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Call for Virtual Picket Line of the University of Miami Interim Dean Search

June 18, 2021

Latina and Latino Critical Legal Theory, Inc. (“LatCrit”) continues to monitor and protest the University of Miami’s improvident termination of Dean Anthony E. “Tony” Varona’s leadership of Miami Law, which is to be effective on July 1. Since LatCrit issued its May 27th [letter](#) calling for his reinstatement, 234 people (almost all law professors) have individually endorsed an open letter that the Section on Minority Groups Executive Committee first issued on May 27th. Also, as suggested in the Society of American Law Teacher’s May 28th [letter](#), the University of Miami still has time to “reset” and reverse its decision.

Unfortunately, however, the University of Miami has yet to indicate that it takes seriously the widespread outrage and opposition to the termination of Dean Varona. In this light, a call has been issued for a virtual picket line “to educate anyone who receives (or has already received) an invitation to apply for Miami Law’s (interim) deanship that solidarity demands declining to succeed Dean Varona in these circumstances.”

Today, therefore, the LatCrit Board voted to reaffirm its support for the two University of Miami faculty resolutions demanding Dean Varona’s retention before the announced termination becomes effective on July 7th. Now, we call upon all persons and groups who stand against the creep of neo-liberalized education and/or the violence of systemic biases to stand in open solidarity with us. We ask (1) that you re-post and circulate this call widely and quickly, and (2) that you join our virtual picket line against the rushed “search” to replace the Dean. The Statement that follows provides context and detail. Thank you for your time, consideration, and solidarity.

Statement

LatCrit, through its Steering Committee, agrees that “our ethical obligations as lawyers and faculty, particularly our principles of academic freedom and faculty governance,” require us to join the virtual picket line and thereby help to educate the law professoriate of the United States as to why “the University of Miami situation is egregious and improvident not only for Miami Law but also for violating the principle of faculty governance at U.S. law schools and universities[.]” *Accord* American Association of University Professors, [Special Report: COVID-19 and Academic Governance](#) (May 2021), which expressly frames its discussion of some universities’ misuse of the pandemic to disregard the norms of faculty governance within Naomi Klein’s articulation of “disaster capitalism” and the “shock doctrine.” *Id.* at 2. LatCrit agrees that “the University of Miami situation seems a clear instantiation of the ongoing movement to deform U.S. universities (and law schools) to fit the neoliberal mold of for-profit corporations in the era of finance capital.” Moreover, “the University of Miami situation continues the decades-long reactionary *kulturkampf* and strikes a serious blow against

the role of universities and law schools in promoting free and open societies and defend-the rule of law over authority.”

In the aftermath of January 6, 2021, we take this threat seriously, and we call upon the national community of U.S. law professors—and our allies in other sectors and even other countries—to take this “critical opportunity to express solidarity not only with Dean Varona but also with the Miami Law faculty and the University of Miami faculty senate—both of which issued resolutions protesting the university’s action.” In particular, the University of Miami Faculty Senate Legislation #2020-94(D) – Resolution Regarding Recent Termination of the Dean of the School of Law (May 27, 2021), urges the “[university] President to reinstate Dean Varona and to evaluate him according to the processes specified in the *Faculty Manual*.” *Id.*

In closing, LatCrit agrees that organizing, and honoring, a virtual picket line against the University of Miami’s interim dean search can help us cultivate a result similar to [Georgetown](#) in 1998 (regarding Judith Areen) and the [University of California, Irvine](#) in 2007 (regarding Erwin Chemerinsky), where similarly improvident actions by university presidents or chancellors were reversed after public outcry.

LatCrit thus joins and echoes the call to educate those in power that they cannot act without answering to their constituents, stakeholders, and the underlying principles of faculty governance and academic freedom that safeguard and promote free and open societies and the rule of law over authority.

Ultimately, LatCrit urges anyone who receives (or has already received) an invitation to become Miami Law’s interim dean to consider seriously whether they would cross a picket line and whether solidarity demands them to decline succeeding Dean Varona in these circumstances.