

FROM A RPL IN THE CLASSROOM TO A WAVE IN THE  
WORLD:  
COURSEWORK FOCUSED ON RACE, PLACE & LAW

LINDSEY WEBB<sup>†</sup>

In the ten years since a collection of faculty and staff members at the University of Denver Sturm College of Law (Sturm) founded the Rocky Mountain Collective on Race, Place & Law (RPL), the world has been repeatedly thrown into chaos. We have witnessed the beginning of marriage equality<sup>1</sup> and the end of *Roe v. Wade*;<sup>2</sup> white supremacist marches<sup>3</sup> and hate-motivated mass murders;<sup>4</sup> the election of three presidents, one of whom both encouraged his followers to storm the United States Capitol<sup>5</sup> and sought to overturn the results of an election;<sup>6</sup> the deaths of George Floyd, Michael Brown, and thousands of others at the hands of the police;<sup>7</sup> massive protests against police brutality;<sup>8</sup> a global pandemic during which

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<sup>†</sup> Associate Professor, University of Denver Sturm College of Law; JD, Stanford Law School; LL.M., Georgetown University Law Center; BA, Wesleyan University.

1. See, e.g., *Obergefell v. Hodges*, 576 U.S. 644, 647 (2015) (holding that the right to marry is guaranteed to same-sex couples by “the Due Process and Equal Protection Clauses of the Fourteenth Amendment”).

2. *Roe v. Wade*, 410 U.S. 113, 153–54, 163–65 (1973) (holding that the Fourteenth Amendment’s implied privacy right protects abortion as a fundamental right prior to fetal viability); *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. 215, 292 (2022) (finding that “the Constitution does not confer a right to abortion . . . and the authority to regulate abortion must be returned to the people and their elected representatives”).

3. See, e.g., Andrew Katz, *Clashes Over a Show of White Nationalism in Charlottesville Turn Deadly*, TIME, <https://time.com/charlottesville-white-nationalist-rally-clashes/> (last visited Feb. 24, 2024).

4. See, e.g., Jesse McKinley, Alex Traub, & Troy Closson, *10 People Are Killed and 3 Are Wounded in a Mass Shooting at a Buffalo Grocery Store*, N.Y. TIMES (May 17, 2022), <https://www.nytimes.com/live/2022/05/14/nyregion/buffalo-shooting>; *Overview of Recent US Mass Shootings Motivated by Hate*, REUTERS (Aug. 28, 2023), <https://www.reuters.com/world/us/us-mass-shootings-motivated-by-hate-2023-08-28/>.

5. *Chronological List of Presidents, First Ladies, and Vice Presidents of the United States*, LIBR. OF CONG., [https://www.loc.gov/rr/print/list/057\\_chron.html](https://www.loc.gov/rr/print/list/057_chron.html) (last visited Feb. 24, 2024); *Anderson v. Griswold*, No. 23SA300, 2023 WL 8770111, ¶ 4 (Colo. Dec. 19, 2023) (per curiam), cert. granted sub nom. *Trump v. Anderson*, No. 23-719, 2024 WL 61814 (U.S. Jan. 5, 2024) (holding that “[t]he district court did not err in concluding that President Trump ‘engaged in’ [an] insurrection through his personal actions” on January 6, 2021).

6. *Griswold*, 2023 WL 8770111, at ¶ 198.

7. See, e.g., *How George Floyd Died, and What Happened Next*, N.Y. TIMES (July 29, 2022), <https://www.nytimes.com/article/george-floyd.html>; John Eligon, *No Charges for Ferguson Officer Who Killed Michael Brown, New Prosecutor Says*, N.Y. TIMES (July 30, 2020), <https://www.nytimes.com/2020/07/30/us/michael-brown-darren-wilson-ferguson.html>; *Fatal Force*, WASH. POST (Jan. 24, 2024), <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/> (reporting that the police have killed 9,301 people since 2015).

8. See, e.g., Larry Buchanan, Quoc Trung Bui, & Jugal K. Patel, *Black Lives Matter May Be the Largest Movement in U.S. History*, N.Y. TIMES (July 3, 2020), <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html>.

almost 1.2 million people have died in the United States alone;<sup>9</sup> the proliferation of book bans<sup>10</sup> and anti-transgender laws;<sup>11</sup> and historic flooding,<sup>12</sup> fires,<sup>13</sup> and violence both at home and abroad.<sup>14</sup> When the RPL founders first conceived of an organization focused on the interplay of race, place, and law, it was with a deep understanding of history and inequity,<sup>15</sup> but, of course, with no knowledge of what would unfold in the decade ahead.

