

DISORIENTATION



BELINDA HALL

10.07.2019

6:30 PM

DISORIENTATION

2019

Disorientation is designed with **love** by a collective of 2Ls and 3Ls who remember the conflicted pride, anger, disappointment, isolation, frustration, and exhaustion of experiencing HLS for the first time as a person of color, a woman, an immigrant, a first-generation college student, a member of the LGBTQ community, and/or a person generally invested in liberation and solidarity work.

This guide is meant to supplement the in-person event on **10.07.2019 at 6:30 PM in Belinda Hall**.

Note: **All images within computer screens are clickable links to related media.**

The authors of this guide are the thousands of students, staff, and faculty before us who bent and attempted to deconstruct this extraordinarily powerful institution built on the desecrated land of the Massachusetts people and funded with the blood money of slavery – historically by chattel slavery and still today by the forced labor of incarcerated people and detained immigrants.

Keep in mind that Disorientation focuses largely on the law school. There is a wealth of additional history and current work at other Harvard schools. For example, refer to...



- The "Secret Court" beginning in 1920 that investigated homosexual activity at the College, ultimately expelling 9 students and causing the suicide of Eugene R. Cummings at 23 years old.

- The massive College strikes of 1969 which protested Harvard's role in the Vietnam War as morally bankrupt. About 400 police in riot gear were called to campus by Harvard President Nathan Pusey. Between 250 and 300 people were arrested in the raid, and nearly 75 students were injured. Many students were expelled and later readmitted. Demands were met: ROTC was removed from campus (temporarily), Harvard established an African American studies program (now the Department of African and African American Studies), and Harvard built low-income housing on Mission Hill.

- The Great Harvard Pee-In of 1973, organized by Black lawyer and activist Florynce "Flo" Kennedy (pictured) who remarked: **"If you had to give the world an enema, you would put it in Harvard Yard. This has got to be the asshole of the world."** Female College students dumped jars of symbolic pee on the steps of Lowell Hall to protest that women taking exams there had no access to restrooms.



A protest flyer from 1969 reads "Harvard University is the biggest landlord in Cambridge. Harvard is a bad landlord. It buys up buildings, lets them run down, and then tears them down to make room for its own expansion."

WELCOME TO: MASSACHUSETT LAND

The Boston area is on Massachusetts land, named after the sacred **Great Blue Hill** (massa-adchu-es-et, where massa- is "large", -adchu- is "hill", -es- is a diminutive suffix meaning "small", and -et is a locative suffix, identifying a place). The Great Blue Hill is the highest point in the Greater Boston area and its eastern slopes face the ocean.

The Massachusetts were some of the first people to be decimated by European colonialism. In the early 1600s, outbreaks of leptospirosis, smallpox, influenza, and scarlet fever had a mortality rate of nearly 90%, severely limiting their ability to fight off colonists eager to steal fertile coastal land. Any Massachusetts who survived the diseases were often left scarred and blinded.

The remaining Massachusetts were forced to settle in "Praying Towns" and convert to Christianity under the direction of missionary John Eliot.

Over time, many Massachusetts tried to lead rebellions, but the genocidal response by the colonial militia – public beheadings, starvation, and selling families into slavery – kept the resistance suppressed. Captain John Underhill justified the killing of the elderly, the sick, women, and children, by stating that "**sometimes the Scripture declareth women and children must perish with their parents. . . . We had sufficient light from the Word of God for our proceedings.**"

Pictured: Naticksqw Chief Caring Hands, Hereditary Chief (sachem) of the Natick Praying Indians today.
From the Chief's book, *The Words of the Father*...

"The class of warrior they cannot stop is the woman warrior of the mother. . . . The Great Creator reminds that even His Son deferred to the wishes of His Mother. **And all of creations bows before the wishes of Mother Earth. If she chooses not to support them there is no place.** This is true power, the power of the mother."

WELCOME TO: GREATER BOSTON

Click the image below to listen to a podcast with **Andrea James**, founder of "**Families for Justice as Healing**," talk about growing up in **Roxbury - the "Harlem of Boston."** Roxbury's residents (and neighboring Black/immigrant communities Dorchester, Mattapan, and Jamaica Plain) face daily criminalization and displacement as a result of gentrification.

Andrea worked as a public defender for years until 2009, when she was disbarred and sentenced to 2 years in federal prison for voluntarily admitting that she had manipulated mortgage data to stop foreclosures and keep Black families in their homes. Andrea is the author of *Upper Bunkies Unite*.



Powerfully Utilizing Law School Educations for Political and Social Justice Committee (P.U.L.S.E.), spearheads the Harvard Black Law Students Association's (BLSA) organizing and movement building efforts. P.U.L.S.E. plans events that center the social, political, and legal issues affecting the Black community, in collaboration with national and Boston-based organizations: **Reclaim Roxbury, Right to the City, Families for Justice as Healing, Ujima, Jailhouse Lawyers Speak, and Law4BlackLives.**

Simply put, the Committee stays on the pulse of relevant political and social issues of our time. Interested students should email **HBLSApulse@gmail.com**



Click on the image below to watch a 30 minute documentary on **City Life Vida Urbana (CLVU)**, an anti-displacement movement that has been organizing in historically Black, Brown, and immigrant neighborhoods of Boston since 1973.

HLS students collaborate with CLVU at:
(1) Tuesday/Wednesday housing clinics and a community lawyering partnership with the **Harvard Legal Aid Bureau (HLAB)** and
(2) Saturday morning canvasses with **Project No One Leaves (PNOL)**. Interested students should email **projectno1leaves@gmail.com**



Click the image below to watch an hour documentary on how Dudley Street residents of Roxbury organized in 1985. **The Dudley Street Neighborhood Initiative** became the **first and only** community-run grassroots organization **nationally** to win the power of eminent domain by the Boston Redevelopment Authority, meaning the community controls its own development and the use of the land.



Click the image to the left to watch a 15 minute documentary on Boston **Chinatown** organizing from 1977 to 2017.

WELCOME TO: BELINDA HALL

Belinda Sutton was born in 1712 in Ghana near the Volta River – near the "mountains Covered in spicy forests, [and] the valleys loaded with the richest fruits."

Belinda was kidnapped and sold into slavery at age twelve. She was held in bondage by the Royall family in Massachusetts for 50 years. The Royalls were the **largest slaveholders in Massachusetts** and made their fortune over a century of stealing the labor of Africans that they enslaved in Massachusetts and Antigua.

Before his death, Isaac Royall, Jr. had fled to England during the Revolutionary War. The enslaved people of his estates were freed in his absence, including Belinda, her son Joseph, and her daughter Prine. In 1783, Belinda presented a petition to the Massachusetts General Court for a pension from Royall's estate. She won her petition. **Her legal victory has been cited as one of the first cases of reparations for slavery and the slave trade.** However, the executor of the estate consistently refused payments, forcing Belinda to renew her claim 5 times over the next decade.

At his death in 1781, Isaac bequeathed several properties to Harvard, which the college sold to endow Harvard's first professorship of law, a funded position named after him **that still exists today** (the Royall Professor of Law). Royall's heirs continued to use their wealth to **found** Harvard Law School in 1817 with a \$8,000 grant.

We call this space Belinda Hall in her honor because every building on this campus was built by the endowment of wealth generated from her enslavement (and that of many others). **HLS administration refuses to recognize Belinda Hall.**

On September 5th, 2017 Dean John F. Manning dedicated a **small plaque on a rock** to the African people enslaved by the Royall family, referring to Harvard's "**complicated** history." Janet Halley, the current Royall Professor of Law, has made similar statements – "Thinking in binarized terms of condemnation and redemption just doesn't seem to capture the **complexity** of this question."

For more information on how HLS **continues to profit from the forced labor of Black and Brown communities**, refer to the page on the Harvard Prison Divestment Campaign (HPDC) later in this guide.

Belinda Sutton's 1783 Petition (full text)

The following is a transcription of Belinda's Petition to the Massachusetts General Court, February 14, 1783 (Original manuscript, Massachusetts Archives). You can also view [images of Belinda Sutton's 1783 Petition and related documents](#).

Commonwealth of Massachusetts

To the Honourable the Senate and House of Representatives in General Court assembled.

The Petition of Belinda an Affrican, humbly shews:

That seventy years have rolled away, since she on the banks of the Rio de Valta received her existence—the mountains Covered with spicy forests, the valleys loaded with the richest fruits, spontaneously produced; joined to that happy temperature of air to exclude excess; would have yielded her the most compleat felicity, had not her mind received early impressions of the cruelty of men, whose faces were like the moon, and whose Bows and Arrows were like the thunder and the lightning of the Clouds. – The idea of these, the most dreadful of all Enemies, filled her infant slumbers with horror, and her noontide moments with evil apprehensions! – But her affrighted imagination, in its most alarming extension, never represented distresses equal to what she hath since really experienced – for before she had Twelve years enjoyed the fragrance of her native groves, and e'er she realized, that Europeans placed their happiness in the yellow dust which she carelessly marked with her infant footsteps – even when she, in a sacred grove, with each hand in that of a tender Parent, was paying her devotions to the great Orisa who made all things – an armed band of white men, driving many of her Countrymen in Chains, ran into the hallowed shade! – could the Tears, the sighs and supplications, bursting from Tortured Parental affection, have blunted the keen edge of Avarice, she might have been rescued from Agony, which many of her Country's Children have felt, but which none hath ever described, — in vain she lifted her supplicating voice to an insulted father, and her guiltless hands to a dishonoured Deity! She was ravished from the bosom of her Country, from the arms of her friends – while the advanced age of her Parents, rendering them unfit for servitude, cruelly separated her from them forever!

Scenes which her imagination had never conceived of – a floating World – the sporting Monsters of the deep – and the familiar meetings of Billows and clouds, strove, but in vain to divert her melancholly attention, from three hundred Affricans in chains, suffering the most excruciating torments; and some of them rejoicing, that the pangs of death came like a balm to their wounds.

To continue reading her petition, click on the image above.

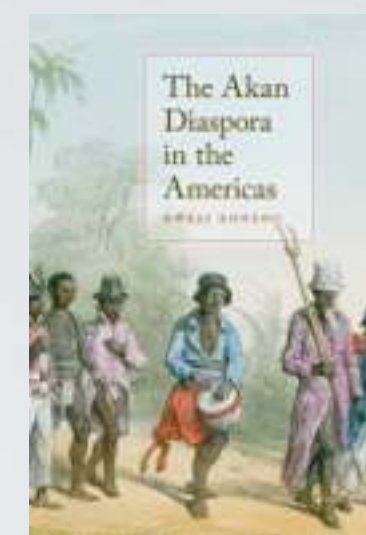


The founding of HLS by the Royall wealth is tied in part to a **1736 planned rebellion by enslaved Africans held in Antigua**, where the Royall family was living as owners of a sugar plantation with several hundred enslaved men, women, and children.

