

Suffolk University Law School
Class of 2023 Commencement
Sunday, May 21, 2023
Leader Bank Pavilion
Commencement Speaker
Janai S. Nelson

Hello, Suffolk. How are you? [APPLAUSE] Thank you very much for that generous introduction, Associate Dean McLaurin. And thank you to Dean Pearlman and the board of trustees for conferring this honorary degree on me. I am deeply humbled. It's truly a pleasure to be here and deliver the 2023 Commencement address,

[00:30] and I'm grateful to President Kelly, Provost Sandell, and Dean Pearlman for the invitation. Let me begin by extending my warmest congratulations to the graduating Class of 2023, along with your family and friends and loved ones and those who have been an integral part of your support system. You all have so much to be proud of. [APPLAUSE]

[01:00] As President Kelly mentioned, many of you graduating today began your law school journeys amid a thundercloud of uncertainty. In 2020, the onset of the COVID-19 pandemic ripped away most of the trappings

[01:30] of what we consider to be normal life. Millions of lives were tragically lost. Livelihoods were upended. And we did not know when or whether many of us would see one another again. The pandemic altered our vision of the future and forced us to rethink expectations, possibilities, and our internal resolve. That same year,

[02:00] 2020, the same year many of you bravely embarked on this daring venture, an estimated 25 million people mounted a multiracial, multiethnic, multigenerational uprising for racial justice, creating one of the largest movements in US history, which I'm sure included some of you. Following the unjust killings of

[02:30] George Floyd, Breonna Taylor, and Ahmaud Arbery, and countless others, people in collective isolation, collective grief, horror, and awakening took to the streets to demand accountability and bravely take up the call of justice. And in addition to these challenges wrought by COVID-19, and a racial uprising, January 6th,

[03:00] the Ukraine War, climate change, and myriad crises that impact our future in the United States and abroad, added another layer of uncertainty to your lives. But against this backdrop, you persevered. You persevered in your law school studies, whether as a day student or as a student in the renowned JD Evening Program, without knowing what jobs would await you upon graduation,

[03:30] or what kind of world you would inherit. That you chose to embark on or continue upon this journey despite these vast knowns and uncertainties tells me that you not only have the

courage necessary to face the challenging realities of our time, but you possess intrepid imagination and instincts of survival that animated the founders of the Legal Defense Fund

[04:00] 83 years ago. It animated them to see and pursue a future that was wholly incongruent with the reality they faced. And I want to invite you to carry forward that same resilience and vision as you move forward in your careers, because in this moment of flux, you have both the opportunity and the responsibility to help shape the future of this country.

[04:30] With your knowledge of the law and the power it confers, you will be positioned at the center of some of our nation's most pressing questions. In fact, many of you have already taken impressive action to utilize your training and skills to contribute to your communities and address the urgent demands of the moment. President Kelly lauded your clinical and pro bono service to migrant families in need,

[05:00] advancing human rights, addressing complex issues of racism, applying business, tax, and administrative law to empower vulnerable communities. Your service demonstrates your commitment to advancing justice and equality, which I hope will only deepen as you advance your careers. You have also hosted first-rate events to raise awareness about critical social justice issues.

[05:30] The Student Bar Association's Diversity Week in March interrogated the meaning of systemic discrimination and the misunderstood subject of critical race theory. The Suffolk Law Journal of Health and Biomedical Law's annual symposium thoughtfully examined the implications of the incursions into reproductive rights and the linkages among law, health, medicine, and civil and human rights.

[06:00] Sitting here today, you have amassed all these inspiring accomplishments. You are proof that life can and does go on, even in the face of existential threats when we act collectively in interest of humanity. Today, however, America still faces significant uncertainty about whether the rise in mass shootings will finally force our lawmakers

[06:30] to act, whether reproductive rights will be fully eviscerated, whether people of all genders can enjoy basic human rights, whether we will be able to read books, speak out, and teach the truth of our history, and whether this country will live up to the promise of democracy. But I firmly believe that it is in moments of precarity that there is

[07:00] an opportunity to confront our structural frailties and transform our laws and systems to deliver the justice that our Constitution and other laws have never fulfilled. And if the pandemic taught us anything, it is that the possibility of radical transformation is not only possible, but potentially powerful and positive. The pandemic instigated a widespread

[07:30] mindset shift from a traditional, in-person office mentality to a variety of hybrid concepts to suit a more humane, accommodating, and sensible work and learning environment. Even courtroom proceedings adapted to video conferencing. We began to reconsider how, where, when, and what conditions we work, learn, and interact.

