

SYSTEMIC
JUSTICE
PROJECT
CONFERENCE



WELCOME TO THE 2015 SYSTEMIC JUSTICE CONFERENCE!

Dear Guests,

Welcome to the first annual Systemic Justice Conference!

We created the Systemic Justice Project last year in response to our strengthened convictions that (1) our legal system and system of legal education are broken, (2) the flaws in both are connected and systemic, (3) understanding those flaws and how to address them should be a primary focus at Harvard Law School, and (4) students should be leaders in that effort. One prominent drawback with both law and legal education is the role each plays in insulating and disconnecting their participants from policy problems and the suffering they cause. One goal of the Systemic Justice Project is to help counter those effects by giving students the opportunity to work on issues that they care about, to think about those issues systemically, to connect with experts, activists and lawyers working on those problems, and to share their findings. Today's presentations are the initial results of that pedagogical experiment.

Students in the Justice Lab selected their problems with us early this year and have been working in teams of four to six members researching, speaking to experts, and drafting policy papers. Their chosen topics reflect students' greatest policy frustrations -- profound racial biases and inequalities throughout criminal law, disturbing inequities in education, and the failure of lawmakers or institutions to respond meaningfully to climate change. Three teams are focusing on the criminal law system: financialized courts, mental health in the juvenile justice system, and civil asset forfeiture. Two are looking at elements of higher education: inequality in legal education and the student debt crisis. And the final team is investigating the impediments to tackling climate change.

In the Systemic Justice course, meanwhile, students have taken up an even wider range of topics. They have been connecting their topics to themes from the course, which explores the psychology and history of systemic injustice, the relationship of law to power, legitimacy, and inequality, and the common causes of systemic injustice. The full range of topics is listed below.

In today's conference, as detailed below, there will be three general types of presentations. First, Justice Lab teams will give one-hour talks, highlighting elements of their policy papers. Each of the six teams will endeavor to describe a problem, highlight some of its causes, and summarize some promising solutions. Second, members of the Systemic Justice course will share a variety of exhibits that constitute a small element of their larger project -- websites, pamphlets, posters, podcasts, curricula, and so on. For the Systemic Justice Showcase, we urge you to wander throughout Austin West to take in the variety of more than fifty thought-provoking exhibits. In addition, there are several mini-presentations and discussions taking place in that time period in other parts of the law school that you might want to consider. Finally, Robin Steinberg will deliver our conference keynote, concurrently delivering the Criminal Justice Institute's Trailblazer Lecture.

There are many people who we would like to thank. In addition to creating the content and the presentations featured in this conference, most of the administrative tasks of organizing the conference were completed by the students in the Justice Lab and Systemic Justice course. We thank those students for the hard work and enthusiasm. We are also indebted to Media Services and the Copy Center for their assistance. Special thanks to Dan Breidenbach, Chloe Bush, Steve Foote, Brett Johnson, and Jess Rios who went out of their way to support us and the students involved in this project, and to the following people who have been supportive of the larger project from the outset: Ona Balkus, Bob Bordone, Emily Broad Leib, Sergio Campos, Lisa Dealy, Chris Desan, Lani Guinier, Janet Halley, David Harris, Duncan Kennedy, Adriaan Lanni, Ken Mack, Deborah Popowski, and Alexa Shabecoff. Very special thanks are owed to Carol Igoe, who has been a driving force in creating the Systemic Justice Project and deserves credit this year for, among other things, keeping us on task. We also want to express our gratitude to Ron Sullivan, the Criminal Justice Institute, and Robin Steinberg for generously allowing us to merge our conference keynote with this year's Trailblazer Lecture. Thanks, finally, to Martha Minow for allowing us the space to create this project and host this event.

The following organizations kindly co-sponsored this event with us:

- American Constitution Society
- Black Law Students Association
- Charles Hamilton Houston Institute for Race and Justice
- Criminal Justice Institute
- Environmental Law Review
- Students For Inclusion
- Unbound: Harvard Journal of the Legal Left
- Women's Law Association

We hope you enjoy the conference and that you will keep an eye out for the students' final projects as they are posted on the Systemic Justice Project website over the summer.