Nearly **87%** of Antigua's population was enslaved at the time of the planned rebellion. Considering the demographic ratio, white fear of facing consequences for their brutality led to even more brutality. Large-scale roundups, "trials," and executions were easily prompted out of hysterical sadism. Despite these public displays of immense cruelty, the enslaved Africans of Antigua continuously rebelled and formed hidden societies on the island.

The alleged plan of the 1736 rebellion was to denotate a ten-gallon barrel of gunpowder in the same building that was hosting a large ball - this would signal uprisings in surrounding plantations and marches on the capital from four directions. One of the targeted centers of the conspiracy was four miles from the Royall house in Popeshead, **making the Royalls a main target**.

A total of 132 enslaved people were convicted - 88 were tortured and executed, including the leader, **Kwaku Takyi** aka **Prince Klaas**, a man kidnapped from his **Akan** community in Ghana at the age of ten. The Akan people were never a majority of enslaved Africans brought to Antigua, but their "efficacy in medicinal plant use," "spiritual practice," and "musical traditions" often made them prominent leaders in resistance movements. For more information, click on the image to the right to read *The Akan Diaspora in the Americas*, by Kwasi Konadu (available online with HLS credentials).



Also among those executed for their part in the planning was **Hector**, a man enslaved by the Royall family as their "trusted head slave, or 'driver,'" - the Royall family was compensated £70 for their "loss" of labor. The Royall family left Antigua for Massachusetts in 1737, shortly after the suppressed rebellion.



1900s



CHARLES HAMILTON HOUSTON

"A lawyer's either a social engineer or a **parasite** on society."

Charles Hamilton Houston was the grandson of a formerly enslaved man who escaped with a broken foot and became a conductor on the Underground Railroad. Hamilton Houston grew up to serve during WWI and was nearly killed, not by an opposing force, but by white soldiers under the US flag - "**The hate and scorn showered on us . . . convinced me that there was no sense in my dying for a world ruled by them.**" He became the first Black editor on the Harvard Law Review in 1922 and later engineered the legal strategy that led to the unanimous 1954 Supreme Court decision in *Brown v. Board of Education*. He trained future Supreme Court Justice Thurgood Marshall who remarked "[w]e owe it all to Charlie."

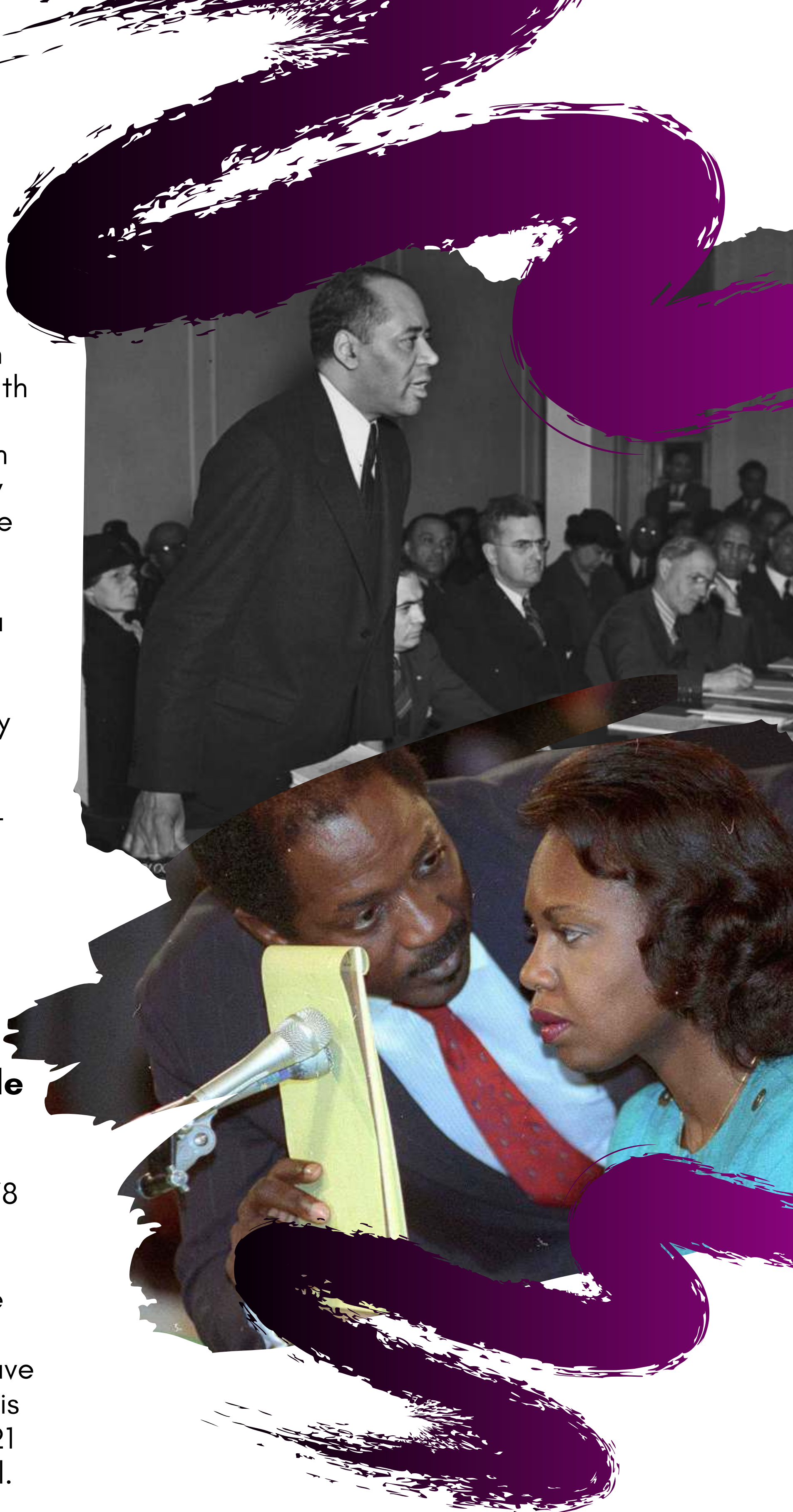
CHARLES OGLETREE

"Childhood **dreams of the improbable** are the very key to who I am today."

Charles Ogletree graduated from HLS in 1978 and started teaching at HLS in 1985. In 1990, when Derrick Bell took an unpaid leave of absence to demand HLS hire a Black female professor (discussed later in this guide), **Ogletree offered to join him** on unpaid leave even though he lacked tenure at the time. His clients have included the survivors of the 1921 Tulsa massacre, Tupac Shakur, and Anita Hill.

Click the image to the left to learn more about the **Charles Hamilton Houston Institute for Race and Justice** at HLS, founded by Ogletree in 2005. Ogletree also founded the **Criminal Justice Institute** at HLS in 1990.

Previously there was a **Charles Hamilton Houston Professor of Law** position at HLS, but the professorship has since **vanished**, for undisclosed reasons.



"It's not worthwhile to be full of wisdom if we **lack courage**."

PEDRO ALBIZU CAMPOS

Pedro Albizu Campos was one of the first Puerto Rican students at HLS. While at HLS, he learned and worked in solidarity with other international students fighting for independence from colonial regimes in India and Ireland.

He graduated in 1921 with the highest GPA in his class, an achievement that earned him the right to give the valedictorian speech. However, animus towards his mixed racial heritage (his mother was African and father was Spanish) led to his professors **delaying two of his final exams in order to keep him from graduating on time**.

Immediately after graduating, Albizu Campos returned to Puerto Rico to fight for the liberation of his home from US colonialism. He was **imprisoned 26 years** and died as a result of these efforts.



In **1970** there were finally enough students to form a Latino student group at HLS. In 1979-80, two prevailing Latino groups merged to form la Alianza (The Alliance).

In **1989**, Alianza staged a protest (one of many over the years) at a faculty meeting, demanding HLS hire a Latino professor. Alianza's Ana Maria Salazar explained:

"The message [from HLS] is, 'It's **okay** for Latinos to be students, but they are **not good enough to be professors**.'"

It wasn't until this year, **2019**, 3 decades after the Alianza protests and a century after Albizu Campos graduated, that the **first and only** Latino professor was granted tenure at HLS – Professor Andrew Manuel Crespo, who is white and Puerto Rican.

Alianza's Community and Activism

Committee seeks to build a network of activists in 2019-20, its inaugural year. The Committee builds upon decades of advocacy at HLS to:

- 1** Hire Latinx professors.
- 2** Increase working-class Latinx representation among the student body.
- 3** Support and aid efforts of solidarity for other communities of color.
- 4** Drive legal scholarship in support of the broader Latinx community.

Interested students should email **alianza@mail.law.harvard.edu**

This is true despite the fact that there are over 55 million Latinos in the US, nearly 20% of the overall population.

"[As students of color at HLS, w]e realized that we were not just unhappy but in many ways **unchallenged**. Unchallenged by a place that had no idea about, and apparently little interest in, how to design its curriculum to systematically expose students to the complex lives of people like those with whom I had grown up."

GERALD P. LÓPEZ

López graduated from HLS in 1974. He grew up in East Los Angeles and started working manual labor jobs at 14 after his father died and his older brother was incarcerated. At HLS, Lopez found himself disappointed by the coursework and stopped going to classes his 2L year, instead focusing on the new clinical programs founded by Gary Bellow.

"I always thought the idea was, you go back to some neighborhood with a bunch of poor people and fight like shit. **Otherwise, why be a lawyer?**"

In the 1983-84 academic year, López became the first Latino visiting professor at HLS. Alianza wrote a letter to administration urging that they seriously consider making a permanent offer to López, but HLS stayed silent until after he had already left campus. He accepted a position at Stanford instead.



