Notre Dame Law School NDLScholarship

2019-Present: G. Marcus Cole

Law School Deans

1-18-2021

A Conversation With Justice Alan Page

Marcus Cole Notre Dame Law School, gcole2@nd.edu

John Jenkins, C.S.C. *University of Notre Dame*

Justice Alan Page

Kaya Lawrence Notre Dame Law School

Follow this and additional works at: https://scholarship.law.nd.edu/gmcole

Part of the Legal Biography Commons

Recommended Citation

Cole, Marcus; Jenkins, John C.S.C.; Page, Justice Alan; and Lawrence, Kaya, "A Conversation With Justice Alan Page" (2021). *2019–Present: G. Marcus Cole*. 35. https://scholarship.law.nd.edu/gmcole/35

This Discussion is brought to you for free and open access by the Law School Deans at NDLScholarship. It has been accepted for inclusion in 2019–Present: G. Marcus Cole by an authorized administrator of NDLScholarship. For more information, please contact lawdr@nd.edu.

A Conversation With Justice Alan Page

Jan 18, 2021

Retired Minnesota Supreme Court Justice Alan Page, a 1967 University of Notre Dame graduate and the first African-American justice to serve on Minnesota's highest court, will join G. Marcus Cole, the Joseph A. Matson Dean of Notre Dame Law School, for a virtual "fireside chat" at noon Jan. 18 (Monday), as part of the University's commemoration of Martin Luther King Jr. Day. Page has been inducted into both the NFL and College Football Halls of Fame.

More information can be found at https://go.nd.edu/WalktheWalk

Transcript – English (auto-generated)

Errors have not been corrected.

0:02

welcome to the university's annual commemoration of dr martin luther king jr day

0:11

we are pleased today to be joined by notre dame students faculty and staff as well as by alumni and

0:19

friends we normally gather in person here on campus for mlk day

0:25

and we look forward to the time when we can do that again but the important thing is not how we

0:32

gather but that we gather so thanks

0:37

to all of you for joining us before we begin our program let us ask

0:44

God's blessing on our conversation on our presenters and on all who are part of this

0:50

discussion our invocation today will be offered by one of our students

0:57

kaya lawrence kaya is a senior from new orleans studying political

science and global affairs with a concentration in peace studies

1:09

cair also serves as the director of diversity and inclusion for student government kaya

1:19

thank you father john heavenly father we thank you for

1:25

gathering us here today to celebrate the life and legacy of a powerful figure the reverend dr

1:32

martin luther king jr and to reflect on how we can strive to be active forces

1:38

for good in the world today as we honor your faithful servant dr king a man dedicated to peace and

1:45

non-violence let us rejoice in the fact that his legacy has endured over these past 50 years and that he

1:52

continues to inspire millions of people all over the world let us remember

1:58

that dr king was not an easy presence he pointed to the fear and ignorance

2:04

underlying prejudice and bigotry he reminded us that freedom is never

2:09

voluntarily given by the oppressor it must be demanded by the oppressed he

2:15

taught us that we do not have the privilege to be indifferent to the suffering and persecution

2:20

of our brothers and sisters your sons and daughters dr king's presence was not an easy one

2:27

but it was necessary he shared with us his vision to see our nation become one of greater justice

2:34

one rooted in equality and equity dr king demanded more and he acted on it Lord give us the same

coverage to live by what we believe and be instruments of peace and service

2:49

we are currently living in unsettled times recent events have provided a painful reminder of the injustices that

2:55

plague our world it is evident that there remains a fundamental racial injustice and that

3:01

the sin of racism pervades our country in the words of dr king

3:07

injustice anywhere is a threat to justice everywhere so as we remember the work and legacy of

3:14

dr king and honor the past let us pray for a future that will live up to dr king's dreams

3:20

let us pray not only with our words but also with our actions let us pray not only with what we dream

3:26

and hope but with our feet on the ground actively walking the walk oh Lord let us be agents of change

3:34

committed to securing peace and justice let us join together to help combat the institutions and

3:40

systems of oppression in our society help us work to heal the wounds of division in our society so

3:46

that we may find love in our hearts for each of our brothers and sisters in order to build a more welcoming

