Equality Lost in Time and Space: Examining the Race/Class Quandary with Personal Pedagogical Lessons from a Course, a Film, a Case, and an Unfinished Movement

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Equality Lost in Time and Space: Examining the Race/Class Quandary with Personal Pedagogical Lessons from a Course, a Film, a Case, and an Unfinished Movement

Angela Mae Kupenda*

Author’s Note: My article is rooted in my own continuing personal and pedagogical growth and consideration of issues of race and class. I especially appreciate and dedicate this article to my former student, Attorney Justin Earl Townley, class of 2010. I have benefitted greatly from his collegiality and wise perspectives in our ongoing conversations about race, economic (dis)empowerment, and the ruling class in America. Attorney Townley, who like me is a first-generation lawyer, is very accomplished and is currently an Assistant State Public Defender in Ohio.

I also benefited greatly from presentations and discussions at various law schools. I presented an earlier draft of this article as a Plenary Panelist at the Tulane University Law School Forum on the Future of Law and Inequality, New Orleans, Louisiana, November 2014. Tulane Law Professor Saru Matambanadzo, as the inaugural Gordon Gamm Faculty Scholar, organized and convened this Forum to enhance scholarly engagement and further the pursuit of equality. The comments of Forum participants were extremely valuable. In addition, I appreciate the encouragement of the Tulane Dean of the Law School and Mitchell Franklin Professor of Law David D. Meyer. A later essay draft was presented at Seattle University School of Law, at its Poverty Law: Academic Activism Conference, held February 2016. I appreciate greatly the comments of the participants, especially the suggestions offered by Professor SpearIt, Thurgood Marshall School of Law. The editors and staff of the Seattle Journal for Social Justice offered tremendous insights on this essay. This essay also received support from my home school: with a summer 2015 scholarship grant, through feedback from attendees in our 2015-16 Faculty Forum, and with funding of my travel and participation in the Poverty Law Conference at Seattle University School of Law.

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I further dedicate this essay to several amazing women who have had numerous discussions with me about race, gender, and class and whose work to advance equality I greatly admire: Attorney Constance Slaughter-Harvey, Founder and President of Legacy Education and Community Empowerment Foundation, Inc.; Ms. Patricia Anderson, Faculty Assistant, Mississippi College School of Law; Dr. Loretta A. Moore, Vice President for Research and Federal Relations and Professor, Department of Computer Science, Jackson State University and Principal Investigator of National Science Foundation funded JSU ADVANCE; Dr. Michelle D. Deardorff, Adolph S. Ochs Chair of Government, Professor and Department Head, Political Science and Public Service, University of Tennessee at Chattanooga; and, Professor Maritza Reyes, Florida A&M University College of Law. Congratulations again, Maritza, on your very well deserved award of Tenure!

While so many have encouraged me in my steps on my personal and pedagogical journey discussed in this essay, all missteps are indeed my own.

I. INTRODUCTION

My essay is both personal and pedagogical. My hope is that it issues a clarion call to legal educators and administrators to choose the pursuit of racial and class equality. I believe that, as law faculty and administrators, we must first address our personal quandaries with race and class before we can effectively address the racial and class implications in our pedagogical or administrative roles in legal education.

As one model for this clarion call, I present part of my personal story of race and class,¹ including my continuing attempt to reconcile the two in my pedagogical experiences, and my hope that other faculty and administrators

in legal academia will engage in their own personal and pedagogical examinations of race and class. Their own personal and pedagogical linkages must be admitted and understood for legal academics to make the great difference, which I think we can, in achieving racial and class equality in America.

This racial and class personal exploration in our pedagogies is critical. I do not think we will advance as a society until we thoughtfully develop creative ways to rectify racism and classism. Fortunately, I believe legal education can provide a place for exploratory vehicles to rectify the two. After all, the racial desegregation of legal education opened the doors for broader integrative attempts. However, while fortunately legal education can be this place, unfortunately it has roots implanted deeply in isms. For example, for many years, access to obtaining legal training was barricaded against women, nonwhites, and the economically disadvantaged.

With declining enrollment in legal education, a door of opportunity is now slightly ajar as law schools attempt to maintain enrollment numbers.

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2 The same especially applies to my home state of Mississippi, see generally Angela Mae Kupenda, Will the South Rise Again and, if So, in What Form?: Lessons from LatCrit About Resisting the Fear of Cultural Understanding, 47 J. MARSHALL L. REV. 1211 (2014).


This heightened effort to recruit students could afford more opportunity for access for those from groups once excluded. Hence, legal education is ripe for improving diversity and reaping the benefits that could flow from the richness of that diversity—benefits nurtured through the broadening of perspectives to eliminate societal ills of racism and classism.

These benefits of diversity in legal education in eradicating racism and classism will not naturally occur. Productive change will require personal and pedagogical self-awareness and effort by the faculty and administration at legal institutions. While the current legal education enrollment crisis may lead to more diverse student faces and bodies enrolled, such does not automatically mean more equality in legal education or in society broadly. Just because a school has more diverse faces and bodies does not mean the faculty and administration will necessarily welcome that diversity. Nor does it mean that diverse perspectives will flow freely to tackle racism and classism, open minds, and address America’s lingering isms.

Hence, the effort to address, rectify, or, I prefer the phrase, “finesse race and class,” issues must be deliberate. I intentionally use the phrase “finesse race and class” in this clarion call to faculty and administrators to personally explore their own limited perspectives and foster the elimination of racism and classism through their pedagogies and their institutions. To finesse race and class means for us to see the commonalities and differences in how poor whites and poor/non-poor nonwhites experience racism and classism.

7 Kitroeff, supra note 5.
9 While diversity is important for our society, the immediate result of more diversity in a previously non-diverse place may mean that problems come to light and, hence, must be addressed. See Angela Mae Kupenda, Diversity: Do You Really Want It?, 21 LAW & INEQ. 415 (2003).
Finessing race and class will also require that we acknowledge our own related experiences and any biased or prejudiced perspectives that have developed in us over our lifetimes. This finessing of race and class calls for a graceful growing in our pained awareness of how racism and classism fuel each other in our own personal lives, in our pedagogies, and in our institutions. Otherwise, rather than gracefully finessing race and class, we will clumsily just add a few more diverse faces and bodies for tuition dollars, while still maintaining rooted systems of racism and classism in ourselves and in our institutions. Ultimately, I think finessing race and class means that we must advance full equality and finish the movement Dr. Martin Luther King, Jr. started and endeavored to finish, even on the day of his assassination as he planned for the Memphis, Tennessee, sanitation workers’ strike to unite the interests of economically disempowered and racially disempowered Americans.  

As professors and administrators in the legal academy, we lay hold to the claim that we are critical thinkers and can train and situate others to be astute problem solvers in America’s legal justice system. Thus, finessing of race and class is a huge responsibility for legal academics and administrators. This is a responsibility that I fear we may not yet be up to accomplishing. We have not been successful in that regard with a major problem—the continuing injustice rooted in racism and classism, even within our institutions. While we are charged with helping to solve problems even in these difficult areas of race and class, I doubt if we are presently personally up to the task.

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I think our present personal limitations in our understandings of those who differ from us hinder our effectiveness, or even our desire, to pursue goals of equality. Consider the following questions: How can a white, male professor play a justice-instigating role unless he understands, and is willing to cede, his own unearned and unmerited white and male privilege?12 How can a white, female professor address widespread supremacy unless she also realizes, on a deep level, that her experience of femaleness in America is not the only experience of femaleness?13 And how can a black professor, like myself, help her students finesse race and class? My understanding of class has been moderated to address what seemed to be the more pressing realities of racism and sexism, and their intersection. Our personal stories, when we admit to them, reveal their complexities and the engrained hindrances that we are up against, as we wage the battle against racial and class oppression in our legal institutions and in America.

Thus, in this essay, while reflecting on my personal quandary with race and class, I draw from pedagogical lessons I have both learned and taught while incorporating associations from race and class. I cannot call for self-examination by other academics without engaging with the task myself. Therefore, in this essay, I share some of my own experiences and the lessons I have learned in my personal life and in my pedagogical experiences. My ultimate aim—connecting inequality themes—is not a new movement, just an unfinished one. This movement was started by Dr. King and others when I was still a young girl in Mississippi.

This essay focuses on race and class and is a clarion call for legal academics and administrators to address ongoing structural racism and classism in our institutions, by starting with our own selves. As a legal

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Educator, my goal is to participate in finishing the movement of uniting race and class inequalities in the pursuit of justice. I am taking a tiny step, but a step nonetheless, by examining my own personal and pedagogical quandary in this pursuit.

I take this step with this essay, which will be divided into three parts. Part one will examine the nature of Dr. King’s unfinished movement of finessing race and class and will consider the modern impact of finishing it. While the focus is on the movement Dr. King spearheaded, the political is also personal. I do not explore Dr. King’s movement in a solely depersonalized way. I explore it for the subjective effect it had on a girl from Mississippi who is now a black woman law professor seeking to have both personal growth in her understanding of class and to make real change in her legal institution in urging a confrontation against racism and classism, with this confrontation beginning in the personal and in the pedagogical.

As stated above, as I believe this impact must be generated by personal inspection by those who lead academia and shape future generations of lawyers, it is only right that I engage in further personal and pedagogical inspection myself. Part two will further examine my own personal quandary regarding race and class and what I have learned from my students about race and class in America. My own learning has been spearheaded through examination of my upbringing, exchanges with my students in courses, oddly for me a film, and a case. Each of these and their impact will be examined in turn.