Yale's annual **Rebellious Lawyering** conference is the largest student-run public interest conference in the US. It began in 1994 after the publication of *Rebellious Lawyering* by López. ReLaw connects law students, attorneys, and community activists to learn, strategize, and build together. Registration fees, transportation, and housing can be provided. Interested students should email

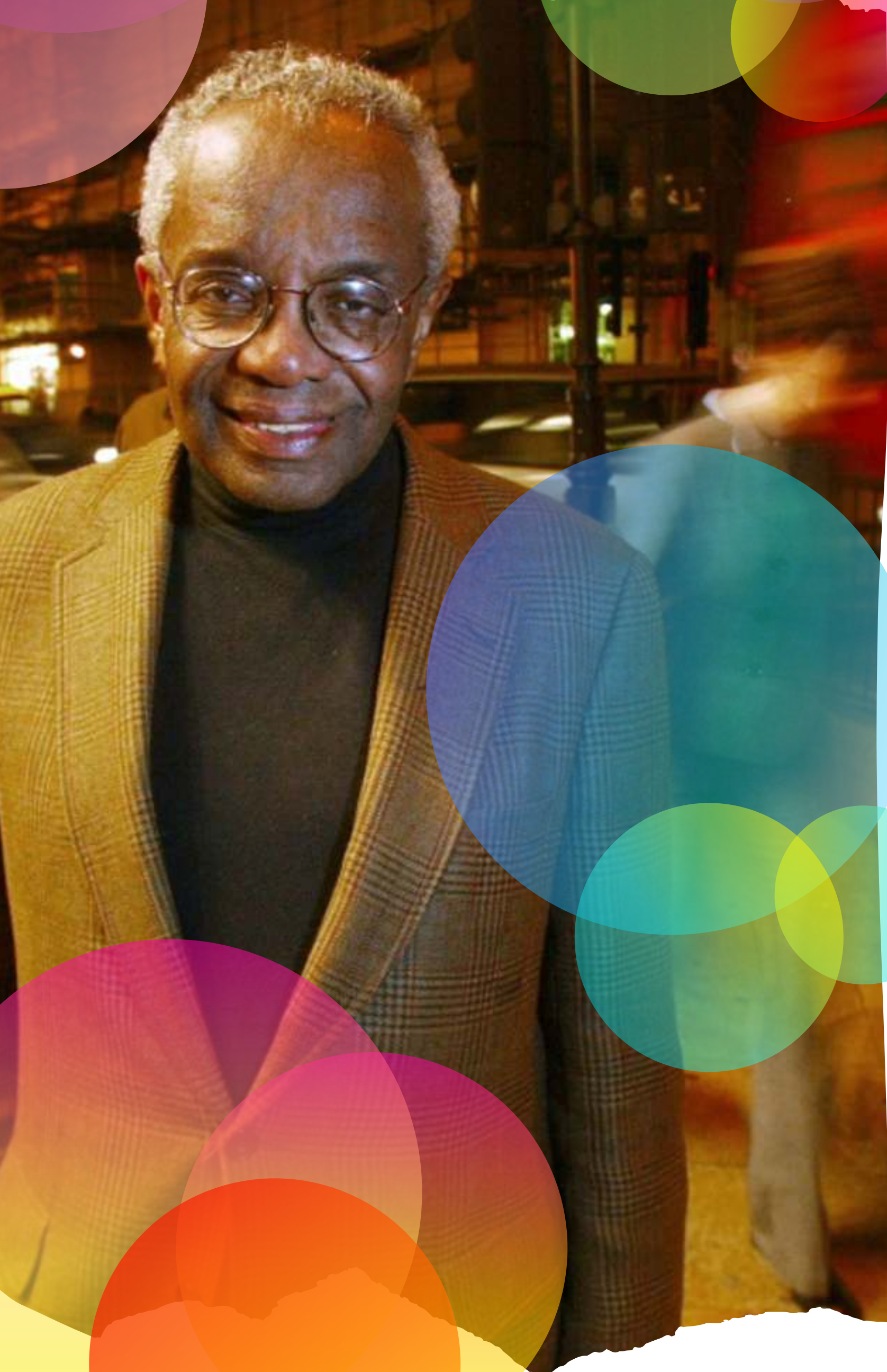
**harvard.lawandsocial
change@gmail.com**



"It's not about asking, it's about **demanding**. It's not about convincing those who are currently in power, it's about changing the very face of power itself."

"The struggle against patriarchy and racism must be . . . inextricably **intertwined**."

KIMBERLÉ CRENSHAW



DERRICK BELL

"I live to harass white folks."

"However self-sufficient we may fancy ourselves, we exist **only** in **relation** – to our friend, family, and life partners; to those we teach and mentor; to our coworkers, neighbors, strangers; and even to forces we cannot fully conceive of, let alone define."

WELCOME TO: CRITICAL RACE THEORY

After Black students protested for representation in faculty, Derrick Bell was hired as the first Black professor at HLS in **1969**. **Bell founded Critical Race Theory while at HLS and developed the first class at HLS on race and the law.**

In **1980**, Bell left HLS to serve as dean of the University of Oregon School of Law – but he resigned after the university **refused** to hire an **Asian-American woman** that he had chosen to join faculty.

Back at HLS in **1982-83**, a group of students, led by Kimberlé Crenshaw (HLS '84), organized an **"Alternative Course"** on race and law to **boycott** a three week mini-course in civil rights litigation offered by Dean James Vorenberg as a **failed attempt to appease students** demanding:

(1) A full course (2) covering CRT material equivalent to that covered by Bell's course – civil rights litigation and CRT are not the same subjects. Students further demanded that it be (3) taught by a professor of color (4) on track to be tenured at HLS.

The first annual **Critical Race Theory (CRT)** conference at HLS was organized by students in Spring 2019. Students interested in being part of the revitalization of CRT at HLS for the second annual conference should email **fhernandez@jd20.law.harvard.edu**



More than 90 students begin attending the "Alternative Course" designed with weekly guest lectures by minority professors – entirely separate from the HLS curriculum and entirely student-run.

In 1985, **more than 500 students** signed a petition for Bell's class to return to HLS.

In **1986**, Bell returned to HLS.

In **1990**, Bell took an unpaid leave of absence, vowing not to return until HLS hired its first Black female professor, noting –

"I cannot continue to urge students to take risks for what they believe if I do not **practice my own precepts.**"

A young Barack Obama, then a 2L, stood nearby as Bell was videotaped announcing his decision to a crowd of students. Students worked in conjunction with Bell by participating in **national class strikes** and staging **sit-ins** with nearly 100 people in HLS Dean Robert Clark's and Harvard President Derek C. Bok's offices. In return, supportive faculty brought the students **food and blankets** to help prolong the actions.

A Class Sends Message To Harvard Law School

Special to The New York Times

CAMBRIDGE, Mass., Nov. 20 — In a small basement classroom at Harvard Law School, 22 students gather week after week for a class no one was expected to take.

The course offers no credit. Taking a course for no credit is a sacrifice almost unheard of for Harvard law students. Yet there is no break from reams of required reading, no relief from weekly written assignments.

This is no ordinary class. It is a civil rights seminar taught by Derrick A. Bell Jr., the soft-spoken black professor who broke ranks with Harvard last spring by vowing to take an unpaid leave of absence until the law school appoints a minority woman to its tenured faculty. Of the faculty's 62 tenured members, three are black and five are women.

For Mr. Bell, one of the nation's leading legal scholars, teaching his

shape class discussions on civil rights issues like affirmative action, criminal justice and racism.

Debating Affirmative Action

In one recent class, Mr. Bell, who is 60 years old, leaned on his lectern and watched quietly as two students, Fernando Colon-Navarro and Michael Gilbert, began a debate on affirmative action.

Getting jobs when you are a minority is not so difficult, said Mr. Colon-Navarro, but getting promotions is. "I've been told a million times that my problem is my background, that I'm too left-leaning," he said. "Affirmative action does not work."

Mr. Gilbert, a 33-year-old Navy lawyer who is working on a master's degree in law at Harvard, countered with on-the-job observations. "I know it's only one person's experience, but I have worked for 11 years and have seen that it does," he said.

After several minutes of discussion, Mr. Bell asked the class what other kinds of hiring laws might be more effective. Several hands shot up and an animated discussion followed.

"I have three other professors, but Bell is head, shoes and shoelaces above the rest of them," Mr. Gilbert said.

Anita L. Allen, a visiting professor from Georgetown Law School, who has sat in on Mr. Bell's class, was asked to describe it. "Fascinating, moving, complicated, surprisingly personal, surprisingly non-doctrinal," she said.

Strength From Memories

The personal side has a particularly sad aspect for Mr. Bell. When he announced his protest last April, he said part of the reason for it was that he felt he was not an adequate role model for female students, although he said his wife disagreed and had opposed his taking a leave of absence.

In August, Jewel Hairston Bell died of cancer. "Her wanting me to continue teaching has really helped sustain me," Mr. Bell said.

Arlene F. Brock, a graduate law student from Bermuda, said Mr. Bell's class "is an oasis for me."

Preston Morris, a graduate student at Harvard's John F. Kennedy School of Government, said: "Some people are taking it because of his sacrifice. My primary reason for taking it is I came to Harvard trying to find a mission for this generation of blacks. Derrick Bell's whole approach has encouraged me to think creatively, to think outside my paradigm."

Law School Appears Unmoved

So far, however, Harvard has responded coolly to the protest by Mr. Bell, who was appointed to Harvard's faculty in 1969 and became its first

A professor's effort for minority women means teaching for free.

fall semester class, "Civil Rights at the Crossroads," without his annual salary of about \$120,000 is an extension of his protest.

"Asking people for something is one thing," he said in an interview after a recent class. "Taking action is another."

Being There: A Student Protest

For many of his students — who are black and white, young and old — taking the class without credit has been their way of protesting as well.

"The fact that students are willing to take a class with no credit sends a strong message to the faculty that we need more diversity, more ferment, more alternatives to the white male perspective," said Steven R. Donziger, a third-year law student from Jacksonville, Fla.

Another message was sent today, when 12 Harvard Law School students filed a lawsuit in Massachusetts Superior Court, charging that the school's hiring practices are discriminatory by default if not by design, and asking the court to force the school to adopt a more vigorous affirmative action plan.

Mr. Bell's teaching style exemplifies the kind of diversity that is needed, his students say. He weaves written reflections by the students on their assigned reading together with fictionalized case studies from his book, "And We Are Not Saved," to



Rick Friedman for The New York Times

Prof. Derrick A. Bell Jr. of Harvard Law School, who has taken an unpaid leave of absence, teaching a not-for-credit class.

tenured black professor.

"Professor Bell is a person of strong convictions, for which I respect him, although I do not think his taking leave is an appropriate or effective way to further the goal of increasing the number of minorities and women on the faculty," wrote Robert C. Clark, dean of the law school, in a letter to incoming students this fall.

Dean Clark has said that Harvard is dedicated to making the faculty more diverse but has not been able thus far to find a black woman with the proper qualifications. Of 12 visiting professors on campus this year, seven are women and one of those, Ms. Allen of Georgetown, is black.

The university said last week that Dean Clark would have no additional comment on Mr. Bell's protest.

"The primary value of his protest seems to be as a lesson to students about personal commitment and how to be principled within an institution," said Christopher Edley Jr., one of three tenured black professors. "With respect to faculty politics, I

don't see that it has had or will have any appreciable effect on the timing of appointment decisions."

Mr. Bell, who has been permitted to keep his office and secretary, as well as use a classroom for his Monday night course meetings, said that his leave of absence would continue until a minority woman was appointed. He continues to earn money with a full schedule of speaking engagements around the country, he said.

As for his students, they said they would remain dedicated to making it to Mr. Bell's remaining classes.

"I think Dean Clark thinks we are going to get so worried about our careers that we will forget about this," said Erin R. Edmonds, a third-year law student from Salt Lake City. "But I've been up at 5 in the morning writing my reflections for this class because I don't want to disappoint Professor Bell and I don't want to disappoint myself."

