Human Rights – Conversations Across Generations
Episode: Leah Watson
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MEREDITH LOCKWOOD 0:04
Hi, welcome to our podcast, Huma Rights, Conversations Across Generations. I'm Meredith Lockwood, founder of Lockwood Creative, a purpose-driven creative agency. And I'm here with my dad.

BERT LOCKWOOD 0:16
And I'm Professor Bert Lockwood, the director of the Urban Morgan Institute for Human Rights at the University of Cincinnati College of Law.

MEREDITH LOCKWOOD 0:26
Together, we are your father-daughter co-hosts.

BERT LOCKWOOD 0:29
For over 50 years, I've had a front-row seat to the evolution of international human rights.

MEREDITH LOCKWOOD 0:34
And now, we're sharing that expertise with you by connecting to the powerful stories and insights of human rights voices from around the world.

BERT LOCKWOOD 0:43
We bridge the past and the present, making complex human rights issues more approachable and understandable.

MEREDITH LOCKWOOD 0:50
So, pull up a chair and join our table as we speak with Nobel Peace Prize recipients, political leaders and the world's leading human rights scholars and activists.

Hey listeners, today's episode is a really special one because it brings together my dear friend Leah Watson and my dad for a true multi-generational conversation. Leah is a senior staff attorney with the ACLU. She defends civil rights and advances racial justice. She focuses on protecting fundamental freedoms in education, challenging efforts to censor honest conversations about race, and confronting systematic inequities across all legal and social systems. Leah's path to this work is very inspiring. and After Vanderbilt and Harvard Law, Leah began in corporate litigation before dedicating her expertise to public interest work, a choice that reflects her deep commitment to ensuring the laws serve people and communities, not just institutions. Her advocacy tackles some of the most urgent civil rights issues today, including anti-DEI efforts, classroom censorship, racial disparities in education and health care, as well as bias in policing. Leah also means a great deal to me personally. integrity, Through

our friendship, I have been able to witness firsthand her integrity, clarity of purpose, and dedication to justice, which have been true inspirations. shares a special bond with her dad, Dr. Watson, a dynamic that mirrors the relationship I have with my own dad. And a very special shout out Dr. Watson. It is such a privilege to welcome Leah to our conversation.

LEAH WATSON 2:42
Thank you so much for having me.

MEREDITH LOCKWOOD 2:44
Absolutely. and Leah, of talking about what we're going to dive into in is, know, the different state right now of our country. but I was curious, off that, you growing up in Arkansas, I grew up in Cincinnati, Ohio, having grown up in the Midwest and in states that, you know, sometimes lean red, sometimes lean blue, depending on what city you are. Cincinnati is a progressive city, but the state of Ohio right now is very conservative, um, through the lens of where your work takes you and how you see our country. Did growing up in Arkansas help shape anything for you?

LEAH WATSON 3:23
You know, that's an interesting Um, growing up in Arkansas, I think was formative because my family is from Arkansas,generations of Arkansans. And I think about so many things that are different from the places I live. Now, I, now I live in New York City, which is very different from Arkansas in so many respects. but I think core values and seeing how people live and especially now continuing to see how people live very differently, I think is important. in going home during COVID, it was a completely night and day experience going from New York City to Arkansas. I have to remind myself just of the true diversity of what's happening in this country and the types of varied experiences people are living day to day. Um, so I am grateful for my time in Arkansas and also grateful to live in New York City.

BERT LOCKWOOD 4:20
Leah, I've just read, Aryeh Neier. Do you know that name?

LEAH WATSON 4:24
No.

BERT LOCKWOOD 4:24
he was the head of the, uh, ACLU from, uh, 1963 to 1978. he eventually went Human Rights Watch and then the Soros, fund. I was, uh, very fortunate, about a month ago to have dinner with him, uh, in New York. Um, but he's written this book, Taking Liberties Four Decades in the Struggle for Human Rights. And uh, uh, wanted to bring it to your attention because I thought it would be of particular interest, uh, to you. I guess he must be about, 80 now. but, uh, Sandy Colliver, one of our friends, uh, for me to dinner with him. And, I got his book then and it's quite fascinating.

LEAH WATSON 5:09

His bio, I started to recognize it.

BERT LOCKWOOD 5:11
Okay.

LEAH WATSON 5:12
I did recently read the new book out by our current ACLU president, Deborah Archer. I moderated a book talk with her last week. It's called Dividing Lines and outlines how the transportation infrastructure reinforced racism in this country. It's a fascinating read as well. and as a racial justice attorney and someone who has studied this space for many years, I, there were so many things that I didn't know. And I appreciated both the longitudinal understanding, um, starting with right before Brown versus Board of Education to now. But also there was geographical breadth, um, cities, not, you know, towns. There were just so many things that I learned reading the book. And it was a really powerful example of systemic racism and why it matters. so I highly recommend that book too.

BERT LOCKWOOD 6:03
Oh, I, I'm very it sounds very similar Judge Nathaniel Jones was a dear he was, uh, Jimmy Carter's, last appointment, to the, uh, Sixth Circuit Federal Court of Appeals. He had been lawyer, for the NAACP.

LEAH WATSON 6:21
not,

BERT LOCKWOOD 6:21
Uh, not, the legal

LEAH WATSON 6:22
not

BERT LOCKWOOD 6:23
defense fund, but.

LEAH WATSON 6:24
Yeah.

BERT LOCKWOOD 6:24
The NAACP. And, originally from Youngstown, Ohio, uh, one of his clerks, became, I think, the, um, secretary of transportation, in the federal government. But he wrote about that experience as well with the way they constructed roads and divided the. black population and

LEAH WATSON 6:46
Exactly.

BERT LOCKWOOD 6:47
excluded them from any job opportunities.

LEAH WATSON 6:49
Absolutely.

BERT LOCKWOOD 6:51
yeah, no, I marked that down. Deborah Archer,

LEAH WATSON 6:53
Yes, it's called dividing lines. She talks about in certain places where racial zoning laws, you know, prohibited blacks and whites from living in the same place or living in a place that was previously owned by a person of a different race. And those were like geographical maps. And then, um, when those laws began to get struck down in the courts,stat the Interstate Highway Act to basically replicate, you know, exactly those same lines using, interstates. And there were various cities in the book where I personally lived. so it was, it was such a read. she is iconic. Um, I'm completely fangirling her at all times. But the book was excellent. And then she even talked about public transportation now, and bringing it up like in the current day, limit on public transportation, where people are literally dying, trying to cross a seven lane highway. The city won't allow, Buses to come in and they just want workers Yeah. to come in and work retail, but leave. And also the presence of sidewalks. I could go on and on about this book, but I think you might really enjoy it.

BERT LOCKWOOD 8:02
Yeah. Well, thank you. Uh, definitely got to pick it have, have you thought teaching?

LEAH WATSON 8:07
Well, I was a K-12 teacher before law school, so I have taught in that respect, but teaching law school, I'm not sure about. I'm, I have done some guest lectures and I like guest lectures, but in my heart, I love K-12 if I'm teaching.

BERT LOCKWOOD 8:26
Hmm. Okay. what are the things about law

you're still able to be involved in the action kind of work. and often it gives you, um, well, the real luxury to think about things that are of interest to And, uh, it is something that I would encourage you, think about because I think you'd be very attractive to law faculties.

LEAH WATSON 8:51
Well, I will keep that in mind. I flirted with sometimes, um, maybe teaching a seminar or even a clinical course. So you could, I think I would really enjoy the process of working with students, representing, clients. And I, I took clinics every semester at HLS, for 2L and 3L. So I, I'm completely with someone who valued the real life experience over reading cases and abstract principles. Sometimes it felt like my professors were pulling out.

BERT LOCKWOOD 9:19
the, the, the only, uh, cautionary note I would give you on that is, um, sometimes when you do the adjunct, teaching, that, schools sort of take advantage of that where they can get your service without, hiring you full time.

LEAH WATSON 9:35
Yeah.

