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## WMU Cooley Law School Commencement Address

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WMU Cooley Law School Commencement Address  
Earl Warren Class of 2017  
President John M. Dunn  
May 21, 2017  
(1-3 p.m. at MSU Auditorium)

- Good afternoon, President Le Duc, WMU Cooley Law Trustees, student speakers, deans and faculty, staff and graduates.
- Let me start by congratulating members of the 2017 class--the Earl Warren Class--of the Western Michigan University Cooley Law School. You did it. You are about to go into the world as attorneys and you will take with you diplomas that carry the names of two very special higher education institutions.
- The Washington Post has characterized this year's commencement speeches as "the defiant, the funny and the touching." I promise to do my best to live up to those three expectations. After watching some of this year's more celebrated addresses for some hints on how to do that, I can also promise you this. I will not be singing, "I Will Always Love You"--or anything else. (Will Farrell took care of that at University of Southern California.)
- 2017 has also been a time that has seen a resurgence of protests directed at commencement speakers, so I want to be careful while I'm here. At WMU ceremonies, I often invite our graduates to rise from their seats in front of the stage, turn to face the rest of the audience and offer their thanks to those who helped them succeed. I may not do that today, simply because I'd rather not share that news image of graduates with their backs turned to the speaker. So, while I won't ask you to rise and face your families, and friends, I will ask you to thank those who helped you achieve this moment with a round of applause now. You'll want to offer a more personal interaction after the ceremony.

## **The WMU-Cooley connection**

This is the first time I've had the honor of addressing a graduating class at the WMU Cooley Law School. WMU has been formally part of the Cooley identity since 2014 and a close partner for decades before that. Many of you graduating today may have been among the first students to enroll under the affiliation agreement that created the WMU Cooley Law School identity.

President Le Duc and I sat down for a videotaped interview on the day the WMU/Cooley affiliation became a reality. As is my habit, I reminded those listening that it was "a great day to be a Bronco." President Le Duc jumped in and concurred with my assessment that day noting it was the first day he'd ever been one--and that it was a proud day for both schools.

Since that day, we have proudly regarded you all as Broncos. We will continue to do so as we watch your progress well into the future.

It's a full three years since the affiliation became a reality, and I am often asked how it is going and why we thought it made sense for our large research university to pursue this strong tie with a private law school. The answer to that question is always an easy one for me. It makes sense this afternoon to share with all of you just how good a match this is.

- First, and most important, is the fact that our two schools share an important set of values and a commitment to being inclusive and providing opportunity to students with the drive to succeed. We take pride not in how many students we exclude, but in how many students with potential we serve by providing the support that will help them persevere and succeed.

- Second, this is one of the most diverse law schools in the United States--20th in the nation according to U.S. News & World Report. Diversity is a core value at WMU and this affiliation celebrates that fact. You may know that one of WMU's alumni is Dennis W. Archer, former mayor of Detroit, former member of the Michigan Supreme Court and former president of the American Bar Association. Dennis Archer was honored last summer when he was awarded the ABA Medal--the ABA's most prestigious award. In his acceptance speech at the medal ceremony he spoke of his work over the decades to diversify the legal profession, and he noted the support the ABA had provided. "Diversity is not just the right thing to do," Archer said. "It is now a business imperative if we want America to continue to be economically successful."

- Third, the WMU-Cooley affiliation is giving WMU the opportunity to leverage existing faculty and student research interests with this law school's expertise. The law school, in turn is able to take advantage of the strong research support infrastructure in place at WMU. A perfect example is the Cooley Innocence Project and WMU's related Wrongful Conviction effort. With support from our research office, Justice Department funding was secured to further the impact of both efforts.

Growing synergy between the two institutions, more opportunities for students from both schools and an increasing number of partnerships between the law school and individual academic disciplines at WMU mean we're just getting started. Every day, we're uncovering new ways to leverage the strengths that exist separately and in partnership. We know there is not a discipline at the University that does not have a legal dimension to it--from copyright law in creative writing

and advertising to privacy laws in health care and intellectual property rights for discovery in the sciences.

It's a good match. I should point out as a side note that the connection between Thomas M. Cooley and WMU's home community of Kalamazoo predates the birth of either of our institutions. Kalamazoo prides itself on being the Education City. That began in 1858 when the city became the first in the nation to offer free public education to students in elementary grades *and* high school, changing forever the landscape of public education in our country. The court ruling that made that possible was penned by Michigan Supreme Court Justice Thomas M. Cooley. I like to think of that event as a harbinger of great things that were to come.

### **The Warren Class**

- This is the Earl Warren class. You will always think of yourselves as a member of the Warren Class of 2017. It is part of your WMU Cooley identity and it's a name that invokes a period of big legal decisions that made a lasting impact on our nation. The Warren court outlawed segregation in public schools and transformed many areas of American law, especially regarding the rights of the accused, ending public school-sponsored prayers, and requiring "one man—one vote" rules of apportionment of election districts. He made the Supreme Court a power center on a more even basis with Congress and the Presidency, especially through four landmark decisions: *Brown v. Board of Education* (1954), *Gideon v. Wainwright* (1963), *Reynolds v. Sims* (1964), and *Miranda v. Arizona* (1966). I hope you--members of the Earl Warren Class--will have the opportunity in ways large and small to make your own mark on history. I suspect you will.