"That's my retort to Dean Clark's indifference," she said. "I'm not going anywhere, especially not to sleep."

Despite his protest, Bell continued to teach a **unpaid, not-for-credit course** that was well attended by students who saw his presence as "an **oasis**" from the rest of HLS.

Also mentioned in this 1990 New York Times article is the **lawsuit** that was filed **pro se** by twelve HLS students part of the "**Coalition for Civil Rights**" (CCR) in Massachusetts Superior Court at the Middlesex County Courthouse, "charging that the school's hiring practices are **discriminatory by default if not by design**." See *Harvard Law Sch. Coal. for Civil Rights v. President & Fellows of Harvard Coll.*, 413 Mass. 66 (1992). The HLS attorney used tactics such as scheduling court dates during student breaks and finals. Nonetheless, **over 150** HLS students attended the hearing in which CCR argued for standing in front of the Supreme Judicial Court.

On **February 28th, 1992**, Dean Robert Clark unexpectedly announced the hiring of four new tenured professors – all white men and two visiting professors. Students were rightfully upset considering that the excuse for not hiring at least three visiting professors of color in recent history had been that it's against HLS policy to hire visiting professors until after they had left campus (the "**year away rule**").

Apparently, certain exceptions were being made.

Dean Clark defended the appointments by saying that they contributed to "**ideological diversity**." He also claimed that, unknown to the student body, the policy against offering tenure to current visiting professors had coincidentally been revoked.

Hundreds of students conducted protests on campus and even at Dean Clark's house – many received threats of **suspension and expulsion** along the way. On **March 18th, 1992**, a group of students conducted a 15 minute sit-in at Professor **Charles Fried**'s office.

They would be known as the "Fried Four."

Fried immediately reacted to the students by threatening to call the police and "the bar authorities too." Fried wanted assurance that the students would face disciplinary action. A similar sit-in was staged at the office of Professor **Reinier Kraakman**'s office the next day, but Kraakman merely left to teach class instead of engaging with the protestors. Both professors were targeted because they were members of the **Faculty Appointments Committee** that were thought to be **blocking** women and minority appointments.

On **March 25th, 1992**, Dean Clark released a Wall Street Journal interview in which he claimed that the protests for faculty diversity were due to minority students' **lack of self confidence and need for validation** that they didn't solely get into HLS because of affirmative action.

On **April 6th, 1992**, while an appeal of the CCR lawsuit was pending, nine members of CCR applied additional pressure by staging a peaceful, **24 hour sit-in** in the corridor of Dean Clark's office, blocking the entrance through the door.

The "Griswold Nine" faced discipline potentially as severe as dismissal from HLS.

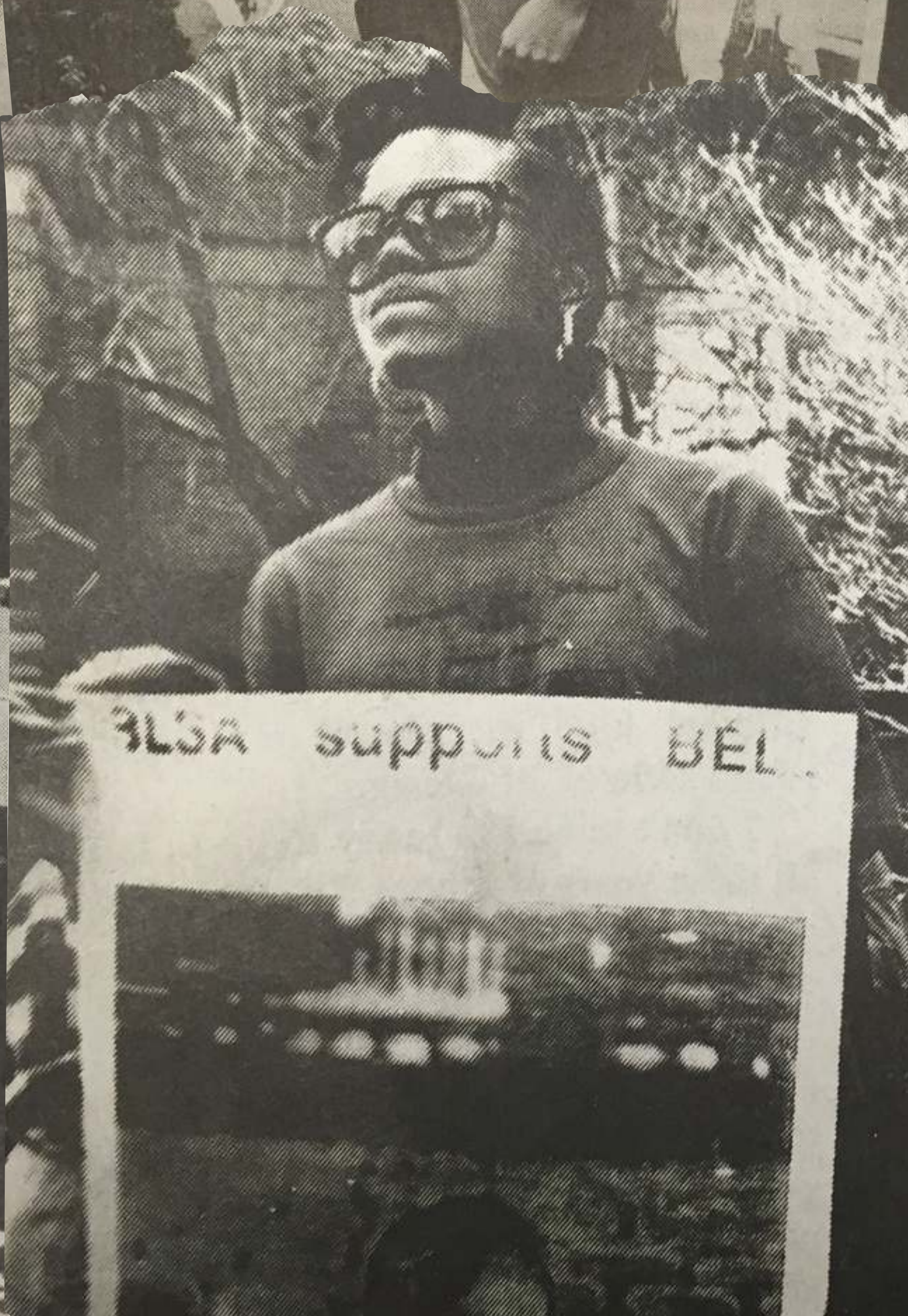
Julia Su was part of the Griswold Nine and was **only a 1L** at the time. She commented – "For me [the Wall Street Journal article] made it clear: this was **much deeper** than just who got an invitation to teach at HLS; it was about **racist notions of inferiority** that could never be addressed by talks and committees."

On **May 4th, 1992**, the Griswold Nine were given a trial in front of the Administration Board in the Ames Courtroom, which was filled to capacity with supporters. The Board ultimately gave the students "official warnings."

Click on the image to the left to watch footage of Crenshaw explain her role as a student in the protest of the early 1980s.



Click on the image to the left to watch footage of Bell and student organizers speaking during the protests of the 1990s.



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whether the school should immediately appoint a black woman.
"The problem is, you can't tell the truth around here anymore without being accused of being a racist," said Adam Weiss of North Caldwell, N.J., who said he had been a student in the class on torts taught by Professor Austin. He said she had shown favoritism toward minority students and women and had an unconventional approach to

Turmoil grows over the lack of a black woman on the faculty.

teaching. "She's teaching more sociology than law," said Mr. Weiss.

As an example, Mr. Weiss and several other students recalled a class in which Professor Austin discussed an article she had written on the cost of emotional distress employers inflict on domestic workers. To begin the session, the students said, Professor Austin had sarcastically noted that few of them probably had any experience as domestic workers.

A Personality Issue?

Another white male student, Jeff Dean, from Chicago, said, "I think she's a nice person, but not a very good teacher." Mr. Dean said Professor Austin had repeatedly refused to call on him when he raised his hand, a complaint that women have frequently made against male professors.

As Mr. Dean tried to make his point, Marcia Narine, a first-year student from Miami, challenged him loudly. "I'm coming from the perspective of a black woman, and we need black women role models," Ms. Narine said. "There are complaints about Regina Austin's teaching, but no one can say she is not qualified to be appointed a full professor. They are only talking about her personality."

For faculty members, Mr. Bell's declaration has raised somewhat different issues than it has for the students.

"Many people feel what Derrick Bell is doing is dangerous," said Clark Byse, a professor emeritus at the law school who still teaches a course. "If a



In response to the notion that there "just aren't enough qualified candidates," Bell noted that visiting professor, **Regina Austin** (pictured) was a talented professor and scholar with enthusiastic reviews from many of her HLS students.

Harvard Law Notifies Bell Of Dismissal For Absence

Special to The New York Times

BOSTON, June 30 — Derrick Bell, the Harvard Law School professor who took an unpaid leave of absence two years ago to protest the school's failure to hire, in his words, "a woman of color," received notice today that his teaching days there are over

After two years of failure to make progress, HLS decided to **fire** Bell in **Summer 1992** instead of hiring a Black woman.

Bell remarked - "The idea that this school can't find one qualified Black woman to hire full time is an insult. **They should be ashamed of themselves.** My heart goes out to the Black women who still don't have a role model as part of their legal education. After all our protests, the **people at Harvard still don't get it.** But you know, I'll survive this. My conscience is clear."

Comments from current HLS faculty included:

Alan Dershowitz - "The last thing Derrick Bell wants is real diversity here. He just wants more Derrick Bells on the faculty. If there were real diversity, we'd hire some gun-toting members of the National Rifle Assn. or some far-right evangelicals."

Charles Fried - "This is a strange notion of conscience. You make a sacrifice in the name of conscience, and then demand special benefits?"

"[A]ll the men on the panel fondly reminded us how they felt to return 'home,' fondly revealing stories about their three years at law school. . . . It was my turn. No empowering memories came to me. I had no personal anecdotes for the **profound** senses of **alienation** and **isolation** that caught in my throat every time I opened my mouth. Nothing resonated there for a black woman, even after my ten years as an impassioned civil rights attorney."

LANI GUINIER

Lani Guinier is the daughter of Jewish civil rights activist Eugenia Paprin and Ewart Guinier, a Panamanian-born, Harlem-raised labor activist and scholar of Jamaican descent.

Guinier knew she wanted to become a civil rights lawyer from the age of twelve after she watched NAACP LDF lawyer Constance Baker Motley escort James Meredith onto the University of Mississippi campus as the school's first Black student. In 1981, Guinier followed in Motley's footsteps by becoming an assistant counsel at the NAACP LDF and eventually heading the NAACP's Voting Rights Division. **In 1998 Guinier was hired as the first Black woman professor at HLS.**

Guinier is the author of *Becoming Gentlemen*, which studies how **women are failed by traditional law school pedagogy.**



Lila Fenwick Imelme Umana

First Black woman graduate of HLS (1956) First Black woman President of the Harvard Law Review (2017)



MARGARET MONTOYA

"There's an **exorcism** that happens when you create Black and Brown space at HLS. There are real devils here. White space didn't just happen, it was **curated**."