As teachers, writers, and community members, we cannot turn away from these realities. Through times of intense turmoil and suffering, as well as in moments of celebration and joy, it is a law school's responsibility to provide students with tools to examine, survive, and change the world around them. Merely explaining the state of the law is not sufficient. While our students must, of course, learn how laws are created and interpreted, they should also study the ways in which the law can serve both as

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9. See, e.g., *COVID Data Tracker*, CTRS. FOR DISEASE CONTROL [https://covid.cdc.gov/covid-data-tracker/#maps\\_percent-covid-deaths](https://covid.cdc.gov/covid-data-tracker/#maps_percent-covid-deaths) (last visited Mar. 14, 2024) (reporting 1,183,143 deaths from COVID-19).

10. See, e.g., Kasey Meehan, Jonathan Friedman, Sabrina Baëta, & Tasslyn Magnusson, *Banned in the USA: The Mounting Pressure to Censor*, PEN AM., <https://pen.org/report/book-bans-pressure-to-censor/> (last visited Feb. 24, 2024) (stating that “from July 1, 2022, to June 31, 2023, PEN America recorded 3,362 instances of book bans in US public school classrooms and libraries”); Elizabeth A. Harris & Alexandra Alter, *Book Bans Are Rising Sharply in Public Libraries*, N.Y. TIMES (Sept. 21, 2023), <https://www.nytimes.com/2023/09/21/books/book-ban-rise-libraries.html> (reporting “nearly 700 attempts to censor library materials, which targeted more than 1,900 individual titles” in 2023).

11. See, e.g., *2024 Anti-Trans Bills Tracker*, TRANS LEGIS. TRACKER, <https://translegislation.com/> (last visited Feb. 24, 2024) (reporting 593 anti-transgender bills introduced in 2023).

12. See, e.g., Maha Akbar, *Over a Year After Pakistan Floods, Survivors Battle Climate Anxiety*, AL JAZEERA (Oct. 24, 2023), <https://www.aljazeera.com/gallery/2023/10/24/photos-over-a-year-after-pakistan-floods-survivors-battle-climate-anxiety>.

13. See, e.g., Mike Baker, Malika Khurana, K.K. Rebecca Lai, Riley Mellen, Natalie Reneau, Bedel Saget, Elena Shao, Anjali Singhvi, & Charlie Smart, *Inside the Deadly Maui Inferno, Hour By Hour*, N.Y. TIMES (Nov. 1, 2023), <https://www.nytimes.com/interactive/2023/11/01/us/hawaii-maui-fire-timeline.html>; Julie Johnson, *This Is What Paradise Looks Like Five Years After Devastating Camp Fire*, S.F. CHRON. (Nov. 13, 2023, 6:46 PM), <https://www.sfchronicle.com/california-wildfires/article/camp-fire-anniversary-18442613.php>.

14. See, e.g., Kiara Alfonseca, *More Than 40,000 People Killed in Gun Violence So Far in 2023*, ABC NEWS (Dec. 7, 2023, 12:30 PM), <https://abcnews.go.com/US/116-people-died-gun-violence-day-us-year/story?id=97382759>; *Russia-Ukraine War: List of Key Events, Day 671*, AL JAZEERA (Dec. 26, 2023), <https://www.aljazeera.com/news/2023/12/26/russia-ukraine-war-list-of-key-events-day-671>; Adam Fulton, Fran Lawther, Léonie Chao-Fong, & Yohannes Lowe, *UN Names Netherlands' Sigrid Kaag Aid Coordinator for Gaza – As It Happened*, GUARDIAN (Dec. 26, 2023), <https://www.theguardian.com/world/live/2023/dec/26/israel-gaza-war-live-updates-amas-palestinians-deaths-idf-strikes-un?filterKeyEvents=false&page=with:block-658ac5878f08eff61a0b068d>.

15. The Rocky Mountain Collective on Race, Place & Law, formed in 2013, “is a group of Colorado legal academics and administrators working together to identify and address racial inequities in the United States and around the globe. We offer a critical lens on the complex dynamics of power, locality, and law, and their impact on subordinated communities. As scholars rooted in critical legal theory, we recognize the intersectionality of all individuals. Through our teaching, scholarship and activism we aim to expose and challenge law’s role in perpetuating inequities based on race, class, and gender and other sources of disadvantage. We employ our collective efforts and expertise to effect change and pursue social justice.” See *Rocky Mountain Collective on Race, Place & Law*, UNIV. OF DENV. STURM COLL. OF L., <https://www.law.du.edu/content/rocky-mountain-collective-race-place-law> (last visited Feb. 24, 2024) (describing RPL).

a source of oppression and as a pathway to liberation.<sup>16</sup> Students should leave law school with training and experience in legal research, analysis, and advocacy. They should also graduate with the ability to undertake a clear-eyed and comprehensive interrogation of how community and individual problems are shaped by systemic power and discrimination.