You graduate at an unusual time in our nation's history. This is a turbulent time in which we're seeing attempts to redefine time-tested values like free speech,

patriotism, civil rights and even the basic ethos upon which our country was founded. We need, more than ever, young people like you of diverse backgrounds and world views and with a deep understanding of the rule of law. You may play a role in re-establishing the shared narrative of who and what we are as a nation. The narrative is deeply intertwined with our laws. You will be on the front lines when it comes to defending those laws and polishing that narrative.

The need to understand our laws and their intent can arise out of the blue within any organization or attached to any initiative. I've learned that firsthand during my years in academia. Free speech issues, privacy rights, patents and intellectual property, constitutional authority and copyright questions are almost routine parts of a higher education administrator's job these days.

One of most memorable periods of my decade at WMU involved the 1st amendment and the free speech rights of speakers who were brought to our campus to explain why Muslims hated Christians. The not-so-subtle title of the speech by two self-described former Middle Eastern "terrorists" was "Why We Want to Kill You." Our many Muslim international students felt threatened. People throughout the community called on us to cancel the talk. Instead, our campus fought what was widely considered hate speech with peaceful protest and counter programming--more speech.

The subjects of that speech along with allies in every corner of our campus turned that potentially explosive situation into an important learning opportunity. It will live in my memory and in the memories of many people who were part of the response. What doesn't live in anyone's memory is the identity of those who offered that hate speech. They were easily forgettable because of the intellectual

weakness of their argument. Our community's response is what struck a chord and was the takeaway message.

That incident illustrates how critical the rule of law and knowledge of the law is to a university like WMU--indeed to any organization. As we began down the affiliation path, we worked from the perspective that there is not a department, academic program or initiative at a great research university like WMU that does not intersect with the law. A great research university truly needs a partner--a great law school partner.

### **Make integrity your hallmark**

It's traditional to offer words of advice to new graduates. Today, for a group of young attorneys about to make their mark in the world, I feel it is vitally important to focus on a single piece of advice that is both timely and timeless. I want to focus on the importance of a single critical quality that should be the hallmark of your personal and professional life--**integrity**.

In a nation bitterly divided and with political sides that seem not able to agree on the most fundamental issues, a name emerged this past week that, at least temporarily, broke through partisan sparring. **Former FBI Director Robert Mueller [MAH-ler]** was appointed a special counsel by the U.S. Department of Justice and charged with investigating Russian influence on the 2016 election. This was an appointment of an individual near the end of a stellar legal career that has been marked by unquestioned integrity. His name sparked praise on both sides of the aisle. Nearly every person commenting, no matter where they stood on the issues, agreed with one core fact. This is a man who has spent a lifetime building a reputation as a pillar of integrity. He's stood his ground when he needed to and worked to follow the rule of law. While individuals might disagree with an

outcome, they could completely trust the fair nature of the path he would take to get there.

Think how rare that is in our world today to find someone who enjoys that level of trust and respect from the most partisan voices on both sides of the aisle. I urge you this afternoon to set **integrity** as your personal goal. Be that person who is regarded by all as a colleague and leader with unquestionable integrity.

Four years ago, Robert Mueller addressed the graduating class at William and Mary College. The man who was hailed this week as the epitome of integrity spoke then about integrity and the related qualities of service and patience.

"You are only as good as your word," Mueller told the graduates. "You can be smart, aggressive, articulate, and indeed persuasive. But if you are not honest, your reputation will suffer. And once lost, a good reputation can never, ever be regained. As the saying goes, 'If you have integrity, nothing else matters. And if you don't have integrity, nothing else matters.'"

Speaking from experience, Mueller went on to say: "There will come a time when you will be tested. You may find yourself standing alone, against those you thought were trusted colleagues. You may stand to lose what you have worked for. And the decision will not be an easy call."

## **Closing**

Graduates, you may well face such a test. If that moment comes, I have every faith you will make the right decision. As a nation and as a people, we need you to make the right decisions. I stand here today looking at you in your moment of happiness and accomplishment. I know the level of mentoring and quality of education your

faculty has provided, and I know your commitment to the rule of law. When it comes to making the right decisions, I have to say, “**My money is on you!**”

My wish for you today is that you always keep your commitment to integrity foremost, so that decades from now, you will approach the end of your career with the same feelings of joy, accomplishment and pride you feel today as you begin it.

Thank you for welcoming me to today's celebration and thank you for becoming new points of pride as alumni of the Western Michigan University Cooley Law School. We'll be proudly watching you in the years to come and following your successful careers.

Thank you.

*(18 minutes)*