Jon Hanson & Jacob Lipton



ABOUT THE SYSTEMIC JUSTICE PROJECT

The Systemic Justice Project (“SJP”) is a policy innovation collaboration, organized and catalyzed by Harvard Law School students devoted to identifying injustice, designing solutions, promoting awareness, and advocating reforms to policymakers, opinion leaders, and the public. While targeting specific policy challenges, SJP is devoted to understanding common and systemic sources of injustice by analyzing the historical, cultural, political, economic, and psychological context of particular problems. Toward that end, SJP is committed to collaborating with scholars, lawyers, lawmakers, and citizens and to working with existing institutions in promoting attainable, pragmatic, and lasting policy solutions.

Systemic Justice

This course employs insights from numerous disciplines, including history, mind sciences, economics, and law to explore some of the deep, common, and overlapping causes of injustice. It examines and draws lessons from a handful of well-known injustices—from antebellum slavery to twentieth-century marketing of tobacco. Focusing on varied sources of power, the course analyzes interconnections between policy problems and the cycles that contribute to inequality and injustice. Based on those understandings, the course names and inventory causes of injustice, impediments to justice, and ways better to pursue justice through law and social activism. The course pays special attention to the relationship between power, inequality, and legitimacy. Finally, the course pulls those lessons into the present as students examine, workshop, and write about current problems.

The Justice Lab

The Justice Lab seeks to develop a new way of approaching societal injustices, while providing students with experience operating in a think tank environment. Students work in teams drafting policy papers and taking part in the running of The Justice Lab. Students participate in the selection of “problems” for the lab to address, identify a variety of relevant experts, stakeholders, and victims of injustice as part of researching the problem, will coordinate and participate in drafting collaborative policy papers. Some papers analyze a problem, identify possible solutions, and propose a set of potential policy reforms. Class time will be devoted to presentations, guest lectures and workshops, and discussions of the policy problems.

CONFERENCE SCHEDULE

Welcome Remarks - 8:30 - 8:40

Session 1 - 8:40-9:40 | Reforming Civil Asset Forfeiture: Eliminating Policing for Profit

The moment to reform civil asset forfeiture has arrived. The subject of two new policy directives by Attorney General Holder in the last 3 months—including one last week—federal civil asset forfeiture law appears to be improving quickly. Our presentation will provide crucial context to this debate and propose a series of changes to reform civil asset forfeiture at the state level.

Alex Jordan, Sharon Kim, Kelsey Jost-Kreegan, Mark Thomson, Evelyn Zheng

Session 2 - 9:45-10:45 | Student Debt & Changing Narratives about Higher Education

This project looks at the pressing student debt crisis in the United States, identifying its immense impact on individuals and society at large as well as discussing the social, legal and policy underpinnings of the problematic system we have today. In particular, we focus on the development of competing narratives about the purpose of higher education, arguing that conflation and manipulation of those narratives over time has yielded a system that too often fails to serve the best interests of either students or taxpayers.

Lauren Anstey, Josie Lee, Sarah Paige, Salome Viljoen

Session 3 - 10:50-11:50 | Captive Climate

Despite the existential threat to the human species posed by climate change, humanity has been unable to adequately combat it in any meaningful way. This is the result of many sources, including an industry incentivized to profit maximize and the interplay between business and politics – and those two factors prey on the working mechanisms of the human mind.

*Jessica Bergin, Sam Caravello, Adrienne Mendle,
Jessica Ranucci, Paul Switter, Sam Wheeler*

Lunch/Session 4 - 12:00-1:00 | Financialized Courts

State courts throughout the country balance their budgets on the backs of the poor. Private probation companies collect millions of dollars in unreported 'service fee' revenue. Indigent populations unable to pay fees end up further impoverished and sometimes incarcerated. How did we get here and how do we stop it?