3:54

inclusive community for all in Jesus Christ our Lord amen

4:06

thank you kaya for that beautiful challenging and inspiring invocation

we greatly appreciate it as you noted this is a deci divisive

4:18

painful moment in our nation's history and we commemorate at this time the legacy of dr king and recognizes

4:26

contributions to peace racial equity justice

4:31

and nonviolent protests our aspiration must be in the words of dr king quote

4:38

to lift our nation from the quicksand of racial injustice to the solid rock of

4:44

brotherhood to make justice a reality for all of God's children unquote to help us in this regard

4:52

we are privileged to have today justice alan page and it is my honor to

4:59

introduce him as you many of you have seen in the video played just prior

5:04

to the our start today justice page was born and raised in canton ohio by

5:10

parents who stretched the importance of education justice page came to notre dame

5:16

where he earned his ba in political science in 1967 and as a football

5:23

student-athlete led the fighting irish to a national championship in 1966 and was a consensus allamerican

5:30

he was drafted by the minnesota vikings it was part of a formidable defensive

5:35

line known famously as the purple people eaters and he was one of only two defensive players

to be named mvp and he was eventually inducted into the pro football hall of fame

5:50

enrolled at the university of minnesota law school while still playing professional football and earned his jd

5:56

in 1978 after practicing law in minneapolis he was appointed special

6:02

assistant attorney general in 1985 in 1992 he was elected to the

6:08

minnesota supreme court where he was re-elected three times and served

6:13

until he reached the court's mandatory retirement age in 2015.

6:19

justice page holds honorary degrees from 10 different schools including two honorary doctorates from notre dame

6:25

where he offered the commencement address to the class of 2004.

6:30

among his accolades he was awarded the presidential medal of freedom

6:36

it is so good to have you with us justice page and on behalf of the entire

6:41

notre dame community i want to thank you for your many years of distinguished public service and to

6:47

tell you how proud we are to call you an alumnus of the university of notre dame you are

6:53

an inspiration to us thank you father justice thank you justice page justice page's

conversation partner and interlocutor today will be marcus cole the joseph a manson dean of the notre

7:07

dame law school dean cole assumed leadership of the notre dame law school in 2019

7:13

a leading scholar of the empirical law and economics of commerce and finance dean cole was a faculty member at

7:20

stanford law school from 1997 until he came to notre dame at stanford

7:25

he held two endowed chairs and taught courses in the areas of bankruptcy

7:31

banking contracts and venture capital with that i turned it over to dean

7:37

marcus cole marcus thank you so much father john

7:42

and thank you so much uh paige joining us today it's so great to see you again

7:47

uh and before we get started uh i thought maybe um you should describe the kids behind

7:53

you to our audience i think they like who

7:58

there are students from justice page middle school here in minneapolis um and the page education foundation has

8:07

a collaboration with the school to encourage and motivate and

8:14

help inspire these young men and women in their academic pursuits

8:22

well that's wonderful thank you so much again for joining us here at notre dame when the news went out that i was going

to be interviewing you um i got flooded with questions from all over the place

8:35

and not just questions people sent me stories about their on campus

8:41

and one in particular uh caught my attention it was um it was from when you were being

8:47

recruited to come to notre dame um a law student uh

8:54

adam of the law school sent me a story about how when he was a law student he was asked to have breakfast with you

9:01

and dean john broderick because the freshman football coach knew that

9:06

you wanted to go to law school eventually and so they thought that it would be good for you to talk to someone from

9:13

the law school and my understanding is that you had an offer from michigan state and

9:20

dean broderick learned that michigan state had promised you admission to law school when they didn't

9:26

even have a law school so so apparently he

9:32

he encouraged you to take the michigan state offer if they want to do that that badly is that true well

9:39

um many years have passed since then and i

9:45

don't i don't recall the events

but uh it wouldn't surprise me so that that seems to indicate that uh 9:56 while you were still a high school student you wanted to go to goal wouldn't you want to be a 10:02 lawyer well you know growing up in canton ohio that was a 10:10 town that in the 1950s the time period that i was there as a 10:16 child the the for a young black kid like me if 10:23 things went well i might be able to get a job in a steel mill i had an uncle who spent 40 years 10:29 working in steel mills and from my vantage point steel mills 10:35 and what little i knew about them which was more than i knew about the law by the way 10:42 they were dirty dangerous and the work was repetitious 10:47 and the few stories that i heard about lawyers they all involved lawyers making lots of 10:53 money not working too hard and driving big fancy cars 11:00 and in the 10 year old mine you know when you weigh dirty dangerous and 11:06 repetitious with big fancy cars not working too hard and lots of money the 10 year old mind goes straight to 11:13 big fancy cars [Laughter] 11:18

and probably also you know perry mason was popular back then so i

11:25

probably watched a little too much perry mason the the

11:31

other aspect of that was that as you know in the 1940s and 50s

11:40

this nation was still subject to state-sponsored segregation

11:46

in large large large portions of the country and in 1954 i was eight years old

11:55

the united states supreme court decided brown brown versus the board of education