BERT LOCKWOOD 9:36
sometimes uh, against one, anyway, uh, th just an observation

LEAH WATSON 9:40
I appreciate that.

MEREDITH LOCKWOOD 9:42
dad, you've a law professor 46 years.

BERT LOCKWOOD 9:47
Uh, I think probably longer than that. You're, you're excluding my, uh, American university.

MEREDITH LOCKWOOD 9:55
Associate Dean at

BERT LOCKWOOD 9:57
Yeah.

MEREDITH LOCKWOOD 9:57
American

BERT LOCKWOOD 9:58
But,

MEREDITH LOCKWOOD 9:58
university.

BERT LOCKWOOD 9:58
but teaching

MEREDITH LOCKWOOD 9:58
Yeah.

BERT LOCKWOOD 9:59
as well. Yeah.

MEREDITH LOCKWOOD 10:00
Yeah. So Leah, my dad journey. And for any of our first time listeners, you've kind of got to hear a lot of great stories, from my dad and his friends and colleagues through human rights is starting at NYU at the international studies department. in the 1970s. Um, and then from there went to American university in DC and then from DC, he got the appointment of a human rights law professor and con law professor at university Cincinnati and also executive director of the urban Morgan Institute of human rights. Um, as well as the human rights quarterly, which also an ode to Leah dad, I think she would be a wonderful author to do a manuscript for HRQ. So just plug in Leah in here.

LEAH WATSON 10:43
Well, he sent me some HRQ, copies, which was incredibly

BERT LOCKWOOD 10:46
Okay.

LEAH WATSON 10:47
kind and a hat.

MEREDITH LOCKWOOD 10:48
And a hat. Yeah.

BERT LOCKWOOD 10:49
Oh, good. Okay.

LEAH WATSON 10:51
Today.

MEREDITH LOCKWOOD 10:51
I don't have mine on and I designed them.

LEAH WATSON 10:54
of course you

MEREDITH LOCKWOOD 10:54
Of

LEAH WATSON 10:54
did.

MEREDITH LOCKWOOD 10:55
course.I should have had my dad wear his, um, urban Morgan tie that I also designed for one of his

LEAH WATSON 11:00
Oh, I

MEREDITH LOCKWOOD 11:01
birthdays

LEAH WATSON 11:01
love

MEREDITH LOCKWOOD 11:01
next time. that. Thank you. Thank you so much for having me. Thank you for having me. um, since it is a unique podcast for father daughter duo with my dad here, Leah, I thought we'd kind of tell our audience a little bit about a special relationship that you have with your dad, Dr. Watson, who's an anesthesiologist in Arkansas where you grew up. So from a really story, you gave your dad, one of your kidneys. Could you share a bit about that significant experience and how it impacted your relationship with your dad?

LEAH WATSON 11:29
So donating my kidney to my dad was a really important experience for us both. It was, I am someone who is terrified of needles, um, and getting poked and prodded, but I was really happy to be able to give my dad a gift that he really needed. He'd been on the transplant list for a while. And it was a really beautiful experience through and through, um, we were able learn a lot about the process of organ donation. I didn't really think much about my kidneys at all before this. but also it throughout the process of prepping and then the recovery. It was just a very beautiful time in our lives And now to see him thriving and doing the things that he likes to do, living life on his own terms in a way that he would not have been able to do otherwise is I think the most beautiful part about it.

BERT LOCKWOOD 12:20
where does he live?

LEAH WATSON 12:21
He lives in Arkansas.

BERT LOCKWOOD 12:22
In Arkansas. Okay.

MEREDITH LOCKWOOD 12:24
And how old is Dr. Watson now?

LEAH WATSON 12:26
He

MEREDITH LOCKWOOD 12:26
He's

LEAH WATSON 12:27
70.

MEREDITH LOCKWOOD 12:27
70. Okay. Big year.

BERT LOCKWOOD 12:29
a young guy.

MEREDITH LOCKWOOD 12:32
A little younger

LEAH WATSON 12:34
than he would be happy to hear that.

MEREDITH LOCKWOOD 12:37
We'll pass that on to him.

LEAH WATSON 12:39
Yes.

MEREDITH LOCKWOOD 12:40
but Leah, as I tell you, as like my dear friend, it's just so inspiring and selfless of you. And I'm so glad you and your dad are both thriving now.

LEAH WATSON 12:48
Yes. It's an incredibly safe surgery. Obviously nothing is guaranteed, but I learned a lot about how our bodies And, um, personall, just the resilience of both of our bodies for me to lose a kidney and recover and for him to gain a kidney and go through all of the processes, much more significant recovery for him than me. But it's a special bond that we both have and we both know, a I think we'll always appreciate.

MEREDITH LOCKWOOD 13:14
Absolutely. so Leah, your journey went from Arkansas. You also lived in DC. Now, like you said, you are a seasoned New Yorker. Um, My dad went from New York to D. C. through that journey, I want to take our listeners back a little farther, for your undergraduate studies. You went to Vanderbilt,then you went to study law at Harvard, and then you transitioned to corporate law. We're going to talk a little bit about your years as a teacher as well. but then you decided to make that switch to civil rights through the ACLU. could you tell us, how your path was inspired to go into the sector of public interest and racial justice?

LEAH WATSON 13:59
Sure. So when I was an undergrad, I wanted to be a reporter and I really wanted to be an investigative reporter and report on social justice issues. And I now naively, um, recognize that I had a lot of faith that if people just understood what was really happening to certain marginalized communities, they would come together to make change. And so when I did TFA, I did TFA not planning to stay in the classroom, but because I loved kids and I wanted to work on, what was then called the achievement gap. And now we know as the opportunity gap, but I taught high school in Atlanta for two years, political science and world history. And initially I planned to go to journalism school afterwards, but a few things happened in the classroom that changed that trajectory. One is that I realized TFA's model and other models are based off of year over year gains, consis gains. If kids master 80% of the material year over year, they will catch up to the higher achievements of their peers. And what I saw while I was in the classroom is that those gains that they made in my class that we fought so hard for didn't necessarily transfer to all of their other classes. The kids didn't draw the lines. They're just kids, right? So, they didn't realize that the same study techniques they were using in world history could Loot them succeed in maybe an English Literature Arts class. But also, my students were very impacted by things that happened before they got to my classroom. So if you didn't have a place to sleep last night, you can't learn the six themes of the Renaissance. If you saw your parent get beat up, if you don't have food, I mean, any number of factors. So my idea of supporting became much broader, like anything that could help black and brown students would help them learn. And so when I went to law school, I was very interested in making systemic change for black and brown students like my own babies. but I didn't know what my entry point was going to be. And I knew I wanted to do litigation, but that didn't really help a lot. And also while I was I tried a few different things. was, I interned in the executive office of education, the state level department of education in Massachusetts, also interned at a law firm. And I ultimately decided to start in big law, um, for various reasons, including that everyone talks about the training at the beginning of your year being top tier at the beginning of your career being top tier. So I started at a law firm, BakerHos, doing commercial litigation there. I began to do some international anti-corruption work and I found I really liked it because it was very person and fact-based and it wasn't just buried in legal cases and legal research. So, I really liked that personal interaction and I moved to another firm, Willkie Farr & Gallagher, and expanded that practice where I was still doing commercial litigation, but I spent a lot of my doing international investigations and I worked on some major matters, um, at the time foreign corrupt practices act investigations. I represented, Lehman brothers in a multi-billion dollar victory. and those were record-breaking, um, Achievements within that space, but it just reminded me that I really want to get back to why I went to law school. And throughout that time I was doing pro bono work. I was also volunteering in my civic capacity with kids at this amazing program called the homeless children's playtime project. it's all about based around the neurological benefits of play, but because I was involved in those things, there became an opportunity for me to spend six months as an extern. On loan from my firm to a local civil rights organization, the Washington Lawyers Committee. And while I was there, I got to work on disability rights, housing discrimination, police misconduct, all types of cases, wage theft, prisoners rights. An I was like, this is it. Like, this is my entry point into this work. I really like working at the nonprofit. I really liked the things I was able to work on. And so I

came back to the firm and shortly thereafter. I moved to the lawyers committee for civil rights under law. So the national lawyers committee. and I was there to do fines and fees work. And that was a really big thing. This was 2018. So just a few years after Mike Brown and Ferguson, Everyone was talking about court debt as a tripwire into the criminal justice system causing enormous effects on people and really huge effects on their livelihoods because people were being thrown in jail because they couldn't afford to pay their court debt without any consideration of like what a reasonable payment plan would be. They were being thrown in jail. They were losing their driver's license. All types of things were happening. So I started at the lawyers committee and I was litigating in Oklahoma and Arkansas. it was a really great experience. I worked with great people. And I filed a lawsuit against a number of judges in Bartlesville, who throwing people in jail because they couldn't afford to pay fines and fees.

