

Greetings to the Class of 2020 Social Justice Scholars

And a very warm welcome to the families and friends who are able to join us (virtually) today- in our effort to acknowledge and celebrate the tremendous achievement of this exceptional group of students.

Thirty-two students who in the academic focus, volunteer service, lawyering skills, clinical supervised work, and in so many other ways have demonstrated their commitment to social justice.

And to all of you students who are here- it is a good time to reflect back on those who took an interest in you over the years. We have all stood on the shoulders- the laps and the chairs of those who came before us. But I'm sure each of you- all of us- have certain individuals who saw your potential and knew you were special. Your teachers, coaches, neighbors, family and friends. And I'd like to include Santa Clara Law School- since when we saw your applications, we knew you would succeed and wanted you to come here.

I want to thank all of the faculty and staff who are also here today in support and in solidarity with these students.

On May 24 2020, I sent a letter to all of the graduating class of 2020- which included all of you. The letter, you may recall, began as follows:

“The arc of the moral universe is long, but it bends toward justice.”

I acknowledged that many of you have heard these words from Martin Luther King Jr. You may remember that President Obama repeated them often- and even had it woven into a rug in the oval office.

But a reminder that this quote does not allow us to be complacent. This arc of morality and justice is not an inevitability- it bends towards justice because of individuals committed to justice –individuals like yourselves- who alone and together always push and pull the arc to achieve those goals.

As graduates of a Jesuit law school and as social justice scholars and activists- this is part of your mission.

It was just two weeks ago that I sent a message of hope, of unity, of shared purpose.

In the letter, I spoke of my belief that each of you will be lawyers of compassion, lawyers of hope, and lawyers of action.

That was barely 2 weeks ago- and during the time between my last message and today, it feels like the world has been turned upside down. The very next day, George Floyd was killed when a knee was held on his neck for almost nine minutes. Once again, captured on video, was an awful killing of an unarmed black man.

Once again, the words “I can’t breathe”, echoed in our ears. First from a man lying on the ground with a knee on his neck- and then for days in the shouts of brave protesters around this country demanding finally to be seen, demanding to be heard and demanding change.

Tragically, we have seen all of this before; too often before. And yet this time, the moment feels different. This time, it doesn’t feel like a moment in time that will pass so easily to business as usual. This time, it feels like there has been a shift and perhaps real change will actually take place.

One of the most dramatic and unusual things I’ve seen in the past few days are statements from some of the least likely sources- State Supreme Courts. Several courts now are issuing statements against racism and in support of seeking better, less biased justice.

As lawyers- and soon to be lawyers- we should follow the courts guidance.

The Washington Court wrote an open letter they called a “moral imperative” stating in part:

“systemic racial injustice against black Americans ... is the collective product of each of our individual actions—every action, every day. It is only by carefully reflecting on our actions, taking individual responsibility for them, and constantly striving for better that we can address the shameful legacy we inherit. We call on every member of our legal community to reflect on this moment and ask ourselves how we may work together to eradicate racism. “

The Massachusetts State Supreme Court made a statement that read in part:

As lawyers, we must also look at what we are doing, or failing to do, to provide legal assistance to those who cannot afford it;... And as members of the legal community, we need to ... recommit ourselves to the systemic change needed to make equality under the law an enduring reality for all. This must be a time not just

of reflection but of action.... It will be uncomfortable: difficult conversations, challenging introspection, hard decisions. We must recognize and address our own biases, conscious and unconscious. We must recognize and condemn racism when we see it in our daily lives.

Chief Justice Beasley of the North Carolina Supreme Court, speaking on behalf of the Court, gave a compelling video and acknowledged the protests as sending out a “resounding chorus of voices” that reflect the legitimate pain and the weight of years of disparate treatment” by people of color in the Courts. She stated that lawyers and judges must acknowledge the role the courts have played and “take ownership over the way courts have administered justice”

And just this morning I saw The Chief Justice of the Georgia Supreme Court set out a statement saying [B]y grieving together," said Chief Justice Harold Melton, "coming together, and supporting one another through all of this, I know that we will come out of this better than we were before."

Wow!!! These words sound like something I would say during my “last class lecture” - not statements from state supreme courts! I hope that is evidence of a shift in the consciousness of powerful places.

Many of us- and I include all of you in that group- have urged courts in our work and our cases to recognize systemic unfairness, have pleaded with courts to rectify the wrongs of unjust laws or an unfair system or have argued the disparate treatment of people of color. Mostly these pleas have fallen on deaf ears. Perhaps that will begin to change.

Its not to say it will all be wonderful going forward. But people in power are listening. And people in power are speaking out. And so each of you, as you continue to do your work on behalf of those who have no voice, your impact will go far beyond each individual case.

As Dr. MLK JR. wrote from the Birmingham jail:
Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.” April 1963

Concluding remarks

Let me be clear as we conclude today.

The Center for Social Justice and I stand in solidarity with those rising up to call for an end to the long, ongoing, and destructive reality of racial injustice and white supremacy in the United States. We stand with them against hate, against racism, against inequality, against police brutality and impunity. And we stand in solidarity with Black faculty, students, and staff-- always, but especially at this moment when racialized and heightened state violence adds to the burdens of grief, trauma, and vulnerability”

This day and these certificates are about justice.

Justice is not always about changing the laws or fighting in the courts.

Justice starts in conversations among your friends, your families or with complete strangers. Justice is about speaking out when you hear people speak or act in a way that you know is wrong- that you see is racist, or that you fear will do harm to others.

Justice and equality are not handed out or given away- they must be fought for
Justice means that you speak truth to power.

Your challenge, as you leave Santa Clara law to go out into the world is to give voice to your ideals- to be- as Martin Luther King Jr. said- a drum major for justice-

one who speaks the truth no matter how unwelcome it may be – no matter how uncomfortable it may make the listener.

Silence is no longer an option

Elie Wiesel has made it clear that Silence only empowers the oppressor.

Each of you must now work to create a better, safer, more beautiful more compassionate world.

I am convinced that there are more of us on the side of compassion and community than there are on the side of hatred and bigotry.

We can no longer leave to others to do for us.
We must stand up and be counted.
We must do this with all that we have and hold nothing back.
Our fundamental way of life is on the line.

Especially as we move into the next few months- there are important issues we must face. Perhaps most important is voting. Register to vote. Get others to register to vote. And work against those who try to suppress this most basic right of our democracy.

Class of 2020- You are the future and you represent hope to all of us here. Know that in your battles you have a core of people that you can rely on- that will always have your back and will respond when you call. Your family, your friends, and your fellow social justice colleagues and staff from Santa Clara Law.

In solidarity,
Ellen Kreitzberg
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Director of the Center for Social Justice