12:00

and even at that young age not understanding what the law was about or anything else

12:10

i intuitively understood that the decision in brown had the

12:17

had had tremendous impact and that um

12:24

from that i sort of got a sense of the power of the law that the power of the law could be used

12:30

to make the world a fairer place to um

12:42

you know if you can end state-sponsored segregation that shows the potential and

12:50

of using the law to solve problems and make people's lives better and for

12:56

whatever reason that just that fit with who i was and so

from a very early age when people ask me what i wanted to do when i grew up i'd say i wanted to be a lawyer and then

13:12

i kept that in mind as i grew up you know you know we're here celebrating

13:19

dr king and he was in

13:26

increasingly well he was very active in the 1950s late early to late 1950s

13:34

and 1960s and i can remember reading about him uh

13:40

seeing news stories about him and his work and what he was doing and

13:46

you know what he was doing was nothing less than um

13:54

changing the future for all of us and you know it took a lot of courage and and quite frankly uh

14:02

watching what he was doing instilled fear in me because it was

14:10

scary for a young for a young kid to see

14:16

people willing to put their lives on the line to to provide me a a better opportunity

14:24

and a better life and so when i got to the point where

14:30

i could make the decision uh the law seemed to be what was right for me

14:37

well let's talk about that sir you had to go to college and you chose to come to notre dame and

i'm curious why you chose notre dame and also i'd like to know what it was like to be a young black man

14:52

on the notre dame campus during the height of the civil rights movement and

14:58

in the middle of the vietnam war well um i chose notre dame

15:05

when it when it came down to it i was trying to decide between three schools

15:12

notre dame michigan state and purdue and

15:19

growing up having heard the legend of newt rockne

15:25

um you know that has some impact um and knowing the story history of

15:33

their football program that had some impact but also

15:38

um it seemed to me that of the three schools i was considering

15:45

notre dame had the at least in my perception the the

15:55

academic prestige that the other two didn't have i suppose when you think

16:02

about purdue when you think about engineering you know they they were pretty good at that and had a

16:08

pretty good reputation but um and then the third aspect was

16:14

i can't tell you the number of people who when talking about notre dame talked

16:22

about the notre dame family after leaving the

university and the importance of that family could play in

16:33

in um helping you be successful in whatever endeavors you chose

16:41

and those those things influenced me and so i i chose the university of notre dame

16:48

and um you know i was young had never been away from home um

16:57

arrived at notre dame in the summer of 1963 shortly after the march on washington

17:05

um didn't know anybody other than the uh

17:13

really uh hue devore because the coaching staff that had

17:19

recruited me other than hugh they were all gone

17:24

so i didn't basically didn't know anybody but you know those

17:33

for somebody who had never been away from home there was some homesickness and things were tough um notre dame was

17:41

different from any place else i'd ever ever been although and it wasn't

17:49

the fact that you know the i think there were at the time roughly 30 students of color

17:59

including international students on the campus but it wasn't just that i mean i'd grown

18:05

i'd grown up the high school i went to was i was one of

two or three african americans there so it wasn't just being in a

18:18

different racial environment it was just being away from home and being somewhat of a homebody

18:27

and i think notre dame was a little more conservative than

18:34

um i would have considered

18:40

something that would be consistent with me that said i don't know that i thought about it

18:45

back then or thought about it in that way

18:51

but it just seemed to be the right place for me and you know those were tough times

18:59

studebaker had either had just gone out of business or was just about to go out of business