MEREDITH LOCKWOOD 19:11
Really

LEAH WATSON 19:11
And then I learned of the police. I was like, I was like, you know, like, I'm in the racial justice project at the ACLU national office. I was drawn to the ACLU. I was already at a national organization, but I was drawn to the ACLU because we have affiliates in all 50 states and three territories. So we really can take a nationwide view. And I was um, and I was also really attracted to the opportunity to run campaigns with our, not only do we have amazing litigators, but also amazing people in the policy department and the comms department and much more developed, um, sizes of those departments than I could get at other organizations that were smaller. So I came to the ACLU planning to work on criminalization of poverty, but this was March of 2025. And so now almost all of my docket, I have a criminalization of homelessness case where we sued the city of Phoenix and that um, is ongoing, but all of the other buckets of my practice did not exist at that time. This is before George Floyd. This is before the racial backlash that followed where we saw a wave of censorship. And that started with the anti-critical race theory movement and then moved to the anti-DEI movement as well. We saw an uptick in concerns about policing reform after the murder of George Floyd. And so I worked on bias and policing, and that was something that was really timely investigating, bias and policing in the response to protests in Kenosha following the shooting of Jacob Blake. I also worked on COVID inequities and what that looked like. And so it's, it's been really a wonderful experience to be in the racial justice program and to be so responsive to what is happening. And then now I'm working on a number of cases that are suing the Trump administration, both the Department of Education for the unconstitutional dear colleague letter that was issued on February 14th, um, under the guise of title six enforcement. And also a challenge to the national institutes of health who've cut all grants that they believe could be associated with DEI. These are life-saving research. this is life-saving research that literally changes people's lives and for the researchers, their own livelihoods. So these are the things I'm working on now. And it's been a really fun opportunity to weigh in and contribute on things that I'm already passionate about and already following in real life.

BERT LOCKWOOD 21:42

Leah, I wanted take you back to the, uh, lawyers committee for civil rights under law, which, in the early 1970s, the leading civil rights attorney in apartheid South Africa, uh, Joel Carlson, came into exile and, uh, He began the same day that I did at the Center for International Studies uh, NYU. And, we worked on, projects dealing with Southern Africa. And one of the major things we did was litigation challenging, the Nixon administration for its violations of the UN mandatory economic sanctions against Southern Rhodesia. and it was, uh, a fascinating case. No one had ever sued under a, uh, Security Council resolution. It was the first time that the UN, uh, ever invoked, under Article 41 of the Security Council, uh, mandatory economic sanctions. And just about the time they were uh, Senator Byrd from Virginia, the former, segregationist, introduced this legislation that created a loophole. So, one of the things that Southern Rhodesia was trying to get rid of was metallurgical chromite and the first shipments were to come into, uh, uh, New Orleans. it was an amendment to the, national security, forgetting the name of the act, but it definitely sounded in national security. And,uh , uh, the first shipments, were to go to New Orleans, uh, up the Mississippi to Ohio factories for the strategic and critical purpose of making stainless steel kitchenware. The reason that, they were going to violate, it, so it was a fascinating, litigation. Um, Carlson was particularly interesting figure because I would say, he was sort of ostracized from his family in South Africa. he was Winnie Mandela's lawyer. and I would say he wasn't brilliant, but it was just almost a visceral feeling against, uh, apartheid. Things just weren't right.

LEAH WATSON 24:04
And

BERT LOCKWOOD 24:05
he had come into exile after the, uh, government, acid treated t-shirts to his children.

LEAH WATSON 24:13
And to his children.

BERT LOCKWOOD 24:14
Yeah. And, and once it involved his kids, he felt that he had to leave.

LEAH WATSON 24:20
Oh, wow. But,

BERT LOCKWOOD 24:22
it, it uh, absolutely sort intriguing litigation, which, we, I, I think it's probably still true, but, clearly at that time, with a number of lawsuits, um, public interest you took them not really with the expectation that you were going to win that suit, but that you would be raising the cause in the future, one, by embarrassing the government and recognizing that within government, um, people have different, viewpoints and that if you can sort of, raise the cost of a governmental action that those inside the government, the next time something's going to will strengthened by saying, you know, you really want to do this. If you do this, you're going to

be embarrassed because this group's going to sue you and, and the like. but yeah, that, uh, uh, Gay McDougall, do you know Gay?

LEAH WATSON 25:17
no.

BERT LOCKWOOD 25:18
she this Lawyers Committee for Civil Rights Under Law at Carlson's, suggestion. He was representing, um, 11 Namibians that were about to be, uh, sentenced to death or they were sentenced to death. They were about to be executed. As a last resort, he came to the UN. And as part of that trip, he met with the Lawyers Committee for Civil Rights Under Law and he urged them that if they were concerned about race issues in the United States, they ought to be concerned about apartheid in South Africa. Um, and they created a project, the South Africa Project, um, Lawyers Committee for Civil Rights Under Law. I worked very closely with them on a, a number of cases we brought that were challenging different things. Actually, one of them was, um, we actually won this case, uh, initially before the New York City Human Rights Commission suing the New York Times, for advertisements that it carried for jobs in South Africa, even though the advertisements didn't say for whites only because of the apartheid laws, only whites were eligible positions.

LEAH WATSON 26:35
Mm-hmm.

BERT LOCKWOOD 26:36
Sort of fun because we were able to cite from stories in the New York Times, regular part of the Times. ar that they were aware of the situation in, in South Africa. Um, we actually won that case in New York City Human Rights Commission, but then Floyd Abrams, who was a big, First Amendment lawyer, represented the Times in the, New York court system, and I think, recall, they actually ended uh, winning that, But, um, Gay McDougal, um, eventually became the, head of that project and, uh, did a number uh, actions, assisting civil rights attorneys in South Africa. She lives in New York now. I think she's at Fordham, actually.

MEREDITH LOCKWOOD 27:24
Yeah, I think she's at Fordham, Dad.

LEAH WATSON 27:26
This is fascinating. I didn't have, I mean, I know the Lawyers Committee has been around since the 50s. But I didn't have, uh, a complete understanding of all the work that they've done in that time. And they were relatively new. I think you said this was happening in the 70s, right?

BERT LOCKWOOD 27:43
Yeah, and I think their beginning was actually, uh, under John Kennedy.

LEAH WATSON 27:48

It was.

BERT LOCKWOOD 27:50
in, in the 60s. Um,

LEAH WATSON 27:51
Yeah.

BERT LOCKWOOD 27:52
because, when he was trying to his civil rights legislation, he, enlisted their support.

LEAH WATSON 28:00
Yeah, exactly. He charged the private bar with doing more to support civil rights. A that's kind of the structure that they use. The Lawyers Committee, obviously a smaller organization, but, small, but very mighty with tons of expertise and working with private law firms to expand the scope of the work that they're doing.

BERT LOCKWOOD 28:19
Yeah, and it, it was, in some respects, establishment lawyers that, I think, as I recall, I mean, it conservatives as well as liberals, but with their voice, that was, uh, an important, source of support for civil rights legislation that they wanted to, to get through. but,so it, it, it, it was fascinating that they took up project on, South Africa.

LEAH WATSON 28:41
Absolutely.