Finally, part three will bring the essay back full circle to the role of legal academia and Dr. King’s unfinished movement as to race and class. Here, in this essay and as a legal educator, I endeavor to participate in finishing the movement of uniting race and class inequalities in the pursuit of justice.

My hope is that my own personal and pedagogical examination will incite other legal academics and administrators to do the same. We can, as legal academics and administrators, further the completion of Dr. King’s
movement for racial and class justice. But we must make the finessing of racial and class justice personal and honestly examine how our personal experiences affect our own pedagogy and the future of our law schools and America.

II. EXAMINING THE UNFINISHED MOVEMENT

In order to finesse race and class, we must delve into a closer inspection of Dr. King's unfinished movement. This section is divided into three subparts. First, I situate my exploration of the unfinished movement. As this essay is based in the personal—this first part is essential to preliminarily situate the movement within my personal understanding and effect. Second, with more attention, I will further explore the unfinished civil rights movement Dr. King spearheaded. Third, I consider the modern impact that I hope a movement rooted in personal and pedagogical growth finessing racial and class justice in legal academia can have.

A. Situating the Personal

In considering the efforts Dr. King spearheaded, and to be honest about my perspective as I discuss the movement, I must first personally situate this essay's inspection of the movement. While history books may address certain objective facts about Dr. King and the movement, this cannot be disconnected from the subjective effect it had on individual lives.\(^\text{14}\) The

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\(^{14}\) For example, to some Dr. King was a minister and pastor; to others he was a civil rights activist; to others he was seen as a traitor or troublemaker or outside agitator. See Peter Dreier, *Martin Luther King Was a Radical, Not a Saint*, HUFFINGTON POST (Mar. 21, 2015), http://www.huffingtonpost.com/peter-dreier/martin-luther-king-was-a-

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personal effect his movement had on a little black girl in Mississippi is likely different from the effect on, for example, a white male who enjoyed the privileges of whiteness and economic advantage. The effect is also likely different from the effect on a poor white person who indeed had whiteness, but lacked economic privilege. Hence, while part one of this essay primarily explores the movement Dr. King spearheaded, it must also include a few preliminary personal reflections, specifically my personal.

I was born in the midst of an American society that saw me as undeserving of full rights. I was born in the Deep South in Mississippi, after Brown v. Board of Education was decided, but before many southern states complied, including my own. While I have lived in many states around the country, I surprisingly always return to my roots in the south. The south is home to many black American people whose ancestors were involuntarily brought over to America in the legalized slave trade and, after the end of the transatlantic slave trade, bred to be treated as something less than human. Ever since I was about five years old, almost 55 years ago, I have been thinking about and living racial, class, other inequalities, and


The perspective was not just southern. See Bolling v. Sharpe, 347 U.S. 497 (1954) (although “equal protection” was not in the text of Fifth Amendment, the federal government, like states under the Fourteenth Amendment, had to cease de jure segregation in public schools).


Kupenda, Loss of Innocence, supra note 1, at 36-37.


See Kupenda, Loss of Innocence, supra note 1, at 37.

See Kupenda, The Struggling Class, supra note 1, at 729-30.

Gender inequalities affected me in ways that I did not see impacting my brothers. Most of this was reflected in restrictions on what I could do, as in girls don’t play certain sports
the nonviolent movement spearheaded by Dr. King. Therefore, finessing racial and class inequality within my role as a law professor is not just an academic or civic pursuit, a point of inquiring curiosity, or an altruistic measure with concerns for the other.

The movement for equality is real and affects me, affecting me in substantial personal ways—in how I lived my life as a girl and how I am able to live my life today. It is a pedagogical one, heating my fervent desire for equality and my restless personal desire for the American dream to be available for all. The movement for equality affects my pedagogy in bona fide ways and even in hidden ways of which I may be personally unaware.

or do physical labor outside the home, etc. Today, even formally educated women of color continue to suffer unique oppressions. See generally PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA (Gabriella Gutierrez y Muhs, et al. eds., Utah St. U. Press 2012).

23 See New York Times v. Sullivan, 376 U.S. 254 (1964). At issue was a paid editorial advertisement soliciting support for the civil rights movement. Id. The signatories of the ad indicate the diverse support for the movement, from a former first lady to movie stars, ministers, musicians, union organizers, and so on. Advertisement, Heed Their Rising Voices, N.Y. Times (Mar. 29, 1960), http://www.archives.gov/exhibits/documented-rights/exhibit/section4/detail/heed-rising-voices.html. Dr. King argued that everyone concerned with justice should have a role, from those who made sandwiches to those who posted bail and to the marchers and disciplined nonviolent protesters who offered their physical bodies for nonviolent sacrifice to violent hands. See MARTIN LUTHER KING, JR., WHY WE CAN'T WAIT 67 (1964).


25 See generally Angela Mae Kupenda, Making Traditional Courses More Inclusive: Confessions of an African American Female Professor Who Attempted to Crash All the Barriers at Once, 31 U. SAN FRANCISCO L. REV. 975 (1997).

26 Some of this is very simple to accomplish. See generally Angela Mae Kupenda, It’s Simple: How Diversity Benefits Whites and How Whites Can Simply Benefit Diversity, 6 SEATTLE J. SOC. JUST. 649 (2008) (providing simple steps schools could take if they truly wanted more inclusive environments).

So as I consider this unfinished movement for racial and class equality, you may vividly see an intertwining of my personal experiences. I offer no apology for such, as my personal and my pedagogical experiences cannot ever be divorced. My view is that this is not just the case for me, but for others too. Even for law school professors who are white, male, and economically well off, racial and class inequalities are personally felt for them, too, or at least witnessed by them. Sadly, some try to preserve their privilege by ignoring their experiences of race and class or what they witness. This is why I issue this clarion call for their own personal and pedagogical journeys regarding class and racial inequality in America. Their survival and their institutional survival may very well depend on it, as does mine.

B. The Unfinished Movement

While my personal experiences are relevant, this subpart focuses on the unfinished movement of finessing racial and class justice. Prior to the assassination of Dr. Martin Luther King, Jr., he and others were speedily engaged in addressing class and racial oppressions linked to broader political denials of the humanity of the poor and those of color. Dr. King’s (law professors can be easily and positively influenced by engagement with diverse students).

28 See, for example, the stories of diverse people about how they were impacted by the Court’s ruling in Brown. See generally ROBINSON & BONNIE, supra note 17.

29 The late Professor Derrick Bell argued that racial change only occurs when whites see their interests converging with those of nonwhites. Derrick A. Bell, Jr., Brown v. Board of Education and the Interest-Convergence Dilemma, 93 HARV. L. REV. 518, 523-24 (1980).

30 Actually, this movement predates Dr. King’s life. For example, the former slave and later abolitionist and orator Frederick Douglass wrote of uniting with poor white children when he was a slave child. See NANCY I. SANDERS, FREDERICK DOUGLASS FOR KIDS: HIS LIFE AND TIMES, WITH 21 ACTIVITIES 8-10 (2012). Douglass gave the free but poor white children little pieces of bread from his master’s house and they would tell him about their lessons in school. Id. Black slaves were not permitted, by many masters and often by the law itself, to learn to read. Id.

31 See Dreier, supra note 14 (regarding Dr. King’s opposition to the inhumanity of the Vietnam war).
movement was left unfinished with his untimely death, which occurred before the march in Memphis, Tennessee, which he had planned to unite the themes of addressing both race and class oppression.

His wife, Coretta Scott King, who was an advocate for justice in her own right, concluded the planning of and the march. Still, we continue to suffer from racism and classism in America. Thus, reviving Dr. King’s unfinished movement is critical for a more just society, and a just society is critical for all Americans to claim the availability of the American dream. I believe, yes, we shall overcome someday, someday after we finesse race and class. We can advance the finessing race and class through legal education and personal and pedagogical self-inspections of legal academics and administrators. However, we cannot take these steps until each academic and administrator engages in their own personal investigations.

Toward the end of Dr. King’s life, he sought to more broadly forge the battle for racial and class equality. Expanding the civil rights movement into issues of economic class may be what cost Dr. King his life, or, at

36 Kortland Whalum, Morehouse College-We Shall Overcome, YOUTUBE (June 26, 2009), https://www.youtube.com/watch?v=Aor6-DkzBJ0; Pete Seeger, We Shall Overcome, YOUTUBE, (Nov. 6, 2013), https://www.youtube.com/watch?v=RJUkOLGLgw.
37 See MCKNIGHT, supra note 10, at 13-14, 28-30.
38 The King family held a press conference regarding conspiracy theories. See The Transcription of the King Family Press conference on the MLK Assassination Trial Verdict, THE KING CENTER 4 (Dec. 9, 1999),
minimum, led to his being perceived as more dangerous to the status quo. He was under close FBI scrutiny, especially given those combined goals. In spite of increased scrutiny and danger, King carried the movement against both racism and poverty forward. This broadened movement sought to include the plight of poor southern whites, even those who could not see the connection of white supremacy to their own class predicament as their hearts were, perhaps, hardened by their own white privilege and by their own internalized, and at times externalized, racism.

An example of how some economically disadvantaged whites disowned their own class oppression to further racial oppression is reflected in a story told by Dr. King. In the sixties, when Dr. King had been marching for constitutional rights for many subjugated nonwhite people, he was arrested and jailed. The southern white jailers and wardens regularly talked with him about the race problem, asking: Why don’t the black protestors stop their foolishness and go home, because a segregated south is best? One day the white jailers and wardens had talked about their earnings and how little money they made. “[W]hen those [white] brothers told [Dr. King]...

