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Deborah Johnson's Post

Diversity and "Defamation"

Posted by Deborah Johnson on 12/04/2015 at 09:57 AM

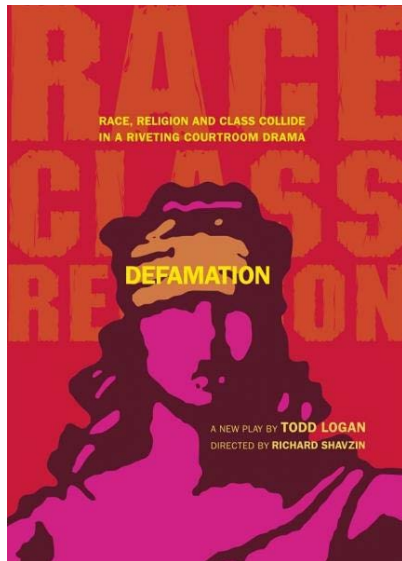


Over the past several years, RWU Law has made significant strides in increasing the diversity of its student body.

When I arrived here in February 2011, the percentage of students in the 2010 entering class who identified as a member of a racial or ethnic group traditionally underrepresented in the legal profession was 15%. That percentage has risen to 25% with the current 1L class and the racial and ethnic diversity of the overall student body stands at 23%. Indeed the law school's student body is more diverse today than it has ever been – more accurately reflecting the society in which we live and the diversity of the client population our students will soon represent. (I should note that, while this blog post focuses more on racial and ethnic diversity, our diversity also includes, among others, more LGBTQ students, more first-generation college and law students, greater religious diversity, more students born outside of the United States and/or whose first language is a language other than English, and more veterans.)

However, with this increase of racial and ethnic diversity, new challenges have emerged to promote greater inclusion for diverse students. With more diversity in the classroom, there is a desire by those traditionally underrepresented in the legal profession to have a greater voice in talking about, and more discussion around, issues that affect them and their communities. Students from all backgrounds are looking for opportunities to ask questions and share their perspectives on these issues and the law. Yet,

many are reluctant to have these conversations in class for fear of reprisal or of being misunderstood, misjudged and mislabeled.



In an effort to facilitate healthy dialogue around issues of race, class, gender, religion and beyond, earlier this month, we brought “[DEFAMATION – THE PLAY](#)” to the law school. DEFAMATION is a riveting, old-fashioned courtroom drama premised on a civil suit in which a South Side African-American woman sues a Jewish North Shore real estate developer for defamation. The legal issue is whether or not she was falsely accused of stealing his watch and was caused financial harm. While the play presents this legal issue, it also illuminates our common perceptions of race, class, gender, religion and the law and prompts us to think critically about these issues. The audience participates as jurors, hearing the evidence, deliberating and rendering a verdict at the end of the trial. [DEFAMATION playwright, Todd Logan has said about the play:](#)

“
Whether we like it or not, we still have major divides in this country. Most of us still go to bed at night in cities, communities and neighborhoods that are segregated by race, religion, ethnicity and/or class. I wanted to write a play that encourages open, honest conversation that leads to greater understanding and empathy to combat today’s prevailing trends.”

It would be naïve for us to think that the divides that exist in society are not in some way or another reflected in the law school. And even if they weren’t, our students will encounter them during their practice. Understanding the differences that exist among us and how they are impacted by the law, and

being able to talk about them in a meaningful way is one of the key skills every lawyer should have. Thus, we brought DEFAMATION to RWU Law to assist in this process of building our students' (and our own) cultural competencies.



DEFAMATION was highly engaging: well-written, brilliantly acted, provocative and challenging. I believe that all those in attendance were enriched by it in some way. The question of “why” we brought DEFAMATION to the law school and thought it was necessary and important for our students to attend was frequently asked. The answer to this question was best said by Dean Michael Yelnosky both before the show and in an email to students afterward. He explained:

“*The core mission of this institution is to prepare our students to be effective lawyers in today’s society. And that means that we need to prepare you for lawyering in an increasingly diverse country and world. That is one of the reasons why we recruit a diverse group of students, but that is not enough. We think that we also need to provide opportunities to talk about the sensitive issues that come along with diversity – issues like race, gender, sexual orientation, and religion – and to help you develop a language for those conversations.*”

“*Not talking about those issues is not an option – they are out there and they influence people’s perceptions and behavior – and it is certainly not an option for lawyers, who are the protectors of the fundamental American value of equal justice for all. Finally, these conversations are about another part of our mission – to create a healthy space for members of the law school community to talk honestly to each other about some of the most pressing issues of our time.*”

When I submitted a proposal for a University Inclusive Excellence Mini-Grant to support bringing DEFAMATION to campus (a mini-grant that was awarded and fully funded the performance), I wrote, “we are confident that DEFAMATION will assist the School of Law (and extended) community in having deeper and more meaningful conversations about issues related to diversity and our differences in a way that will make our students more culturally competent in general and better prepared to represent clients from diverse backgrounds.”

As I’ve had a chance to reflect during the few weeks since DEFAMATION was here, I am satisfied that this has happened. Several students began a conversation during the post-show dialogue (albeit, understandably, with some trepidation), which continued with additional students during this semester’s town hall meeting, and resulted in the formation of an “Exploring Equality Roundtable” series, which provides a less formal, but regular and somewhat structured opportunity for students, faculty and staff to discuss issues involving race, gender, religion, class, and sexual orientation vis-à-vis the law.

Our first roundtable was held two weeks after DEFAMATION and the turnout was strong. Though the discussion was uncomfortable at times, the students in the room wanted and were willing to have it. That’s what DEFAMATION set out to do – to stimulate open, honest and meaningful conversation about these very sensitive matters – and that is what it has done.

The road has not been an easy, direct or smooth one: not everyone thought having to see DEFAMATION was a great idea; not everyone wants to have the conversation about the various issues raised in the play; and not everyone thinks there is value in diversity and inclusion. But this will not stop our efforts and initiatives to recognize and highlight the diversity of our community, to focus on making our law school an inclusive environment that is and feels welcoming to all, and to prepare all of our students to be effective lawyers, which includes understanding how to best interact with clients, opposing and co-counsel, and judges with diverse backgrounds, experiences, and perspectives.

There is without question still so much work to do to get to the place of equality and equity in our legal system and our society. But DEFAMATION directly and indirectly helped us to take a significant step forward here at RWU Law. I don’t know if we’ll ever get this “diversity and inclusion thing” “right”– but I am encouraged by and proud of the work that we have been doing and am grateful for the commitment of those who are willing to be uncomfortable as we press forward and endeavor to do so.