MEREDITH LOCKWOOD 28:42
And, Leah, before, we got on, my dad and I were just conversing, and I'm fairly certain I had the answer to this, but I wanted to check. Most of your, or majority of all of your work has been domestic. Have you done any international work in terms of global social impact, civil rights, or have you mostly just been in the United States?

BERT LOCKWOOD 29:04
she said she's done the corruption stuff, right?

LEAH WATSON 29:06
Yeah, the international anti-corruption, but that was kind of in a different bucket.

MEREDITH LOCKWOOD 29:10
Mm-hmm.

LEAH WATSON 29:10
No, I haven't done explicitly international work. the ACLU only does work um, America, but I have sometimes looked to models from other countries. And this came up, especially in the

policing context, or also look to work from international tribunals. We have a human rights project and they do, a lot of work still within the U S, but they are connected to a bunch of these tribunals. So my practice hasn't really, c the pond per se, but it is interesting to think about, as we think about the world that we want to craft, what else is out there and

MEREDITH LOCKWOOD 29:51
um,

LEAH WATSON 29:51
also to see models for what else is coming sometimes, in a more negative fashion.

MEREDITH LOCKWOOD 29:57
Absolutely. Do you think later you'd want to go into more global human rights?

LEAH WATSON 30:04
I don't know. I haven't thought about it that much. Um, I think it's hard to know what is coming and I'm sure, but I mean, you have such a long storied career. I'm very interested to hear how things have pivoted in and out, but it feels like it's a space where you can be committed to an issue or you can be committed to an outcome. And one thing that I'd like so far is to be nimble and try to figure out like what fits. but I'm not certainly not opposed. just currently, I I have my hands full with what I'm doing and trying to figure out how to keep this balance. And then also, even before this latest administration, there were cases that I wanted to build out or issues I wanted to tackle and how to make space to do that and be responsive to the needs of this moment.

BERT LOCKWOOD 30:55
Yeah, I would say that, the, um, domestic remedies, the cases that you're involved in, are easier to achieve results in than the international forum.

LEAH WATSON 31:08
Mm-hmm.

BERT LOCKWOOD 31:09
I guess one of the blessings of the field is that there's so many good people. Are in it. to get international Remedies one, the four are limited. Um, but also your chances of success are, are more limited as, as well. it can be, can be frustrating in, in, in that respect.

MEREDITH LOCKWOOD 31:32
Hey, listeners. Before we continue. My dad and I want to take a moment to recognize the vital work of the ACLU. Our conversation with Leah is a powerful reminder that civil rights are not guaranteed. They are protected by people who choose to stand up and defend them. The ACLU has been at the forefront of defending our fundamental freedoms for over a century. Challenging unconstitutional actions, protecting free speech, and holding those in power accountable. As you will hear throughout this episode, this work requires constant vigilance,

courage, and resources. It is only possible because of people who believe in justice and choose to support it. you to learn more about the ACLU. And if you have the means, please consider making a donation. You can visit their website, ACLU. org, which is linked in our show notes. Supporting the ACLU helps ensure that the rights and freedoms of all people are protected. Now and for future generations across the United States of America. Now back to our conversation with Leah.

So next I do want to dive into, Leah's um, in free speech, diversity, equity, inclusion. but before we go into that, Leah, I would just love to give a little more of a spotlight to your early influences and your Teach for America, because when you taught for America in Atlanta, for any of our listeners who might not be familiar with Teach for America, right now that program is having devastating impacts on the federal funding cuts. for instance, last month, a high school in Boise, Idaho announced that, if they lose their federal funding, uh, Teach for America in that state up to like, in one school, 28 teachers are going to lose their programs. and we're just starting to see the broad impact. Um, and I think a lot of people might not know about how imperative Teach for America is. For teachers as well as the students and helping shape that generation. Could you tell us a little bit about your experience?

LEAH WATSON 33:48
Yes. So TFA, I had a really powerful experience in TFA. And that's not to say that TFA is a perfect organization. And I think there's space for both things to be true at the, at one time. Um, but I think what is important about TFA is that they target leaders on campus to, with the understanding that you don't have to stay in education, but we know these same leaders will become leaders across the world. And it is imperative that those people, everyone knows what life is like for children in these underperforming schools. And there's, I, I love kids. I, um, volunteered with kids since I was a kid. And I think, um, even going back to high school with a, a program called for struggling readers called success for all. And I would have two hours out of every school day as a senior in high school to go help readers. And I'd done a lot of two after school tutorials, but it still was different from being in the classroom every day. An I remember, you know, there's trainings and people are talking about literacy rates and I knew it was bad, but I was teaching 10th grade. And I think, um, on average, many of my students were reading on a fifth to seventh grade level. I had some readers who were reading on a second or third grade level. When you have a 10th grader who's reading on a second grade level, None of the materials are accessible to them. Textbooks are written at a sixth grade level. The newspaper is written around like sixth to eighth grade level. So you have someone going through life without the supports. They cannot access the materials. And the amount of defeat that they feel in school every day is literally heartbreaking. And it's hard to understand what that looks like. It hurts to see that many of those children are black and brown children who can learn and who want to learn, but have been experiencing so many, so much defeat and experiencing so many obstacles to succeeding in schools. And so I think being in the classroom day to day made me understand life differently. Lik the kids, even though I had high school, my babies were big, but they were still babies. So whatever was happening at home, they would bring to my classroom is something that I carry with me when I vote. I think about how it impact me, how it affect, you know, my students and their families. And it they used to have something that said in two

years, you won't recognize yourself. And I was like, oh yeah, whatever. But it does. But it does truly change the way I think I approach the world. And with regard to my work now as a former teacher, as someone who's taught political I think I just have a different view of what it means to have a law that is prohibiting instruction on racism or sexism. Because how can I even talk about what we needed at the 13th Amendment prohibiting slavery? And if that worked, why did we need the 14th Amendment? Lik these are contextual things that help students learn. 14th, 14th, 14th, I mean, we can keep going on. 24th. There's so many amendments that students need to know the context for why that was necessary. Why did we have to put this in our entire constitution as a right for people to vote? Or so that part is contextually, like that is how students learn. But even beyond the actual topics, the strategies that you use to bring your students into the classroom, the goal of teachers is to foster a love of learning. Teachers, librarians, everybody in the school want students want students to be intellectually curious. There all of these taxonomies. The one we used to use was called blooms. And at the bottom, you had things lower level learning, which was like regurgitation, memor, v, defining things. And then at the top level, you need students, you need students to analyze, predict, think critically about material like that is. And so you want to structure classes where students can do that, bringing in their own lived experience. And I didn't know the term culturally responsive teaching at the time, but that is what you have to do, like to make sure you can connect. I had to connect for my students in Atlanta, connect them to what was happening in ancient Greek civilization, connect them to the culture. Connect them to civilization, connect them to civilization, connect them to the things they had to learn about world religions. Like once they can make that same connection, and they get to that point of predicting and analyzing, they got it. And that is really important for them to learn. So I feel really passionate about this from being a teacher that my students could not learn what they needed to learn. And they would not be able to learn in the ways that serve them best, that we know that serve them best, but also pedagogical research confirms our best practices for teachers. And that's what our students deserve.

BERT LOCKWOOD 38:48
That's fascinating. wanted mention an experience I had Cincinnati I realized that I sort of came from a different world, which what I was growing up snow were great. I got off school, I I remember there was an interview in the Cincinnati Enquirer, the local paper a teacher in the public school system. he was remarking that the teachers snow days, because they realized that for a number of their students,

only meal that they the one that they got was the one that they got at And that if head off, it meant that the many of their kids probably wouldn't eat that day.

LEAH WATSON 39:39
Absolutely. These are, I mean, t were the things that, Were happening. I had students who were, I had one student who was pregnant and she was in the hospital for malnourishment because her mom kicked her out when she got pregnant and she

MEREDITH LOCKWOOD 39:52

Hmm.