Other essays in this issue have discussed how RPL works to create community, support scholarship, and resist the rising tide of right-wing ideology in our country. This Essay adds to this analysis, focusing on the ways RPL faculty members have provided consistent class offerings centered on the study of race and the law through an intersectional lens. These courses provide our students with essential legal competencies. To understand and meaningfully address any issue—from climate change to gun violence—requires a study of the relevant laws, the history surrounding those laws, the process by which the laws are created and changed, and insight into who the laws seek to benefit and who they harm. Legal education must also help students think creatively and critically about solutions to social ills. The full range of skills needed to be effective lawyers and community members includes an awareness of the racial issues that are frequently pushed to the margins of legal education.

Courses with a specific focus on race taught by RPL members include a Multiculturalism, Race and the Law Seminar; Critical Readings in Race and Water and Natural Resources Law; Lawyering for Racial Justice; Critical Race Reading Seminar; the Movement Lawyering Lab; and externship seminars focused on racial justice.<sup>17</sup> Representative language from course descriptions includes: “This reading intensive seminar will explore how and in what ways racial and other forms of inequality are built in water law, policy, and practice”;<sup>18</sup> “This course is designed to examine the interstices of cultures, race, identity and the law as manifested in legislation and jurisprudence”;<sup>19</sup> “The seminar will allow students to begin to develop 1) a substantive understanding of the application of critical race theory to a variety of contemporary legal and social issues, and 2) a sense of professional identity through the examination of lawyering practice in the context of critical race theory”;<sup>20</sup> “[T]his course will focus on Racial Justice

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16. See Kimberlé Williams Crenshaw, *Toward a Race-Conscious Pedagogy in Legal Education*, 11 NAT’L BLACK L.J. 1, 3 (1988) (“Instructors create the conditions that lead to the objectification of minority students by narrowly framing classroom discussions as simple exercises in rule application and by not giving students permission to step outside the doctrinal boundaries to comment on or critique the rules.”).

17. Sturm course descriptions can be found online. See *Course Descriptions*, UNIV. OF DENV. STURM COLL. OF L., <https://www.law.du.edu/academics/registrar/course-descriptions> (last visited Feb. 24, 2024) [hereinafter *Course Descriptions*].

18. *Critical Readings in Race and Water and Natural Resources Law* | L47xx, UNIV. OF DENV. STURM COLL. OF L., <https://web.archive.org/web/20210513083924/https://www.law.du.edu/forms/registrar/course-description.cfm?ID=754> (last visited Feb. 24, 2024).

19. *LAWS 4446 Multiculturalism, Race and the Law Seminar (3 Credits)*, UNIV. OF DENV. BULLETIN, <http://bulletin.du.edu/search/?P=LAWS%204446> (last visited Feb. 24, 2024).

20. *Critical Race Reading Seminar* | L47xx, UNIV. OF DENV. STURM COLL. OF L., <https://web.archive.org/web/20210418100834/https://www.law.du.edu/forms/registrar/course-description.cfm?ID=611> (last visited Feb. 24, 2024) [hereinafter *Critical Race Reading Seminar*].

in Colorado. We will examine racial justice dynamics, law, and policy from Colorado's past and present."<sup>21</sup> RPL members also address the racial history and impacts of the law in classes such as Property, Water Law, Comparative Law, Evidence, American Legal History, the Criminal Defense Clinic, and the Advancing Social Change Clinic, among others.<sup>22</sup>

Significantly, RPL members have worked to ensure that at least one course grounded in RPL's principles is taught at Sturm each year. The courses that explicitly employ the RPL principles as framing elements are the Critical Race Reading Seminar (CRRS) and the Lawyering for Racial Justice course, mentioned above.<sup>23</sup> CRRS, developed in the early years of RPL, was consciously created to explore and embody RPL's founding values. Alexi Freeman and I co-authored an article in which we describe this class in detail; my overview here will therefore be brief.<sup>24</sup> Each time CRRS was offered, the course was organized around an overarching topic—for example, race and the criminal system, or race and the presidential election—and individual classes were taught by various RPL members, each contributing their respective areas of expertise to the overarching theme. CRRS instructors sought to expose students to different perspectives on the topic and challenge students to consider multiple pathways to social change. Toward these ends, CRRS professors assigned nonlegal and legal materials, and brought in speakers from outside the law school with experience in community organizing, archeology, and other nonlegal backgrounds. Students in CRRS were also required to participate in activities outside of the law school, such as attending a court hearing or watching a presidential debate, and to reflect on the explicit or implicit role of race in the event.