Margaret Montoya traces her *raíces* to copper mining and railroad working families living in New Mexico since it was controlled by Spain and México. **In 1978 she became the first Latina graduate from HLS.** Montoya didn't realize she would be recognized as a "first" until two decades after she graduated and emphasizes that her success is best understood not as an individual crossing a singular line, but as a **collective, multi-generational** effort from her family and community. When told that she would appear in this guide, Montoya replied that there is no other publication on which she would be prouder to show her face – she holds a lifelong dedication to disruptive, defiant students of color close to her heart.

Montoya went on to become a contributor to "**LatCrit**." Her best-known article, *Mascaras, Trenzas y Greñas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse*, focuses on **resisting the cultural assimilation** that often comes with higher education.

Both Montoya and Matsuda returned to HLS during Reclaim, in solidarity with new student organizers.

MARI MATSUDA

CRT "is what happens when you **take your hands off your eyes** in the scary movie, and start **laughing at the absurdity of the premise**."

"Understanding how law worked as an ideological system, what **lies** it told, how the lies **seduced**, how they were **resisted**, was our work."

Mari Matsuda got her LLM from HLS in 1983 and 15 years later became the **first Asian woman become a tenured law professor in the country** (at UCLA). Matsuda is an artist, a gardener, and a contributor to "**AsianCrit**," noting that "[w]hen it comes to fighting [any] racism, we can't do that without **centering anti-Blackness**." She warns against Asian communities embracing exceptionalism or becoming a "racial bourgeoisie," and instead examines interconnected systems of oppressions between all communities of color.



2000-13

 HOME  SEARCH

The New York Times

Harvard Law, Hoping Students Will Consider Public Service, Offers Tuition Break

By JONATHAN D. GLATER MARCH 18, 2008

Concerned by the low numbers of law students choosing careers in public service, Harvard Law School plans to waive tuition for third-year students who pledge to spend five years working either for nonprofit organizations or the government.

The program, to be announced Tuesday, would save students more than \$40,000 in tuition and follows by scant months the announcement of a sharp increase in financial aid to Harvard's undergraduates. The law school, which already has a loan forgiveness program for students choosing public service, said it knew of no other law school offering such a tuition incentive.

EDUCATION

Harvard Law School Suspends Program Giving Students Free Tuition

By TAMAR LEWIN DEC. 2, 2009

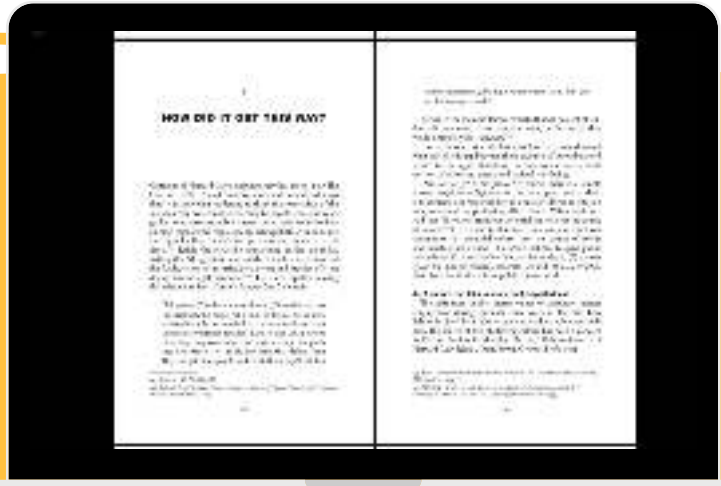
Less than two years after announcing that it would waive tuition for third-year students who pledge to spend five years working for nonprofit organizations or for the government, [Harvard](#) Law School is suspending the program — in part because almost twice as many students as expected signed up.

It is **rumored** that the **gap in advocacy** for systemic change in the early 2000's resulted from Dean Robert Clark asking Admissions to reject students with activism backgrounds.

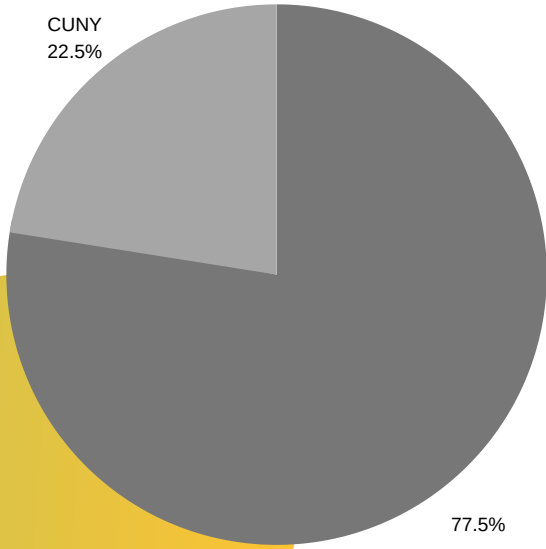
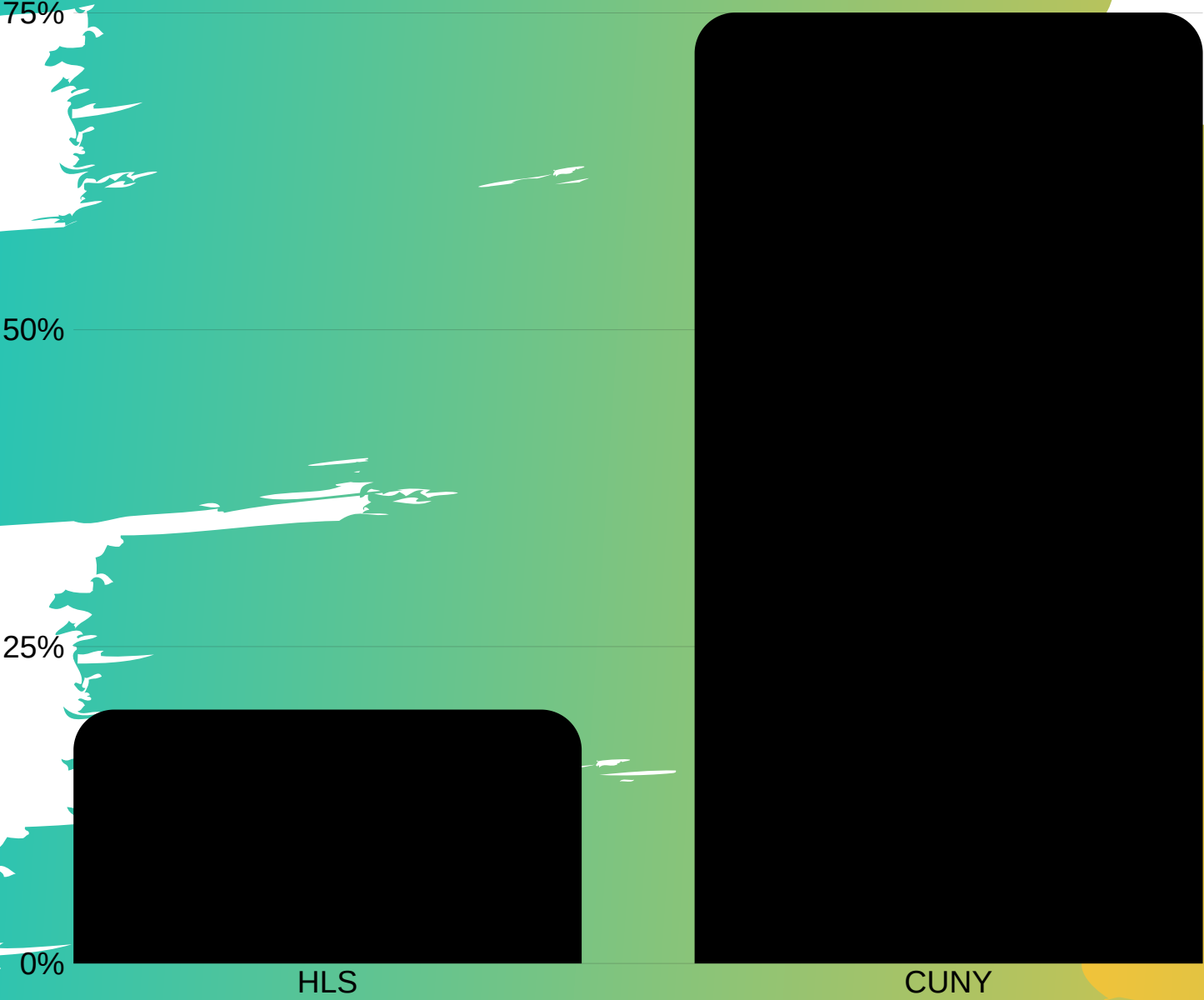
During this time period (2009), Dean Martha Minnow announced that HLS would **stop** offering **a year of free tuition** to students who agreed to go into public interest law for at least 5 years after graduation. The program served only about 80 3Ls each year, but HLS claimed that "more students than expected" making use of the program was partly why it was discontinued.

HLS, which is filled with wealthy children of the elite, has **long** prevented and discouraged students from pursuing public interest careers. The director of HLS Office of Career Services in 2016 said it themselves: **"The path of least resistance will put you at a firm in New York."** A **very thorough** accounting of this effort by the HLS administration and its effects was published in:

"Our Bicentennial Crisis" (2017) by Pete Davis
Click on the image to the right to read the full report.

