

PENN STATE

Meet the Penn State deans: Danielle M. Conway talks art, law — and Star Trek vs. Star Wars

BY JOSH MOYER

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Danielle M. Conway, Dean and Donald J. Farage Professor of Law at Penn State Dickinson Law, recently joined the Centre Daily Times for a Q&A over Zoom. MICHELLE BIXBY COURTESY OF PENN STATE

As part of a collaborative effort with Penn State, which is releasing [a monthly video on school deans](#) and their perspectives and passions, the Centre Daily Times is continuing a lighthearted Q&A series that highlights a different dean every month in the hopes the local community gets to know them outside of the classroom.

Up next: [Danielle M. Conway](#), Dean and Donald J. Farage Professor of Law at Penn State Dickinson Law.

Conway — who specializes in procurement law, entrepreneurship, intellectual property law, and more — joined Penn State in 2019, after serving four years as dean for the University of Maine School of Law. The Philadelphia native has authored or edited at least a half-dozen books and casebooks, and she has also supported Penn State's [Antiracist Development Institute](#), a program announced in November that offers organizations different systems to implement antiracist practices and policies.

Personally, she also enjoys and collects artwork from all over the world, in part because it reflects the “expressions of people’s experiences and identities.”

Danielle M. Conway: I can report to you that I treasure the work of [Dr. David Driskell](#). He was a professor, an art historian, a curator, an artist, a sculptor and a gardener. And I was fortunate to actually meet him before the pandemic when I lived and worked in Maine. And it wasn’t just a chance meeting; I worked with David Driskell and a colleague of mine, Mel Zarr, and we produced an important work (series of videos and discussions) that is titled, “[Civil Rights Through Law & Art](#)” — and it was just an amazing discussion between this artist, and art historian, and a lawyer who was one of the counsels for Martin Luther King Jr. And so they were talking about the civil rights movement and equality, but then we struck up a friendship.

So I actually spent a good amount of time with David Driskell when he was in Maine, and that’s where his art studio was. And having the great opportunity to meet him and to spend time with him and to acquire one of his works was probably the all-time high in my life, next to the birth of my son. ... One of the reasons his work is such a treasure for me is because he is known as a founding father of African American art history. ...

OK, and so you asked me about an artist or artwork if I couldn’t sell it? ... I am enamored with [Augusta Savage](#). She was an artist in the early 30s and 40s, and she did a sculptural work, which was for the World’s Fair. And, being a Black woman, she didn’t have the kind of financial support that mainstream white artists and sculptors had, but she did this work called, “Lift Every Voice and Sing,” which was renamed “[The Harp](#)” — and it was spectacularly received. But, because she didn’t have funding and support and entrée into mainstream art networks, her sculpture could not be bronzed so it was destroyed. So, to your question, it really resonated with me because, if there was some way to teleport back to that moment in time, I would find some way to provide money so this work could be bronzed for the benefit of the public.



Lisa Best
@spiritsongs7



"I have created nothing really beautiful, really lasting, but if I can inspire one of these youngsters to develop the talent I know they possess, then my monument will be in their work." ~ Augusta Savage

Savage's "The Harp" ~ bulldozed after display, NY World's Fair, 1939.

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CDT: I spoke with a dean [a few months ago](#) who researched climate change and asked him about the "scariest" fact people don't know about global warming but should know — so I want to take the same tack with you. You've written a number of scholarly pieces on rural America and access to justice, in addition to race-related issues, intellectual property, and more. So, overall, what's one legal injustice you feel enough people don't know about right now but should?

Conway: Oh, it certainly won't be one thing. (laughs)

... So I'll preface my answer by first saying that I love the power and promise of law, the rule of law and a system of law that has a centering principle, humanism and justice. I do love the law; I really do. I'm reading this book now called "[The Second Founding](#)" from Eric Foner and, I feel like every page I read, I'm going back to church, saying "Amen!" So he's centering the discussion on how the Reconstruction amendments — the 13th, 14th and 15th amendments — were the reboot, or the remaking, of a nation that is striving and aspiring for equality.

