

[CityViews: CUNY Law School Needs to Confront its Race Problem](#)

City Limits

May 30, 2018 Wednesday 12:09 PM EST

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Length: 1077 words

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Body

May 30, 2018(City Limits: <http://www.citylimits.org> Delivered by Newstex) ;; CUNY After a Starbucks employee called the police on Black customers waiting for a friend, Starbucks will today close all U.S. stores to hold an 'anti-bias[1]' training for its 175,000 employees. As often noted[2], eliminating racial bias in individuals and institutions demands much more than a one time training. Any company or institution truly committed to creating an inclusive environment for diverse racial and gender identities must commit to a longer anti-oppression process, one focused on addressing the myriad of ways that racism is built into institutional or corporate structures.

Public education institutions have an even more fundamental and urgent responsibility to confront and remedy systemic bias. As CUNY Law students, we can speak directly to the need for such a systemic reckoning given the layers of racism and gendered oppression that are so entrenched and normalized in the culture of legal education. Because of CUNY Law's specific commitment to the public interest and social justice, we expected to be trained to 'right the wrongs[3], stand up for the underserved and fight for social justice,' and to critically engage with the inherent racism of the law.CityViews[4] are readers' opinions, not those of City Limits. Add your voice today![5]However, we are often told that professors do not have time to delve into a more critical analysis. As our classmates wrote to CUNY Law's administration, 'We have been denied even the most basic acknowledgment of racism in some of the most racially charged cases in our nation's history. While examining Plessy v. Ferguson[6], our constitutional law professor neither explicitly denounced nor even acknowledged the racism in the decision, nor allowed students to raise the issue themselves.' In the decades since Plessy, as the racism in the law becomes more concealed and insidious, our critical engagement with case law becomes more urgent. Nonetheless, students with marginalized identities are consistently subjected to a neutral discussion of the very ideas, principles and policies that have questioned their existence and sustained violence in their communities for centuries. When we have raised the various ways in which this neutrality makes it difficult for marginalized students to participate in and be present for classroom discussion, the administration has told us to simply toughen up. Though administration has previously offered one-day diversity trainings, they have only been available to first year students during orientation. These trainings, led by White facilitators who have not experienced racial oppression, often burdened students of color in attendance with explaining and illustrating racial oppression. Many of our non-White classmates felt exposed and

exhausted at the end, ostensibly made that way for White students' learning benefit. After multiple failed trainings, the burden continues to fall on students to facilitate conversations about race and privilege amongst ourselves, or identify trainers who can effectively facilitate anti-racism work. In this way, students of color often find themselves in positions similar to the two men arrested at Starbucks: painted as the problem rather than part of the solution to addressing institutional racism. Only difference is we (CUNY students) don't end up arrested. Without effective anti-oppression training at CUNY Law, students from marginalized communities continue to endure the discrimination that results when institutional racism and biases go ignored for too long. For instance, in March 2018, students organized a survey focused on scholarship distribution among current students. Of the 86 people surveyed, White students (approximately half of the respondents) collectively received \$1,839,000 in graduate fellowships, annual scholarships, and summer funding, while students of color received just \$663,500 of funding from CUNY. Professors have repeatedly demonstrated their own racial biases in the classroom. In a criminal law class, one professor drew a comparison between women suffering from battered women's syndrome and the infamous case, *People v. Goetz*[7], in which the older White male defendant shot four Black teenage boys after they asked him for five dollars, severing the spinal cord of one of the boys. While this case can be used to show how the law has been used to protect perpetrators of racist violence, the professor instead highlighted that because Goetz had been robbed in the past, his behavior could be compared to that of an abused woman who fights back against her abuser. A Black woman in the class raised her hand multiple times to challenge the professor on conflating racist violence with the trauma associated with intimate partner violence, but was ignored by the professor until after class, when he privately asked her to explain to him how he could have better navigated that conversation. Even in what is proclaimed to be a progressive, inclusive legal education space, students of color are told they must conform to White supremacy, rather than have their legal education reflect and respond to their struggles and lived experiences. CUNY Law has an opportunity to acknowledge its own capacity to perpetuate inequitable and violent social structures, and to act as a leader for other state educational institutions, as well as private companies like Starbucks, by demonstrating a commitment to institutional change. To do this, CUNY Law must commit to a long-term, meaningful, anti-oppression process. Anything short of that, will demonstrate that CUNY Law's commitment to social justice is nothing more than a brand. Furthermore, without this process, CUNY Law students of color will continue to be misled by the school's proclaimed commitment to public interest.* * * * Rachel Goodman and Florence Otaigbe are part of a coalition of CUNY Law Students, many of whom contributed to this op-ed. [1]: <http://money.cnn.com/2018/05/24/news/companies/starbucks-bias-training/index.html> [2]: <https://www.theguardian.com/business/2018/apr/21/starbucks-racial-bias-training-black-men-arrested> [3]: <http://prospective.law.cuny.edu/> [4]: <https://citylimits.org/category/news/city-views/> [5]: editor@citylimits.org [6]: <https://www.oyez.org/cases/1850-1900/163us537> [7]: http://www.nycourts.gov/REPORTER/archives/p_goetz.htm

Load-Date: May 30, 2018