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39 See McKnight, supra note 10, at 29-30 (FBI surveillance of sanitation strike support in Black community).

40 See, e.g., id.; KING, JR., supra note 10, at 170 (in speech “where Do We Go from Here,” arguing for a guaranteed annual wage).

41 Jen Christensen, FBI Tracked King’s Every Move, BLACK IN AMERICA 2 (Dec. 29, 2008), http://www.cnn.com/2008/US/03/31/mlk.fbi.conspiracy/ (“The FBI’s interest in King intensified after the March on Washington in August 1963, when King delivered his ‘I have a dream speech,’ which many historians consider the most important speech of the 20th century. After the speech, an FBI memo called King the ‘most dangerous and effective Negro leader in the country.’”).

42 See generally Wise, supra note 12 (“The decision to elevate poor and landless Europeans above blacks and indigenous peoples was a conscious one, made so as to vouchsafe the position of the elite relative to the masses, which position was threatened by the possibility of cross-racial, class-based rebellion.”).

43 KING, JR., supra note 10, at 187 (“The Drum Major Instinct”).

44 See id.

45 Id.
what they were earning,” Dr. King replied to the white jailers calmly, pointedly, and lovingly, “You know what? You ought to be marching with us [protestors]. You’re just as poor as Negroes.”

This shows that Dr. King recognized that the white jailers needed economic rights, too. This also shows the white jailers could not see past their desire to maintain racial inequality to understand their commonality with the racially oppressed. The movement of social justice is hindered when, as Dr. King suggested, poor whites cannot see past their racism “to see that the same forces that oppress Negroes in American society oppress poor white people. And all [poor whites] are living on is the satisfaction of [their] skin being white and the drum major instinct of thinking that [they] are somebody big because [they] are white.”

Dr. King explained to the economically disadvantaged white jailers how their plight was linked to that of the oppression of the black community, saying “[Y]ou’re so poor you can’t send your children to school.” Dr. King urged them, “You ought to be out here marching with every one of us every time we have a march.”

Poor whites have whiteness. Whiteness in itself affords privilege. White privilege, however, does not always guarantee economic privilege. However, white privilege may blind those who are white and poor such that they fail to see the commonality of needs that they share with blacks.

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46 Id.
47 Id.
48 Id.
49 Id. at 188. Some public schools closed to avoid compliance with Brown. See, e.g., Griffin v. County School Bd. of Prince Edward County, 377 U.S. 218 (1964).
50 King, Jr., supra note 10, at 187-88 (“The Drum Major Instinct”).
52 Id.
53 For example, poverty looms in my home state of Mississippi. See Wise, supra note 12; see also Jerry Mitchell, 246,000 Mississippi Children Living in Poverty, CLARION LEDGER, (July 21, 2015), http://www.clarionledger.com/story/news/2015/07/21/mississippi-children-living-poverty/30494287/. Additionally, racial differences continue to loom, even among the
nonwhites struggle to see past their unique and ongoing racial oppressions to work on eliminating race and class oppression together, nonwhites teamed with economically poor whites.\(^5^4\) While this teamwork is difficult, it is critical for finessing racial and class equality—merging these themes to complete Dr. King’s unfinished movement is necessary for progress and can be furthered through personal and pedagogical self-reflection by legal academics and administrators.

**C. Modern Ideology**

Some may erroneously see this teamwork between nonwhites and economically poor whites as unnecessary because they believe that progressive change will occur automatically over time.\(^5^5\) Some may believe that change will come once the population shifts and the racial makeup is no longer dominated by whiteness or sameness.\(^5^6\) However, even as the population shifts racially, it is unlikely that equality will necessarily follow.\(^5^7\) Hence, this section further explains why the elimination of race and class inequality is becoming more critical.

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\(^5^4\) See Martin Luther King, Jr., *Where Do We Go From Here: Chaos or Community?* xx–xxiii, 52 (1968) (urging a Poor People’s campaign that would include all racial groups, and arguing for alliances of Blacks with majority racial groups, and other racial groups).

\(^5^5\) As Dr. King said, “Time itself is neutral; it can be used destructively or constructively.” Martin Luther King, Jr., *16 April 1963*, Martin Luther King, Jr. & the Global Freedom Struggle, http://kingencyclopedia.stanford.edu/encyclopedia/documentsentry/annotated_letter_from_birmingham/index.html (last visited Sept. 16, 2016).

\(^5^6\) See U.S. Census Bureau Projections Show a Slower Growing, Older, More Diverse Nation a Half Century from Now, United States Census Bureau (Dec. 12, 2012), https://www.census.gov/newsroom/releases/archives/population/cb12-243.html (“The U.S. population will be considerably older and more racially and ethnically diverse by 2060.”).

\(^5^7\) For a somber but interesting examination of where present racial trends, if not mediated, could carry America and especially the plight for people of color if a new white racial minority uses heightened oppression to maintain its power, see Ahmad R.
A larger number of nonwhite Americans and poor white Americans does not mean America will automatically become more racially and class inclusive. Consider the large number of nonwhites in the Deep South (before, during, and after constitutionally protected slave trade) and other places where racial and class inequalities prevail.\(^ {58}\) Having a large number of nonwhites and the impoverished in those spaces did not ensure the disappearance of inequality, as numbers alone do not secure equality.

Inequality is too entrenched in America for a shift in numbers to automatically accomplish what centuries of battles, justice movements, and the supposedly progressive nature of legal education attempted to change.\(^ {59}\) Therefore, it is futile to trust in numbers alone for injustice to disappear, as the dispossessed already make up the majority of this country.\(^ {60}\) Yet, the

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\(^ {58}\) For example, in 2014 black people in Mississippi were almost 40 percent of the population. *Mississippi, BLACK DEMOGRAPHICS*, http://blackdemographics.com/states/mississippi/ (last visited Feb. 23, 2016). Blacks were a majority in Mississippi until the early 1930s. *Id.* Still, even today, the legacy of racism in the state is more than notable. See Emily Wagster Pettus, *Mississippi Lawmakers Not Erasing Confederate Emblem on Flag*, CNSNEWS.COM (Feb. 24, 2016), http://www.cnsnews.com/news/article/mississippi-lawmakers-not-erasing-confederate-emblem-flag-0 (“Mississippi legislators this year won’t attempt to redesign the last state flag that features the Confederate battle emblem because leaders say they can’t find a majority to remove the symbol from the 122-year-old banner.”). In 2014, Mississippi was reported as the poorest state in the nation. Natasha Bertrand, *The 10 Poorest States in America*, BUSINESS INSIDER (Dec. 17, 2014), http://www.businessinsider.com/the-10-poorest-states-in-america-2014-12. The point is that a more diverse society does not automatically mean people learn to work together for progress for poor whites and for nonwhites. In Mississippi, relatively low-income whites tend to vote Republican, although many poor whites rely on the very federal government benefits that the Republican policies oppose. Thomas White, *Why the Hell Is Mississippi Republican*, HUFFINGTON POST (Oct. 17, 2013), http://www.huffingtonpost.com/thomas-white/why-the-hell-is-mississipp-b_4055688.html.


\(^ {60}\) If the adult percentage of all nonwhites, all white females, and white males with various disabilities and/or who are poor are accumulated, this has to be over 50 percent of America. Females make up 50.8 percent of the population. See *Quick Facts from the U.S.*
dispossessed continue to be dispossessed and may be for a very long time unless the movement is finished.

Actually, manifested in those who control with both whiteness and power is the fear of loss of control over larger numbers of those who are oppressed. The effort of some to control the masses and protect the status quo of inequality can lead to more oppression. Defeating this fear personally and pedagogically, therefore, is the emphasis of this essay as a clarion call to the legal academy to accomplish what time alone will not accomplish and what larger numbers of nonwhites in the country and in our institutions will not automatically accomplish.

D. Social Justice and the Impact Legal Education Can Have

If a shift in numbers will not create equality and a failure to achieve equality leads to more discontent, then the survival of our legal institutions and more contentment in our society are dependent upon the creation of racial and class equality. Finessing racial and class equality can be furthered in our legal institutions. Therefore, to forge a more just society, we must find a way to band together poor whites and poor/not poor nonwhites amidst rampant lack of understanding and racial suspicion, mistrust, or even disdain. This is a quandary, a dilemma. I believe legal education can and should play a pivotal role in resolving this dilemma. This section examines that role and considers the obstacles to fulfilling that role.

Census Bureau, US CENSUS BUREAU, https://www.census.gov/quickfacts/table/PST045215/00 (last visited Oct. 16, 2016). So if men of color, disabled white men, and poor white men are added, it will add to the 50.8 percent that consists of females.


See, e.g., Angela Mae Kupenda & Tiffany R. Paige, Why Punished for Speaking President Obama’s Name Within the Schoolhouse Gates? And Can Educators
The good news is that the law and legal education have a history of playing a major role in forging justice in our society. Some legal educators accomplished this by working together with grassroots community members. The bad news is that the law and legal education also have a history of playing a major role in maintaining the stalemated structures that facilitate oppression and injustice in our society.

While law professors and administrators can be critical thinkers, advocates, and even activists for justice, law professors and administrators can also be elitists (even in schools not regarded by others as elite). They can also be overt and covert discriminators who seek to maintain a system built on unmerited privilege of whiteness, maleness, and perceived class and wealth, despite the value and tuition dollars diverse students contribute. Law schools consistently maintain systems of privilege within their institutions. They pat themselves on the back for allowing nonwhites and poor whites into their schools, particularly in times of declining overall enrollment, but continue to exclude those students from the benefits bestowed upon privileged students.