Micaela Alvarez, Sima Atri, Donna Harati, Michael Perloff, Alex Self

About Systemic Justice | 1:05 - 1:15

Jacob Lipton

Systemic Justice Showcase | 1:20: - 2:40

See list on following page

Session 5 - 2:55- 3:55 | Mental Health in the Juvenile Justice System:

This presentation will focus on ways that the juvenile justice system creates and/or exacerbates mental health problems in children who become entangled with the legal system. We will explore the ways that systemic problems in the law, institutional design, and the dominant narrative used to talk about juvenile offenders serve to foster unhealthy prison environments. The presentation will close with recommendations for eliminating some of the underlying problem causers and instituting a more humane and rehabilitative juvenile justice system.

Enumale Agada, Susana Cervantes, Sara Murphy, Lauren Rasch

Session 6 - 4:00 - 5:00 | The Illusion of Illusion: Inequality in Legal Education:

Law schools today claim to be more diverse than ever before. The Harvard Law School Class of 2017 is made up of 41% students of color and 50% women. Looking beyond these numbers, however, inequality abounds and the student experience in law school is still often marked by discrimination and disillusionment. Why do most students come to law school hoping to change the world and leave jaded and bound for corporate law? Why are so many student voices never heard in class?

This project explores the roots of inequality in legal education and the lived experiences of law students at Harvard and other law schools. Through real narratives drawn from interviews and blogs, as well as research on the mind sciences and meetings with experts, the project reveals and explains the continuing inequality and lack of inclusion in legal education. Law schools have come a long way since they excluded women and people of color entirely, but there remains much work to be done and the presentation will end with a group discussion and a call to action.

*Hannah Diamond, Rena Karefa-Johnson, Brian Klosterboer,
Faye Maison, Daniel Merzel, Travis West*

Discussion - 5:05 - 5:30 | Legal Education

Moderator: Ariel Eckblad

Closing Remarks - 5:35 - 5:45

Keynote Lecture

6:00 - 7:00 | ROBIN STEINBERG

The Criminal Justice Institute's Trailblazer Lecture

SYSTEMIC JUSTICE SHOWCASE

Session A

Tobyn Aaron | Why Good People Commit Evil Acts: America's Torture Program

Podcast Interview [Session A, Seat 124]

Interview of Alberto Mora and Dr. Fein, who will offer professional insight into the use of torture on a government and human level

Sarah Adkins | Supporting English Language Learners in the Classroom:

Pamphlet [Session A, Seat 126]

An overview of significant legislation and cases concerning English Language Learners in the classroom.

Mihal Ansik | "She's Gone Now": The Impact of the War on Drugs on Reproductive Justice

Podcast Interview [Session A, Seat 128]

Interview with Andrea James, founder of Families for Justice as Healing, on organizing currently and formerly incarcerated women around building community-based solutions to mass incarceration, and the role of lawyers and policymakers in supporting their movement and hearing their stories

Alexandra Anthony + Cass Luskin| Private Prisons

Interview Transcript [Session A, Seat 63]

Interview with Alex Friedmann on the private prison industry in the US and the possible reasons for its continued success

Nadia Arid | Environmental Justice: A Student Activist's Guide

Toolkit/Info Packet [Session A, Seat 130]

This guide is a series of factsheets on different facets of environmental justice for students becoming involved in the movement. The series ends with a sheet on exploring solutions that are accessible for young activists

Chad Baker | A Tough Pill to Swallow: Interrogating the Legitimacy of the U.S. Pharmaceutical Industry

Pamphlet [Session A, Seat 132]

This pamphlet presents evidence that there are pervasive and disturbing informational disparities between pharmaceutical companies and both doctors and patients.

Matthew Balotta | Access to Nature

Pamphlet [Session A, Seat 134]

This pamphlet explores some of the health benefits to experiencing natural surroundings and why we are increasingly disconnected from nature. It then describes the current unequal access to nature and how this relates to themes of Systemic Justice.

