

Appreciation: The Moral Integrity of Derrick Bell

by Dr. William Felice, October 18, 2011

“Man is mortal. That may be; but let us die resisting; and if our lot is complete annihilation, let us not behave in such a way that it seems justice!” - Albert Camus

The indomitable Derrick Bell, who died on Oct. 5, refused to accept injustice and led a life of resisting. In his 20s, he resigned from the Justice Department after being told by superiors that his membership in the NAACP posed a conflict of interest. In the 1980s, Mr. Bell resigned from his position as dean of the University of Oregon School of Law when an Asian woman was denied tenure. And, in the 1990s, he took an unpaid leave of absence from the Harvard Law School and vowed not to return until the school hired its first Black woman on its tenured faculty. After two years, Harvard refused to extend his leave. After he left Harvard, his wife Jewel Hairston Bell, asked him, “Why does it always have to be you?” Colleagues challenged him: “Who do you think you are?” Mr. Bell’s response: “I cannot continue to urge students to take risks for what they believe if I do not practice my own precepts.”

Single individuals acting to uphold their personal integrity and moral autonomy have, throughout history, played a significant role in correcting the often immoral behavior of schools (like Harvard), private businesses, and governments. Ultimately, in fact, the direction of an entire society is determined by such actions, as Socrates noted so long ago: “Societies are not made of sticks and stones, but of men whose individual characters, by turning the scale one way or another, determine the direction of the whole.” Derrick Bell’s actions to protect his moral autonomy dramatically illustrate the ways in which individual ethical action can positively impact “the direction of the whole.” His example teaches each of us the importance of protecting our individual moral integrity and establishing the line at which we say “not in my name.”

It is unhealthy for an individual to submerge his or her ethical disagreements and defend an immoral policy in order to keep a job. The personal anguish and psychological toll in such a situation can be acute and lead to physical damage and serious health problems. Asserting one’s moral autonomy and personal integrity, on the other hand, can be liberating to one’s body and soul. In my interviews with soldiers and Foreign Service officers who struggled to maintain their moral autonomy during the run-up to the Iraq War in 2002-2003, I was struck by how many of the individuals linked health troubles to the demands of conformity inside the government. Once these individuals later reclaimed their moral integrity, either by strongly protesting inside the government, or by resigning in protest against the ill-conceived war policies, their bodies healed and their overall health dramatically improved. For example, Brady Kiesling’s depression, brought on by being required to defend the war in Iraq, ended only after he resigned and voiced his opposition to these policies. Similar pressures caused Ann Wright to experience severe health problems, which ultimately led her to be medically evacuated from Mongolia. Ann’s health noticeably improved only after she resigned and regained her moral integrity and public voice.

The actions of these individuals, and in particular, the heroic life of Derrick Bell, demonstrate that even in the most difficult of circumstances, it is possible to protect one’s moral autonomy. It is

possible to take a stand, revolt against the accepted policy, and act to change what is perceived as an immoral action. Determining the correct action to take to protect one's moral autonomy is difficult. How does one determine that the actions of the institution I work for (school, business, government, or military) are "immoral"? As Peter Singer points out, ethics is not an issue of personal tastes, like choosing chocolate over vanilla ice cream. It is not enough to declare oneself a Christian, Muslim, secular humanist, Buddhist, or post-modernist. Such pronouncements don't take the discussions of affirmative action at Harvard or the morality of U.S. foreign policy very far. There is no one "Christian" or "Muslim" position on these public policy issues. Ethical reasoning involves discussion between these different secular and religious moral perspectives in order to judge which policies are defensible and which are not acceptable.

Ethical reasoning is thus difficult and challenging, yet essential to the building of a "just society."

Derrick Bell reminds us of how critical it is in a democracy for all citizens to be engaged in this process of ethical reasoning. Citizens in a democracy have a duty to make value judgments about the morality of policies taken in their name, in their workplaces, schools, and by the government. Sophocles writes in *Antigone* that "what a person can do, a person should do." And what we can do is reclaim our individual moral integrity and soul by refusing to conform and blithely accept destructive and avoidable policies and decisions.

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