

EDITORS' FOREWORD

“[T]he cost of liberty is less than the price of repression. . .” - W. E. B. Du Bois¹

We live in a time of right-wing extremism, amplification of existing inequalities due to the COVID-19 pandemic, and consequences of failing to provide reparations for our nation's racist past. These are not new phenomena, but the inevitable result of systems that threaten the lives and liberties of communities of color, particularly Black people. We bear witness to the decimation of civil rights protections and programs built to disrupt harmful patterns deeply embedded in our education, legal, and financial institutions. And we uplift solutions rooted in accountability and hope, without which we would be irrevocably lost.

In this issue, the *UC Davis Social Justice Law Review* chose to reflect on how limiting access—to “dangerous” ideas, legal representation, and financial resources—blocks essential pathways to justice for Black communities. Access to information develops the diverse and critical viewpoints within the young people responsible for dismantling or upholding white supremacy in the United States. Access to legal representation can determine whether a just outcome is possible in a judicial dispute. And access to remediation is necessary to correct a legacy of broken promises, from failed reparations to insufficient federal aid, responsible for the incalculable loss of intergenerational wealth.

This issue begins with *Crying Wolf: Neo-Patriots, Critical Race Theory, and the Constitutional Protection of “Dangerous” Ideas* by Professor Bryan K. Fair of The University of Alabama School of Law. In this article, Professor Fair recounts the alarming efforts to ban discussion of so-called “divisive concepts,” such as Critical Race Theory, in public schools and workplaces across the country. Professor Fair's timely article describes the important function of Critical Race Theory and provides an illuminating constitutional roadmap for challenging these bans on First Amendment grounds.

In our second article, *The Narrow Road for Legal Access in Rural America for Indigent Citizens in the Post-Pandemic Era*, Courtney B. Garrett addresses issues precluding access to legal representation in rural communities. Mr. Garrett's article explores the effects of the COVID-19 pandemic and police reform measures on the availability of effective legal assistance, and ultimately outlines regulatory reforms and policy initiatives to remedy these barriers to access.

Our third and final article is *Broken Promises: The Continuing Decline of Black Farm Owners and Operators in America* by Kyle Ridgeway. In this article, Mr. Ridgeway exposes the historical root causes of the decline of Black farm ownership and the failure of recent efforts to provide relief sufficient to remedy decades of discriminatory practices. Mr. Ridgeway concludes by suggesting a restorative justice framework for courts to consider future legal challenges, as well as alternative remedies that could be pursued outside of the courtroom.

We are grateful to these esteemed authors for entrusting their scholarship to our Journal. Our thanks goes out to the Journal's hardworking research editors, board members, our faculty advisor, Professor Courtney Joslin, and publications specialist, Sue Walther Jones. And as always, we thank you, the reader, for supporting the pursuit of social justice.

Fiat Lux.



Briana Pérez-Brennan and Emily R. Walsh
Editors-in-Chief

¹ W. E. B. DU BOIS, JOHN BROWN 295 (1909).