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### LAW Dean's Letter Urges Confirmation of Biden's Historic SCOTUS Pick, Ketanji Brown Jackson

Angela Onwuachi-Willig

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*Ketanji Brown Jackson, a circuit judge of the US Court of Appeals for the District of Columbia Circuit, after President Joe Biden introduced her as his nominee to the US Supreme Court at the White House February 25. Photo by Drew Angerer/Getty Images*

SUPREME COURT

# LAW Dean's Letter Urges Confirmation of Biden's Historic SCOTUS Pick, Ketanji Brown Jackson

**Angela Onwuachi-Willig's letter to US Senate:  
"Black women are vital contributors to our nation's  
democracy"**

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February 25, 2022

 Comments

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By [Sara Rimer](#)

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In a letter citing Black women's underrepresentation on the federal bench, Angela Onwuachi-Willig, dean of the BU School of Law, and more than 200 other Black women law deans and

professors urged the US Senate on Friday to confirm President Joe Biden's nominee, Ketanji Brown Jackson, to the nation's highest court "swiftly and with bipartisan support."

[Onwuachi-Willig](#), a cofounder of the [Law Deans Antiracist Clearinghouse Project](#), wrote the initial draft of the letter and orchestrated the effort to collect the more than 200 signatures from Black women law professors by Friday afternoon. In the letter, Onwuachi-Willig wrote that she and the other signers were "ecstatic" about Biden's nomination of Jackson, who, if confirmed, would be the first Black woman to serve on the Supreme Court—as well as the first former public defender and the first since Thurgood Marshall to have represented defendants in criminal court. (Marshall, appointed in 1967, was the first Black Justice.) Jackson would replace Justice Stephen G. Breyer (Hon.'95), who is retiring.



In a letter of support for Ketanji Brown Jackson signed by more than 200 other

Black women law deans and professors, BU LAW Dean Angela Onwuachi-Willig wrote: Jackson “has repeatedly shown that she has the legal acumen, temperament, experience, character, integrity, and dedication to the Constitution and rule of law that is needed to serve on the nation’s highest court.” Photo by Doug Levy

Onwuachi-Willig, BU’s Ryan Roth Gallo and Ernest J. Gallo Professor of Law, noted Jackson’s achievements in the letter, writing that “with nearly ten years of service as a federal judge, experience clerking for Supreme Court Justice Stephen Breyer and two lower-court judges, and a record of leadership on the United States Sentencing Commission, she will make an incredible Supreme Court Justice.”

Pointing out that the court “decides some of the most contentious and difficult questions facing the nation,” and that its opinions affect everyone in the country, the letter underscored “the importance of having a court that reflects the diversity of experiences, perspectives, and backgrounds in our great nation.”

“As a Black woman attorney, I’m super excited about this transformative moment for our country,” Onwuachi-Willig told *BU Today*. “As Justice Ruth Ginsburg once said, ‘It’s so important for little girls to see women on the Supreme Court—it’s natural and proper.’ I’m just excited for little Black girls to have the opportunity to look at the highest court and know it’s natural and proper for a Black woman justice to be sitting on the Supreme Court of the United States.”

It’s also important for people other than little Black girls to see a Black woman on the highest court, Onwuachi-Willig said. Bernice Bouie Donald, a US circuit judge of the US Court of Appeals for the Sixth Circuit, who was the first Black woman judge in Tennessee, gave a talk at LAW this week, and “she told a story about how when she was first running for state office, she presented herself for an interview and the person running the

program told her, ‘You don’t look like a judge,’” Onwuachi-Willig said. “The woman had never seen a Black woman judge before, so the idea was inconceivable to her. That’s why it’s important for everyone—little white boys, young Asian Americans—to see a Black woman justice as ‘natural and proper.’”

The hearings on Jackson’s nomination are expected to be highly contentious—“from this moment on, the Supreme Court nomination will be a fierce and nasty affair,” the *New York Times*’ Michael Shear wrote after Biden’s announcement. But as Onwuachi-Willig’s letter notes, Jackson has already been confirmed by the US Senate three times on a bipartisan vote, including less than one year ago, in June 2021, for a seat on the US Court of Appeals for the DC Circuit.

In an interview Friday with CNN, Onwuachi-Willig talked about how important it is that Jackson, who has two children, is a mother—“just like Justice Amy Coney Barrett is a mother.” It’s especially important that she’s bringing to the nation’s highest court her perspective as a Black mother, Onwuachi-Willig told CNN. “There are so many issues that face women at the intersection of race and gender and motherhood or just gender and motherhood, and she’s going to bring a really important perspective in that respect.”