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64 See MARTIN LUTHER KING, JR., WHY WE CAN'T WAIT 181-82 (1963) (discussing the movement’s effect on getting support for racial equality from various presidents).


66 Intragroup diversity is also critical. See Vinay Harpalani, Narrowly Tailored but Broadly Compelling: Defending Race-Conscious Admissions After Fisher, 45 SETON HALL L. REV. 761 (2015); see also Vinay Harpalani, Diversity Within Racial Groups and the Constitutionality of Race-Conscious Admissions, 15 J. CON. L. 463 (2012).

Such exclusionary or failure of inclusionary treatment in legal education⁶⁸ may rest on a degree of personal and individual culpability; sins of omission and sins of commission; personal deeply embedded racism and classism; and where the professoriate and the administration (even well intentioned ones) may lack self awareness to see how racial and class issues rule them individually in their perceptions and rule them as an institution collectively in their decisions.

For our society and educational systems to finesse race and class, it is critical for legal education to contribute to this generation’s move towards justice. Although it may be easier said than done, it is crucial for legal education to contribute to, not detract from racial and class justice.

Some of us work or receive our educations in stressed, raced, and classed places that scream out, “you don’t belong.” Poor whites suffer in these places too, but they can hide behind their whiteness. Trying to elicit support from poor whites can fall on unhearing ears and hostile tongues. Yet, as Reverend Jesse Jackson has said, we must “keep hope alive.”⁶⁹ And, as Tim

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⁶⁹ According to Reverend Jesse Jackson in his address almost 30 years ago,

Every one of these funny labels they put on you, those of you who are watching this broadcast tonight in the projects, on the corners, I understand. Call you outcast, low down, you can’t make it, you’re nothing, you’re from nobody, subclass, underclass; when you see Jesse Jackson, when my name goes in nomination, your name goes in nomination.

I was born in the slum, but the slum was not born in me. And it wasn’t born in you, and you can make it.

Wherever you are tonight, you can make it. Hold your head high, stick your chest out. You can make it. It gets dark sometimes, but the morning comes. Don’t you surrender. Suffering breeds character, character breeds faith. In the end faith will not disappoint.

You must not surrender. You may or may not get there but just know that you’re qualified. And you hold on, and hold out. We must never surrender. America will get better and better.
Wise has stated, we must address white supremacy as the source of both racism and classism.\(^7\) Advancing equality regardless of race and class is integral to ending the inequalities faced by nonwhites, who are poor and not so poor, and by poor whites.

Still, we struggle with such a simple agenda. Economically disadvantaged whites seem to want to focus on class only, and not address the implanted roots of such inequities in white supremacy.\(^7\) Nonwhites seem to want to focus more on racial inequities and emphasize that racial inequity is spread across nonwhites, regardless of their economic wealth.\(^7\)

So, while the unity is critical, this unity is lacking; this is a quandary.

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\(^7\) As Tim Wise, who describes himself as white and antiracist, has stated,

The development of the class structure in the United States has been, from the beginning, interwoven with the development of white supremacy. Indeed, a fair reading of those dual histories suggests that white supremacy and the elevation of whites as whites above persons of color, even when both shared similar class positions, has been critical in the shoring up of class division. Race, in other words, has been a weapon with which elites have divided working people from one another and prevented white working folks from developing a strong identification with their counterparts of color. Unless we address racial inequity and racism—and especially as lynchpins to the maintenance of economic inequity and class division—it will be impossible to solve these latter issues. Sadly, most Americans appear not to comprehend this truism. So, for instance, in a recent survey, while eighty percent claimed the government should focus “a lot” or “great deal” of effort on addressing economic inequality, only twenty-six percent said the same about the issue of racism and racial inequity, suggesting that the connections between the two are not well understood.


\(^7\) See *id*.

For legal education to spearhead this movement, professors and administrators must critically examine their own personal limitations, use pedagogical exploration to finesse inequality discussions in the classroom, and question how their own personal views of what student is or is not deserving, based on race and class, is perpetuated in their institutions by faculty, staff, and administrators. All of this is easier said than done. Therefore, it is only fair that I share some of my own struggles in finessing race and class pedagogically.

III. MY PERSONAL AND PEDAGOGICAL RACE/CLASS QUANDARY

Because I want professors and administrators to engage in a personal exploration, it is only fair that I do so. In this section, I explore pedagogical lessons and applications from my Civil Rights and other courses. In this section I will share some of my own experiences and the insights and lessons these experiences yield. As a legal educator, I am taking a tiny, personal step in finishing the unfinished movement of uniting race and class inequalities in the pursuit of justice. I do so by examining my own quandary, then a course, a film that affected my personal and pedagogical struggle, and a case that signals my resolve.

A. My Personal Quandary

I admit that I myself am a race and class quandary. Having spent my formative years in the racially segregated South, I spent little time trying to dissect class influences from my focus on race. Thus, perhaps I understand, yet do not condone the racial and class dissociations many seem to choose. While I understand the disassociation, especially here in the Deep South where lines of division run as between white and nonwhite

73 See generally Kupenda, Loss of Innocence, supra note 1; see also Kupenda, The Struggling Class, supra note 1.
74 See Wise, supra note 12.
(frequently black), this does not mean that the disassociation is one that should prevail. It can be quite unhelpful for those who want a better and more equal America, or for those who do not know if they want equality but recognize the dangers of a society with a few elites at the top and simmering hotbeds of masses continuously pushed down.\(^7\)

In the courses I teach—including Constitutional Law, First Amendment, Civil Rights, Presidential Powers, and Race and the Law—white and nonwhite students struggle with seeing racial and class commonalities and dis-commonalities in the quest for justice. Even in a self-selected, elective class on civil rights, my students experience difficulty in connecting class inequalities across racial groups. While it may be difficult, in my class I attempt to help students see racial inequalities, regardless of the economic status of nonwhites, and the class inequalities that reach across racial groups. The attempt has been quite daunting, as I must first see the personal struggles within myself.

My personal struggles are many, and are constantly being revealed to me. I spent little time trying to dissect race from class having spent my formative years in a racially separate and unequal south where I experienced limitations placed on me by others’ issues with my color on an everyday basis.\(^7\) It seemed to me that many white people had nicer homes

\(^7\) But see Jou-Chi Ho, *The Call for and Role of Asian Lawyers in the Deep South*, 12 SEATTLE J. SOC. JUST. 843 (2014) (discussing Asians in the Deep South from past to future).


\(^7\) To consider the daily macro- and micro-aggressions, see the story of John Howard Griffin, the white man who went undercover for a few months as a black man in the Deep South in the 1950s. See JOHN HOWARD GRIFFIN, BLACK LIKE ME (1961). Many years later a young white man, Joshua Solomon, tried something similar and he only lasted two days as black in the Deep South. White Man Who Altered Himself to Look Black Reveals Chilling Accounts of Racism, Oppression, JET MAG. (Dec. 26, 1994), https://www.highbeam.com/doc/1G1-16035641.html. Unlike Griffin and Solomon, I have lived as black for 60 years now, residing for many of those years in the Deep South.
and greater wealth, bigger more-equipped schools, and even better recreational facilities.

As a child, I was amazed at the types of lives the white characters in our second-hand, outdated schoolbooks enjoyed. It seems obvious to me that the new books sent to white schools were notably paid for by taxes paid by blacks and whites. As I looked through the books I received, I could see that they were passed on to the black schools, once they were worn from the white schools.

I recall one commonly used grade school book where Dick, Jane, Sally, and even Spot, their dog, lived a carefree and untroubled life of acceptance by society that was unfamiliar to me.78 Over 50 years later, I still recall how puzzled I was about their regular family vacations to the beach. And, how one of the little storybook white children could want a pair of yellow galoshes and have them the next day; they did not have to wait until the white man delivered the father’s paycheck and for there to be money left over in that check after paying for shelter, transportation, food, and utilities. Different from Dick, Jane, Sally, and Spot, my family would wait hours in a hot car in the parking lot for my dad’s white boss to arrive on Friday afternoons. My father always called him with the title Mr., although he called my father by his first initial, and the white boss arrived laughing in a way that did not seem friendly to me at all.

I wondered much about the disparities I saw in neighborhoods as we drove down streets where white people lived with huge front yards, wide streets, and actual playgrounds. I heard no one call the little white children

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78 See Sikivu Hutchinson, *Trayvon Martin: White Picket Fences, White Innocence*, DICK & SHARON’S LA PROGRESSIVE (Mar. 25, 2012), https://www.laprogressive.com/trayvon-martin-murder/ (discussing the frequently used primers from before 1950 that told a story of life entrenched in racial and gender typesetting). Recently while I was in a drug store, I saw and purchased a copy of one of the old primers: DICK AND JANE: WE PLAY AND PRETEND. As I flipped through this primer, I recalled some of the stories that troubled me so about Dick and Jane’s well-off whiteness as compared to my realities as a black girl in the Deep South.
bad names. While my mother tried to shield us from the outright racist views spat at us, I could not help but see how easily and lavishly whites seemed to exist. Sometimes, when my mother did not change the TV channel quickly enough, I saw white politicians on television blasting, “segregation now, segregation tomorrow, segregation forever,”79 or comparing blacks to monkeys (unfortunately, this still happens).80 Often, a singular person’s words are not the real pain; the cheering crowds in support of the hateful words are what are really scary. It makes me wonder, even today, if racism is permanent and whether it is just too difficult for nonwhites and poor whites to further equality together though Dr. King thought this finessing of racial and class equality was critical and possible.81

Based on my childhood observations, I concluded that all whites were wealthy and all blacks were not. Now, as a lawyer, I know that my childhood observations were to some degree accurate and to some degree inaccurate. Not all whites are wealthy;82 some are poor or are relatively low income. But, they are white and that includes some racialized benefits from white supremacy.83 These benefits may keep some poor whites from being open to even seeing themselves as aligned with other dispossessed groups.