19:05

so south bend was struggling um and yet there there you are on this

19:13

campus that by all outward appearances um

19:18

was a wealthy island in the sea of poverty and so

19:26

you know wrestling with those sort of intellectual uh conflicts

19:34

was challenging um i met some really good people

19:40

along the way got developed some great friendships and um you know and on the football side

of things it turned out reasonably well all things considered yeah well

19:56

i don't think it could have turned out any better because uh you went on from notre dame to a hall of

20:02

fame career in the nfl and to me and i think to all other lawyers

20:07

the most remarkable thing about your story is that you actually earned a law degree while you were playing football that's

20:14

um it's two full-time jobs well you know you know

20:21

i mean law school is challenging um i i i have to admit i'm a law school

20:27

graduate i'm also a law school dropout i enrolled at william mitchell college of law back in 1968

20:34

after my second year start at the start of my second year with the vikings

20:40

and i trust me it was not pretty i lasted about three

20:47

weeks i was in over my head i didn't understand what was going on

20:53

the first uh you know those first classes when they when the professors um starts you down

21:02

the road of asking you questions that are designed to make you fail and uh didn't take me too long

21:10

um i didn't i i bailed out i didn't i first of all i wasn't

21:17

committed as well as as as strongly as i could have been

to being successful but i was also um you know it was a

21:30

law school for me at least that william mitchell was it was a different way of learning and

21:37

what i didn't realize and i felt like i was the dummy in the class what i didn't realize that everybody else there was in

21:42

the same boat that i was in but then what nine years

21:49

eight years later it was time to go back this time

21:54

dedicated to learning and understanding the law and this time

21:59

at a point in my football career where i'd probably been

22:05

around a little too long had gotten stale and needed something to focus on and

22:11

lift me up and law school at the university of minnesota gave me the opportunity to

22:19

use my head for something other than a battering ram and a place to store my helmet

22:26

i mean it really i second time around i loved it i loved the challenge i love the the

22:33

give and take i love the uh you know the fear of

22:39

going into the classroom and being called on all the fears that law school students

22:44

face i loved every minute of it that's great so um having achieved your

dream of getting a law degree how did how did law school and the law and the practice of law

22:59

change the way you viewed the racial divide in this country

23:06

i don't know that it changed my view i think it reinforced my view

23:11

and reinforced um in me the notion that the law would

23:19

could be a a useful tool in

23:28

bridging some of the racial divide

23:34

i still believe that to be the case but i think we have to use it and use it in ways

23:42

i mean think about what

23:47

lawyers like thurgood marshall constance baker motley and that whole crew of i mean really

23:55

talented lawyers did in taking the law

24:02

and turning it against those who had set it up

24:09

to use the law against to keep people of color down they took that law

24:16

and turned it against him and turned it around on him that's the power that the law can have

24:23

um i think sometimes i think we're kind of missing right that right

24:29

now we're sort of focused on

individual events that are in front of us and not using the law as a tool

24:44

that can can work collectively yeah so thurgood marshall constance

24:51

baker motley they changed a lot of things but we've seen over the last few years that a lot

24:56

of things haven't changed so george floyd was killed in your community of the twin cities

25:02

in minnesota and um

25:09

it seems to me that people have reacted differently to the to the killing of

25:14

george floyd than they have to all the hundreds of other innocent

25:19

um people who've been killed by the police before him what do you think is the reason for the

25:26

difference in the reaction this time around well i i think the jury

25:32

is still out on that i'm i'm not convinced that

25:40

five years from now anything will be different because of it i hope that it will i hope that

25:47

uh what we've seen so far will be sustainable but um

25:56

i think the the reason we've seen what we've seen so far is because all of a sudden in in

26:04

stark relief we see

somebody dying at the hands of a police officer in a way that from all outward

26:19

appearances leaves one to conclude that it shouldn't

26:24

have happened and the realization that it's done in our names

26:30

i mean what took place was done

26:38

in my name and so i you know i think people are taking

26:43

it a little more personally and maybe that will

26:49

result in actual change but i think the jury's still out i mean when

26:56

you think about michael brown and just in the last five or six years all the

27:03

uh people who have died at the hands of law enforcement officers

27:13

for apparently no good reason um

27:20

still not clear that that this is going to have bring us to

27:26

fundamental change yeah so let's talk about the michael brown thing uh because that gave rise to

27:34

the black lives matters movement and we received a lot of questions for you

27:40

from people who wanted to view us today to get your views on black lives matters

27:47

and most of them i have to say most of those questions took the form of well don't all lives matter

what do you think about the appropriateness or the the use of the phrase black lives

