The Commentator

Vol. XL, No. 12 *The Student Newspaper of the New York University School of Law* **March 29, 2006**

Dean Resvesz Rejects All-ALSA Space Proposal

Chris Moon '06

In a letter addressed to the law school community, Dean Richard Revesz rejected the proposal of a coalition of student group leaders for an All-ALSA space.

Asked to comment on the Dean's decision, Johnathan Smith, '07, a supporter of the proposal, stated, "I am disappointed with the Dean's letter and his rejection of the All-ALSA Space proposal. Racism, expressed either through stereotypes or less subtle forms of discrimination continue to play a role in our legal system - and even in our law school - and the All-ALSA Space could have taken concrete steps to ameliorate those problems and the alienation some student of color experience."

Dean Revesz's lengthy memorandum, a four page letter, eventually reached the final decision, but it took a while to figure out what that decision was. In fact, the first reference to the actual decision popped up buried in the middle of the third paragraph.

In the letter Dean Revesz directly confronted the concerns voiced to him by the ALSA space proponents: first, the classroom experience; second, the hideous condition of the ALSA offices; third, meeting and programming space procedures; and most importantly, the proposal for a "distinct space."

Regarding the ALSA space, Revesz felt that such a space should be rejected for two distinct reasons. First, there is a limited amount of public space at the law school, and to essentially "privatize" an entire room would be an inefficient allocation of resources. Second, Revesz indicated that an ALSA space would be contrary to the spirit of inclusiveness that the law school attempts to cultivate.

Revesz pointed out that, "Just as the ALSA groups might benefit from the existence of space dedicated to their activities, so too would other groups that have minority status at the Law School as a result of some other attribute, like religion or political outlook."

Other concerns raised by the ALSA space proponents achieved more tangible results. For instance, Revesz indicated that the faculty has taken steps to improve the classroom experience for students of color, including the creation of a planned Student of Color Program during Orientation for first-year students and the creation of an annual informational session to help student groups with the often difficult to understand symposium funding process.

Revesz also addressed the concern of the office space in the Mercer basement. Most students groups have offices down in the dungeon-like basement of Mercer. These offices are not frequently used for anything other than storage, mostly because they are scary. As a result of the ALSA space proponents' concerns, dehumidifiers have been added to the basement area, and the offices will be painted, with new furniture added over the summer. Hopefully, after this summer students will be able to use the Mercer Offices as an actual office.

Finally, Dean Revesz indicated that he would work to make sure that the room reservation system would allow reservations for periods of time that are informal gathering sessions.

The letter to the community followed an SBA Open Forum regarding the need for the All-ALSA space. About 90 students as well as Dean Ricky Revesz and Dean Clay Gillette attended the forum.

According to SBA President Oliver Carter, the forum was organized "because many students contacted SBA to support or oppose the creation of the space and questions at the Dean's Town Hall meeting (about the space) were not adequately addressed."

Supporters of the space opposed the forum. In a letter to the SBA Board dated for the day before the meeting, Arlen Benjamin Gomez wrote on behalf of the All-ALSA coalition that she did not believe the SBA was "the proper board for handling our interests." The SBA had discussed the issue of the commons prior to the forum and "we were made to explain ourselves in a way that was demeaning and inappropriate; the SBA board and members verbally attacked the constructive work we have put into the Space, questioned the legitimacy of ALSA members' input, and undermined the contributions we made to this school."

As for the forum itself, "similarly based on the way tomorrow's "open forum" is constructed and advertised—including the choice of moderator without ALSA consultation—we ALSA representatives anticipate the forum that will again fail to address the Space campaign accurately and appropriately."

While the tension in the room was palpable, Carter believes that the forum was a success. I definitely think the Forum was a success, though it is merely a small step on the road toward exploring issues of alienation within the law school. I am convinced that conversations about racial tension at NYU Law are far too important to be held solely over listservs or in ways that exclude a significant number of viewpoints."