In recent years, we created a new course called Lawyering for Racial Justice.<sup>25</sup> This seminar, which shares some similarities with CRRS, explores the ways that lawyers can use their legal skills and training, broadly defined, to advance the goal of racial equity and to dismantle racial injustice on both individual and systemic levels.<sup>26</sup> Students are asked to consider how attorneys can effectively support and advance racial justice in their legal work and explore how their own respective identities affect their practice.<sup>27</sup> This course has been taught both in a semester-long format and

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21. *Id.*

22. *See Course Descriptions*, *supra* note 17.

23. *See Critical Race Reading Seminar*, *supra* note 20; LAWS 4278 *Lawyering for Racial Justice (1 Credit)*, UNIV. OF DENV. BULLETIN, <http://bulletin.du.edu/search/?P=LAWS%204278> (last visited Feb. 24, 2024) [hereinafter *Lawyering for Racial Justice*].

24. *See generally* Alexi Nunn Freeman & Lindsey Webb, *Positive Disruption: Addressing Race in a Time of Social Change Through a Team-Taught, Reflection-Based, Outward-Looking Law School Seminar*, 21 U. PA. J. L. & SOC. CHANGE 121 (2018). For our analysis of another race-focused law class we co-created and co-taught, see generally Alexi Freeman & Lindsey Webb, *Yes, You Can Learn Movement Lawyering in Law School: Highlights from the Movement Lawyering Lab at Denver Law*, 5 HOWARD HUM. & C.R. L. REV. 55 (2020) (discussing Sturm's Movement Lawyering Lab).

25. *See Lawyering for Racial Justice*, *supra* note 23.

26. *See id.*

27. *See id.*

as a two-day intensive course (including virtually in the early years of the pandemic).<sup>28</sup> As in CRRS, class materials remain multifaceted, and “includ[e] essays, law review articles, cases, and news articles.”<sup>29</sup> Additionally, the course administrators invite speakers from outside the law school, including lawyers engaging in racial justice work in a variety of fields.<sup>30</sup> To orient students to the racial realities of the state in which they are studying, students also engage in “field experiences” focused on Colorado’s racial history and present, ranging from visits to the Amache Japanese Internment Camp or The Black American West Museum and Heritage Center to watching state legislative or city council hearings.<sup>31</sup> Finally, both CRRS and Lawyering for Racial Justice ask students to engage in reflective work—through observation, conversation, and journaling—and to think actively about concrete actions in which they might engage as lawyers working towards racial justice.<sup>32</sup>

In the ten years that these courses have been offered, they have been positively received by students and always fully enrolled. In conjunction with the other classes offered at Sturm, these courses seek to provide students with the analytical frameworks and historical perspective necessary to effectively serve their clients and their communities. These classes, along with the other work in which RPL members are engaged, are works in progress, continuously being developed and improved, but always grounded in the belief that a ripple started in the classroom can result in large waves of positive change in our world.

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28. See, e.g., Freeman, A. & Webb, L., (Spring 2021) *LAWS 4278: Lawyering for Racial Justice*, Syllabus (Denver, Colo., University of Denver Sturm College of Law) (meeting for two class periods over Zoom); Freeman, A. & Webb, L., (Spring 2022) *LAWS 4278: Lawyering for Racial Justice*, Syllabus (Denver, Colo., University of Denver Sturm College of Law) (meeting throughout the semester); Freeman, A. & Webb, L., (Spring 2023) *LAWS 4278: Lawyering for Racial Justice*, Syllabus (Denver, Colo., University of Denver Sturm College of Law) (meeting for two class periods in-person).

29. Spring 2022 Syllabus, *supra* note 28; Freeman, A. & Webb, L., (Spring 2019) *LAWS 47xx: Critical Race Reading Seminar*, Syllabus (Denver, Colo., University of Denver Sturm College of Law).

30. Spring 2021 Syllabus, *supra* note 28.

31. Spring 2023 Syllabus, *supra* note 28.

32. See *id.*; Spring 2019 Syllabus, *supra* note 29.