

Seizing the Opportunity to Focus on Students of Color

By Russell A. McClain

In the last few weeks and months, we all have become more acutely aware of the struggles students of color—particularly Black students—face on a daily basis. These students feel marginalized in ways that affect every aspect of their lives. At the core of this feeling is a tacit question: Do I belong here? The question of belonging is felt not only by Black students; it affects many students who feel oppressed or overlooked because of their race, gender, gender identity, sexual orientation, ethnicity, religion, socio-economic status, other identity characteristics, and intersections of these.

When an American Indian is the only student of her background in a class or school, she has to wonder if she belongs there. When Black law partners are referred to as “unicorns,” our Black students have to wonder if there is a place for them in the practice of law. When students see that women lawyers earn substantially less than their male counterparts, they must question whether they really fit within the profession. When a transgender student must search far and wide for a restroom in which they will feel welcome, they surely ask if they are just an afterthought in a world not designed for them.

This should matter to us for many reasons, but given that teaching is one of the three core aspects (along with scholarship and service) of our chosen profession as law faculty, we should care because the question of belonging undermines our students’ ability to learn. Studies of stereotype threat by Claude Steele and others show that the academic performance of students from marginalized backgrounds is encumbered when they are faced with the prospect of proving that they belong. Women going to graduate school in mathematics perform worse academically when told that tests tend to show differences between men and women. Blacks perform worse on exams when primed to focus on their racial identity. In other words, when minorities are confronted with negative, intelligence-based, group stereotypes, it takes a toll on their academic performance.

Nowhere is this dynamic worse than in higher education, where one’s intelligence is evaluated constantly, and the need to prove oneself is paramount. Law school, in particular, is the perfect breeding ground for stereotype threat, given the following conditions: (i) dramatic underrepresentation of people of color among students and faculty, (ii) pervasive, negative group stereotypes within the legal profession, (iii) a lack of meaningful feedback during the semester, and (iv) the ever-present need to validate one’s own intelligence when dealing with rigorous Socratic dialogue, voluminous and challenging readings, and one-chance, high-stakes final exams. If we do nothing to help our marginalized students deal with these dynamics, we leave (or, rather, erect) barriers in their paths to success.

Among the things we can do to help students develop a sense of belonging in law school is to demystify the law school academic experience. Law school is full of mystery and difficulty, and

that can cause any student to wonder if they made the right decision in pursuing a law degree. Uncertainty about one's place in the profession is exacerbated when students have no frame of reference to which they can compare the crucible that is the law school experience. To counter this, we should ensure that students should have a solid understanding of what law school is like before they enter the (physical or virtual) doors of our institutions. Then, when they face the normal, albeit substantial, challenges law school presents, they will not question their own fitness for the moment.

For this reason, I wrote [*The Guide to Belonging in Law School*](#) (West Academic Publishing 2020). Through the book and its companion website, I try to provide students with an immersive law school experience while also helping them recognize and manage the invisible influences that, if unchecked, could undermine their performance. While this book will not solve every problem our marginalized students face, it can start by laying a foundation for success upon which we law teachers can build by creating more inclusive learning spaces within our communities.

I hope that we all can commit to improving our academic environments so that our Black and brown students, women, racial and ethnic minorities, LGBTQIA community members, and others can reach their full academic potential and know that they belong.