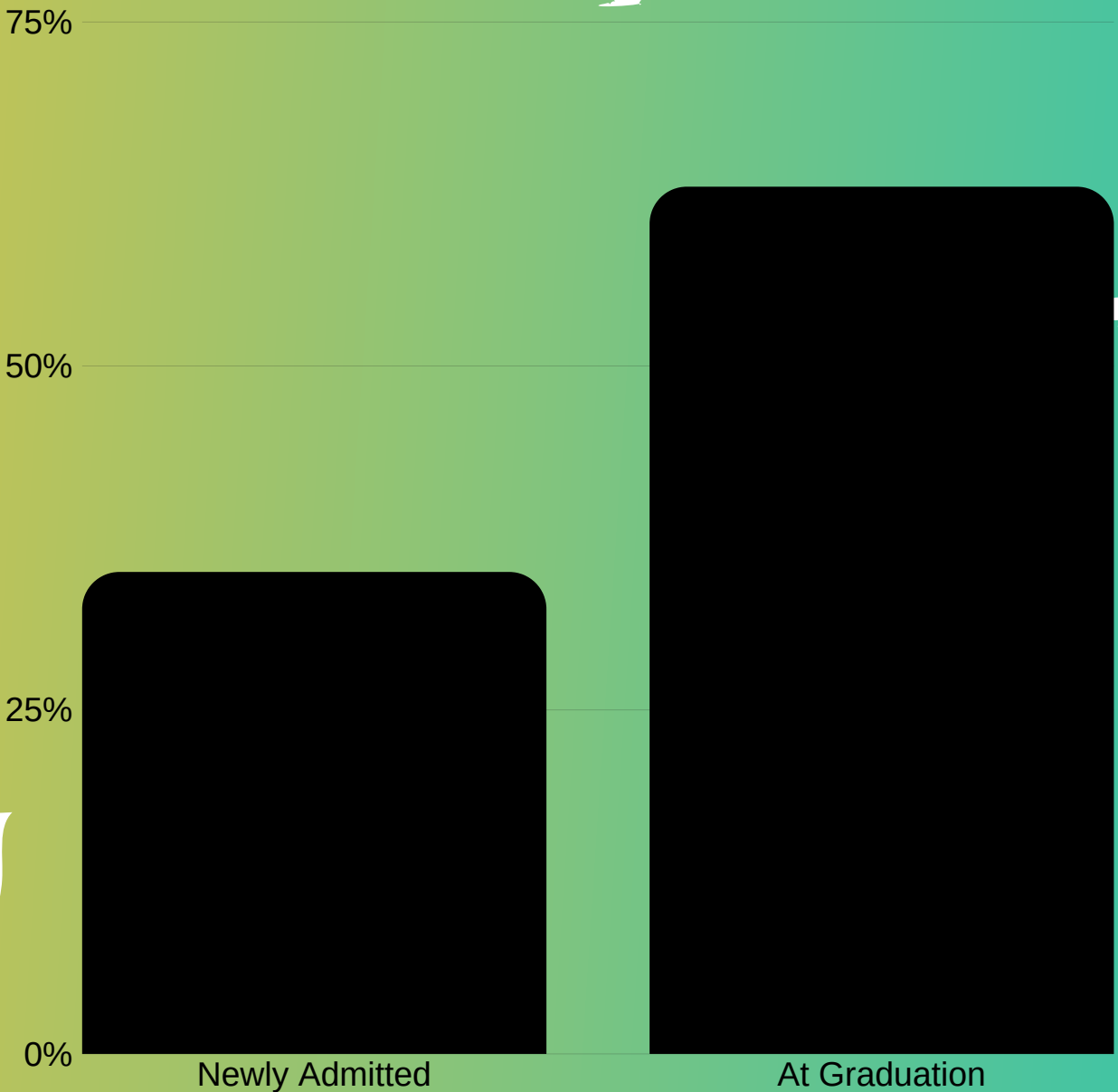


Percent of Employed, Non-Clerking Graduates in Class of 2015 Working in Public Interest, Govenment, or Academia



"77.5% of HLS students are from families that make more than \$95,000 a year and have more than \$175,000 in net wealth. If your family had **double** the median net worth of American families, you would still be in the **bottom quarter** of the economic bracket of HLS."

Percent of HLS Students who Plan to Work in Law Firm or Business After Graduation - When Admitted vs. at Graduation



"Charles Ogletree put it bluntly: 'CUNY Law School is the premier legal institution in the country and the world for training lawyers who are committed and dedicated to the public interest.'
HLS can and should **catch up to CUNY** and become **the premier legal institution for serving the legal needs of the many rather than the legal interests of the few.**"

2014-18





On **November 19th, 2015**, black tape was found covering the faces of every Black HLS professor whose portrait hangs on the walls of WCC. In response, students surrounded the portraits with notes of love and appreciation. HLS administration claimed that there were no cameras positioned to identify the perpetrator.



Derecka Purnell became a leading figure in the Reclaim movement at HLS. She's pictured to the left with her son at Harvard's first Black Commencement in 2017 – Nicholas Zuckerman was sentenced to federal prison for threatening to commit a **mass shooting** at the event. Below are excerpts from Purnell's 2015 article **"Black Tape, White Wonder: Harvard Law's Reaction to My Everyday Experience."**

"To be honest, the tape did not mean a whole lot to me. But for many of my colleagues, it literally took this visible, overt act of racism for their compassion to manifest. 'Now this is definitely racist.' **As my dear best friend pointed out, the culprit used very little tape to cover the number of Black faculty portraits at the law school: less than ten teach a school of more than 1,500 students.** Have you considered that this tape is not incidental, but rather a staple of our institution?"

WELCOME TO: RECLAIM

Reclaim / The Belinda Occupation was partly formed out of **Royall Must Fall**, which started to organize to remove the Royall crest from the HLS shield in Fall 2015. After the black tape incident, Reclaim HLS was founded on **December 1st, 2015**.

February 16th, 2016 was the first overnight occupation, with roughly 20 students participating. Two weeks after Reclaim began its occupation, HLS recommended the removal its official seal. The crest quickly disappeared from social media accounts, campus buildings and merchandise in the school's apparel store, **but the occupation didn't end, and in many ways the continues through Disorientation every year since then.**

March 4, 2016

In Belinda Hall, I and others have engaged in political education, comparing the writings of Stokely Carmichael and Bayard Rustin.

I've seen critical race theorists like Native American professor Gerald Torres and Latina professor Margaret Montoya expand students' imaginations.

I've watched films that deal with challenging topics of race, religion, gender, and sexual orientation like "Brother Outsider" and "Omar."

I've even enjoyed the comedy routine of Palestinian professor Amer Zahr.

And as I write this, I see classmates preparing for a student-led discussion of Ta-Nehisi Coates' "Between the World and Me" and James Baldwin's "The Fire Next Time."

"Why I'm Sleeping in Belinda Hall"
Jordan Raymond, HLS '16

2015-16 Volume of the Harvard Journal of African
American Public Policy

Belinda Hall is Black as hell. Not racially, but consciously it is Black.

It's the only Black space on Harvard Law's campus, and like every other Black space in this world, it is under attack or on the threat of seizure.

"On Bombs, Bullets, and Belinda"
Derecka Purnell, HLS '17

To see a list of Reclaim demands, click the image below.





"ON FEBRUARY 14, 2017, I SAT IN A CLASSROOM LISTENING TO STUDENTS MONETIZE CANCER RISK. ONE OF THEM SUGGESTED THAT PEOPLE WHO 'ELECT' NOT TO PURCHASE HEALTH INSURANCE TAKE THE RISK OF GETTING CANCER SOMEDAY. ON FEBRUARY 14, 2013, I STOOD AT MY FATHER'S FUNERAL STARING AT THE CASKET OF A MAN WHO DIED OF CANCER BECAUSE HE WAS UNINSURED."

Many classes at HLS - especially criminal law classes - have a "no personal narratives policy." This policy **disproportionally silences** students of color as well as first generation and low income students by telling them that their **direct experience with the violence of the legal system is an uncomfortable distraction that is not welcome or valued in class.**

In February 2018, a student at Stanford Law School received anti-immigrant hate mail and a coalition of woman of color created the #RacismLivesHereToo campaign as a response to expose daily racism at law schools, including HLS.

The quotes on this page were taken from an HLS survey which then became a series of flyers posted on the walls of WCC.



"I WAS STOPPED BY CAMPUS POLICE FOR WALKING 'SUSPICIOUSLY' WITH MY HOODIE ON."

SOMEONE AT HLS SAID "WHY DO THEY (REFERRING TO STUDENTS OF COLOR) COME TO LAW SCHOOL IF THEY'RE GOING TO COMPLAIN ABOUT LOANS?"

Explicit, emboldened acts of racism at HLS are not uncommon.

Click the images to the right to read HLS BLSA statements on both of the recent incidents described below.

On **April 13th, 2018** (during HLS Admitted Student Weekend), HLS BLSA students witnessed Cambridge Police Department officers brutally assault an unarmed, naked Black Harvard College student, leaving behind a pool of blood on the street in front of Hastings.



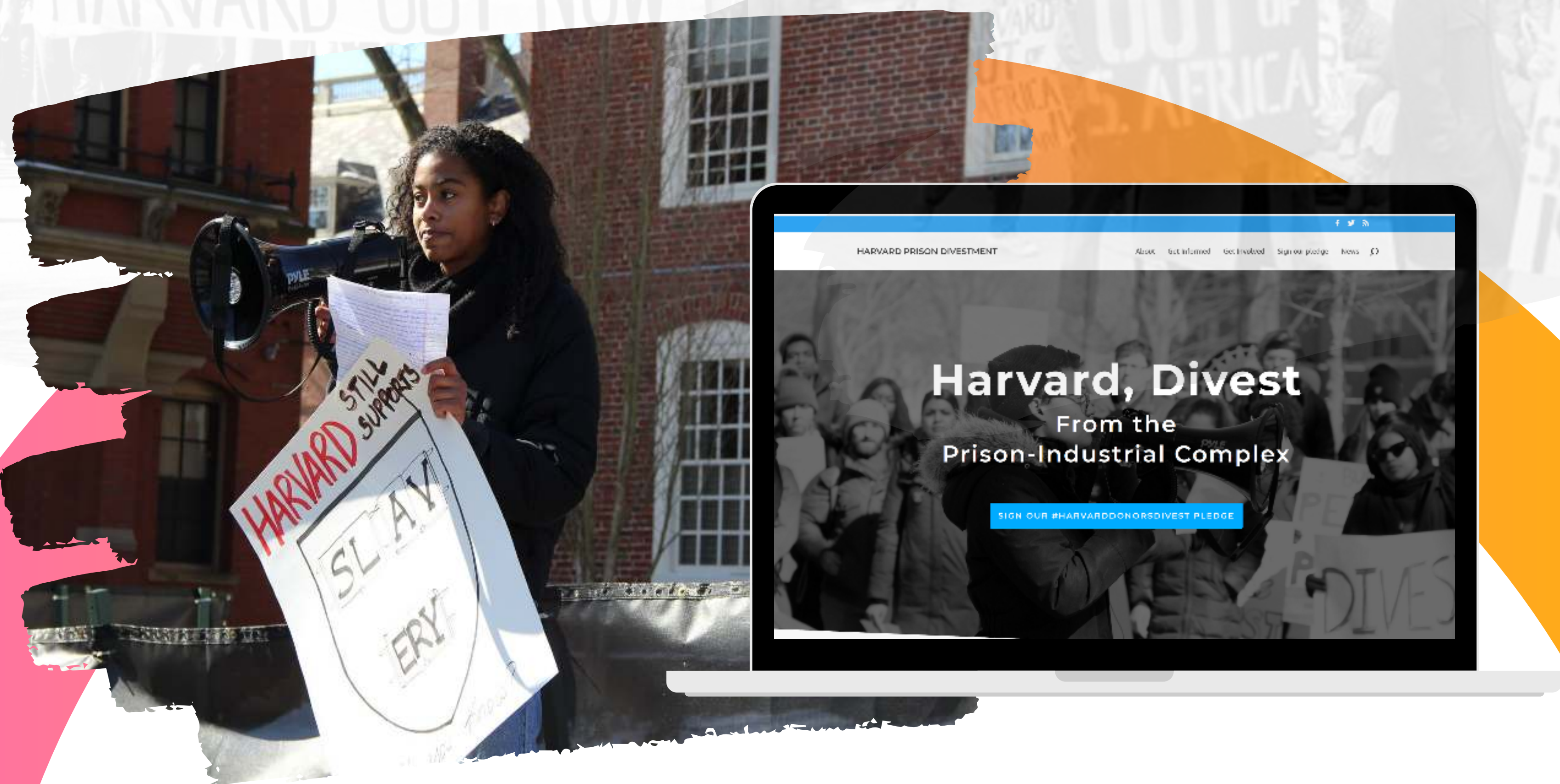
Throughout the 2018-19 academic year, HLS students in Section 7 received racist, sexist messages from an anonymous email, such as - "you know you don't belong here . . . youre [sic] just here because of affirmative action." Administration refused to seriously investigate until the affected students applied pressure, and still refuses to allow the students to see the inconclusive report.