LEAH WATSON 39:53
was riding MARTA all and she just could not eat. And she was one of the most brilliant people I've ever met in my entire life. She could just pick up material like that. I think that's what I think of when I say the things keeping our kids from learning were happening before they got to school. And once you're in school, you want to focus, but we know neurologically, your brain has to have space to focus from the most immediate needs and safety from those most immediate needs. And if you don't have that, you can't learn.

MEREDITH LOCKWOOD 40:23
Absolutely. When I was at university at Ohio university, in Athens, very Southern part of the state getting to grow up in Cincinnati, very progressive modern city, but spending four years in Athens, Ohio, I volunteered my junior and senior year in schools there and Athens and Chillicothe are some of the poorest counties in the United States. And getting to see those kids and coming in know, holes in their clothes, for breakfast, they would come in with fried donuts and Mountain Dew. They would have missing Um, and then they just would have behavior problems during school, not being able to concentrate, not regurgitating important information, being unruly. I helped out usually in the cafeterias and the lunchroom, trying to get them as much nutrition as we can. Like my dad said, for many of them, that was one of the only nutritious meals they had. and you know, what that also taught me from looking back at that point is a lot of that poor rural community from a stance of political leadership in the United States. They really felt left behind and invisible. And I think we've seen a lot of current problems with the way the country has become extremely polarized that stems from these areas, which the sad part is cutting back these federal funds for Teach for America Job Corps. it's going to have a more horrific impact on a lot of these schools. And a lot of people that live there don't see that or realize that, that the federal funding is resourceful for a lot of their Um, and Leah, I'd love to stay on the topic of the classroom. you know, a big part of your work right now is protecting fundamental rights, DEI and free speech. for our listeners, could you tell us a bit about your current focus of work, particularly in education? and then I'm going to talk a bit about some of the amazing articles you've penned for the ACLU.

LEAH WATSON 42:20
So I mentioned earlier that five years ago, we hadn't, we were just coming out of our very brief racial reckoning. And there was a commitment across the board, not just in education and education and business and various industries to anti-racism to racial justice. support for black lives matter skyrocketed, all of these things happen. And then there was this immediate backlash. So part of that backlash began with efforts to try to prevent instruction on racism and sexism. People did not, conservatives, far-right conservatives did not want, um, trainings on implicit bias. They didn't want trainings on white privilege. They wanted these things completely eradicated. And there was initially some strategy at the federal level, um, with an executive order 13950 in September of 2020 that prohibited, that prohibited, um, this type of instruction and trainings at the federal government. But with the election in 2020 and Trump's departure, preside Trump's departure from office. We saw conservatives explicitly pivot to a

state-based strategy. This is being led by organizations like the Claremont Institute, Heritage Foundation, Manhatt Institute. And as a result of that, in over 40 states, there were bills introduced, often copy and paste, to restrict instruction um, racism and sexism in K-12 and in higher ed.

MEREDITH LOCKWOOD 43:48
Mm-hmm.

LEAH WATSON 43:48
And we've seen over 20 of those bills become law. So at the ACLU, we have what's called a right-to-learn team. It's a team of First Amendment attorneys and racial justice attorneys working together to challenge the constitutionality of these laws, which we, um, us a term for them that has been coined by PEN America as educational gag orders, because they prevent teachers from talking about certain issues. so we've been challenging these laws across the country. We filed the first lawsuit challenging the constitutionality of one of these laws in the country with co-counsel in Oklahoma, challenges HB 1775, which is both K-12 and higher ed provisions. We brought another challenge in Florida challenging the higher ed provisions of Florida Stop Woke Act. and also a K-12, a challenge on behalf of K-12 teachers. We represent the teachers union. There's actually

MEREDITH LOCKWOOD 44:39
Mm-hmm.

LEAH WATSON 44:39
a consolidated case with NEA, NEA New Hampshire affiliate and AFT's New Hampshire affiliate. Um, both all K-12 teachers challenging the constitutionality of their educational gag order, which is HB 2. So we've been filing these cases, all of the case in all of the cases we've had, um, major success and in all of these cases are now on appeal. But before I get into that, I just want to spend a little bit of time talking about the claims that we're bringing.

MEREDITH LOCKWOOD 45:07
Yes.

LEAH WATSON 45:08
So in this context, we're representing, as I mentioned, we have a mix of higher ed only K-12 only K-12 and higher ed. And we're representing teachers and professors, students when they're K-12, that's also including parents as well. We represent organizational plaintiffs and, most of our claims have fallen under either the 1st or the 14th amendment. For the 1st amendment claims that we're bringing, t are most likely in the higher ed space, um, asserting that these laws infringe on academic freedom, which should protect the ability of professors to decide what to teach, who to teach, how to teach it. Um, going back to the, to the McCarthy era. And these are long established protections for higher ed professors engaged in scholarship and teaching. We've also brought 1st amendment claims that the laws are overbroad in some respects because each law we examine on its own face. But for example, in Oklahoma, the law

says you can't include these at all in courses in K-12. And so we brought an overbroad claim there as well. And we've also um, expanded the parameters of a first amendment claim on behalf of students asserting that students have a right to receive information, especially in the high school and higher ed, um, setting to be presented with varying ideas and to decide with them for themselves, what they I mean, I mean, the Supreme court has very flowery language about their schools being nurseries, nurseries of democracy and a place for students to learn from a multitude of times. And they can't get that. If all they hear is the government's party line. We also brought 14th amendment claims, um, one being a due process claim for vagueness because teachers are facing very serious penalties for violating the law. In New Hampshire, you can lose your state teacher's license for a violation of the law. And in Florida, schools can l millions of state performance funds for a single violation of the law. And this is really important because they're facing huge penalties and the laws are written in such confusing, ways that they don't know where the line is between. Permitted instruction that is okay. And prohibited instruction. And one of the most common, many of the concepts that are, so-called divisive concepts that are prohibited by these laws, one of them is a triple negative. Who can tell what a triple negative even means? so we brought the vagueness claim on behalf of teachers and also that because the line between prohibited and permissible isn't clear, then it invites arbitrary and discriminatory enforcement. And finally, um, in Florida and Oklahoma, we brought racial discrimination claims under the Equal Protection Clause that in Oklahoma, the law discriminated against teachers and students of color and in Florida, specifically against black teachers and students. So

MEREDITH LOCKWOOD 48:07
Mm.

LEAH WATSON 48:07
in each one of these states, we've been litigating in Florida. We have an order completely blocking enforcement. The higher ed provisions of the stop woke act and it's on appeal before the 11th circuit. I argued the case over 13 months ago. So any day now we can hear back from the 11th circuit on the constitutionality. In New Hampshire, the 11th circuit, we're on appeal before the 1st circuit. And my colleague argued that case, I think it was back in April. And so that's a K-12 case as well. And then in Oklahoma, even though it was the first case filed in the country, it has moved, quite slowly. And we obtained an order blocking enforcement and higher ed altogether in two of the eight prohibited concepts. Then the case went to the Oklahoma Supreme Court to interpret the law. Now we have a ruling from them and we are briefing before the 10th circuit of appeals. And so each of these cases is matriculating through the courts. Now, having gone through a few arguments, the themes that we hear from courts or questions about, um, as the judge in Florida said, I'm having a hard time determining the line between what the state can do and what it should do. In New Hampshire, one of the judges mentioned, like, isn't this just that policy? Um, such that like we disagree with the policy, but it's not unconstitutional. I think that line, I think that line, the question there is how much control can the government assert over, classroom instruction, just because it's disfavored speech. This isn't under these prohibited concepts. You cannot teach that affirmative action increases diversity on campus. You can teach that affirmative action is

nonsense, that it's discriminatory, anything negative, you can absolutely teach it. But it really limits the nature of instruction to these limited set of opinions that the government has. And in state after state, we hear legislators and talking about why these laws should pass, they are using terms that they don't want to be included in classes that are not specifically outlined in the legislation. And so it just has a broad chilling effect to erase all discussions because teachers don't know where the line is. And we know that they steer clear because they're facing huge consequences. In New Hampshire, after HB 2 was passed, Moms for Liberty of New Hampshire posted a Where they would pay $500 to the first person who caught a teacher violating the law. And it's, it's just a really hard time in education, but our work primarily, that's the work at the state level.

