own personal survival and advancement. Our coming together must be to ensure that we keep the message alive; that we build intellectual frameworks that will allow the messages to grow and be preserved for future generations. One of the fringe benefits, I believe, of this cultural exploration that many of us are engaged in is that you will be able to tap into a reservoir of creativity. It is creativity that will allow us to become successful teachers and scholars. In the classroom we must certainly be well prepared and have mastered the subject matter that we are called to teach, but we must also be willing to bring new energy to some very old materials.

The process of learning and stimulating students is not static. We must constantly think about what people learn, and what we teach them must be made more interesting. Being creative certainly has its risks, and one must be careful about innovative teaching gimmicks. Yet, the teachers who we fondly remember from high school or college had already found and perfected their voices. They were not carbon copies of other teachers. They were inspiring because of their special and unique ways of teaching. They were special because we knew they cared passionately about their craft. The same is true with scholarship. You must immerse yourself in the topic you are writing about, not only because you want to cite all of the proper authorities, but so you can find your own voice in the process. The serious scholarship which can make us feel good about ourselves, and feel worthy of this privileged status, must be viewed as an act of "giving birth." We must carry and nurture these ideas for months, allow them to develop inside of us, labor over them, and then bring them into existence. The role of the scholar,

like the role of the mother, is extremely important and precious. Both must realize that the idea, the life, has a purpose and meaning that transcends their individual roles.

This may sound melodramatic, but I believe that only if we approach scholarship from this angle will it have meaning that supersedes the tenure process. If you are writing for tenure then you are writing in vain. If you are writing because there is a voice inside these ideas, conceived in your intellectual and spiritual womb, that must come to life, then you will not only be a successful scholar, but you will find meaning in life through your work. So when we look at our roles and we examine the tenure process through this lens, we know the quest is never an individual one. Just as a faculty makes hiring decisions based on the collective needs of the institution, we must support each other because of our collective desire to protect and preserve the voices and the gems of our various cultures. Therefore tenure must not be something that we seek; it must be the recognition that we acquire because of our natural movement towards excellence and creativity. If it is the defining goal in our professional life, then we will certainly be unfulfilled once we attain it. Tenure is not an end. It is just a means; a means through which we position the story so that it is harder for others to silence.

What is the voice and where can it be heard? The voice to me is that unique perspective that we bring to the study of law. It is the place from which we feel the most comfortable, the place from which we launch intellectual and cultural missiles; not to destroy others, but to let them know that there are other planets in the solar system of law that are not yet fully discovered. The voice can be heard in the classroom as well as through our scholarship. Our voices must be heard through the life we live and the way we go about counseling students. The voice must be a part of intellectual policy and it must be reflected in the ways in which we carry ourselves. The voice is not just simply a matter of talking black or talking Asian or Latino. The voice is having the freedom to be ourselves, regardless of the area of law in which we choose to write and teach. Finding our voice allows us to bring our cultural and spiritual insights to the academic enterprise. For the successful teacher, the memorable scholar, and the convincing advocate are always those who have found their voice; those who have found a passion and are on fire. Because there are those in the academy who may not like the voice that we have found, and since the standards by which the academy determines which voices can permanently be

heard are often elusive, there must be strategies that one employs. There are factors to which we should be sensitive, and these factors can help preserve our voices.

I would like to share with you a few things that may be general in nature, but still should be considered. These are guidelines that I believe each of us, in our institutions, must strive to adopt, if they are not already in place. Certainly, those who are untenured should pay close attention to these factors.

1. There must be clarity concerning tenure rules. Each school should have a written tenure policy which you should read. More importantly, there should be great clarity around what it means and how it is employed. We must pay special attention to make sure we explore those unwritten policies and expectations, as well as the written. Pursuing tenure is something that you never want to do in the dark.
2. Develop a tenure plan. If your institution does not have a tenure plan process which lays out expectations early on and with faculty approval, then you should strive to have such a process. Or, if the institution is not willing to do that, then you should still take the time to chart out your future teaching and scholarship agenda, especially with regard to the teaching area, because you do not want to become a jack-of-all-trades and a master of none.
3. It is very, very important for those who are untenured to find, within their institution, formal or informal mentors. No one gets tenure in isolation. No one gets it without someone helping them in a very important way. And, ideally, I believe you would want that relationship to be formalized. If not, it is important to have some people around you with whom you can share your insights, and more importantly, those who will share their insights with you and ultimately be advocates on your behalf. In every tenure decision that I have participated in, there were some advocates in the room. They were advocates because they were familiar with the person, familiar with their work, and believed in the person and their work.
4. It is important for untenured faculty members to be sensitive to negotiating for release time so that they can do the scholarly work. The days of superman and superwoman are gone. You must find the quality time and space to do the important work that you are required to do. You should request that time from your dean. Write grant proposals to get it and try to buy out of it if you can afford to. Whatever you have to do, find that spe-

cial space where you are not teaching, where you are not on committees, so that you can devote some time to this intellectual enterprise.

5. It is important to find and cultivate a network of supporters outside of the institution who are familiar with your work outside. Excellent teachers and scholars do not operate in a vacuum. Your ideas and methods can be improved and enhanced by those who are doing the same thing, engaged in the same body of work. This also creates, I believe, a different level of appreciation for your work, and a different area and group of supporters for your task.
6. If you have some input in the selection of outside reviewers, be careful about those you put on your list. Do not assume that because the person writes in your field and is a scholar of color, that they will fairly evaluate your work. Use this network and other networks to insure that you have some confirmation of the reviewers perspectives.
7. Secure a good understanding of the expectations of your dean and the faculty committee on promotion and tenure before you launch your tenure process. I would encourage you to check in with them, especially the dean, on a consistent basis. Know each person's expectations. Know the committee's expectations as best as you can. Study that process the way a trial lawyer knows and studies a judge. We must use this network that we have to enhance each other's scholarship in the way that you have been doing this weekend. We must find those who can provide moral support as we strive to find our voice. Fortunately, for those of you who are just beginning the process, the landscape has changed. There are many individuals among us who have been in the profession and have risen to levels where they can effectively and fairly evaluate your work and be supporters for you. Many of them are in this room, and you must seek them out and benefit from the wisdom that they possess.

In conclusion, remember that the word in the dictionary located right above "tenure" is "tenuous." Despite all the gains we have made as law professors of color, our existence and presence in the academy is always tenuous, with or without tenure. It is tenuous not because we will lose our jobs, but because our voices can be marginalized and silenced if we are not careful. Unless we ultimately redefine what the academy is all about, our issues and concerns will remain peripheral matters in the academy. I have seen faculty members with tenure who are marginalized in their institu-

tions. Often it is because of the institution's insensitivity to them, but being fair, sometimes it is because that person never fully found his or her voice, or they failed to continue to redefine it, perfect it, or re-engineer it. The spark of creativity went out, and just having tenure did not automatically bring it back to life. So, continue to explore those "wells from whence cometh your creativity," and continue to look to the "hills from whence cometh your strength." Know that we should never give up our souls in exchange for a thing called tenure. Our ultimate self worth and value cannot be determined by a group of faculty members, a dean, and a provost. That worth can only come from within and above. We must not fear the tenure process, for it is written, "fear not them which kill the body, but are not able to kill the soul." If we nurture our individual and collective souls, if we strive to be excellent in all things we do, if we strive to care for and respect those whom we teach, and if we constantly tap into that reservoir of creativity, then we shall be granted the ultimate tenure which is peace of mind and self satisfaction. And that, my brothers and sisters, is an honor that no person can grant, and no institution can ever take away. Thank you.