Beginning in 1970, I enrolled in desegregated classrooms (not integrated because of white flight from communities and public schools). I was in the

83 Kupenda, Breaking Cartels to Stymie, supra note 24.
ninth grade and I competed well with my more privileged and advantaged white classmates. So, I learned that white economic prosperity could not have been determined by intellectual merit. As my mother told me, and as I saw for myself, black people are just as smart as white people.84

Still racism meant blacks, though deserving more for all of the extra work required, received lower wages, less opportunity, and endured a struggle to get ahead.85 As an avid reader in my school years, I was still piecing together the story about how slavery, Jim Crow, and continued racism devastated a people, devastated several continents, and kept inherited wealth from praiseworthy black hands.86

These racialized constraints are entwined with engendered economic lack.87 As a young black girl enduring economic lack in my household and in my community, I saw race and class as inseparable. Living with horrendous racism was so daunting that I did not think of economic class as a separate struggle. Growing up, we did not routinely label ourselves as poor; we knew many blacks with more resources and we knew many with far less. Economic lack was a part of my life, and a part of the lives of many people I personally knew and lived among.

84 Id.
85 Black people are indeed the poster children for low, or no, wages. This is the case going back to slavery and also forward to professional settings today where blacks receive less pay with more work expectations. Jonelle Marte, *The Economy's Troubling Double Standard For Black Men*, WASH. POST (July 2, 2014), https://www.washingtonpost.com/news/wonk/wp/2014/07/02/the-economys-troubling-double-standard-for-black-men/.
86 Shin, supra note 82. First Lady Michelle Obama pointed out that black slave labor built the White House. Her factual statement, however, led to a seemingly defensive response that the slaves were well fed. Charles Ventura, *Bill O'Reilly: Slaves Who Built White House Were 'Well-Fed,'* USA TODAY (July 27, 2016),
87 Although my terminology may seem awkward to some, I prefer the term “economic lack” to “poverty.” We never referred to ourselves as poor or impoverished when I was growing up. We did suffer, however, from economic lack. Many had far less that we did and we were raised to hold our heads up and to celebrate what little we had, although it was definitely economically lacking.
As I have aged, I see that while racism is still painfully daunting and recurring, even for one who is well academically degreed, a focus on economic class inequality is also critical. This focus on class cannot be a substitute for addressing racism, for even wealthy blacks and those who live or walk in expensive neighborhoods may fall prey to racism. Rather a focus on economic class inequality is an addition to be made, not a substitute, to the struggle against racial inequality. We must make the connection between the continuous dispossession of those without white skin, regardless of their wealth, and the continuous dispossession of those without economic advantage, even with white skin.

Yes, we shall overcome someday, but only after we finesse race and class. As connecting the two inequalities is critical and unfinished. It is no wonder then that a just society remains locked away lost from most in America. I think the deprived, regardless of color, are going to have to be the ones to work together, take charge, find the lost key, and unlock the door to overcome that inequality.

Perhaps this key can be found in legal academia. In the next section, I examine some of these struggles from the vantage point of a course I teach and my attempt to finesse the two in both my personal and my pedagogical experience.

B. A Course

It seems logical to me that legal pedagogy should play a critical role in completing the movement for racial and class equality. After all, the push to obtain access to a legal education was at the forefront of the civil rights

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88 See Muhs et al., supra note 22.
89 Once when I lived in a very white, very economically well-off neighborhood, even the white groundskeeper felt entitled to challenge me as to how I could afford to live there, as he cut the grass while I was out for an evening stroll with a friend. Consider also Dr. Henry Louis Gates' arrest at his home, even when the police officer determined it was indeed his home. Jack Stripling, If It Can Happen To Him, INSIDE HIGHER ED (July 22, 2009), https://www.insidehighered.com/news/2009/07/22/gates.
movement. Those cases predated *Brown v. Board of Education* in 1954. As legal education led the way to the end of *de jure* segregation in public school education, legal education may be the place for a fuller combat to the current status quo by finessing racial and class equality.

I believe that as faculty we should reexamine our classes and consider the role we are or are not playing in forging equality. As is illustrated below, first we have to be open to seeing what we do not understand ourselves, often about ourselves and our students. My own journey will be shared in this section by examining some lessons I learned about myself and about my students in my Civil Rights course.

I teach a law school elective course titled Civil Rights Actions. In that course, we consider the statutory vehicle where individuals sue governmental actors for violations of constitutional and some federal statutory rights. We also consider immunities that government actors may be entitled. In addition to this traditional case and statutory coverage, we consider at least one additional work about civil rights movements. During

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90 See *Sweatt v. Painter*, 339 U.S. 629 (1950) (denying black law student’s access to University of Texas and offering substantially unequal alternative was violation of Fourteenth Amendment); *Sipuel v. Bd. of Regents of Uni. Of Okl.*, 332 U.S. 631 (1948) (holding state of Oklahoma must allow qualified black students admission to state funded law school); *State of Missouri ex rel. Gaines v. Canada*, 305 U.S. 337 (1938) (holding Missouri must admit qualified blacks to state law school or set up separate in-state school).
one semester I utilized the book titled, *Power, Privilege and Law*. As a supplement to the casebook readings, we studied various excerpts about privilege: white privilege, male privilege, heterosexual privilege, and class privilege, to name a few.

As I am a black female professor, and our law school is quite white, I know discussions on race in mixed audiences may be difficult, reactionary, and also seem rare. But, the race discussion in this course was far more productive than I had predicted. I also know that because the legal profession is still deemed a male discipline by some, the discussions on gender can be quite tense. However, that semester the gender discussions were challenging but quite productive. Similarly productive were the discussions on sexual orientation, although our law school can be a very conservative place.

Many, myself included, thought our class discussion on economic class would be quite mild. One day in class, as we covered the reading materials, a non-black student of color interjected that she did not think any poor women cared for their children until she did the reading for class. When I questioned her as to the basis of her view, she said the view that poor

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98 For an amazing judicial opinion addressing sexual orientation and race in Mississippi, see Campaign for S. Equal. v. Bryant, 64 F. Supp. 3d 906 (S.D. Miss. 2014) (ruling holding same sex marriage as constitutionally protected by Judge Carlton Reeves, an Obama appointee).


100 To encourage student classroom discourse, I choose to protect student identity. However, for support, the research is rich about the misconceptions Americans have about poor women. See Nikita McMillian, From Loving Mother to Welfare Queen to Drug Addict? Lebron v. Sec'y. Fla. Dep't of Children & Families And The Evolving Public View Of The Poor As A Class of Sub-Humans with Sub-Rights, 35 MISS. COLL. L. REV. 197 (2016).
women do not love or care for their children is what is shown on television. And, she thought it would not be on television if it was not true.\textsuperscript{101} On that day, many other students' comments were at least ignorant, and perhaps quite disrespectful, of the lives of the poor. I noticed that in responding to my students I was shaking.\textsuperscript{102} As this was a smaller class, around twenty students, and as I had taught many of these students before, I decided to openly discuss the discomfort I was experiencing regarding many of the dismissive comments the students were making about the poor. As I allowed their lack of knowledge and awareness to affect me emotionally, I tried to frame my reaction by stating that there were issues related to economic class and poverty that I obviously must consider further.

I carefully and politely challenged the class to explain how they each see people suffering economically or who had economic lack. Students said they saw the poor as unkempt, uneducated, or even undeserving of more or better lives. The students admitted that much of this was based on stereotypes as they try not to personally engage with the poor.

Trying to stop my shaking, I asked my students how they will deal with being viewed as unkempt, uneducated, and undeserving, because some of my students are not white, not male, and will hold their law degree from a school in Mississippi that is not deemed elite according to rankings. I

\textsuperscript{101} Again, this statement, made several years ago, has shaped my growth and inquiry as a professor. I do not choose to use students' names to afford them the opportunity to speak freely in my classes and grow. I will state here, however, that while nonblack minority communities may be seen as being more economically better off than black communities, poverty is still reported as higher than in white communities. Asian-Americans: Smart, High-Incomes and... Poor?, NPR, May 20, 2013, http://www.npr.org/templates/story/story.php?storyId=185534666.

explained to my students that while they may regard themselves as elite and more supreme than a poor person on welfare, one earning minimum wage, or one without a college education, others may regard them as not supreme or not elite because of their color, where they received their education, or their lack of large amounts of inherited wealth.

As I reflected on their thoughtful responses, our discussion made me think about my lessons learned in a previous semester. So I also shared with them a story about a white, male student from a previous semester. Here, let’s call him John.

John was one of my Race and the Law Seminar students. John selected a paper topic for the seminar based on his view of the ranking of inequalities of race and class. John thought race slightly relevant in our society, but he believed economic class to be more determinative as to how a person would fare in our American society (interestingly, the law students in my current classroom expressed prejudices based on class differences that seemed to offer support to John’s theory). John thought the dominant color was green (dollar bills), and that money issues, or economic lack, always limited one more, i.e., always superseded racial issues. John thought a black person with a higher salary would always be treated better than a white person, like him, with a lower salary or a white person perceived to be from a lower economic class.