TODAY



The Apartheid divestment campaign from 1972 to 1989 was organized by the **Southern Africa Solidarity Committee (SASC)**. Actions included building a shantytown in front of University Hall (which remained in place for several months), hunger strikes, forcing the cancellation of a gala dinner for Harvard's 350th anniversary celebration, and 'pop and stops' – actions where students would materialize, flood into offices of Massachusetts Hall, hand flowers to secretaries, and say "we'll be back later." **Harvard never agreed to the demand of complete divestiture of its \$400 million of South African related stock**, unlike divestment at other schools like Yale and Columbia.



Harvard Prison Divestment Campaign

HPDC is a student abolitionist and reparatory justice initiative with 3 main demands:

1 - Disclose

Harvard has the largest academic endowment in the World (nearly \$40 billion) but barely 1% of its total endowment holdings have been disclosed.

2 - Divest

Total divestment from all corporations that significantly profit from the capture, caging, control, and surveillance of humans. Even just looking at the little which has been disclosed, we know that Harvard is profiting from infamously cruel, exploitative, and massive private prison operators such as CoreCivic, GEO Group, and Tokio Marine Holdings.

3 - Reinvest

Reinvest the divested funds into communities directly impacted by the prison-industrial complex and into the creation of funded academic projects (e.g., centers, institutes, departments, and concentrations) that employ scholars and organizers to teach and research creative approaches to eliminate structural social harms in ways that do not rely on prisons and police.

Interested students should email harvardpdc@gmail.com

Justice for Palestine organizes an annual trip to Palestine (Occupied West Bank) for HLS students over Spring Break. The trip focuses on international law violations against Palestinians, as well as Palestinian resistance and culture.

Interested students should email **HLSPalestineTreke@gmail.com**



THOMSON REUTERS

WESTLAW™



LexisNexis®

Westlaw and LexisNexis are the primary legal databases used both in legal education and in the legal profession and are given special access by HLS to market their products to students. However, the parent companies of both databases are constructing the deadly data infrastructure that ICE is using to identify, locate, detain, incarcerate, and deport undocumented immigrants.

As part of several contracts totaling roughly \$30 million, **Thomson Reuters (Westlaw)** provides various services to ICE including real-time jail booking data, a license-plate scanning database, and access to the Consolidated Lead Evaluation and Reporting (CLEAR) system, which contains a host of public and proprietary records and which is built to interface with Palantir's infamous FALCON system.

RELX (LexisNexis) supplies law enforcement and other person-specific data including commercial information and jail booking data to ICE that allows the agency to conduct rapid electronic searches for information related to undocumented immigrants.

In solidarity with #NoTechForICE, **HLS National Lawyers Guild (NLG)** is launching a national campaign to pressure both corporations to end their contracts with ICE and to call on law schools to terminate their contracts with Westlaw and LexisNexis should they continue to work with ICE.

Interested students should email **HLSGuild@mail.law.harvard.edu**

The living wage campaign from **1998 to 2002**, in which hundreds of College students slept in tents on the Harvard Yard and nearly 50 students occupied Massachusetts Hall for 3 weeks to demand better working conditions for Harvard janitors, security guards, and dining hall workers. Nearly 1,000 Harvard affiliate supporters regularly marched to apply pressure. Click on the image to the right to watch "Occupation: A Film About the Harvard Living Wage Sit-In" on Vimeo, narrated by Ben Affleck.



In **2016**, dining hall workers with UNITE HERE Local 26 (including those at HLS) went on a 22 day strike. Of around 750 total dining services workers, only 14 reportedly broke the strike and returned to work. Thousands of students and faculty supported the effort by joining the picket line and bringing food to those striking without pay.

The final version of the agreement reached set year-round employees' salaries at \$35,000 per year, provided stipends to offset summer layoffs, and required that the University cover healthcare copayments. The 2016 contract will last until **2021**.

HARVARD WORKER UNIONS

HARVARD UNION OF CLERICAL AND TECHNICAL WORKERS (HUCTW)

APPROXIMATELY 5,000 HARVARD EMPLOYEES
PERFORMING OFFICE, LIBRARY, LABORATORY,
AND OTHER TECHNICAL JOBS

UNITE HERE LOCAL 26

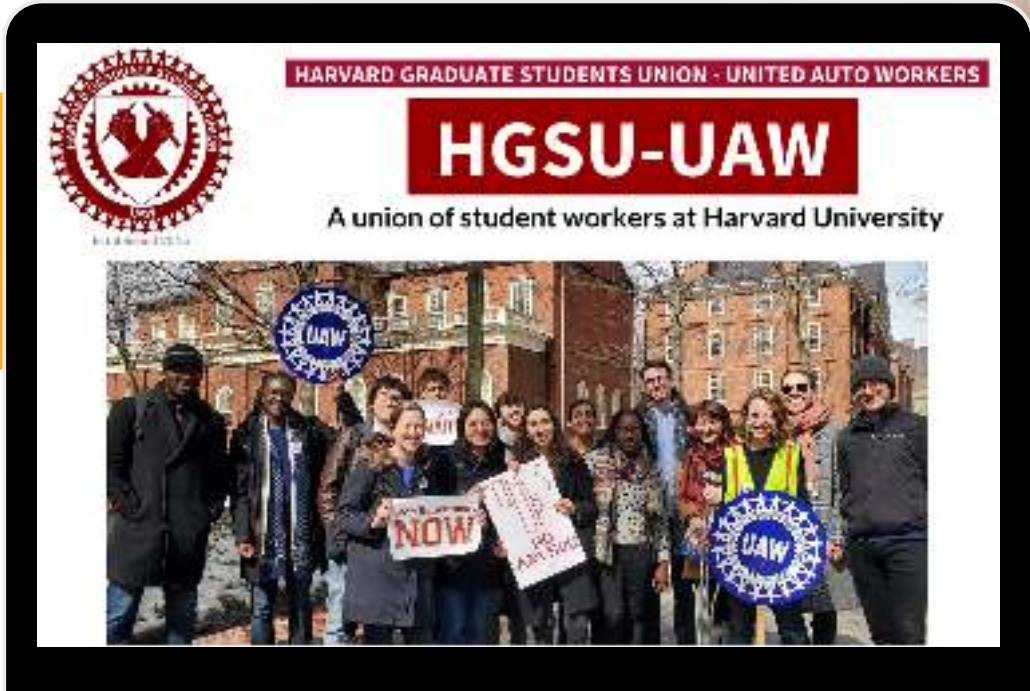
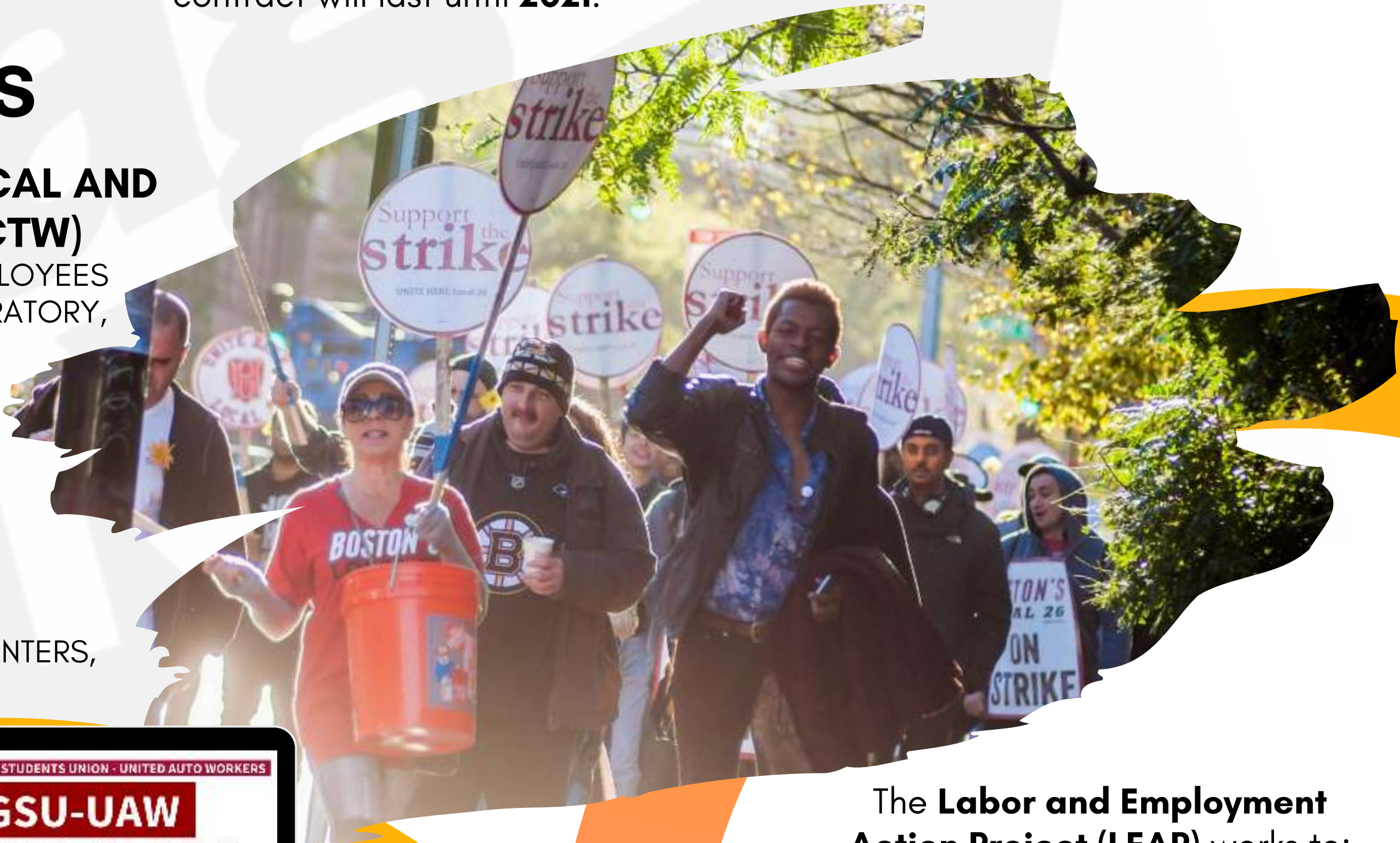
DINING HALL WORKERS

