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Preface

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Preface

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PREFACE

“Racism is like being in the Mississippi [r]iver; if you are not actively struggling against the current, you are drifting along with it.”¹

Racism forms part of the architecture of America. And though progress ebbs and flows, much of American history can be understood as the struggle to dismantle that architecture and build a nation more firmly undergirded by the values of justice and equal opportunity. Throughout our history, the law has been a powerful tool in advancing and entrenching racial inequality. It has also been a critical tool in fighting that inequality. As we look forward to how we can challenge racial discrimination and construct a positive conception of racial equality, we must study the systems and structures through which racism continues to constrain the life outcomes of some and expand the life outcomes of others.

Law schools have an obligation to help students understand the role that the law has played in bringing us to the present moment. Lawyers must understand the law’s contribution to the problem of racial inequality to expand the law’s role in ameliorating it. Yet many law students approach their legal education with the belief that our ideal should be a colorblind society. This belief is often reinforced through a legal culture that repeatedly and prematurely claims that America has moved beyond its racist past, or even denies that racism was part of our nation’s foundation. This colorblind “ideal” is also reinforced through legal education that ignores, discounts, or avoids questions of racial inequality and the law’s role in perpetuating it. Lawyers cannot effectively advance justice or work with or on behalf of members of marginalized communities without attending to race. To be effective, lawyers must understand the fundamental relationship between race, power, and the law.

The country is having renewed conversations about racism, and these provide us an opportunity to further the project of dismantling America’s architectural racism. The question we must ask is whether these conversations, including those taking place in law school classrooms, will finally transform our laws and systems of oppression. Are they enough? As the United States continues to struggle with the reality that racism is deeply embedded in our society, institutions, and structures, the essays in this volume provide a roadmap for how law schools around the country can challenge law students to contemplate how we got here, grapple with the complexities of racial inequality, and embrace the opportunity to create a more just future. By equipping students with a deeper understanding of the nature, forms, and impact of discrimination on people of color and other marginalized communities, law schools can profoundly advance the cause of equality and fulfill our common mission of creating that more perfect union, with liberty and justice for all.

1. Bill Quigley, *Ten Ideas for Social Justice Organizing After September 11*, POVERTY NEWSL. (Ass’n of Am. L. Schs., Washington, D.C.), Dec. 2001, at 1, 7–8, <https://docplayer.net/207911189-Poverty-newsletter-as-i-look-out-of-my-window-at-the-still-newsletter-of-the-american-association-of-law-schools-poverty-law-section.html>.