

# An affirmative legacy at Rutgers Law

BY FRANK ASKIN

Willard Heckel would be thrilled.

Willard, was the dean of Rutgers Law School/Newark in the turbulent Sixties, when the largely African-American population of the city — along with minority communities all over the country — was seething over its exclusion from social and political power.

Willard became the guiding force in a movement which finally threw open the doors of the law school to large numbers of minority students who would become advocates for their communities' needs and take their places at the seats of power.

His vision became a reality in September 1968 with the admission of the first class under the Law School's Minority Student Program.

And this week the fruits of his passion were spectacularly illuminated when Robert Menendez, a Hispanic-American, Class of 1979, was sworn in as a U.S. senator from New Jersey; Zulima Farber, another Hispanic-American, class of 1974, was awaiting confirmation as New Jersey's attorney general; and Ronald Chen, an Asian-American, class of 1983, had been appointed the New Jersey public advocate.

All identify themselves as products of the Rutgers MSP, as do dozens of other prominent state and national public officials, such as Yvonne Smith Segars, class of 1984, an African-American who is the public defender of New Jersey.

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When I joined the law school faculty in the fall of 1966, following my graduation the previous spring, Willard was in his fourth year as Dean. He and his associate dean/admissions director and long-time roommate Malcolm Talbott were expressing great frustration over their inability to attract minority applicants to the school.

My own class included only three African-Americans and no other racial minorities. The incoming class was of a similar complexion. The New Jersey bar included fewer than 50 black lawyers. Hispanic and Asian attorneys were all-but non-existent.

Willard, a lifelong Newarker, who was both the chairman of Newark's War on Poverty and a pillar of the Presbyterian Church, considered it his Christian duty to repair the situation. But try as he might, he seemed unable to build a faculty consensus for reform of the admissions process.

Some faculty members questioned whether there was really any substantial number of minority students interested in attending law school. Others expressed concern that if we departed from traditional admissions standards we would dilute the intellectual quality of the student body.

But while the faculty fiddled, the community burned.

The urban riots in the summer of 1967 — includ-

ing in Newark — became the catalyst for change. Not only did Willard insist on throwing open the doors of the law school on University Avenue as the headquarters for (almost entirely white) lawyers who had volunteered to provide legal representation for the mainly African-American victims of the riot and its aftermath, he also vowed that the law school would become a training ground for a new generation of lawyers who would be able to represent their own communities.

Willard asked me, as the newest member of the faculty, to chair a committee that would devise a program that would bring about a transformation in the student body's racial composition. The process dragged on for the academic year, with the committee deadlocked and unable to overcome the usual arguments that we would bring in less-than-qualified students who would bring down academic standards.

But Willard would not take "no" for an answer. He insisted that we come up with a solution that could be implemented in the fall of 1968.

The roadblock was broken with a proposal that set a goal of recruiting 20 minority students for the Class of 1971 and 40 students

for succeeding classes. To avoid political fallout, it was agreed that the new students would be an addition to the student body and that no otherwise admissible students would be displaced. The plan was adopted unanimously by the faculty, although it seemed clear that some members believed that we would be unable to find 20 such students.

The doubters were proved wrong. We had no trouble admitting 20 qualified students in the first year and meeting our goals in subsequent years. One early discovery was that minority applicants would flock to an institution that set out a welcome mat and guaranteed a critical mass of people like them.

Although the MSP program has been revamped and revised in many ways over its 38 years of existence (and for the past 20 years has included non-minorities from disadvantaged backgrounds), Rutgers remains the most racially diverse law school in the country, other than the traditionally black institutions. It has graduated more than a thousand students of racial minority background, and in so doing spectacularly changed the face of the New Jersey bench and bar and substantially impacted their composition in neighboring states.

The success of the Rutgers' program encouraged many other law schools to emulate it, and no doubt influenced the U.S. Supreme Court to uphold similar affirmative-action programs in its decision last year in a case involving the University of Michigan School of Law.

Dean Heckel died in 1988, but his legacy clearly endures.

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