MEREDITH LOCKWOOD 50:48
um,

LEAH WATSON 50:48
At the federal level in February, it's a really The Department of Education issued a Dear Colleague letter, um, requiring schools to adhere to their interpretation of Title VI and to end DEI or lose all of their federal funding. T followed up with another certification requirement saying that, um, anyone who didn't comply at the school, state education agencies or local education agencies would face up to treble damages under the False Claims Act. You could face individual penalties. The DOJ could be weaponized against you to investigate you.All of these penalties, if you don't comply with this interpretation of Title VII and students for fair admissions versus Harvard, that is not accurate. Um, even the Supreme Court recognized there could be circumstances where race would be considered, but they, they left that, um, the ruling was very narrowly tailored to higher ed admissions. And still, you can consider race as long as you're how racism impacted you personally, discrimination in your personal experience. You don't get an automatic credit that someone assumes that you have been discriminated against because, let's say you're Black. but all of that has been discounted. And so in that case, we have a preliminary injunction blocking enforcement of the Dear Colleague letter. And um, the certification and the NDEI portal. There's two other lawsuits. One by, we're representing NEA, the largest teachers union. There's one by AFT, American Federation of Teachers, represented by Democracy Forward. And one from the NAACP Legal Defense Fund, who is representing the NAACP, a separate legal entity. so three cases have, um, gotten relief against the Dear Colleague letter where that case has not been appealed yet. None of those cases are on appeal yet, but we're wrapping up the briefing there. And so we're doing the work at the state and federal level to hold the line on teaching, and the right to teach and learn in classrooms about racism and sexism and just to learn and teach free from censorship.

BERT LOCKWOOD 53:08
Very important.

MEREDITH LOCKWOOD 53:09
and I'm going to pose this question to both you and my dad, from legal understanding. and for our listener, something that I'm just really grateful on my day-to-day life is when something

happens with the constitution or checks and balances, I'm so lucky that I can call up my dad and ask him about constitutional law. I'm able to send Leah a voice note and say, Hey, Leah, I saw this censorship in the classroom. I don't really what's going to happen. Perhaps it's what's going on with the Supreme court and dismantling our department of education.

Um, and Leah, perhaps I'm curious if this is something an organization like the LACLU would work on, or maybe it's a different organization. but recently we saw that there are conservative groups. Um, one for example is called accuracy in media. The acronym they go by is aim. and they had some of their employees, go to the university. Of Carolina, the Charlotte campus. And they secretly went in and video recorded a few of the employees, who were part of the diversity equity inclusion department. which because of the federal ban on DEI, they've had to recalibrate and reorganize the language they're using their teachings. but they still want to be outward DEI. and because this organization aim made public these video recordings, the university, which air quotes broke federal law. They now have had to fire some of these employees. And we're seeing this really taking off in the state of North Carolina and the state of Florida. Is that something that ACLU would work with perhaps that employee that got fired or perhaps help the university figure out how they continue to move forward with not having the censorship in the classroom and having their employees fired because of these conservative groups going after it.

LEAH WATSON 55:17
Um, so I will jump in from the ACLU. I'm not going to answer that question. just the ways that we find and choose our cases is something that I want to probably not say online.

MEREDITH LOCKWOOD 55:29
Yes.

LEAH WATSON 55:31
but I'm interested to hear your dad's perspective.

BERT LOCKWOOD 55:34
Oh, well, I was, I was interested in,

MEREDITH LOCKWOOD 55:36
perspective.

BERT LOCKWOOD 55:36
in your

LEAH WATSON 55:37
So they, I, one thing I will say, we've seen various iterations of attempts by conservatives to limit instruction in classroom. So initially we saw a wave of these educational gag orders that I talked about, but immediately after that, we saw a wave of so-called transparency laws. And there were lots of things that were required by transparency laws. In some respects, it might

be to require a teacher to upload a syllabus, for every course that is taught, but some went as far as requiring to upload copies of every single instructional material. So, um, some people at conservative organizations would go through line by line and try to find something that they could use, to demand that the material be removed. And also there were laws passed in a number of states to permit recording of teachers trying to catch them violating the law. Some of those laws were on the books already, but there were, I've seen laws ranging from a live feed, to a delayed opportunity for people to watch the classes, even a law, a bill that was introduced and thankfully not asked that would allow any person unrelated to the school to come in and audit a course. And that as a former teacher and also seeing the violence that we have seen within schools schools and school shootings, that just feels like the wrong, it's still scary to me to have people coming into the class school environments who don't have a connection to them. but I will also say in many states, for instance, in Florida, before they passed the Stop Woke Act, t was a law passed that permitted students to record their teachers without teachers' permission, um, um, professors without

MEREDITH LOCKWOOD 57:20
Oh,

LEAH WATSON 57:20
professors' permission. and so it is, I think the recording itself would be subject to state laws, but there are a number of state laws, which I think speaks to a broader attack on the profession itself.

BERT LOCKWOOD 57:33
Wow. Yeah. I certainly would challenge, the idea some outside person could, um, come into my classroom. and with respect to, uh, students recording the class, I suspect that's a tougher, uh, question. I know how I would feel about it, but I'm not sure legally. that, um, that I could prohibit, them from doing so. I mean, if there were a state law that attempting to, uh, authorize, that, but it certainly, um, would be something academic freedom in terms out in

MEREDITH LOCKWOOD 58:10
of,

BERT LOCKWOOD 58:10
class.

LEAH WATSON 58:12
It's a tricky, I will also add that unions. I'm In states where students are permitted to record their professors, sometimes, unions have encouraged professors to record their own lectures. so they have evidence of what was said in class, um, in case they need to defend against an allegation that they had improperly provided instruction about racism or sexism, or if they're like one line is taken out of context. And so I do think there's a lot of complexity around this issue right now.

BERT LOCKWOOD 58:43
Yeah. this, this is bringing a, a thought I've had. One of my favorite authors was a South African mystery writer, James McClure, who wrote a series of, books that were set in apartheid South Africa. crack crackerjack mysteries itself. But, his team was Trompy Kramer, an Afrikaner detective and Mickey Zondi, his Zulu assistant. And even though race on its face was not a, explicit theme in the book, the way that they had to operate within the, South African context of apartheid, race was very much part of it. I thought they were absolutely books and I had, transat... this is before email, uh transatlantic, uh, correspondence James McClure, and we became very close. I had the experience of students that would read the book and they would say they thought the author was a racist they simply didn't appreciate how he was getting his message across, and, and attributing, things. He being racist statements, when in fact, the context of the novel and the story, they were, how he had to operate within, the South African, uh, system. Um, I guess I'm mentioning this because the idea of, classroom censorship. remember thinking I would not want to have my students who were law students, censoring whether I could use those novels, because I didn't think they, they necessarily appreciated the art, if you will, the novelist. any, that's the, the anecdote that comes to mind in terms of, uh, students recording or uh, interference what was going on. Um, I, I think it is much more challenging probably for, non-law school teachers. In terms of their ability to resist or fight again, than, than it is from a law school context.

MEREDITH LOCKWOOD 1:00:55
That's a good point, Dad, because It's mostly undergrad that I've been just keeping up with the news. It's mostly undergrad that I've seen at these universities

LEAH WATSON 1:01:03
I'm mentioning that because one of the points that we made in for now is that under the, confines of the stop woke which restrict what could be said about affirmative action. Again, a professor in a law school would not be permitted to teach their students, both majority opinion and SFFA versus Harvard and the dissenting opinion by Justice Sotomayor. Because the framing from Justice Sotomayor about why affirmative action matters arguably runs afoul of the restrictions and the prohibited concepts. And it can't be that in a law school class, you can't teach even the dissenting opinions. And then also when you were talking about the books, I think you really spoke eloquently about what's at stake here, because it's not just a book specifically says one race is morally superior to another. What we see is that many books being removed from the shelves are books that are removed only because they are from a black author, a person of color, a BIPOC author, an LGBTQ author. Um, one of the leading books that is always on these lists to be removed is "And Tango Makes Three". And it's a children's about penguins, That parental structure there, um, people are very concerned about the sex of the penguins' parents. to me, it's strange. but those are the types of things where just having a picture, maybe you have, like, in the background, um, a same-sex couple and just a children's book. Like, bo are being pulled for those reasons as well that have nothing to do with the actual text of what is in the book or the purpose of the book. But just a person, writing about their own experience. One of them is the author who wrote, there's a series of novels, called, New Kid.

