



Making Noise: Doing Our Part to Dismantle Racism and White Supremacy in the Legal Profession

By Alison Ashe-Card, Molly Stafford, and Nicole Netkin-Collins

Alison Ashe-Card (asheay@wfu.edu) is the Associate Director, Diversity & Inclusion in the Office of Career and Professional Development at Wake Forest University School of Law. Molly Stafford (mstafford@pacific.edu) is the Assistant Dean of Career Development & External Relations at the University of the Pacific, McGeorge School of Law. Nicole Netkin-Collins (nicole.netkincollins@colorado.edu) is the Director for Law Firms at the University of Colorado Law School. This three-part article series is submitted on behalf of the NALP Diversity, Equity, and Inclusion Section.



Alison Ashe-Card



Molly Stafford



Nicole Netkin-Collins

Much work remains before the legal profession is diverse, equitable, and inclusive. Individually and as members of our law schools and firms, we all have a role to play in achieving these goals. While there are numerous approaches, we each must acknowledge and work to dismantle the system of racism and white supremacy that prevents the profession from realizing its ideals.

This work needs to occur at the personal and institutional levels. Sound like a tall order? It is! As anti-racism educator and author Layla Saad notes, “it is important to understand that this is deep, raw, challenging, personal, heartbreaking, and heart-expanding work...[but] if we are all committed to doing the work that is ours to do, we have a chance of creating a world and way of living that are closer to what we all desire for ourselves and one another.”

This will be the first in a three-part series of articles addressing the need to dismantle white supremacy and systemic racism in the legal profession, both on a personal and an institutional level. We

start in this article with a conversation about what “doing the work” on an individual level means. Our next article will dive deeper into the costs of not doing the work, particularly with regard to the impact on BIPOC (Black, Indigenous, People of Color) law students and lawyers.

Laying the Foundation: Definitions

White supremacy is defined by Layla Saad as an ideology based upon the belief that white people are superior to people of other races. It is not merely an attitude; white supremacy extends to how systems and institutions are structured to uphold white normality, and thus, dominance.

For example, a dress code that excludes curly hair or beards is a manifestation of white supremacy that prioritizes white norms of “professionalism.” White supremacy is a belief that may be held proudly (KKK members) but often is unconscious (many of us), making it even more insidious. White supremacy thrives on its invisibility to white people, who reap its benefits regardless of intention at the expense of BIPOC individuals.

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If you're white – like two of the authors of this article – it might be uncomfortable to acknowledge white supremacy within ourselves and institutions. It may be tempting to get stuck in feelings of guilt, shame, and defensiveness. This is white fragility, a state in which even a minimum amount of racial stress becomes intolerable, triggering a range of defensive moves.

As a Black woman, attorney, and the equal employment opportunity officer at a law firm, Jodi M. Savage writes that she has learned over the years that “...most white folks don't like to hear Black people's view about anti-Blackness and racism because it makes them uncomfortable and requires a level of self-awareness beyond merely saying, ‘I am not a racist.’” This resistance does nothing to create a more diverse, equitable, and inclusive legal profession.

Racism, by definition, is discrimination plus power. So, while it may be redundant to say “systemic racism,” doing so is an important reminder that when we're

talking about racism, we're referring to a large-scale, institutional-level problem.

Doing the Work

While we cannot read ourselves out of racism, it is vital to this work. Self-reflection must be a process that is concurrent with the external work of dismantling structural white supremacy, which we start addressing later in this article, and will discuss in more depth in the final article of this series.

According to the National Museum of African American History & Culture, being antiracist “is different for white people than it is for people of color. For white people, being antiracist evolves with their racial identity development. They must acknowledge and understand their privilege, work to change their internalized racism, and interrupt racism when they see it. For people of color, it means recognizing how race and racism have been internalized, and whether it has been applied to other people of color.”

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2020 DIVERSITY EQUITY & INCLUSION VIRTUAL SUMMIT October 7

The Diversity, Equity, and Inclusion Summit, which is scheduled to take place virtually on Oct. 7, 2020, is designed to bring together NALP members, members of ALFDP, law school deans, hiring and managing partners, and others who have an interest in continuing to expand the diversity of the practice of law. The chief purpose of this exciting one-day conference is to provide a forum for a robust exchange of information about the current challenges and innovations surrounding the issue of diversity in the legal employment arena.

Learn more at www.nalp.org/events

The self-reflection process can include the following:

- **Journaling.** Writing on our relationship with, and about what we learn regarding, racism in this country can help integrate that knowledge into our awareness. Integrating that knowledge involves the process of taking dis-owned, unaware, or unresolved aspects of ourselves and making them part of a cohesive framework. A person who professes to be antiracist still has soaked up the messages of white superiority that come from education, social media, and so on. These ideas are deeply ingrained in our subconscious minds. Learning more about the ways that racism hurts BIPOC individuals and deprives all of us of humanity can be painful and bring up defensiveness and denial. Writing, meditating, and discussing your process is an important part of this journey. Two books that help with this process are Layla Saad's *Me and White Supremacy* and

Rhonda Magee's *The Inner Work of Racial Justice*.