28:02

matters um some people have even said well that's such a racist phrase to say that

28:07

black lives matter is as if only black lives matters what do you think about that debate well my reaction to that is

28:16

let's have a discussion about the words black lives matter and let's not do anything about the

28:23

underlying causes that create

28:28

an organization like black lives matter i i that kind of thing drives me crazy

28:37

drives me absolutely crazy we [Music]

28:42

would rather have a discussion about the name than about the underlying root causes

28:51

and and that's sort of why i say it's not clear to me that things are actually going to change

29:00

um until we get at the root causes

29:08

of these deaths we'll just keep having this same

29:14

discussion we'll be here 20 years from now having the same discussion

29:21

so let's talk about some of these deaths we saw elijah mclean died from a choke hold in

29:27

colorado we've seen the shootings of brianna taylor ahmad aubry

jacob blake was shot in the back seven times as he was getting into a car

29:41

and so we see these protests take place and in response we see an overwhelming

29:48

police response to those protests when um at the same time we see

29:57

um we see uh armed protests inside the michigan state

30:03

capitol where people are actually bringing in automatic weapons where legislators are

30:09

actually in the chamber and then we see

30:14

the invasion of the the insurrection at the united states capital where there's an

30:20

attempt by armed protesters to [Music] disrupt the democratic process and i

30:27

actually saw a police officer holding the hand of one of the protesters

30:34

to help her um uh during the the protest on the stairs and we saw

30:40

police open the gate so is there a double standard in the reaction to the the types of protests or is this

30:49

just a figment of our imagination well

31:00

you know the let me just focus on the protests here after george floyd's death

31:13

there were protests and then there was there were violent

protests and we tend to

31:28

and i would note that by far the vast majority of the people involved

31:36

were not engaged in violence or destruction

31:47

but and and we tend not to distinguish between the two

31:54

there is no place for violence destruction

32:02

um random i mean

32:08

we we had we had a post office burned down we had a police station burned down

32:16

that's unacceptable that is unacceptable but there is a distinction between that

32:23

and the people who were marching in protest

32:30

and so yes the the what took place at

32:38

the u.s capitol last on the sixth yes

32:47

that is in kind what took place that resulted in

32:54

the burning of our post office the police station grocery stores neighborhood stores

33:01

businesses those are one in the same and they

33:07

deserve that they they both deserve the same treatment but that's separate and

22	-	1 1
	٠	1/1
J J	٠	T-+

distinct from those people who were legitimately out standing up in the face of

33:24

what they believe to be unacceptable conduct by law enforcement officers

33:30

and you know as americans we have a tendency to

33:36

look for the easy answer well there was violence here and there

33:41

was violence over there well yes

33:47

but when you look at what took place at the capitol um evidently there there

33:55

there was no there was a lot more going on than

34:00

people just simply marching in protest and i might add um

34:08

marching in protest of a lie and and

34:14

and and i say a lie you know we are at a point in our

34:21

history where

34:29

we have to

34:37

come back to relying on facts one of the things that we judges do

34:45

that judges do is you know we make decisions based on the facts in front of us

and you know maybe we like the facts maybe we don't like the facts but and we can have a debate about

35:00

what the reasonable inferences are to be drawn from the facts but we can't have a debate about

35:08

facts once they are established and so what took place at the u.s

35:16

capitol based on lies

35:21

as opposed to facts is really troubling

35:26

because you know as a as a nation

35:32

we i one of the things that was clear to me about the judicial branch of our

35:37

government its power its only power

35:42

within the trust and confidence that people place in it

35:50

you know the the executive has the police power the legislative has the power of the purse

35:57

well it's not so clear to me anymore that maybe the only things that holds this democracy together

36:04

is the trust and confidence that people place in it and that if we keep eroding that

36:13

trust and confidence then we will have nothing

36:22

yeah so we we we have um uh we had a supreme court that um

upheld the facts as you as you uh put them of the the way the election

36:35

came out um but the we have we have a split population we have a divide

36:41

in our population where some people didn't trust the the outcome of the election and

36:48

resulted in that riot um at uh at our capital and the

36:53

insurrection uh and that led to the death of five people including a police officer

37:00

and i'm curious about the response and i want to return to this question about double standard because well let me just