MEREDITH LOCKWOOD 1:02:54
Mm-hmm.

LEAH WATSON 1:02:55
New Kid is a, a banned book. And of course, as an ACLU attorney, I started a family banned books club. but it's about a, a, a black kid who was a new kid at his school. And there were references to microaggressions, not specifically, but like maybe someone, one of his friends invited him home and they brought out fried chicken or someone they would, um, students and faculty were always confusing him with another black boy. Um, the crux of the book though, is this is a kid who's now traveling, I think from Harlem to another community to go to school. And he's wondering, he's getting lost in school every day. how is he going to find his classes? Are the kids going to like him? Will he have friends? Like these are very real considerations for any children, but because the child, the protagonist is black, it's been widely banned. Yeah. It's an excellent book by the way, I had to learn how to read graphic novels to read it, I was never a comic book kid, but it is a really, really sweet book.

BERT LOCKWOOD 1:03:57
I remember one of the cases I was involved with Southern Rhodesia one of the books they banned was Black

LEAH WATSON 1:04:04
About the horse?

BERT LOCKWOOD 1:04:05
Yes.

MEREDITH LOCKWOOD 1:04:07
Oh Lord. I mean, one of the books that I love that I bought for my niece, who's now six, and now her little brother, who's two, has it, is one of my favorite authors and educators is Ibram X. Kendi, and it's the tiny little kid's book, it's maybe 10 pages, very colorful, how to be anti-racist, how to be an anti-racist baby, and it literally is just like an easy read, it's for little kids, and, you know, and it took off in 2020, and now, right now, we're seeing it banned, and we're seeing a backlash against his amazing books, and, but Leah, if you could add the Lockwoods to the family banned book club, we'd love to be part of that, please.

LEAH WATSON 1:04:50
we need to restart it, um, my niece was starting a new school, and so I thought that it was, like, kind of a cool, I mean, she was young, right? So I was like, let's read a book, let's have a book club, and, like, there's snacks, we come together. So she first picked a book that she'd already read, but I was like, oh, like, that's not how book clubs work, like, you, we' gonna read it.

MEREDITH LOCKWOOD 1:05:09

Yeah, well, I can add, I just bought Aunt Tonella, my niece, and Sebi, my nephew, um, a book that I've been wanting to read to them, it's a book series called The Pengrooms. They're penguins that got married. Paul Castle is the author. He is a gay, blind artist, and he teaches about being gay and losing his vision, and it's just a really heartwarming book that's now on the banned list, so I can add that to our shared family list, and a Lockwood fun fact about James McClure, my dad is so fond of James McClure, who's unfortunately no longer with us, but my sister is named him, so her name is Courtney McClure Lockwood.

LEAH WATSON 1:05:50
Oh, I love that.

MEREDITH LOCKWOOD 1:05:51
Yeah, and my brother is Dylan Freedom Lockwood, because there was a lot of Freedom Lockwoods, in our family history, and I got a very boring middle name, it's not even worth it. No offense, dad.

LEAH WATSON 1:06:02
I love Freedom. What about

MEREDITH LOCKWOOD 1:06:05
Dylan

LEAH WATSON 1:06:05
that?

MEREDITH LOCKWOOD 1:06:06
Freedom.

BERT LOCKWOOD 1:06:06
Well, he, he never used growing up that I was aware of, but I, um, came to learn he has a tattoo.

MEREDITH LOCKWOOD 1:06:15
Mm-hmm.

BERT LOCKWOOD 1:06:15
Freedom.

LEAH WATSON 1:06:16
I love that.

MEREDITH LOCKWOOD 1:06:17
Yeah, and it's down his Um, and so, Leah, to go into, um, you've written so many incredible articles, and for our listeners, what I always do in our show notes is I include resources. So, I'm

going to include resources for Leah's various articles. we would have to keep Leah on for another, like, three hours to talk about are the articles I wish we could. I'll also make sure to um, dividing lines, how transportation infrastructure reinforces racial inequality. But one topic I do want to make sure I get to talk to you about, Leah, is the article you wrote We Have to Reclaim Race and Racism, which is part of this discussion we've been having. one thing I would like to talk about is, in that article you wrote for the ACLU, it was June 2024, you wrote this. why is it so important that we need to reclaim discussions about race in various sectors, not just in the classroom, but also in the workforce, in the healthcare space?

LEAH WATSON 1:07:16
I think it goes back to a broader conversation I was just having with Bird about education. The chilling effect of these laws, o attacks on DEI, of developments that we're seeing on the political stage, at the federal level, state and local level. And some, it weaponizes any discussion of race. So even where you have eight specific prohibitive concepts, as confusing as they may be, there could be some ideas about race or racism that are not covered by those concepts. But the idea here is that anything dealing with race is illegal. And that's, that's intentional. That's something that we've seen. And I talk about this in the Law Review article where you have someone who was very active in constructing, manufacturing the hysteria around critical race theory, Christopher Ruffo, who says, we just need to take the term critical race theory and turn it toxic. And then we can use it for any term, for any social ills we don't like. And that's exactly what we've seen. We saw, conservati villainize critical race theory. And then we saw them move on to DEI. And I don't know what the next term will be, but I feel confident that there will be another term that is used just to, um, subsume any discussions of race. And I think that there has to be a process to reclaim the ability to talk about race. It's not illegal to say race or

MEREDITH LOCKWOOD 1:08:42
race.

LEAH WATSON 1:08:43
And to do so is not discrimination, but the efforts to silence and censor those discussions and to continue sweeping more and more into them that are no longer, permissible to talk about and now off limits is very dangerous and leaves people without the resources to talk about what is actually, um, happening. It's also consistent with what we're seeing at the federal level where, I mean, you mentioned the Department of Education cuts and many of those cuts were to research functions where we won't have data about, disparities within student groups by race, by gender, English language learner status, by disability even, um, that's dangerous because we know that so much is being lost in that and, wanting to make sure that as nation, as a people, we have the resources we need to fight racism. We can't fight racism by censoring discussions of it. You fight racism by actually engaging in anti-racist work and having the types of conversations that allow people to understand how we move forward together. But, I think Penn America says like, you can't censor your way to victory here. And I think I completely agree.

MEREDITH LOCKWOOD 1:09:57
And speaking on the racial disparities in a full circle moment, you' a daughter of two doctors, and you also were able to work on advancing racial justice in healthcare. And right now we are seeing the dismantling of our FDA. with the focus you've worked on, especially during the COVID-19 pandemic, what were some of the most notable racial disparities that you observed? and a second follow-up would what legal efforts are crucial for achieving health equity for all communities.