[08:00] Upheaval offers opportunity for radical transformation. As president and director counsel of the Legal Defense Fund, it is my job to use these opportunities that advance profound, enduring change for good, especially as we find ourselves at another crossroads facing renewed attacks on essential rights. Access to abortion care is under assault, even though it has been

[08:30] a fundamental part of reproductive freedom for over four decades, especially for people who are in the same age group as many of you, and whose futures will be determined by whether they have continued access. There is an alarming, coordinated attack on truth and the right to free expression, including book bans aimed at erasing the lives of people of color, and LGBTQ+ Americans,

[09:00] and new laws criminalizing protest. These dangerous and, in many cases, unlawful maneuvers threaten to take us back decades and reverse hard-won progress, progress needed to support the extraordinary demographic transformation that will result in a majority people of color population within the next 20 years, which will have an undeniable impact

[09:30] on the views of the electorate. By way of example, as we await two Supreme Court decisions that threaten to diminish the diversity among your peers and professors that enriched your legal education, recent polling data shows that 53% of American adults, including 77% of black Americans and 68% of Latinos, believe that affirmative action programs are still needed.

[10:00] And we are making progress. In the incoming Class of 2022, nationally, nearly 37% of first-year law students were racial or ethnic minorities, up from 28% a decade ago. And right here at Suffolk Law, there's been an uptick in diverse students from 17% in 2017 to 27% in 2023. [APPLAUSE] Yes, please applaud that.

[10:30] And that shift has been supported by the Law School's rich DEI initiatives. But we have more progress to make. The representation of people from all minority and racial and ethnic groups combined has increased a mere 6% since 2010, despite our increased representation in society at large. At that rate,

[11:00] it will take 30 years for the legal profession's demographics to match that of the American population. And though there is substantial public support for equity policies like affirmative action and strong disagreement with policies that infringe on long-held rights, like reproductive freedom restrictions and book bans, regressive legislative agendas that counter public opinion and public interest

[11:30] continue to be passed. Is it any wonder, then, that America is facing a crisis in confidence in government and even our judicial system? A recent Gallup poll found that public confidence in the Supreme Court's credibility has dropped from 50% to 25% in the past two decades. You will undoubtedly witness the effects of this lack of

[12:00] public trust as you embark upon your legal careers. And it will make your work and mine increasingly difficult, but increasingly vital. Graduates, yes, you are entering the next chapter of your professional careers at a critical moment in our nation's history. Precipitous change is happening, and you as lawyers will be called upon to help steward it.

[12:30] The question of your generation is whether that change will propel us toward greater equity, inclusion, and freedom, or return us to a place of fewer rights and greater inequality. You are well-trained and well-prepared through your education at Suffolk to help this country determine the right path.

[13:00] Many of you may be familiar with the popular quote by Dr. Martin Luther King, Jr. that says, the arc of the moral universe is long, but it bends towards justice. What fewer people know is that Dr. King was actually paraphrasing a sermon by Theodore Parker, and abolitionist minister who lived and worked right here in the State of Massachusetts. In his sermon, Mr. Parker said,

[13:30] “I do not pretend to understand the moral universe. The arc is a long one. My eye reaches but little ways. I cannot calculate the curve and complete the figure by experience of sight. I can divine it by conscience. And from what I see, I’m sure it bends towards justice.” Mr. Parker was standing amid

[14:00] uncertainty. He could not calculate the curve of the moral arc or complete the figure by sight, but he could envision the outcome of justice. With so much hanging in the balance, you, too, have the chance to shape your future and that of future generations. So I ask you at this crossroads, where we can choose to rally in the cause of justice

[14:30] and advance our democracy, or sit back and watch it be co-opted by a vociferous group of dissidents. I ask you to bring forth the same resolve, fortitude, vision, and imagination that inspired you, not only to invest in a future that you could not calculate with precision, but to succeed in making that future the reality that

[15:00] includes you in the Class of 2023. [APPLAUSE] Graduates, I urge you to engage in the essential work of democracy and moral arc-bending. Vote, volunteer, and organize around issues that compel you. Service in office, whether is on a school or library board,

[15:30] on a town council, or a governorship, like former LDF attorney and former Massachusetts Governor Deval Patrick, or the presidency. We need your voice and your leadership. Counter attacks on truth wherever you see them. Normalize difficult conversations about racism and heterosexism. Challenge yourself to consider how much more evolved

[16:00] in our thinking about humanity, equity, dignity, and inclusion we will be in five or 50 years because of the choices you make today. Creating curable progress in a time of upheaval may feel overwhelming, just as it did at LDF’s founding in 1940, when the idea of dismantling centuries of racialized violence,

[16:30] discrimination, state-sanctioned segregation was not only radical, but seemingly unobtainable. Yet less than 15 years later, the historic decision of *Brown vs. Board of Education* in 1954 proved that such radical transformation is possible. Your work will not be easy, but it will be worth it. I have faith that you will not shrink from the challenge, but rise

[17:00] to meet it in the same way that you met uncertainty on the journey to today with daring. In closing, and to borrow the wise words of Thurgood Marshall, “This is your democracy. Make it. Protect it. Pass it on.” Graduates, this is your time. Continue to make us proud. Thank you, and congratulations. [APPLAUSE]