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**Strong Letter of Support from Black  
Women Law Professors for Judge  
Ketanji Brown Jackson to Serve as  
Associate Justice of the United States  
Supreme Court**

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READ THE FULL LETTER

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February 25, 2022

As more than 200 Black women law professors, we write to express our unequivocal support for the nomination and appointment of Judge Ketanji Brown Jackson to the Supreme Court of the United States. We have eagerly awaited the opportunity for President Biden to follow through on his commitment to nominate and appoint the first Black woman to the Court, and we are ecstatic that he has chosen Judge Jackson to fill this historic position. With nearly ten years of service as a federal judge, experience clerking for Supreme Court Justice Stephen Breyer and two lower-court judges, and a record of leadership on the United States Sentencing Commission, she will make an incredible Supreme Court Justice. She has already been confirmed three times on a bipartisan vote, including less than one year ago in June 2021 for a seat on the United States Court of Appeals for the DC Circuit. We urge you to confirm her for appointment to the Supreme Court of the United States without delay.

When Justice Thurgood Marshall retired in 1991 after 24 years of service on the Supreme Court, his colleague, Justice Sandra Day O'Connor, penned this reflection:

*“Although all of us come to the*

*Court with our own personal histories and experiences, Justice Marshall brought a special perspective. His was the eye of a lawyer who saw the deepest wounds in the social fabric and used the law to help heal them. His was the ear of a counselor who understood the vulnerabilities of the accused and established safeguards for their protection. His was the mouth of a man who knew the anguish of the silenced and gave them a voice.*

*At oral arguments and conference meetings, in opinions and dissents, Justice Marshall imparted not only his legal acumen but also his life experiences, constantly pushing and prodding us to respond not only to the persuasiveness of legal argument but also to the power of moral truth.“*

— Sandra Day O'Connor,  
[Thurgood Marshall: The Influence of a Raconteur](#), 44  
*Stanford Law Review* 1217,  
1217-18 (1992)

As her words demonstrate, Justice O'Connor, the first woman to serve on the Supreme Court, recognized the importance of having a court that reflects the diversity of experiences, perspectives, and backgrounds in our great nation.



Each year, the Court decides some of the most contentious and difficult questions facing the nation. Its opinions affect all individuals living in the United States. Justice O'Connor regarded diversity to be of great significance to the Court because it enhanced the justices' deliberations behind the scenes and, ultimately, enriched the drafting of their opinions, concurrences, and dissents. President Reagan, who nominated Justice O'Connor, acknowledged the significance of diversity in the judiciary as well when he pledged to appoint more women to the courts "in an effort to bring about a better balance on the federal bench." Lou Cannon, [\*Reagan Pledges He Would Name a Woman to the Supreme Court\*](#), Washington Post (Oct. 15, 1980).

Throughout the history of the United States, laws have been created, enacted, interpreted, and enforced predominantly by white men. Today, although white men comprise roughly 30 percent of the nation's population, they make up more than 70 percent of the federal judiciary. Conversely, according to [a 2022 report from the Pew Research Center](#), of the 3,843 people who have served as federal judges throughout our nation's history, only 70 have been Black women. That is fewer than two percent, far below Black women's representation among the population in the United States.

The Supreme Court is "[charged with ensuring the American people the promise of equal justice under law and, thereby, also functions as guardian and interpreter of the Constitution.](#)" Representation matters. It is essential to fairness, justice, and the

Court's legitimacy. All of these are weakened when its justices neither look like the rest of the United States nor reflect the values of a segment of society.

For these reasons, we support President Biden's nomination of a Black woman to the Supreme Court. Black women are vital contributors to our nation's democracy and must not be excluded from critical institutions within our constitutional democracy. The bench is deep. There is a large and diverse pool of highly qualified candidates with exceptional credentials that are equal to or exceed those of many of the most respected justices in our history.

Judge Ketanji Brown Jackson is eminently qualified for this critical position. She is one of the brightest legal minds in the country with a well-rounded set of experiences in the legal system and judiciary that will make her an exceptional Supreme Court Justice. Of particular note, her experience includes service as a public defender, a first for the Supreme Court, which will enable her to contribute an important new perspective to the Court. Throughout her career, whether it was as a Supreme Court law clerk, the vice chair of the United States Sentencing Commission, or a federal trial court or appellate court judge, Judge Ketanji Brown Jackson has repeatedly shown that she has the legal acumen, temperament, experience, character, integrity, and dedication to the Constitution and rule of law that is needed to serve on the nation's highest court.

We, the undersigned, as Black women educating the

next generation of lawyers who will serve on our courts, in our legislatures, and in other roles in our justice system, urge the United States Senate to act swiftly, and with bipartisan support, to confirm Ketanji Brown Jackson as the next Associate Justice on the Supreme Court of the United States.

Please note that we have signed this letter in our individual capacity. Institutional affiliation is noted for identification purposes only.

Sincerely,

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