SEIU 32BJ

CUSTODIANS

AREA TRADES COUNCIL

HARVARD MAINTENANCE
(EX: PLUMBERS, ELECTRICIANS, CARPENTERS,
MECHANICS, DRIVERS, LOCKSMITHS)



HARVARD GRADUATE STUDENT UNION (HGSU)

GRADUATE AND UNDERGRADUATE STUDENT WORKERS
(EX: RESEARCH ASSISTANTS, TEACHING/COURSE ASSISTANTS)

HGSU brings together students and student workers across Harvard to build a more just and equitable university community. HGSU is currently working to secure fair pay, comprehensive and affordable healthcare, protections against discrimination and harassment, and support for immigrant and international students in their first union contract. Interested students should email **rsandalowas@gmail.com**

The Labor and Employment Action Project (LEAP) works to:

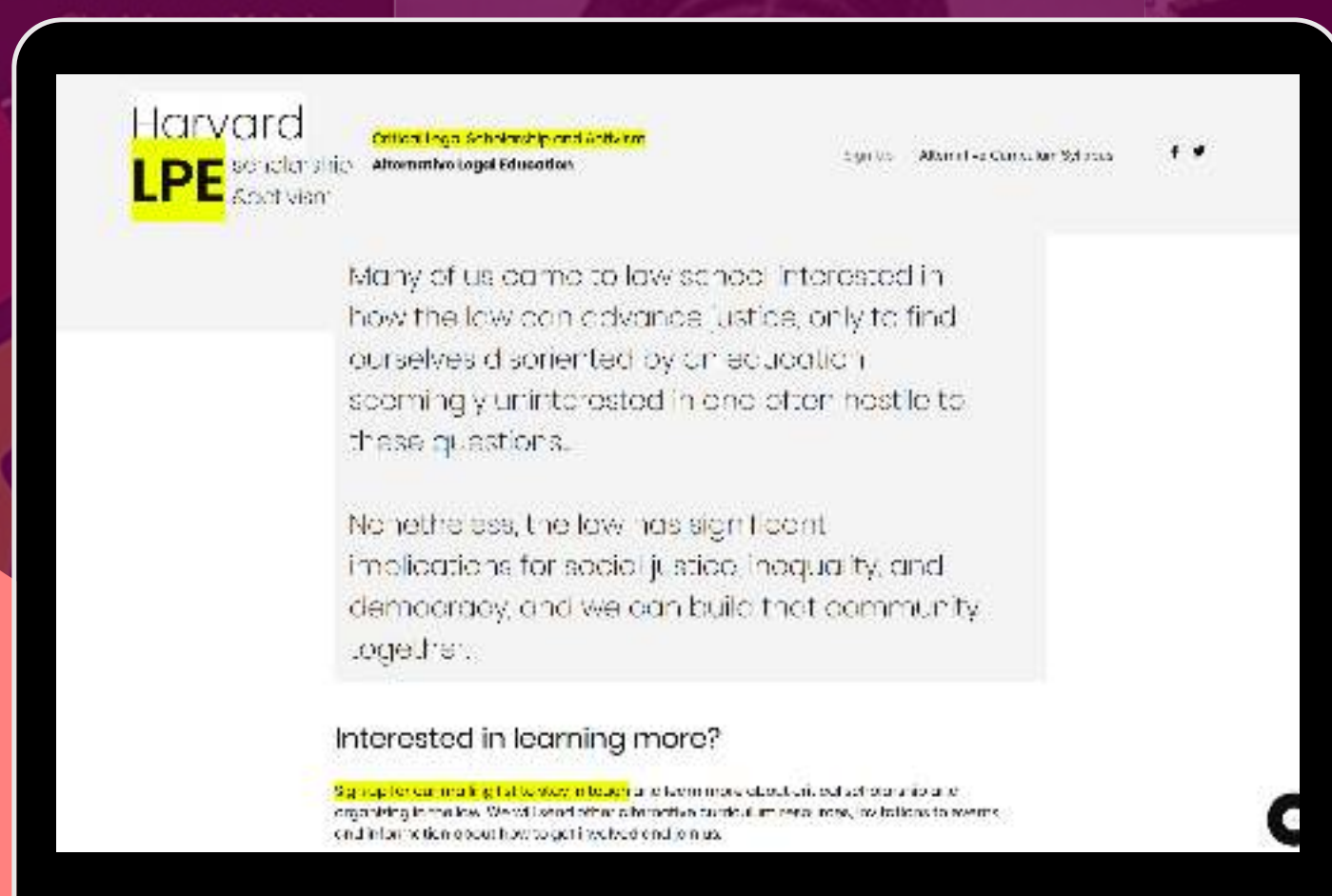
- 1 Support workers on campus in fighting for justice.
- 2 Educate the HLS community about workers' rights and labor issues.
- 3 Foster a community of HLS students interested in pursuing careers in workers' rights advocacy and the labor movement.

Interested students should email **sebastianbspitz@gmail.com**

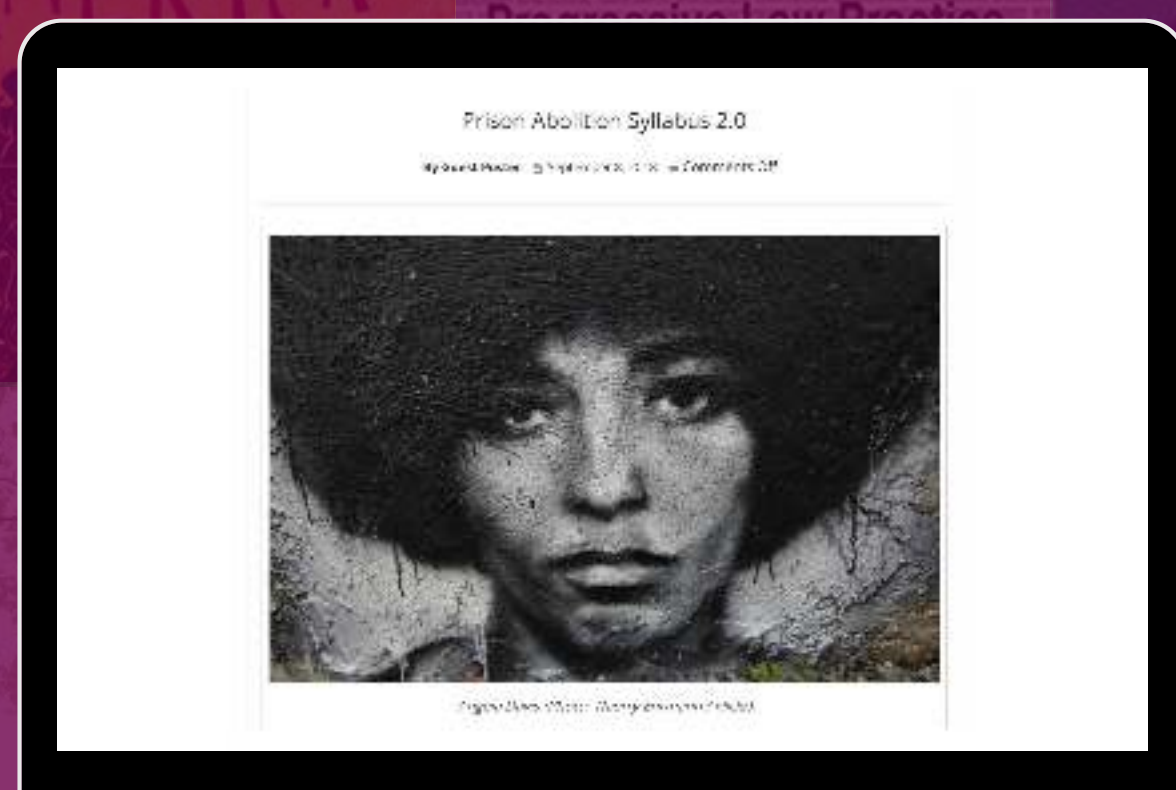
The syllabus at www.alternativelegaleducation.com is a suggestion of readings organized around the 1L Curriculum aimed to challenge various assumptions underlying the law.

Subjects include: Torts, Contracts, Property, Responding to Law and Economics, Criminal Law, Constitutional Law, Legislation and Regulation, Administrative Law, International Law, Corporations, Labor, and Immigration.

Students interested in helping to expand upon this project can email HarvardLPE@gmail.com



HLS students interested in criminal law should look at the **Prison Abolition Syllabus** from the African American Intellectual History Society.



"CARING FOR MYSELF IS NOT
SELF-INDULGENCE, IT IS
SELF-PRESERVATION, AND THAT IS
AN ACT OF POLITICAL WARFARE."

Audre Lorde

"I'M NOT INTERESTED IN COMPETING WITH
ANYONE. **I HOPE WE ALL MAKE IT.**"

GOOD BONES

BY MAGGIE SMITH

LIFE IS SHORT, THOUGH I KEEP THIS FROM MY CHILDREN.
LIFE IS SHORT, AND I'VE SHORTENED MINE
IN A THOUSAND DELICIOUS, ILL-ADVISED WAYS,
A THOUSAND DELICIOUSLY ILL-ADVISED WAYS
I'LL KEEP FROM MY CHILDREN. THE WORLD IS AT LEAST
FIFTY PERCENT TERRIBLE, AND THAT'S A CONSERVATIVE
ESTIMATE, THOUGH I KEEP THIS FROM MY CHILDREN.
FOR EVERY BIRD THERE IS A STONE THROWN AT A BIRD.
FOR EVERY LOVED CHILD, A CHILD BROKEN, BAGGED,
SUNK IN A LAKE. LIFE IS SHORT AND THE WORLD
IS AT LEAST HALF TERRIBLE, AND FOR EVERY KIND
STRANGER, THERE IS ONE WHO WOULD BREAK YOU,
THOUGH I KEEP THIS FROM MY CHILDREN. I AM TRYING
TO SELL THEM THE WORLD. ANY DECENT REALTOR,
WALKING YOU THROUGH **A REAL SHITHOLE**, CHIRPS ON
ABOUT GOOD BONES: **THIS PLACE COULD BE BEAUTIFUL,
RIGHT? YOU COULD MAKE THIS PLACE BEAUTIFUL.**