Jordan Baumann + Georgino Hyppolite + Neha Jaganathan | How School Discipline Fails Students With Disabilities [Session A, Seat 101]

Podcast

Podcast includes various interviews with advocates and researchers who have experience with school discipline of students with disabilities

Jeffrey Bayne | Disposition & Situation in Contingent & Part-Time Work

Curriculum [Session A, Seat 139]

This presentation is a curriculum for a two week unit that examines the relationship between employment structures from a systemic justice perspective. Students will explore how changes in the ways we think about employment contribute to justifications for inequality and injustice.

Mikelina Belaine | Intersectional Justice

Website [Session A, Seat 137]

Website serves as comprehensive hub of analyzing intersectionality in identity based communities, and the unique experiences and obstacles faced by intersectional members of different communities. (Blog, Info Resources)

Whitney Benns + Samuel Straus | Reclaiming Compassion

Presentation [Session B, Griswold 110]

Presentation advocating for inclusion of compassion and empathy in K-12 education, through teacher training, empathy infused curriculum, and direct skills training

Fatima Bokhari | War on Drugs: Effects on Communities of Color & Minorities

Podcast Interview [Session A, Seat 120]

Interview with Phil Torrey, Lecturer of Law on effects of the war on drugs on communities of color and non-citizens/Immigrants

Mariam Boxwala | Islamic Finance: The Question of Legitimacy

Poster [Posted on rear wall]

Description of the thesis and paper. Discusses the perplexing success of Islamic Finance against very low process and outcome legitimacy

Aaron Bray | Worst of Both Worlds: Boston's Policing Crisis

Brochure [Session A, Seat 119]

Brochure details how Boston's black community is being over-policed and under-policed at the same time and possible ways to address the issue

Isabel Broer | Foreclosure

Memo (targeted at state legislators) [Session A, Seat 06]

Memo to MA state legislators on the statutory and policy background of the MA foreclosure crisis

Nidhi Chappidi | Gendercide

Pamphlet [Session A, Seat 100]

Brochure provides a brief background into Gendercide, forms it takes, and the regions it impacts. It then considers why Gendercide is an injustice and provides explanations of the issue within India.

Andrea Clay | Unlearning Lessons: An Anti-Racist Approach to Middle School English Curriculum

Curriculum [Session A, Seat 81]

7th Grade Anti-Racist Curriculum using the novel *Dark Life* by Kat Falls

Annaleigh Curtis | Countering Stereotype Threat: Designing a More Inclusive Philosophy Classroom

Website [Session A, Seat 01]

Website reviews literature on ST and suggests interventions for reducing it in philosophy courses.

David Curtis | Project No One Leaves website 2.0

Website [Session A, Seat 62]

Website provides information to homeowners and tenants facing foreclosure, as well as more academic resources based around the annual Project No One Leaves conference

Ariel Eckblad + Deanna Parrish + Caroline Sacerdote | ADR and Communal Justice

Facilitated Dialogue [Session A, Lewis 214A]

We will provide an overview of alternative dispute resolution (ADR), an analysis of the procedural injustices of traditional adjudicative options, and the role ADR may play in remedying this.

Raha Francis | Socio-Economic Diversity in Elite Institutions -- a Cross-Cultural Perspective

Pamphlet [Session A, Seat 43]

The pamphlet is an introduction to issues of racial and economic diversity in elite French institutions, and how race-blind policies in France have attempted to address this. This will form the basis for a cross-cultural comparison between French and American diversity policies in elite higher education.

Michelle Franco | Talking Points: Southern Border

Multimedia: videos & photograph [Session A, Seat 136]

"Talking Points" displays the capacity of seemingly objective media to decontextualize content and deform intent. The editing techniques used are native to, and frequently abused in, contemporary news production: redaction and rearrangement. The project aims to reverse the typically inflammatory rhetoric surrounding immigration in the United States. In casting known voices, the conclusions are made startling. The logic of the new rhetoric, though, is largely dissonant with the facts on the ground—shown here in a singular, "unedited" photograph.

