

Final version of MSU Law’s Statement and Resolution on Racial Justice (unanimously approved by the faculty on August 12, 2020)

Statement Introduction

In the aftermath of the tragic and senseless deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, and countless others, the members of the faculty of Michigan State University College of Law profess a commitment to address racial injustice. Our statement focuses on racism directed against Black people in the United States because the College of Law faculty believes that the long and continued history of racism against Black people deserves special attention at this moment. We see this statement as an essential part of our efforts to more fully address racism against Black people in the College of Law, the legal profession, and American society. We recognize that our profession and society marginalize many other people. We hope that our efforts will improve conditions for members of other marginalized groups as well, and we know that more must be done. As we work to make the College of Law more equitable, we pledge to continue to listen to the ideas and concerns of our students and our community.

Statement and Faculty Resolution on Racial Justice

W.E.B. Du Bois observed in 1903 that “[t]he problem of the twentieth century is the problem of the color line.” More than one hundred years later, racial injustice still remains a grievous problem in America today.

The faculty of the Michigan State University College of Law recognizes that the original sin of slavery and its aftermath continues to cast a heavy pall over American life. Many public policies and private practices continue to disproportionately negatively affect Black people. This systemic racism results in Black and other people of color consistently continuing to experience inferior outcomes by almost any measure of health, wealth, housing, education, employment, treatment by police, incarceration, access to justice, and more - including, specifically, diminished opportunities in the legal profession.

WHEREAS, the faculty recognizes that systemic racism in law schools and the legal profession has contributed to the underrepresentation of Black people in the legal profession; and

WHEREAS, the faculty recognizes that law and the law school curriculum distorts and diminishes Black peoples’ participation in the legal system; and

WHEREAS, the faculty recognizes that students of color continue to experience bias and barriers to success in law school; and

WHEREAS, the faculty recognizes that the problem of systemic racism in America is deep-seated and multi-faceted.

The nature and scope of the problem of systemic racism more broadly is described cogently by our faculty colleagues at the Penn State-Dickinson School of Law, whose Faculty Resolution¹ we now fully endorse and adopt:

Penn State-Dickinson School of Law's Faculty Resolution

WHEREAS, the faculty recognizes the ongoing, systemic and perpetual racial and societal injustices in this country, which have been passed on from generation to generation; and

WHEREAS, the faculty recognizes that these injustices have existed since ... slavery and been furthered by Jim Crow laws and the unequal treatment of Black [people] in our judicial system; and

WHEREAS, the faculty especially notes and is appalled by the numerous killings that have been committed against Black [people] under the color of law; and

WHEREAS, the faculty recognizes the lack of accountability for these injustices; and

WHEREAS, the faculty recognizes the senseless brutality being committed by those employed to serve and protect who are operating under a pattern, practice and culture fostering unequal treatment; and

WHEREAS, the faculty recognizes the need to have uncomfortable talks and real, honest and transparent conversations directed towards addressing these injustices; and

WHEREAS, the faculty recognizes ... the sadness, anger, outrage, frustration, pain and grieving caused by extrajudicial killings; and

WHEREAS, the faculty recognizes the need to understand how so many feel helpless, frustrated, invisible, and disillusioned, resulting in constant fears for their personal safety and leading to bearing psychological and emotional scars; and

WHEREAS, the faculty recognizes that racism is an incessant malady and a scourge to [the good of] organized, civilized society; and

WHEREAS, the faculty recognizes that systemic discrimination and unjust racial inequities continue to appall and to plague our nation; and

¹ For a complete copy of Penn State-Dickinson School of Law's Faculty Resolution, please visit: <https://dickinsonlaw.psu.edu/sites/default/files/2020-06/faculty-resolution.pdf>. Last accessed on July 28, 2020.

WHEREAS, the faculty recognizes that we should not accept apathy, indifference or silence to such ongoing violence and inequities, which otherwise allows hatred, prejudice and intolerance to fester and grow; and

WHEREAS, the faculty recognizes the need to engage in peaceful protest and constructive acts to make a meaningful difference towards societal change; and

WHEREAS, the faculty recognizes that we have an obligation to fight ignorance and intolerance, model inclusivity, and embrace our differences and the power that diversity represents; and

WHEREAS, the faculty recognizes the need to stand with our Black brothers and sisters as effective allies; and

WHEREAS, the faculty recognizes the need to stand in ongoing support of our students, staff, fellow faculty, and their families who are persons of color:

NOW, THEREFORE, BE IT RESOLVED that the faculty acknowledges that racism is an affliction that we must never enable but should all be active antiracists in taking responsibility to condemn and to end, that we need to identify and challenge systemic prejudice wherever it exists, that we are all accountable for doing the work necessary for policy changes that dismantle structural systems of oppression that perpetuate racial inequities in our society, that we will strive to be better listeners and supporters of those who are the victims of racism, that we will never rest until every American feels safe, free and accepted in our country, and that we will continuously abide by the goal of providing respect and equal treatment to all in upholding the rule of law.

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The Michigan State University College of Law faculty pledges to continue to build and improve upon its existing efforts toward promoting Racial Justice:

- By expanding upon and continuing to support our clinics, centers and programs that are working actively toward advancing racial and social justice; and
- By increasing our efforts to further diversify the faculty; and
- By adding training sessions for law college faculty and staff on matters involving racial justice and racial awareness; and
- By increasing our efforts to attract, recruit and retain a diverse student body, and to augment our student support programs, including creating mentorship opportunities, promoting affinity groups, enhancing academic support, and advocating for diversity and inclusion in employer recruitment; and
- By continuing to support the research of the faculty whose work focuses on matters involving racial justice; and

- By continuing to schedule numerous classes and seminars on matters involving racial justice; and
- By increasing our programming of topical academic seminars and talks on matters involving racial justice, and participating in the Big Ten law school symposia series on Perspectives on Race and Law; and
- By encouraging faculty to include statements of commitment to racial justice in their syllabi.