After John shared his research topic in class, one of his black, female classmates vehemently opposed his thesis. She told him that during his end of the semester formal paper presentation question-and-answer session, she planned to really drill him on his points. And she told him that he better be ready.

103 I intentionally use the term economic lack. Although my terminology may seem awkward to some, I prefer the term “economic lack” to “poverty.” We never referred to ourselves as poor or impoverished when I was growing up. We did suffer, however, from economic lack. Many had far less that we did and we were raised to hold our heads up and to celebrate what little we had, although our finances were definitely economically lacking as compared to what we observed among whites.
John came to see me in my office soon after this class. He was scared. He still believed in his thesis, that today in America class inequality is far more insurmountable than racial inequality, but now he wanted to change his topic. I would not allow him to change it. I assured him that I would help him with his classmate’s questioning in class and that he would not be personally attacked in class, though his viewpoints may be. So, John continued his research, and he rather enjoyed his research on race, class, and inequality in our society.

As John did his work, he met regularly with me. In these meetings, John shared his research insights and also pictures and stories from his family. He wanted me to understand why this topic was so important and personal to him. John was from a very poor, white, southern family. Many of them lived in a trailer park. He told me that some people would call them, “white trash.” I told him that I do not like that term and that I did not think he should use that term. I admitted to John that having been called so many racially derogatory words, I do not endorse others, including whites, being called by derogatory words. John was unmoved by my comments. John said he hears the term “white trash” a lot as others describe him and his mainly white family, so he is somewhat desensitized to it and then he used it again. I did not question his language again. I realized my discomfort at John’s language related to my personal story about race and class.

John also wanted me to know that while his family was very poor, many of his family members were prejudiced against blacks and other nonwhites. The interesting thing, he explained, was that his family was becoming

diverse, though almost all of them (except himself as he explained) had overt, and covert, racial prejudice against nonwhites.

John brought picture scrapbooks sometimes when he visited me in my office. He watched my face as I noticed the various skin colors in his family. John explained that in recent years several interracial marriages or relationships had occurred in his family. As John showed me a picture of his white, aged granddad holding a little black baby, he explained that his old, white granddad loved all his grandchildren, including this darker one. But sometimes his granddad would say, “Bring the little nigger baby here for Granddad to hold on his lap.” Regardless of John scolding him, his granddad insisted on calling his beloved grandbaby “a nigger baby.” John

106 From some case law this baby would be called black. Consider Plessy v. Ferguson, 163 U.S. 537 (1896) (Court upholding separate but equal was constitutional and upholding constitutionally of man’s ejection from whites only rail car although he was 7/8 white and only 1/8 black). Admittedly using the terms “mixed-race” or “black” does not seem to do justice to this story. While mixed-race is often used, many who do not regard themselves as mixed (or black) may be mixed (or black). The one-drop rule related to blackness meant the law regarded many who were mixed as black. So mixed-race is not a new group. Some who call themselves white today are indeed mixed or even black, given the one-drop rule. Many with a drop of blackness passed as white to garner freedom from slavery and a life free of racism against blackness. See Henry Louis Gates, Jr., How Many ‘White’ People Are Passing?, THE ROOT (Mar. 17, 2014), http://www.theroot.com/articles/history/2014/03/how_many_white_people_have_hidden_black_ancestry/. When we recently covered Plessy v. Ferguson in my Constitutional Law class, students stumbled in determining if Plessy was black, white, mixed, or some other category. Plessy was 7/8 white and 1/8 black. The Court, though, determined he was black and not entitled to sit in the white section of the train under the relevant laws. Plessy, 163 U.S. at 552.

107 Again this is a personal story about a student where I choose to not use his real name. For some support for the story, other than my recall, please note the media is replete with articles indicating the difficulties that some white families have in accepting children who are not seen as purely white. Even if these young people do not receive this racial conflict in their families, broader society is not as kind. See, e.g., Martha Wood, One Thing I Can’t Pass On To My Daughter: White Privilege, BRAIN, CHILD (Oct. 24, 2013), https://www.brainchildmag.com/2013/10/one-thing-i-cant-pass-on-to-my-daughter-white-privilege/; Can a Racist Grandpa Raise a Biracial Kid, THE ROOT, Sept. 18, 2013, http://www.theroot.com/articles/culture/2013/09/racist_relations_advice_for_family_members/.
said he was still reading, thinking, and trying to reconcile all of this, and the implications for race and class as related to his initial thesis.

As the seminar in-class presentations neared, I encouraged John to bring his photographs to class and to incorporate his family scrapbook into his presentation. John did. After John’s very thoughtful, well researched, and honest presentation, there was not a dry eye in the room, as we all responded to the sincerity and critical depth of his moving presentation. John’s thesis had indeed changed, as he admitted to the ever-present poison of racism that harmed blacks regardless of their economic status and that emanated from whites regardless of their status. The black female who had challenged John’s original thesis thanked him for his honesty, and was very thoughtful and supportive in her comments. John’s voice was shaking throughout his most profound and insightful presentation.108

The most provocative comment in response, however, came from another young, white male. The white male responded to John, “Wow, man, I did not know all of that about you; I thought you were a regular white guy.”109 This comment led us into a long discussion about whether there are indeed any “regular white guys,” or if there is just this ideal of white supremacy. Whether one is the “regular white guy” depends on how close, in a given

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108 As noted earlier, John is not the student’s real name. But I use “John” as it reminds me of a story by W.E.B. Du Bois, comparing the different treatment of a wealthy, white, educated John returning home and of a poor, black, educated John who returned home to the same community during Jim Crow. See W.E.B. DU BOIS, Of the Coming of John, IN The SOULS OF BLACK FOLKS 161 (BANTAN BOOKS (1903) 1989). In DuBois’ story, when the black John’s little sister wanted to know if learning many things makes one unhappy, he told her it did but he was still glad he had learned. His little sister replied, “I wish I was unhappy...and I think I am, a little, John.” Id. at 171. I wonder if the learning that my white student John experienced made him a little unhappy, too. If so, I still am glad he learned and that he allowed us the opportunity to share that learning about class and race and that unhappiness, too, with him.

109 This statement the student made in class is imprinted in my memory, though it occurred over 10 years ago. While he saw the average white man as well off, many whites are also poor. See, e.g., 9 Things Never to Say to White Colleagues, DIVERSITYINC, June 25, 2009, http://www.diversityinc.com/things-not-to-say/9-things-never-to-say-to-white-colleagues.
moment, one is to this ideal. A regular white guy then does not truly exist. John was white and poor. Another white guy may be white and have a disability. Another may be a white guy who is gay. Another may be a white guy married or partnered to someone who is not a white female, and so on.

John made a class presentation that liberated him and outed him as a white guy with economic lack and who is, at times, in opposition to elusive white privilege and enduring white supremacy. John’s conclusion after his library research and personal scrutiny was that the dominant color is not green, as he had earlier presupposed. While white class inequality is burdensome, even wealthy blacks, with abundant amounts of green or financial wealth, must deal with racism emanating from white supremacy, including from some economically disadvantaged whites.

As I reflect on John’s story, I consider John’s role in my course in unpeeling inequality. John was a quandary, too, of race and class. Even as John’s granddad held and kissed his beloved grandchild, with one white parent from granddad’s blood line and one black parent, racial differences still created a difference within how John’s granddad saw, or named, his blood line of impoverished grandchildren. John explained how they tried to get his granddad to stop using racially demeaning language, but his granddad thought it was amusing and not a big problem. Economically disadvantaged whites, who do not choose to understand racial oppression, create a barrier to uniting with nonwhites and creating a more equality based society.

John generated thought about unpeeling race and class inequality in him, in me, in the class he presented to, and in future classes to whom I tell his

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110 Wildman, supra note 13, at 898 ("The wealthiest African-American woman, who could be a federal judge, might still have racial, sexist epithets hurled at her as she walks down the street."). Further, even wealthy and powerful blacks still face racism. See Chris Hoenig, *Oprah: President Obama disrespected Because He’s Black, Racism ‘Has to Die,*’ DIVERSITYINC, Nov. 18, 2013, http://www.diversityinc.com/news/oprah-president-obama-disrespected-hes-black-racism-die/.
story. Like John, I am rethinking how class impacts me. Is it a separate impact from race? Is it connected to race?

To be honest, as I explained to my Civil Rights class after telling them about John’s story, I do not discuss class in my courses often because I know that many of my white students would rather discuss class than race. If given a choice, many would prefer for affirmative action to be based on economic class than on race. Many of them appear to refuse to consider racial disadvantage. Admittedly, many disrespect the poor, but the racial disrespect is imposed on a nonwhite regardless of the nonwhite person’s economic advantage. John learned this lesson in class and through his research and self-examination. How to teach this lesson more broadly still escapes me; it is a part of my personal pedagogical journey, a journey I must take in my academic duty to help society finesse race and class.

I have been meditating a lot on this lesson and on my own quandary. John’s quandary exposes the additional work that I, and other faculty, must do if we are to complete the unfinished movement. Just as I was troubled by my Civil Rights students’ disregard of the poor, I have been troubled within myself about finessing the movement uniting racial and class inequality. Along with this lesson from my student John, a film, which I discuss below, has helped me in my personal and pedagogical journey.

C. A Film

When I think about John’s family, I see that poor whites, and those in sympathy with them, may want more economic equality but are they willing to work together with nonwhites to achieve that equality? The finessing of racial and class inequality requires teamwork and can indeed be a demanding process. John’s lesson helped me in furthering my own understanding. The lessons I learned with John have stuck with me over time.