Tamir Haddad | ISIS as Circumstance: Understanding the Rise of ISIS

Brochure [Session A, Seat 09]

Describes historical backdrop of the rise of ISIS, and analysis on its rapid growth and rise to power

Avery Halfon | Building Resistance to Legislative Capture

Website [Session A, Seat 20]

Tumblr will walk readers through thoughts for how to address legislative capture, through a series of videos

Jacob Hanna + Claire Johnson | A Non-Lawyer's Guide to Foreclosure Processes

Guide (for housing policy experts) [Session A, Seat 63]

Guide describes the foreclosure processes in different states, and is designed to provide housing policy experts without law backgrounds an insight into the relevant legal regimes.

David Hanyok | A Survey on Attitudes About Injustice in the Criminal Justice System

Survey (website) [Session A, Seat 07]

I will have a laptop set up for conference attendees to complete the survey I developed; provide the URL / collect email addresses so people can take the survey later; solicit assistance distributing the survey to defense attorneys; discuss the questions the survey is intended to address; and have people sign up to learn about the survey's results.

Session B

Margaret Hazuka + Dongeon Choi + Esther Labrado + Nicole Gelsomini | School Finance Reform: A Real Opportunity for Every Child

Pamphlet [Session B, Seat 124]

Pamphlet provides summary of information about the problem of inequality in school funding, what has been done so far in response, and what we should be doing in the future.

Julianne Hill | The Death Penalty in America

Pamphlet [Session B, Seat 126]

Pamphlet provides information and statistics regarding the use of the death penalty.

Scott Hochberg | Locating A Progressive Response to the Sharing Economy

Pamphlet [Session B, Seat 128]

Pamphlet provides an overview of how sharing economy technologies tap into deep-seated progressive tendencies, yet are in many ways anti-progressive, and highlights a few nuanced ways localities can limit the harm these technologies cause while capturing their benefits

Kulani Jalata | The Aftermath of #BlackLivesMatter at HLS: Our Stories

Pamphlet [Session B, Seat 130]

Pamphlet provides a timeline of the #BlackLivesMatter movement at HLS, the activities of students, faculty members, and the administration, and it explains the impetus for a narrative project on the experiences and perspectives of HLS students and faculty regarding legal education and systemic injustices and the role of social justice in legal education.

Antuan Johnson | Verba Justitiae (Words of Justice) and Epistemology

Website/Lecture [Session B, Seat 132]

A short lecture on the concept of epistemic justice to explain the motivation for creating the website, Verba Justitiae (Words of Justice), and its potential to promote epistemic justice.

Rena Karefa-Johnson | Shattering the Illusion of Inclusion in Spaces of Legal Education

Multimedia Tumblr [Session B, Seat 134]

Space plays a crucial role in a student's experience. This tumblr inquires as to how the spaces of legal education, and especially Harvard Law School, contribute to feelings of exclusion and isolation for diverse students.

Marva Khan | Political Asylum

Pamphlet [Session B, Seat 136]

Poster describes the basic procedure and requirements of applying for political asylum in USA, along with the respective privileges and duties that emerged along with it.

Sharon Kim + Alicia Lee | Reintegration After Incarceration

Pamphlet [Session B, Seat 137]

2 pamphlets: A backgrounder on reintegration after incarceration and a pamphlet displaying options for policy reform.

Paul Klein | Drinking Water: Basic Right or Economic Good?

PowerPoint [Session B, Seat 139]

Describes unequal global access to drinking water, and private versus public discourses on water management

Tilak Koilvaram + Shivan Sarin | Organized Crime and Deep Capture: The Problem of Human Trafficking

Podcast [Session B, Seat 120]

Interview with Professor Alex Whiting regarding the influence of criminal organizations on human trafficking.

Ashley Lewis | The Creation of the Other: The dehumanizing aspects of pretrial criminal hearings

Pamphlet [Session B, Seat 119]

The pamphlet covers current pretrial hearing procedures which dehumanizes those that are accused of crimes and fails to provide them fair hearings in their criminal cases.

Fan Li | The War on Drugs - Reparations

Pamphlet [Session B, Seat 100]

Lessons learned from history about reparations.

Ryland Li | Ecology and Standing

Pamphlet [Session B, Seat 42]

The pamphlet discusses how the Court inconsistently applies ecology to ascertain whether injury exists for purposes of standing, and argues that it should apply ecology consistently in evaluating standing.