37:07

yeah let me let me just interrupt yeah sure including a police officer

37:15

and nobody has been arrested yet

37:23

that is shocking isn't it yeah and and i i've also haven't heard um

37:29

the the mantra of blue lives matter uh or the flag at half staff at the at

37:35

the white house over the death of a law enforcement officer who's simply trying to uphold uh the law

37:43

um and i'm i'm just curious as about as the why that is why

37:49

why there's not more of an outcry in this case as there is in other

37:54

cases of of the death of a police officer well

um one might say that if you look at 38:10 the difference in color of the people involved 38:17 different treatment for different people and again um you know if it's 38:24 wrong for one it's wrong for the other and if it's not wrong for one it's not 38:31 wrong for the other we are not consistent and and 38:39 which leads to the conclusion that um we still haven't come to grips with 38:47 race in this country 38:53 yeah i think that's clear i think there's another um um playing field where 39:00 racial issues are borne out and racial differences are borne out so i 39:06 have to ask you about the covet 19 pandemic and crisis and the i i understand you're not a doctor but 39:13 you are a lawyer and you are in a sense a politician uh um and 39:19 an observer of society um why do you suppose the the pandemic 39:26 we failed in this society to control this 39:32 [Music] it's been controlled in other places like taiwan or 39:38 south korea why is it hitting the black community so hard is there something we can do in law and

39:45
regulation um to change this you know the virus
39:50
doesn't care the virus doesn't care who you are where you are the color of your skin
39:57
how much money you have or don't have the virus is going to do its thing
40:03
and those people who are
40:11
in occupations and in communities where
40:19
they have to come together where they have to work um
40:27
the virus sees that is an advantage and so uh i think
40:35
what we're seeing is just where
40:45
we're seeing where poverty is where need is
40:53
where people don't have choices i mean i can you know i can work from
41:00
home you can work from home a lot of people can't do that and so
41:08
they get exposed to the virus and i'm just as an aside um
41:16
there are any number of people who voluntarily expose themselves to the violet virus who have the choice
41:24

which quite frankly i don't understand but in terms of its

impact on black communities on indigenous communities it's been devastating but

41:43

those are people who in order to live have to go out and

41:52

be in and gather

41:57

and and how we get at that you know i'm not sure i know the answer yeah

42:05

but that said um i think

42:11

for myself i can't speak for others but if i were in that position

42:20

i wouldn't i wouldn't walk out the door without masks and

42:29

everything else that i could take to protect myself this is

42:36

this this is also one area where we can do something to protect ourselves

42:47

um so i want to return to the theme of today's uh

42:54

dr martin luther king jr's birthday and the celebration of his life and what he's meant to this society

43:02

and it's very clear from what you've said and from what we observe today that we are not um we're not

43:09

living his dream right now what are the things that you think we should be doing as a society

43:16

not just as a society but as individuals to to to come closer to dr king's dream

of of an america where we're judged on the content of our character 43:30 you know as a judge 43:35 you're you're there to exercise your judgment 43:42 not impose your will and because of that you have to constantly 43:50 question yourself about your motivation for the decisions you're making 43:56 you have to be intentional about it you can't just 44:02 say well i'm not biased and move on we're all biased we all have biases and so 44:10 as people as individuals we have to look internally and 44:17 ask ourselves are the decisions i'm making 44:23 based on some stereotypical view of people who are other than me 44:29 or is it based on some objective criteria based on who 44:35 who the person is and if it's based on something other than 44:40 objective criteria uh as opposed to a stereotypical view 44:46 we need to change that we've got to stop segregating ourselves we segregate ourselves in our homes and 44:53

our schools in our workplaces in our communities we've got to stop doing that 45:02 and only we can do that you know it's 45:10 it's not some great they out there 45:16 it's individuals like you and me and everybody else we have to be 45:23 intentional about setting our biases aside 45:28 intentional about how we treat other people and intentional about making 45:44 decisions without 45:53 including our biases 46:00 i mean that's the only hope we have nobody else can do this 46:08 i can't do it for other people other people can't do it for me we as individuals have to you know 46:16 stand up and say enough is enough and and and i might add 46:24 you know we do have we speaking of the law we do have a problem 46:33 in that while the 13th amendment abolished slavery 46:42 the 14th amendment 46:47 ensures due process and equal protection

the law is grounded in precedent and there was a lot of precedent before

47:03

the 13th amendment came along and it's still grounded in that

47:12

[Music] i mean our constitution is grounded in racial bias

47:22

and you know we we have this debate about um

47:31

originalism well if if we're going to go

47:39

back to the words of uh jefferson and lincoln and madison

47:45

and decide how we live today those words were grounded in slavery

47:53

and how do we untether ourselves from that

47:59

and i think until we do untether ourselves from that

48:06

we continue down the same path

48:11

are you suggesting we need to start from a clean slate or can can this society be fixed