- **Start an anti-racism book club** with your friends, colleagues, or people you don't know. A few ideas: *How to be an Antiracist*, by Dr. Ibram X. Kendi; *On Intersectionality: Essential Writings*, by Kimberlé Crenshaw; *Between the World and Me*, by Ta-Nehisi Coates; *I'm Still Here: Black Dignity in a World Made for Whiteness*, by Austin Channing Brown; or *Just Mercy*, by Bryan Stevenson.
- **Bring an article, podcast, or short video to staff meetings** that addresses racism or ask others on your team to start a conversation. One place to start is the TED Talk by Vernā Myers, "How to Overcome our Biases? Walk Boldly Toward Them."
- **Conduct an entertainment audit.** What shows do you watch? Which authors do you read? Diversify your entertainment and social media

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lineup if it needs it. Listen to NPR's Code Switch, and Strong Black Lead, hosted by Tracy Clayton. Follow and read BIPOC voices and media outlets, like Ava DuVernay, Blavity, Brittany Packnett Cunningham, Maria Hinojosa, Franchesca Ramsey, The Grio, Indian Country Today, MadameNoire, NextShark, and The Root.

- **If you're white, move out of your comfort zone.** Join a group where you will be in the minority. If you're white, move out of your comfort zone. Join a group where you will be in the minority. (Caveat here: be mindful of not entering spaces as an "observer" and/or merely with the performative intention of checking off this box...listen to the conversation about proximity between Austin Channing Brown and Brené Brown in the podcast on "I'm Still Here: Black Dignity in a World Made of Whiteness," starting at 35:39.)

As Ibram X. Kendi noted, "No one becomes 'not racist,' despite a tendency by Americans to identify themselves that way. We can only strive to be 'antiracist'

on a daily basis, to continually rededicate ourselves to the lifelong task of overcoming our country's racist heritage." The above suggestions can support your dedication — or rededication — to this crucial work.

"If you're white, move out of your comfort zone — join a group where you will be in the minority."

Find Your Lane

Though many people want to jump to action sooner rather than later, action without beginning a robust self-education and self-reflection practice can unexpectedly reproduce the very power and privilege dynamics we seek to interrupt. These processes are intended to enable you to understand the context of your own actions and of the broader history of racism and white supremacy. The next step after educating yourself is to not stay

silent about racial injustice. Your silence is consent. As Martin Luther King, Jr. noted, "In the end, we will remember not the words of our enemies, but the silence of our friends."

The final step is to engage in action. This can be the hardest part for individuals new to racial justice work; however, there is a place for everyone. Consider the following actions:

- **Interrupt racist jokes.** Disrupt inappropriate language by offering alternative language you yourself are learning.
- **Identify and advocate** to change workplace policies, practices and procedures that have a disparate impact on BIPOC communities to create an equitable environment.
- **Talk, post, share** with those in your circle what you are learning about the history of racial injustice and the more than 400-year-old movement to dismantle white supremacy.

- **Create art** that motivates individuals and communities to promote social change.
- **March with protesters** or form a line to defend them. Donate bail funds.
- **Support national and local non-profits** doing racial justice work, such as the Equal Justice Initiative, the NAACP Legal Defense and Educational Fund, Inc., the Southern Poverty Law Center, The Privilege Institute, Black Lives Matter, and the Center for Legal Inclusion, through donating your time, money, and other resources.
- **Educate yourself** about the laws and policies that negatively impact BIPOC communities and advocate against them.
- **Support elected officials and candidates** with agendas that support the voices of BIPOC communities.
- **Call or write to your elected officials** to urge them to back equitable and

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inclusive policies. Hold them accountable when they don't by following the next step.

- **Get civically engaged** by voting in every election, but also supporting efforts to protect the right to vote (i.e., volunteer in election protection efforts and participate in get-out-the-vote activities).
- **Take care of yourself.** In order for a movement to create lasting social change, it needs supporters who are resilient and able to sustain themselves over the long haul. As Bakita Kasadha explains, "Self-care among activists is a political strategy. Activism without self-care is not sustainable."

No Finish Line

Be accountable and embrace the discomfort. Continue to listen and learn. Anti-racism is life-long work for all of us; there is no finish line. As John Lewis said: "Do not get lost in a sea of despair.

Be hopeful, be optimistic. Our struggle is not the struggle of a day, a week, a month, or a year, it is the struggle of a lifetime. Never, ever be afraid to make some noise and get in good trouble, necessary trouble."

Additional Resources

Books

- *Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor*, by Layla F. Saad
- *White Fragility: Why It's So Hard for White People to Talk About Racism*, by Robin DiAngelo
- *So You Want to Talk About Race*, by Ijeoma Oluo
- *Stamped from the Beginning: The Definitive History of Racist Ideas in America*, by Ibram X. Kendi
- *Americanah*, by Chimamanda Ngozi Adichie

Articles

- "[The Sugarcoated Language of White Fragility](#)," by Anna Kegler
- "[When black people are in pain, white people just join book clubs](#)," by Tre Johnson
- "[White Privilege: Unpacking the Invisible Knapsack](#)," by Peggy McIntosh
- "[100 Things White People Can Do For Racial Justice](#)"

Websites

- List of Bail Funds for Protestors across the Country | bailfunds.github.io
- Speak Up: Responding to Everyday Bigotry | Southern Poverty Law Center

Podcasts

- Intersectionality Matters with Kimberlé Crenshaw
- NPR's Code Switch
- Seeing White – Scene on Radio ■

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