



Statement on George Floyd Tragedy / A Message from Dean Brad Toben

George Floyd died at the hands of rogue and unfeeling state actors, unfazed by the extinguishment of a human life imbued with inherent dignity. We are yet again reminded of the original sin of our nation. African slaves were first brought to our shores by traders in 1619, compounding the violence and tragedy that our European and American forebears brought upon the indigenous peoples of the continent.

The abolitionist movement, the Civil War, the Emancipation Proclamation, the Reconstruction Amendments, and the Civil Rights movement of the 60's gave our nation moments of hope for racial reconciliation. Yet, time and time again, we are reminded that structural and systemic racism, intolerance and hate - evidenced in behaviors and policies - show their ugly faces in as much an epidemic fashion as Covid-19.

These infectious agents are not as visible as the signs above water fountains and restrooms in the Jim Crow era, but the inability or unwillingness of our nation to root out race-based violence and the marginalization of people of color doggedly persists. We have an open wound in the fabric of our society. The world is surely looking to see if our most recent tragedies (Floyd, Ahmaud Arbery, Breonna Taylor . . . the list is long) will at last move us to change. Looking far back, we remember Rodney King's heartless beating in LA three decades ago. We remember Emmett Till's lynching in Mississippi in 1955, often credited as the catalyst for the Civil Rights Movement.

The peaceful protests that have covered the nation are a tribute to fundamental constitutional prerogatives that we enjoy. Those rights are protected by *responsible* law enforcement. Many police personnel have joined in the peaceful protests to underscore that the actions of the Minneapolis officers, now under indictment, are a scar and shame upon those who do seek to protect and serve. What more can be done to somehow move our nation forward beyond the bane of our failures in addressing the issues of race? That we are far and away from being a post-racial society cannot be gainsaid.

Lawyers and the legal profession are the stewards of the rule of law and servants of our system of justice. We have an obligation to ask the piercing questions about how we can do better in this nation. Those of us who do not live the lives of persons of color must listen and change within

ourselves. Coming together in unity to seek understanding is a powerful antidote to evil, injustice, and the worst propensities of the human condition.

Our faith mission reminds us that “there is neither Jew or Gentile, neither slave nor free, nor is there male and female, for . . . [we] are all one in Christ Jesus.” The action to make that a reality in our relations is underscored by the admonition of Scripture on the wall of the law center: “And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.”

In 1963, Dr. Martin Luther King penned *Letter from a Birmingham Jail*:

I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly . . .

You deplore the demonstrations that are presently taking place in Birmingham. But I am sorry that your statement did not express a similar concern for the conditions that brought the demonstrations into being. I am sure that each of you would want to go beyond the superficial social analyst who looks merely at effects and does not grapple with underlying causes. I would not hesitate to say that it is unfortunate that so-called demonstrations are taking place in Birmingham at this time, but I would say in more emphatic terms that it is even more unfortunate that the white power structure of this city left the Negro community with no other alternative.

When we are once again able to come together at the law center, we will join in discussions about the next steps, including actions, that we must take as members of the Baylor Law community and the legal profession to engage in listening, healing, and change.

Together we must move forward from this place.

Brad Toben