111 See generally Wise, supra note 12.
I follow John’s story with the discussion of a compelling film here in this subpart. I do so because John’s struggle shed much light on my own struggle about working with poor whites, especially poor white males who have both male and racial privilege. The pedagogical lessons John triggered, started a personal introspection of how I view economically disadvantaged white males; in particular, how I see their role in the battle and the needed teamwork, for race and class equality.

What my student John did not completely teach me, a film has. Therefore, I share the lessons from that thought provoking film here with my reader. In the film In Time, dollar bills are not the currency; time is.\textsuperscript{112} I am enchanted with this film because it depicts the impact that our economic situation has on the amount of time we have in our earthly lives, and the way we live out the time with work or hope for leisure.\textsuperscript{113} Initially, I was frustrated with the story line of In Time as the film on the surface appears to promote the idea that a white, male hero is essential to save the poor and racial minorities.\textsuperscript{114} I thought of other films where the savior of racial minorities routinely seems to be a white superstar.\textsuperscript{115} This film, though, gave me greater pause as the white, male savior is himself poor and disenfranchised, just like my student John.\textsuperscript{116} The white, male hero’s quest to save the people in need is a quest to save a group of people to whom he belongs; a belonging he understands to a great degree.

The plot of the film In Time comes from the status of humans in the movie. When a human being turns 25 years of age, the person stops aging

\textsuperscript{112} In Time (Twentieth Century Fox 2011).
\textsuperscript{113} See Kupenda, Breaking Cartels to Stymie, supra note 24.
\textsuperscript{114} In Time, supra note 112.
\textsuperscript{115} Cf. Angela Mae Kupenda, Using Feathery Birds to Disguise Hateful Speech: AVATAR; Hillary – The Movie; Citizens United; and How Birds of the Same Feather Flock Together, 49 GONZAGA L. REV. 1 (2013) (discussing Avatar movie which has a similar theme of white male savior for protection of Natives from rich white corporate interests; in Avatar the white male has a physical disability).
\textsuperscript{116} In Time, supra note 112.
They each receive a digital clock imprinted on their arm. Interpretations of films may vary, however, I think this clock is not just imprinted on the arm; rather I think it is either electronically implanted or connected to their biological systems to be able to affect the longevity of their bodies. Regardless, the face of the clock displayed on their arms indicates the amount of time they have left to live before suddenly dying. Those born into wealth and privilege are jolted awake on their 25th birthday and receive clocks with time of 50 years or more. Those born poor and disenfranchised are jolted awake on their 25th birthday realizing, somehow, they have an imprinted digital clock with a time to death of maybe just 24 hours. Individuals can receive time as a gift, inheritance, and payment for labor or employment, or steal time from others. In the film *In Time*, as also in our daily lives, the poor, regardless of race, never seem to have enough time, and live literally from day to day. In this film, occasionally a mission house for the needy has time available to share with the poor.

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117 The film is missing though a pertinent racial point. In the film, time starts to run out for some at age 25 when they receive the clock. However, the pivotal age for blacks is not young adulthood at age 25. Even black babies have higher mortality rates and certainly black teenagers do, too. Rogelio Saenz, *Compare The Growing Color Divide in U.S. Infant Mortality*, POPULATION REFERENCE BUREAU (Oct. 2007; Lindsey Cook, *Why Black Americans Die Younger*, U.S. NEWS (Jan. 5, 2015), http://www.usnews.com/news/blogs/data-mine/2015/01/05/black-americans-have-fewer-years-to-live-heres-why (examining the many factors that contribute to higher black infant mortality).

118 Interpretations of films may vary, even when two people watch the same film. See TIMOTHY B. CARGAL, HEARING A FILM, SEEING A SERMON: PREACHING AND POPULAR MOVIES 18 (Westminster Press 2007).

119 Or perhaps, the digital clocks operate by being connected to something like cell phone towers which send an immediate deadly signal to the person's body when the clock runs out. The viewer is not told these things in the film itself. At least, I did not see such in my six viewings of the film.

120 IN TIME, supra note 112.

121 Id.

122 Id.

123 Id.

124 See Chico Harlan, *What It's Like To Live On $2 A Day In The United States*, WASH. POST (Sept. 11, 2015),
The movie unfolds as a poor, white male watches his mother suddenly die as she runs toward him. The mother’s time runs out as she races home by foot to him, as she did not have enough time on her arm clock to pay for the bus ride. She was rushing home to her son, trying to get a little of the time he has earned in his underpaid job that day. After her death, her son has many regrets, but one is that he never had enough time currency for his mother to travel to the wealthy city to see how the wealthy, who definitely have time on their hands, live.

The movie’s hero—a poor, young, white man—unintentionally almost ends up working with a rich, young, white woman. Together they rob the banks of time and bring down a corrupt system stacked against nonwhites and poor whites in order to help the poor survive longer and to equalize the distribution of resources. Bringing down the corrupt system is as much for him and the memory of his poor white mother, as it is for the others who suffer. The young, white, impoverished man has recognized his commonality with others and sees he cannot truly be saved unless they are, too.

In the film the hero was denied access to equality both in time and in space. In the film, the poor and the minorities are kept separated from the white privileged part of town, the rich spaces. Even when the poor hero is given a large quantity of time from someone he helped and, as a result, has

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125 Similarly, missions provide food, clothing, or shelter to some who are poor today in real life. They are located in many places. See for example the website of Gateway Mission, at GATEWAY RESCUE MISSION, http://gatewaymission.org/ (last visited Sept. 17, 2016).

126 IN TIME, supra note 112.

127 Id.

128 Id.

129 Id.

130 Id.

131 Id.

132 Id.
the time to travel into privileged areas, he is still viewed as lacking entitlement.\textsuperscript{133} Although he is white, he is still viewed as an outsider and finds himself on the run from the ruling class and those who consider him out of his place.\textsuperscript{134}

I found this point compelling because even the white poor are relegated to a place in society.\textsuperscript{135} Just as in this film, formerly poor whites and nonwhites who may gain access to more elite spaces based on economic changes to their circumstance may, like the hero, be deemed out of place. Equality, hence, is lost in time and in space. The film illustrates time: the poor, regardless of color, run out of time sooner.\textsuperscript{136}

The film relates to finessing race and class equality in several critical ways. First, the film helped me confront my own racial conflict about the white male hero saving nonwhites. I garnered some resolve by seeing in the film’s protagonist a white male who does not just feel sorry for nonwhites and the poor, but who has a vested interest in furthering their equality. Understanding my own conflict opened the door for me to understand more the commonality of purpose that can be forged across racial lines to confront racial and class inequality. It is important to note, especially as related to legal academics and administrators, the shared vested interest need not be rooted in mutual poverty of privilege. It can also be rooted in mutual fervent desires for equality throughout the land.

\textsuperscript{133} Id.
\textsuperscript{134} Id.
\textsuperscript{136} IN TIME, \textit{supra} note 112.
Second, the film In Time illustrated a valuable lesson about space. If we do not confront our own elitism and racism to finesse race and class, some spaces will continue to be off limits even to those admitted to legal institutions. This concept about space is tightly related to educational places, including legal academia, and leads to my next section about a case.

D. A Case

Just as in the section above addressing In Time, space, places, and being in one’s societal appointed place are all relevant in finesing race and class in our institutions and more broadly. As to space, the recent killing of a young teen innocently walking in a well-to-do neighborhood and the acquittal of his killer illustrates how even if nonwhites have a right to be in a space, they may be deemed to be out of place, or in the wrong space, because of their race. This section will discuss a Civil Rights case about students in legitimate spaces suffering from racial inequality while trying to create a better place for themselves in the future. These students were ultimately, it would seem, deemed to be out of their places and in the wrong space.

Remember the political is personal and finesing race and class inequality must start with the personal that leads to our pedagogical advancement. Therefore, before discussing the case, I will start here with a personal story to connect finesing race and class with this case. Then I will discuss more details about the case and its relevance to my argument for finesing race and class inequality.

Growing up, all of my siblings and I were encouraged to obtain a college education, as had several of my mother’s siblings. One aunt majored in English and became a teacher. One uncle majored in mathematics and went

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137 Id.

on to become a teacher, then one of the few black management level employees in a federal government office. He eventually left to open his own business in his endeavor to help his extended family become self-supporting. They both studied at Jackson State University, a Historically Black College and University (HBCU) opened to provide higher education to blacks who were denied access to the well funded white state universities.

According to its website:

Jackson State University has a distinguished history, rich in the tradition of educating young men and women for leadership, having undergone seven name changes as it grew and developed.

Founded as Natchez Seminary in 1877 by the American Baptist Home mission Society, the school was established as Natchez, Mississippi “for the moral, religious and intellectual improvement of Christian leaders of the colored people of Mississippi and the neighboring states.” In November 1882, the school was moved to Jackson; in March 1899, the curriculum was expanded and the name was changed to Jackson College.

The state assumed support of the college in 1940, assigning to it the mission of training teachers. Subsequently, between 1953 and 1956, the curriculum was expanded to include a graduate program and bachelor’s programs in the arts and sciences; the name was then changed to Jackson State College in 1956.

Further expansion of the curriculum and a notable building program preceded the elevation of Jackson State College to university status on March 15, 1974. In 1979, Jackson State was officially designated the Urban University of the State of Mississippi.

