**Ian Haney López and Roxanna Altholz**

Chief Justice Earl Warren Professor of Public Law Ian Haney López tells his colleague Roxanna Altholz about his experiences as a law professor in critical race theory at Berkeley Law, starting with his appointment in 1995.

**Ian:** I come back from my honeymoon, having just gotten married, understanding that I've been appointed now to the faculty. That this is probably the biggest career hurdle that I was going to face. And the dean asked me to come in and sit down with her and she says, "I've been instructed to read this letter in your presence and to make sure you understand it fully." And what the letter says, in some ways it recites my accomplishments, but in other ways what it says is, we don't think the law school should appoint you at all. That your candidacy is risky, that you are problematic, and that you must be put on notice—that there is an expectation in effect that you will fail here. And that's how I start as a professor at Berkeley Law.

**Roxanna:** To say that your appointment letter is an inauspicious beginning is an understatement.

**Ian:** Right.

**Roxanna:** It hurt my heart. How did you survive those digs about the contribution that your scholarship is making?

**Ian:** Right. I think it'll be entirely appropriate for a listener to say maybe you were risky. I don't know. Possibly I was risky. But, here I am 20 plus years later. I hold the chair as the Earl Warren Professor of Public Law at Berkeley. I've been quite successful as a scholar. It's not that I was risky in '95, '96. Instead, there was a strong sense that what I was doing wasn't law and wasn't appropriate to law school. Berkeley wanted a race scholar, but they wanted a race scholar who would say racism against people of color is not really that much of a problem anymore. Welcome to the '90s! What is a problem, is resentment against whites. That's just not who I was. I was the opposite.

**Roxanna:** But how did you deal with that? Why did you continue to believe in the project?

**Ian:** I had a very strong sense of right and wrong. I really believed in the project of combating racism, and I was largely indifferent to how people around me were reacting. I did not care that much, about what my colleagues were saying. At the end of the day, what was important was that I tell the truth about what I saw happening in society in terms of racism and law.

**Roxanna:** So a few months earlier, the UC Regents had voted to end affirmative action at the university system. How did that impact how you thought about your presence?

**Ian:** This was an era of concerted backlash against racial justice. We'd just come through the Reagan administration. In California, you get Proposition 187, the so-called Save Our State initiative. Save our state against whom? Save our state against Latino immigrants. It's a very powerful, very negative imagery. And now you're getting this backlash against affirmative action. And when you look at the Regent's resolution, there's an equation of affirmative action with anti-white racism. It is a form of racism, ostensibly that the university is now going to end.

**Roxanna:** So, that dynamic—did that make the campus, more or less attractive to a race scholar like yourself?

**Ian:** Well, it made it more attractive in the sense that California seemed at the cutting edge of these issues and the fights that were happening in California were going to happen across the rest of the country. So much more attractive in that sense. Here's what I didn't understand. So again, this was an era in which Berkeley had had a very robust affirmative action program as a result of that. It had a tremendous number of first-generation students, so there was a lot of socioeconomic class diversity. It had a majority non-white student body. It had students of color in positions of authority on the student body, student body president on the law journals.

So I thought there was a deep commitment to racial integration on the part of the faculty. So that when the Regent's resolution came down the summer before I started, I nevertheless assumed that I would be joining a faculty that would be resistant to the idea that affirmative action was somehow anti-white racism, and that would continue to support whatever possible measures to promote an integrated setting. And that was a real wake up for me to join the faculty and to start participating in faculty meetings and to realized that the support for affirmative action had always been quite shallow. And that in the wake of the Regent's resolution, a number of faculty members felt empowered to say, "Well, we tried it, we did it. Integration has run its course. Indeed, it went too far. The public has spoken. Now we need to reverse course. Now we're going to jettison all of these efforts to promote an integrated student body."

**Roxanna:** Do you feel like Berkeley Law has gotten worse? Has changed?

**Ian:** Oh it's gotten so much better!

**Roxanna:** So can you say why?

**Ian:** Because the power of the old guard was broken. They managed to install one of their own as the dean and his deanship quickly collapsed after credible sexual assault allegations. And when that deanship collapsed, central campus took power away from the old guard. And then once they did that, Berkeley was able to blossom by hiring young new faculty with a much broader vision of what law could be.

**Roxanna:** Well, I guess the last thing I wanna say to you is that you are very important to me. What you had to overcome took a lot of bravery. And so I really appreciate you sharing your story.

**Ian:** Thank you, Roxanna. Thanks for being a fantastic colleague and being an inspiration with your own work.