Response from Proponents: Drinking the Kool-Aid: Colorblindness and the Problem of Race at NYU Law

By Johnathan Smith '07

It is temping to lull ourselves into the false consciousness of believing our society has moved beyond racial discrimination and oppression. While we all acknowledge that there may be a few "bad actors" who engage in bigoted, prejudiced conduct, we are unprepared to acknowledge that systemic, institutionalism racism remains a problem. This is indeed the great myth in present-day America, and as law students, it is too easy to buy into it, to drink the "kool-aid." After all, this is the language we hear espoused by the courts all the time – colorblindness has emerged as the new currency among judges, lawyers, and diversity-advocates alike. Why do we need to continue to talk about race and bring up the history of animus and discrimination we have tried so hard to put behind us?

But as the controversy over the All-ALSA Space made evident to all who were involved, despite the prevalence of this colorblind rhetoric, what lies beneath is far more disturbing and unsettling than we often like to believe. The request for the proposal made visible to all what some of us have tried to ignore: there still remain a substantial number of students of color here at our very own "progressive" law school who feel alienated and marginalized. While it was acknowledged that the presence of the All-ALSA Space could not completely ameliorate this problem, supporters contended that such a room could not only provide a safe space for students of color, but it could also serve as a forum for conversations about race as well as a space where students could develop strategies and mechanisms for dealing with discrimination and alienation that they could take both to the classroom and the legal offices where they will eventually practice. Nonetheless, many students attended the open forum the SBA organized to publicly state their disagreement with the All-ALSA Space proposal and to let Dean Revesz know they believed he should not support the initiative. Similarly, many friends and classmates personally expressed to me their reservations about supporting the Space campaign.

While the rationales students have given for why they opposed the All-ALSA Space vary tremendously, at their core many of the comments seemed to revolve around a few commons themes. First, some wondered how we, as a law school, could ever move beyond this feeling of racial alienation if we created a room that specifically catered to the needs of students of color. After all, such reasoning goes, would not that only lead to self-segregation and greater isolation? Second, some argued that they themselves had never and would never engage in racist actions or behavior, and those the creation of an All-ALSA Space was an insult to their character and integrity. Third, and one of the most common critiques of the All-ALSA Space, was that it would be exclusive, and such exclusivity is directly contrary to the nature and ethos of the community to which we all belong. Such arguments, while consistent with the colorblind ideal that pervades our cases and textbooks, show a fundamental misunderstanding of how race continues to operate in our country. They deny the complex, often insidious manner in which racial discrimination has infiltrated our society, and indeed our law school. This new form of racism is often obscured from public view, but as a plethora of scholars (ranging from Claude Steele and Mari Matsuda to our very own Derrick Bell and Peggy Cooper Davis) have observed, it is just as dangerous and destructive as the much more blatant forms of discrimination we are all much more familiar with. The colorblindness ideal makes us ignore this troubling reality, it causes us to turn our attention away from continued alienation and marginalization that some feel and to rather focus on how far we have come.

Such rhetoric is also found in the dean's letter to the Law School Community on March 21 where he rejected the All-ALSA Space proposal. Even though the dean acknowledged the feelings of "marginalization" some students feel, he did not provide any institutionalized, concrete actions to address this problem. Instead, he encouraged "each member of our community [to] make it a priority to make every student feel supported and to make students of all races, genders, sexual orientations, religions, and viewpoints feel that NYU Law School is 'their' law school." While such exhortations from the dean are always welcome, they do not fully address the underlying issues that drove some students to request and support the All-ALSA Space proposal. By rooting the causes of student of color alienation in the specific actions of particular students, the dean's letter signed on to the colorblind ideology as well, without providing a deeper, more nuanced description of how racism continues to operate in our school and our profession.

And so, where do we go from here? Well, first proponents and supporters of the All-ALSA Space still hope that the dean will reconsider the proposal and see why institutionalized, structural reforms like the All-ALSA Space are needed to fully and completely address the continued legacy of racism some students of color face while at NYU. But on a deeper level, it would be a travesty for us, as a campus and a community, to not take this opportunity to openly and more systematically explore the role that race continues to play in our society. As two recent New York Times articles demonstrated – one on the plight of black men in American society and the other on the continued difficulty female associates and partners face in large law firms – it is simply factually incorrect for us to believe that discrimination and oppression are no longer relevant concerns in our country or in the legal profession. Unfortunately, despite the progress that has been

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Tishman Auditorium, 8 P.M.

Tickets are on sale in Golding and Wachtell Lounges, 10 A.M. – 2 P.M.

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