
Statement by the Undersigned Editors and Members of Volume 54

Volume 54 of the *UC Davis Law Review* is aware of Professor Eugene Volokh's use of the N-word in the classroom, as well as his continued defense of such speech under the First Amendment. The undersigned Editors and Members of the *UC Davis Law Review* condemn the use of racial epithets in any setting. The N-word is rooted in degradation, dehumanization, and anti-Black racism, and has no place in academia or the legal profession.

This journal is proud to contribute to academic discourse on a wide range of topics, and we remain committed to the free flow of scholarly ideas. However, we believe that normalizing the use of racial epithets detracts from any sort of educational value or productive discourse, and ultimately "thwart[s] the philosophical objectives that free expression was designed to protect."¹ Law Reviews play a significant role in upholding institutional oppression and white supremacy, and we must confront this when it shows up within our own space, regardless of the form it takes. We acknowledge the harm caused by publishing the work of someone who advances this pernicious rhetoric.

While we are aware of arguments that will criticize the choice to address anti-Blackness in a symposium issue on cheap speech,² we urge the journal's authors, readers, and community to consider the emphasis that anti-racism work places on "locat[ing] the roots of problems in power and policies" and confronting racial inequalities rather than allowing them to persevere.³ As a society, we have repeatedly addressed and dismissed the quoting of racial epithets in various spheres. This standard must be carried over into academia.

¹ Deborah R. Schwartz, Note, *A First Amendment Justification for Regulating Racist Speech on Campus*, 40 CASE W. RES. L. REV. 733, 733 (1989).

² See John Inazu, *Scholarship, Teaching, and Protest*, 97 WASH. U. L. REV. vii, viii-ix (2020).

³ IBRAM X. KENDI, *HOW TO BE AN ANTI-RACIST* 9 (2019).

Although one may have a legal right to use the N-word in a classroom, the N-word does not belong in the classroom. We prescribe that, as an editing convention in legal scholarship, the N-word should never be written unredacted. A strong and consistent position on this is necessary to eliminate ambiguities about the pedagogical use of the N-word, and to achieve an academic norm in which the N-word is never appropriate. This statement serves as a commitment from the undersigned Editors and Members of Volume 54 to further this standard.

While Volume 54 can only commit to these actions for the current volume, it is our hope that future volumes will expand upon these guiding principles and contribute to a standard that firmly denounces racism in whatever form it takes. The undersigned remain open to ongoing conversations about how the Law Review can improve.

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