And I think about this vehicle of that striving as a journey toward humanism and justice. So here's what I believe — knowing that now I do love the law, I do love it — what I believe is an injustice is that many people do not recognize or realize that these tools are manipulated. Law and legal systems are manipulated by some members of society to hold and use power to maintain power and dominance over others. And they do it by perpetuating systemic inequality — notice I didn't say racial inequality; I said systemic inequality — through the unreasonable withholding of public goods like employment opportunity, fair wage opportunity, public education opportunity, polling opportunity, health care opportunity, housing opportunity, public accommodation opportunity, broadband access opportunity and freedom from police impunity.

So all of these are about our social contract and when we have so much power that is scaffolded by law, when we have so much power in so few people, these are the outcomes. And that I consider an injustice, the withholding of those opportunities for everyone.

CDT: We've covered art, we've covered law — so let's go in an entirely different direction. In looking at your [Twitter account](#), you seem to be a fan of sci-fi. So let me ask you the ultimate film/TV sci-fi question: Star Wars or Star Trek?

Conway: Star Trek.

I like a good Western, and Star Wars is a Western — but Star Trek is really a thought exercise. Star Trek posed almost intractable questions to the viewer. What happens if — what happens when — we have this dilemma? And I love Star Trek, particularly the storylines around Data (Android character) and artificial intelligence, because the ultimate question they kept asking is, is it human?

And that is a question, when placed alongside of what we live in today, it really is a question of, who is a citizen? That's the question. And so it animates me as a lawyer because it actually invokes the 14th Amendment, so Data was representative of the ultimate question for Americans: Who is a citizen?

CDT: The weather is finally getting warmer, which means it's almost prime time for ice cream. So, for this question, I've got to know: What's your favorite ice cream flavor, and what one do you hate the most? Bonus points for specificity.

Conway: My absolute favorite ice cream is eggnog flavor. And if the Creamery makes an eggnog flavor, that's going to be my favorite brand. (laughs) ... It's a tough call because I love blueberry ice cream, but eggnog ice cream — like, right now, just saying the word, I'm excited. It's usually seasonal, and do you all have Giant? They usually have it starting at Thanksgiving.

... I hate with a passion butter pecan ice cream. It is totally offensive — because your pecans belong in pie, not in the ice cream. Pecan pie with *vanilla* ice cream. It's a texture thing.

CDT: We like to go all over the map with these questions. So, for this one, we're going to give you a time machine. If you could go back in time and watch any Supreme Court case and decision from 1790 and on — and you'll even get to see those behind-the-scenes deliberations — what one would you choose to go back and watch?

Conway: More pointedly to your question — now hold on to your seat — I would not let anybody transport me into the past. I am a Black woman. I would never be invited to the deliberations, I would not be sitting on the United States Supreme Court, I would not have access, and I would probably be damn lucky if I wasn't enslaved. So you are not going to get me to go back into a time machine to the 1790s. That isn't going to happen.

... But here's how I turned your question around, and I hope that you can appreciate it. I actually want to be in a time machine to go to the future to see where we land in our jurisprudence because of the love I have for the law and the promise I believe that it has. So I would love to go into the future to see what it would mean for our Court — when we are considering composition of the United States Supreme Court, when we are considering representation of the United States Supreme Court — to have a Black woman on that Court. What will it mean to the opinions and to the questions of equality and citizenship and inclusion? What's that going to mean when we have an Indigenous person on the Court? What's that going to mean for our jurisprudence?

So I'd like to go to the future and, say 50 years from now, I would hope that the way we are teaching about equal justice under law will recognize the significance of historical context — but doing so much better by everyone in understanding the reality of the harms that inequality exacts on all of us.



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Josh Moyer earned his B.A. in journalism from Penn State and his M.S. from Columbia. He's been involved in sports and news writing for nearly 20 years. He counts the best athlete he's ever seen as Tecmo Super Bowl's Bo Jackson.