Megan Marks | (Dis)Orientation: Inclusion & Diversity at HLS

Pamphlet [Session B, Seat 42]

This pamphlet is an introduction to inclusion and diversity at HLS. It will introduce students to basic social science concepts like stereotype threat and implicit bias, suggest readings on law school and inclusion, provide resources for students to succeed academically in the first few weeks of 1L, and connect them with campus initiatives that will help them maintain enthusiasm about the reasons that brought them to law school in the first place.

Obinna Nwachukwu | Legitimizing the War on Drugs: Ronald Reagan's Rhetoric

Documentary [Session B, Seat 82]

A short video history of Reagan's anti-drug campaign and its lingering effect on the public perception of the War on Drugs

Elizabeth Reese | Theories on the Injustice of Stereotypes: Identity Rights and The Redskins

Youtube [Session B, Seat 62]

In the debate over the Washington Redskins Football Team name, it is clear that behind a fight about trademark law are larger questions about how the American legal tradition interacts with collective rights, dignity, identity, property, and post-colonialism. This paper traces some ideological foundations that have enabled the legal system to perpetuate and sanction the harm of cultural appropriation.

Jacob Reisberg | Seminar on Mind Sciences, Law School, and Inclusion

Curriculum [Session B, Seat 43]

Curriculum for seminar on mind sciences and inclusion issues at law school, both in terms of perceived exclusion and measured performance.

Emma Scott | The Global Food System

Curriculum [Session B, Seat 20]

Curriculum for a 12 week university or graduate seminar

Thea Sebastian | Community Empowerment

Website [Session B, Seat 27]

Explanation of the disempowerment matrix and how to apply it.

M. Shin | Sitting Disease & Power

Website [Session B, Seat 9]

Website presents information in "Sitting Disease" and how the current rhetoric perpetuates existing power structures.

Kelsey Skaggs | Climate Change Litigation

Curriculum [Session B, Seat 7]

Curriculum for a two-day workshop on litigation as a strategy for responding to climate change. This workshop is geared toward attorneys, law students, and legal academics. Topics include existing and emerging litigation strategies, psychological barriers to action, and working with climate change plaintiffs.

Alexis Stern | Critical Conversations: Encouraging Educators

Short video/Mini-activity [Session A, Griswold 110]

This presentation encourages teachers to discuss issues of controversy with students by highlighting why students believe they need to discuss difficult topics and by providing teachers with a sample high school unit on race and corresponding guidance for educators on how to implement the unit effectively and with appropriate sensitivity.

Blake Strode | Project No One Leaves Conference Scripts and Survey

Scripts and survey [Session B, Seat 6]

Script for opening remarks; background information, questions, and discussion prompts for breakout groups; survey to solicit feedback from conference participants

Mark Verstraete | Black Bloc: The Aesthetics of Revolt

Flyer with Presentation/Dialogue [Session B, Seat 04]

Presentation Describing Black Blocs, their history, theoretical justifications, and connection to mind science

Salome Viljoen | Valuing the Good Life: Systemic Issues in Healthcare Access and Inequality

Presentation [Session B, Seat 01]

Kerry Watson | Pig Farming in America: Confronting the Cruel Reality of What We Eat

Pamphlet [Session B, Seat 81]

Jonathan Whitney | Fracking in Indian Country

Podcast interview [Session B, Seat 101]

Interview with Kennedy School Fellow Jessica Packineau about the law around tribal energy development.

Rebecca Wolozin | Supporting Immigrant Students with Significant Interruptions in Formal Education (SIFE students) For Life Success

Poster [Posted on rear wall]

The poster discusses the background situation of many child immigrants, the existing laws that they can draw on for support, and what would help them succeed in school and in their new lives in the U.S.

Thanks for coming!

Please visit our website at systemicjustice.wordpress.com

Find us on facebook at facebook.com/systemicjustice

Follow us on twitter @HLSJusticeLab

Conference website: systemicjusticeconference.wordpress.com