48:22

you know when the problem is systemic

48:27

the system has to change

48:34

and you know when you think about it

we rely on the words of our founding fathers

48:47

why can't we those of us here today be the founding fathers and mothers for

48:54

tomorrow

48:59

you know it it this is this is

49:07

this is about five minutes of thought so don't don't uh

49:15

don't don't look too unkindly at it but what if we had an amendment

49:23

that said every 50 years

49:31

we look at the words in the constitution

49:36

and give them their current meaning

49:42

that would break us from the past and actually give us a constitution that

49:49

worked in the present because as far as i know

49:55

our founding fathers didn't know anything about the internet

50:01

didn't know anything about uh airplane travel

50:08

didn't have any idea

50:14

what weaponry might come along

50:19
what you know what arms mean today and what arms meant
50:24
back then um i think they would be astounded
50:30
yet we're ordering our lives
50:36
based on a document from a time when the people who
50:44
created that document could not have had any idea what we might be facing
50:55
well uh justice page i i find inspiration and your idea that we can all be
51:03
founding fathers and mothers of our own uh future from here out so i want to thank
51:09
you very much for the time that you've spent with us and the wisdom that you've shared with
51:14
us um i'm always uh delighted to see you i've told you before that i'm at notre dame
51:20
because of you i became a notre dame fan watching you and uh i'm so grateful that you are so
51:28
generous with your time to come back to notre dame and to share your wisdom with us so thank you
51:34
well thank you for great conversation thank you for the university for the
51:41
opportunity to be a part of this i think very important day
51:46
i mean we have the power to change i do
51:55

you do all the people listening and watching uh here today

52:01

have the power to change the future the question is do we have the will to

52:07

act well thank you thank you for that thank

52:13

you father john thank you uh

52:18

justice page and dean ko i i found your reflections so helpful they were

52:24

challenging uh they were honest they were forthright and i'm certain uh dr king this would have been remarks

52:31

exactly in his spirit he would have judged that and i i just also want to say just page your story

52:37

of finding a vocation a calling in the law and serving some higher purpose

52:42

through your work as a as a lawyer and a justice i hope every one of our students takes that to

52:48

heart every one of our students sees their life as a calling to serve something higher so thank you for your example

52:54

thanks for this superb conversation from the two of you couldn't have asked more from today thanks thank you

53:04

well obviously today's conversation is just um is just one small part of

53:10

our ongoing dialogue about the larger issues of racial and social justice in this time in our

53:16

history and i want to take this occasion uh to plug our annual walk the walk week

a week-long series of discussions and events that aims to deepen our understanding here on campus and

53:29

invite us to reflect reflect on these critical issues walk the walk week would normally fall during this week mlk

53:37

day week but because the students aren't back yet we'll have it from february 22nd to february 28th when students are

53:45

back on campus please visit our diversity.nd.edu website in coming weeks to learn more

53:52

about the events being planned once again uh thanks to everyone kaia

53:57

and justice page and dean cole and everyone who joined us thanks for being with us for this important conversation

54:04

that will be ongoing here at the university of notre dame let's live up to the challenge

54:10

this day represents and the challenge of this wonderful conversation we've had the privilege to hear

54:16

and so as we as our thoughts as our time comes to a close let us conclude with a prayer

54:24

let us pray Lord Jesus you call blessed those who

54:31

hunger and thirst for righteousness

54:36

blessed too are the peacemakers

54:41

we ask Lord make us uncomfortable by deepening our yearning for

righteousness guide us in building peace

54:52

as we work for justice inspired by the memory of dr king

54:59

let us act with courage and love in building the beloved community for

55:05

which he learned from which he yearned God bless you all and God bless notre

55:13

dame amen amen thank you