In Memoriam

PROFESSOR JEROME M. CULP, JR.

1950-2004

People will remember Professor Jerome Culp for his booming laugh, his expressive gestures, his passion for basketball, his love of books, and his generosity towards students, friends, and colleagues. Those qualities, however, do not fully capture the essence of this wonderful man. Anyone who spent more than ten minutes in Jerome's presence knows that within this warm, soft-spoken, gentle giant was a person of integrity and principle. Jerome brought these qualities, along with his fierce intellect, to everything he touched and especially to his work on behalf of dis-empowered and oppressed groups everywhere.

Jerome was born in 1950 in Clarksville, Pennsylvania, a small coal-mining town near West Virginia. His mother was a domestic worker and a house parent for delinquent children (not her own). Jerome's father and both of his

grandfathers were coal miners. Due to his union activity, Jerome's paternal grandfather was blackballed from the mines in the late 1920s. Consequently, his paternal grandfather, grandmother, and their children (including Jerome's father) were forced to migrate from place to place in order to mete out a living. This history never left Jerome. It influenced both his strong support of unions and his commitment to economic justice. It made him always remember that the law is ultimately about real people and real lives.

Jerome left western Pennsylvania to study economics at the University of Chicago, where he earned his undergraduate degree in 1972. He subsequently earned a masters degree in that field from Harvard University in 1974. Having come of age during the civil rights era and having witnessed the efforts of Thurgood Marshall and Dr. Martin Luther King, Jr. among others, Jerome decided to try to effectuate change through the law. He received his law degree from Harvard Law School in 1978 and began his professional career with the Rockefeller Foundation in New York, working on youth employment and affirmative action. In 1980, he clerked for Judge Nathaniel R. Jones of the Sixth Circuit Court of Appeals, and in 1981 he worked as an economist in the Carter Administration. Later in 1981, he became an Assistant Professor of Law at Rutgers Law School. He joined the Duke University Law School faculty in 1985 and became the first tenured law professor of color at that school in 1989. While at Duke Law, Jerome was a sought-after visiting professor at such prestigious schools as the University of Michigan, New York University, the University of California at Berkeley, and the University of Miami. He was also the MacArthur Distinguished Visiting Scholar at what was then the Joint Center for Political Studies in Washington, D.C., and director of the John M. Olin Program in Law and Economics at Duke from 1989-1993. In 1999, he held the Charles Hamilton Houston Chair at North Carolina Central University.

Internationally known and highly acclaimed for his work in race and the law, Jerome was a prolific scholar, authoring numerous books and articles on the subjects of critical race theory, justice and equality, law and economics, labor economics, and sexuality issues. He testified for civil rights plaintiffs in cases of national importance such as *Evans v. Romer* and *Equality Foundation of Greater Cincinnati, Inc. v. City of Cincinnati*—two cases challenging state constitutional and city charter amendments that sought to eliminate civil rights protections for gays, lesbians, and bisexuals.

Jerome's path to professional achievement was not without significant bumps and many bruises. Notably, he was among that first generation of African-American professors to teach at predominantly white law schools. At a time when diversity meant "show up and shut up," Jerome refused to comply, even when he had to stand alone. When President Clinton appointed Justice Ruth Bader Ginsburg to the U.S. Supreme Court, Jerome was one of few scholars brave enough to encourage the Justice not to emulate her fellow female Justice's practices on the bench and to explain publicly the reasons for his stance. Remembering his own personal history and the communities he had committed to serving, Jerome did not back down when some members of the legal academy chastised him for shifting the principal focus of his scholarship from law and economics to critical race theory. More locally, Jerome was the sole faculty member to criticize publicly the invitation to Chief Justice Rehnquist to speak at

the Duke Law School, given the Justice's failure to protect civil rights. And, Jerome willingly stepped up to the plate when students asked that their law school offer at least one course on sexuality and the law. These are but a few of the countless examples of Jerome's fearless courage and unwavering commitment to people of color, to women, to socio-economically disadvantaged persons, and to gay, lesbian, bisexual and transsexual individuals. For all of this—his willingness to expose lies, hypocrisy and countless other barriers to equal opportunity—he paid a huge price. Indeed, anyone who witnessed Jerome's beleaguered, weary body in his final years cannot help but wonder to what extent his physical demise was caused by kidney disease and to what extent his body (though not his spirit) finally succumbed to the ravages of a hard-fought battle for justice.

Though Jerome would be first to acknowledge that there is still much work to be done in the war for equality, I know that he would be very proud of the Duke Journal of Gender Law and Policy for tackling feminism and queer theory and for the selection of articles contained in this volume. Indeed, wherever he is, Jerome is no doubt lamenting the fact that his voice is not represented herein—But then again, perhaps it is.

Professor Trina Jones
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Editor's Note: Professor Culp was initially slated to contribute to this issue of the Journal, but due to his failing health was unable to do so. His presence is missed.