History, JACKSON ST. U., http://www.jsums.edu/ourhistory/ (last visited Feb. 5, 2016). Other aunts and uncles were also well educated. They were highly engaged in movements for equality. See, e.g., Obituary, Rev. Dr. James N. Dorsey, VICKSBURG POST (Aug. 16, 2012), http://www.vicksburgpost.com/2012/08/16/rev-dr-james-n-dorsey/. U.S. v. Fordice (505 U.S. 717 (1992) (ruling Mississippi was operating two different higher education systems, a predominantly white one highly funded, and a historically black one underfunded). As a result, The Historically Black Colleges and Universities received some back funding, but only if they could increase their non-black enrollment. See Avis Thomas-Lester, Enrollment is Shifting at Black Universities, WASH. POST (Oct. 31, 2004), http://www.washingtonpost.com/wp-dyn/articles/A12377-2004Oct30.html; see also Jeff Amy, Jackson State Raises Non-Black Enrollment, Gains Control of Endowment, DIVERSE ISSUES IN HIGHER EDUC. (Dec. 20, 2015),
The stories of my relatives’ education are important and personal to me; it is related to my pedagogical urgings here of finessing race and class inequality. There is a prevalent stereotype that blacks are undereducated. It is one that existed when I was a little girl, and it still exists today.\textsuperscript{141} The part of the stereotype that we often miss in dialogue today is that the government actively sought to keep blacks uneducated, then blamed blacks for being uneducated. In fact, it was unlawful to teach a slave to read in many places.\textsuperscript{142} Blacks were denied education and equal funding of education post-Reconstruction.\textsuperscript{143} Additionally, blacks were denied access to well-funded higher education.\textsuperscript{144} As discussed below, even those who made it to the campus of underfunded HBCUs were at risk.

While well-dressed and trying to get an education, black students at Jackson State University were vulnerable to assaults. From the J.R. Lynch Street,\textsuperscript{145} which ran through the middle of the campus of Jackson State University, white motorists who traveled through this major thoroughfare would often throw objects out of the window, hitting the well-dressed,


\textsuperscript{142} While the slaves were labeled as ignorant, laws made it illegal to teach a slave to read. \textit{The Slave Experience: Education, Arts & Culture}, PBS, http://www.pbs.org/wnet/slavery/experience/education/docs1.html (last visited Oct. 13, 2016).


\textsuperscript{144} See generally \textit{The Integration of Ole Miss}, HISTORY.COM, http://www.history.com/topics/black-history/ole-miss-integration (last visited Feb. 24, 2016).

\textsuperscript{145} This street is named for John Roy Lynch, the first Black Representative in Congress from Mississippi and the only elected Black Representative from Mississippi for a century. \textit{Lynch, John Roy}, HISTORY, ART AND ARCHIVES, U.S. HOUSE OF REPRESENTATIVES, http://history.house.gov/People/Detail/17259 (last visited Feb. 23, 2016).
young black men and women who were just trying to get an education. Even on the campus of a HBCU, they were at risk and seen as out of place by the white motorists who threw nasty items at them and, later, by the white police, too.

In 1970, similar to the police shootings at Kent State University (a predominantly white college in Ohio), police shot at and killed students following a protest on the campus of Jackson State University. Like the white students who were killed at Kent State, the black students were protesting the undeclared Vietnam War and racism. Like the white students, the black students' protest ended when the police opened fire without warning. Unlike the families of the white students, the families of the black students had no financial recovery. Unlike the incident at Kent State, which is widely known about, the incident of the killing of the black

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149 “The [Kent State] plaintiffs receive[d] $675,000 for injuries received in 1970 and this compensation [was] accompanied by a statement from the defendants, which read in part, “In retrospect the tragedy of May 4, 1970, should not have occurred...We deeply regret those events and are profoundly saddened by the deaths of four students and the wounding of nine others which resulted.” Legal Chronology, May 5, 1970-January 4, 1979, KENT STATE UNIVERSITY, http://www.library.kent.edu/legal-chronology-may-5-1970-january-4-1979 (last visited Sept. 16, 2016).
students at Jackson State is little known about even though the incidents occurred within a week or so of each other.\textsuperscript{151}

This incident is relevant because it speaks of both class and racial inequality. Even when racial minorities are in nonwhite spaces, trying to obtain an education and trying to improve their economic equality, they may still be deemed as being out of place or as a threat. They are a threat precisely because they are in spaces that may further equality. For nonwhites, desired class mobility and desired racial equality are inseparable.\textsuperscript{152}

For those who seek to thwart equality, some are injuring overall class equality to frustrate racial equality for nonwhites. The white police officers in Mississippi who opened fire on those black college students were not that economically better off as a class of whites.\textsuperscript{153} But, they had whiteness, and the value of their whiteness as a privilege depended on the black students remaining dispossessed.\textsuperscript{154} Hence, these working class white police officers

\textsuperscript{151}Kent State Incident, HISTORY.COM, http://www.history.com/topics/vietnam-war/kent-state (last visited Sept. 16, 2016). In my biographical footnote, I dedicate this essay to Attorney Constance Slaughter-Harvey, the first black female to graduate from the University of Mississippi (Ole Miss) School of Law. Atty. Slaughter-Harvey provided determined and brilliant representation to the black plaintiffs in the Jackson State University case. She continues to advance equality in our state, and broadly. She also opened her records on this case for me and one of my former students to read and study. The injustices rendered against these black families further demonstrate our need to resurge a broad movement for justice. See generally Whitney Blair Wyckoff, Jackson State: A Tragedy Widely Forgotten, NPR, MISS. PUB. BROADCASTING (May 3, 2010), http://www.npr.org/templates/story/story.php?storyId=126426361.


\textsuperscript{153}See, e.g., KING JR., I HAVE A DREAM, supra note 10, at 187 (in speech "The Drum Major Instinct").

\textsuperscript{154}See generally Rachel D. Godsil, Hey, Media: White People Are Poor, Too, THE ROOT (Dec. 2, 2013), http://www.theroot.com/articles/culture/2013/12/most_poor_people_in_america_are_whi
were hindered, perhaps in their own economic improvement, by not seeing how their destiny was enshrined with the destiny of the black students they killed.

I believe Dr. King died trying to unite these groups of the dispossessed, poor, and lower income whites and blacks. Continued racial divisions, even across the poor, show the movement is yet unfinished.

IV. CONCLUSION

Although the movement is yet unfinished, Dr. King saw what we need to understand today: race and class equality cannot be a viable affront to the structures of supremacy until the movement encapsulates poor whites and helps them finally see that they are allowing themselves to be used as agents to further inequality and to further separation from others who struggle with inequality. Race and class inequality are woven together, despite desperation to separate them. Eliminating class inequalities requires eliminating racial inequalities. How can we conquer class inequality unless white supremacy is eliminated? Poor whites can perpetuate racism, even against blacks who can help them overcome inequality and injustice.

I hope you now understand my struggle and why I have resisted focusing on class issues over race issues in my courses. I cannot allow discussions of racial prejudice to be supplanted by a focus only on economic class inequality. Thus, I find myself in a quandary that I must resolve. My first step is admitting that this quandary exists even within myself—a black, female, highly-educated, but long term economically disadvantaged professor. In this essay I issue a clarion call for legal academics and administrators to examine their own personal and pedagogical quandaries so that we can overcome these inequalities together.

—Keli Goff, Poor Whites and Blacks have much in Common but, THE DAILY BEAST (July 5, 2016), http://www.thedailybeast.com/articles/2016/07/05/poor-whites-and-blacks-have-much-in-common-but.html.
With personal and pedagogical exploration, I think legal education can play a vital role in addressing ongoing structural racism and classism in our institutions. We can participate in finishing the movement of uniting race and class inequalities in the pursuit of justice. In this essay, I started by examining the nature of Dr. King’s unfinished movement for racial and class equality and considered the modern impact finishing it can have. I believe this impact must be generated by personal inspection by those who lead in the legal academy and shape future generations of lawyers.

Therefore, it was only right that I engaged in personal inspection myself. I admit to my personal quandary regarding race and class. My own learning has been spearheaded through examination of my own life: through pedagogical exchanges with my students in courses, an enlightening film, and a case, I took a personal step, a tiny step, but a step nonetheless. My hope is that my personal and pedagogical examination will encourage other legal academics and administrators to do the same. Legal educators can further Dr. King’s movement for racial and class justice. But, we must make it personal and we must honestly examine how our personal experiences affect our own pedagogy and the future of our law schools and America.

My call extends to all of legal education and especially to non-elite institutions where many of their white students may themselves lack wealth, but do have the unmerited favor of whiteness. These law schools, like my current home school, have a tremendous challenge and an amazing opportunity for us to overcome both racism and classism. The challenge is for faculty and administrators to perform the self-evaluation and personal growth to acknowledge their own support of a status quo bent on racism and classism. The further challenge is that during times of dwindling enrollment there is, perhaps, a greater need to see and develop the potential in nonwhite and non-economically advantaged students who enroll in their schools.

The issue is not whether these students enroll; the issue is whether these students are allowed to enjoy the full benefits the school has to offer. Where the benefits and academic opportunities are bestowed chiefly upon whites
and those with some wealth, especially within a non-elite school, a tiered system continues of the haves and have-nots, those cherished and those merely tolerated. This suggests that nonwhites and poor whites are out of place and not entitled. While faculty and administrators may seem unaware of the system within their schools, the nonwhites and poor whites are aware. Evaluating the professoriate and administration and its policies for evidence of structural racism and classism can well get us on our way to addressing our own quandaries and someday overcoming them together.

Yes, my hope is that we shall someday overcome, even within the legal academy. I think this will happen, though, only after we as law professors and administrators learn to finesse racial and class inequality in our own personal quandaries and in our pedagogical efforts.