

A NOTE FROM THE EDITORS

Editors of the Harvard BlackLetter Law Journal

Thank you very much for taking the time to read the 36th Anniversary Volume of the Harvard BlackLetter Law Journal. Those who contributed to this volume include a majority of new voices, students, and scholars. The focus on students for this volume is derived from the goal to highlight young and new voices in legal academia. To them, we owe a great debt. We hope that their contributions will prove to be interesting, informative, useful, and otherwise valuable to you.

We edited this volume during the global COVID-19 pandemic, which deeply and disproportionately impacted Black communities across the world. The pandemic highlighted the systematic disparities in the health, educational, economic, political, and social wellbeing that Black people face in the United States and across the world. During this time, many of us were called back to our communities to figure out ways to best support our family, friends, and communities. Many of us did what we knew best—we organized. We volunteered and fundraised for mutual aid organizations, supported projects to release people from prisons and jails, provided direct services, and directly helped our families and friends. Meanwhile, many of us also faced uncertainty in our legal education and careers. Many of us were also personally impacted and had to step back from finishing the volume.

This volume was also written during the killing of more Black people, particularly Black transmen and transwomen, by police, white supremacists, and people who deem their lives unworthy. We start by saying their names: Dana Martin, Ellie Marie Washtoc, Jazzaline Ware, Ashanti Carmon, Claire Legato, Muhlaysia Booker, Michelle ‘Tamika’ Washington, Paris Cameron, Chynal Lindsey, Chanel Scurlock, Zoe Spears, Brooklyn Lindsey, Denali Berries Stuckey, Tracy Single, Bubba Walker, Kiki Fantroy, Jordan Cofer, Pebbles LaDime “Dime” Doe, Bailey Reeves, Bee Love Slater, Jamagio Jamar Berryman, Itali Marlowe, Brianna “BB” Hill, Nikki Kuhnhausen, Yahira Nesby, George Floyd, Ahmaud Arbery, Breonna Taylor, Tony McDade. We also recognize those whose names are unknown to us but who have also been impacted by white supremacist and anti-Black violence. Finally, we recognize the organizers, scholars, families, and community members who are organizing, uprising, and rebelling across the world to end anti-Black violence and fighting to create more just, equitable, and better world free where Black lives do matter.

We have written this note to introduce and contextualize what follows. First, a brief description of some aspects of our identities, which inform in infinitely complex ways our approach to the editorial process.

We are Black, South Asian, East Asian, Latinx, Pacific Islander and white. We are cisgender, women and men. We come from low-income, middle-income, and upper-income neighborhoods in rural, suburban, and urban areas. We come from immigrant communities. We are Queer and straight. We grew up speaking Spanish, English, and other languages as our primary languages. We all attend Harvard Law School. We are all living in the so-called “free world.” We are all able-bodied. We all speak English. We are all able to read and write. None of us is incarcerated. And, lastly, we all take issue with the status quo of legal scholarship.

Second, we came together in Fall of 2019 and adopted a mission statement for our journal:

“The *Harvard BlackLetter Law Journal (BLJ)* focuses on struggles against anti-Blackness and challenges ideas about who can legitimately produce knowledge related to law. The Journal features work by people writing from many different experiences, on a range of topics, and in a variety of forms, including poetry, essays, visual art, songs, and other forms of expression. *BLJ*, therefore, publishes work by and for activists, artists, currently and formerly incarcerated people, lawyers, professors, and many others. As *BLJ* looks *beyond* the status quo, it also looks *backward* to our Journal’s history and to longer traditions of Black radicalism. We honor and extend the mission at *BLJ*’s founding in 1983 to challenge anti-Blackness, participate in activism around knowledge production, and engage in collective struggle for liberation.”

With our mission statement in mind, we moved away from focusing on a particular theme and opened submissions to all topics, questions, and themes which “. . . challenge anti-Blackness, participate in activism around knowledge production, and engage in collective struggle for liberation.” This generated a variety of poems, essays, and articles which address anti-Blackness. Notably, this volume presents young scholars who are engaging with and using critical race theory principles, tenants, and practices to advance their legal arguments. In doing so, these authors are nurturing a practice of counter-storytelling for the purposes of truth-seeking. These are viewpoints and voices often marginalized in legal academia. In particular, many of our authors are law students whose work, arguments, questions, and analysis are traditionally seen as less valuable than that of law professors. We take issue with this arbitrary hierarchy. This volume seeks to show that students are also creators of knowledge, often stemming from personal experiences of advocating with the very communities they write about or due to experiencing instances of state and personal anti-black violence. While in law school, Black students are often called upon by their peers to teach on racism, bias, systemic oppression, and anti-Blackness. Black students also are often subject to racist and oppressive acts by legal institutions and their peers. For this reason, we choose to highlight the voices of mostly Black law student writers as creators of knowledge.

This volume is composed of the following pieces. First, James Ramsey’s article analyzes the relationship between whiteness, the law, and

state power in the United States. Next, the poem by Kiah Duggins memorializes the life, struggle, and activism of Belinda Hall and its impact on students organizing today against anti-Blackness still present at Harvard Law School. Ra'mon Jones then examines how racist employment policies discriminate against Black people for using a variety of hair styles which do not appeal to whiteness. Then, Amber Simmons examines how the "Angry Black Woman" stereotype is complicit in failing to provide Black women with legal remedies for leaving abusive relationships and also the stereotype contributes to the criminalization and marginalization of Black women. Next, Heather L. Pickerell argues that advocates can turn to local progressive prosecutors to seek more immediate and meaningful changes to the criminal justice system, and she examines criticisms of this approach. Then, Josephine Obiofuma provides an honest and critical poem that illustrates the racism she feels, sees, and experiences as a Black woman in America. Finally, Savannah Kumar explores how solitary confinement is used to compel labor and repress dissent in prisons and immigrant detention centers.