LEAH WATSON 1:10:30
So in the work on the COVID pandemic, it was unfolding in real time. And there were reports of black people being significantly more likely to die from COVID-19 than white people. It wasn't a biological, predilection. It was just the reality that people are living without sufficient healthcare across the country And their bodies were not apt to fight off COVID-19 sometimes, because they might be living in a farmhouse. pharmacy desert. They were living someplace that they couldn't get COVID-19 tests. All of this seems like, a little bit hazy, but it was extremely hard to get COVID-19 tests. And there were all of these politics sometimes around which communities got them first. And it was the same with the vaccine when everybody wanted it at And we were seeing that it was going to some communities and not other communities and trying to think about working with public health experts to figure out what is an equitable way to distribute the COVID-19 vaccine. um, the ACLU worked with, like I said, some, public health experts who agreed that you had to consider social vulnerability indices. So just race, like don't make the decision on race alone. But there are a number of factors that go into these indices. Um, and one of them might be your zip code, um, but given the ways that our country is segregated, that also can speak to and other, a number of other factors to think about. What does fairness look like here? I think that from a legal standpoint is a different type of advocacy than the work that we are doing in the NIH case, representing public health researchers who are no longer, that we are able to be able to have grant funding. We are able to have their grant funding, either because their grants were altogether terminated, or they were left in some type of limbo where the grants are still under consideration technically, but they don't any recourse to require NIH to finish consideration. Um, and there uh, um, um, there we've really, uh, I think that's going to be all right. And there,uh , we're going to have a legal foundation. And there, we've really, our litigation has challenged on procedural grounds, procee on procedural grounds that the NIH should not follow the proper procedure to make the changes that it made. So we started with some constitutional claims, um, a vagueness claim, like I talked about earlier, and the court dismissed the vagueness claim, but issued an order requiring NIH to vacate the terminations, that were issued pursuant to these directives from the Trump administration to end DEI. Right. And then there is the same thing, the grants might be grants that involve DEI. I've learned a lot about NIH through this case, including that NIH has a, um, statutory mandate to diversify the field of, um, biomedical researchers. And so that's one piece of it, but then also some of the reports that we've seen and grants that were cut had nothing to do with DEI. They might just, um, um, involve, um, involve race or consider sex. Even like, um, for example, I've seen reports that someone was studying hypertension and black people, which is not a DEI issue. It's in the technical form of DEI, the definition of DEI, but because it touched upon race, like these grants

were canceled. And so I think there's different strategies within this, with health equity, ineq is a huge category. And so we're using different strategies for different purposes.

BERT LOCKWOOD 1:14:07
I'm not sure why this comes to mind, but I think it was something triggered Meredith's question and your answer. when I, um, taught, uh, constitutional law, I would begin section dealing with gender with a, uh, 1948, uh, 1948, uh, U S Supreme court decision, uh, Goesaert versus Cleary, which, examined a 1945 law passed by the Michigan legislature, dealt with bartenders. And what was, it, um, it prohibited women from being bartenders, except it was, the wife of the bar owner. and so it went up to the the Supreme court they said that Had the state of Michigan banned all women from being bartenders. Obviously, that would be constitutional. Um, and it was only a question of whether they could make this narrow, distinction. Um, and it would, it always led to an interesting discussion, I would, get the class to, the point where I would say, I don't know if this is, I don't know if this is legitimate or not, what, what do you think the composition of state legislature that passed law was in 1945, they would say, well, All male or 95% male, and I said, well, if we reversed it, and that you had a state legislature that was 95 percent female, do you think that they would pass a similar law? And if not, why thought that was sort of a useful exercise in terms getting them. Then I would eventually say, well, you why do you think they passed this law in 1945? I think it was uniform student picked up on the date of the law, uh, before, and, it was basically the war was over,the men were coming and they wanted their jobs back. Um, that there was no women servers of the and some would try to say, well, they were justifying it in terms of the men protecting the women, which was the case. Um, that, um, I wonder with some of these laws that you're talking about that have the racial if you did that kind of exercise, the legislature know, significantly black in composition as opposed to white. And whether they would pass a similar law. Um, is it a useful exercise in terms uh, getting at was really going on? The legislation.

LEAH WATSON 1:16:53
I think that that's a great example of a really powerful lesson that would be in jeopardy in many of the states that have passed these educational gag orders. For example, the Stop Woke Act prohibits instruction that promotes, um, the idea that members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex. So just the, the very lesson that you described, remember, we're talking about racism and sexism, in this attack, arguably asking people to consider why women were treated differently under the law. and if they should be treated differently under the law runs a foul of the Florida Stop Woke Act or the same, um, this particular provision has repeatedly, been deemed to be unconstitutionally vague by courts, but it's copied and pasted into the overwhelming number of 22 state laws. Um, and we're also seeing its resurgence on the federal level, um, and we're also seeing its resurgence on the federal level. So this is a perfect example of having students put themselves in a situation, think about what might have been happening. And your whole point here is th decision was made for alternative reasons, bu the complexity of that discussion is something I'm sure your students carry with you. A it's a type of instruction that's now in jeopardy in many states.

BERT LOCKWOOD 1:18:15
Leah, this has been wonderful.

MEREDITH LOCKWOOD 1:18:16
dad. I have one selfish question I have to ask Leah, because, uh, she is our first unified sisters co-op member to join this podcast. And it's something that I was super proud for our listeners from 2020 to 2023, my best friend, Jessica and I started an anti-racism women's collective to pair conversation, conversation and education on really important topics such as diversity, equity, inclusion. and Leah was one of our founding members. And Leah, I want to end on the unified sisters co-op connection. We shared a planted the seed for our friendship, but for people who are listening, who aren't lawyers or they're not law students for everyday people like myself, who are considered myself a grassroots activists, um, and a defender of human rights for all. When we got together in the co-op, we got to talk to women from all over our country, from different backgrounds, different race, different religions. And we were able to carve out a trusted space to have those in-depth conversations. But I was wondering if you could share a little bit about your experience of what it was like opening up to people who might share similar ideologies, but talking about these really important topics about current events. and if you have any advice for everyday people in these unprecedented times to get involved in, perhaps from a grassroots perspective.

LEAH WATSON 1:19:41
Yeah, I can't say enough positive things about my experience in the unified sisters. It was a space to have conversations that. we don't have all the and then even to ask questions,which can also be frowned upon in many respects. Um, I would say even though I am a lawyer litigating these issues, I too need to process what's happening in real time and have questions about how other people are experiencing, these same things and want to make sure that I'm understanding like the full scope of what's at there are many times I have very strong opinions on these things and sometimes and I still need to listen. I won't say sometimes all the time.

MEREDITH LOCKWOOD 1:20:24
Same.

LEAH WATSON 1:20:25
Um, so I, I appreciated unified sisters for that. I would say one of the, we had some Brown rules there. It was bringing in trust, but also giving generosity of spirit to people, which is really hard to give praise now. Things are just nasty and people are nasty to each other. But I think trying to think about ways of, um, building grace and building trust so you can give that grace was really important. And I would also say to like bring your full self out. Um, because I there can be so much pressure sometimes to like hide certain aspects of it because you're trying to be professional or you're trying to blend in. And I do think it's important to just, that is one way we can hold the line is continuing to have these discussions, emphasize what's important. Conservatives, far right conservatives, who are pushing censorship, we know we're in a vocal minority. They're very vocal, but definitely the minority. And I do believe there's strength in numbers. And finding your way could be joining a grassroots organization. It could also be

going to a school meeting and saying, H, this is important. It could be talking to your neighbor about a book that was removed from school, whether from the curriculum, but also the classroom libraries. Like you have your son hates reading, but he likes basketball. So he will read about basketball players. And if those books are missing, he doesn't want to read like that has a very real impact. So I think we can think of big um, and smaller things that are all impactful along the way.

MEREDITH LOCKWOOD 1:21:59
Absolutely. I couldn't have said it better. and Leah on that, like, I am so grateful for your friendship. Thank you for being a guiding light for me. through these times. I'm so to have you and my dad, and Leah, whenever you want to come see my home city of Cincinnati, we can go visit my dad and my mom and would love to give you a tour of the law school as well as the freedom center

LEAH WATSON 1:22:20
Well, I will also say thank you so much for having me Meredith. You are a dear friend and I'm so grateful for your friendship and Bert. I have heard so much about you. You very generously sent me the law review articles and the hat. And I just really appreciate this time. I've learned so much from you short period. Like I could come and audit your class and just sit in the back and fangirl happily.

MEREDITH LOCKWOOD 1:22:43
I do.

LEAH WATSON 1:22:44
Very grateful. I see why. Very grateful for both of y'all.

BERT LOCKWOOD 1:22:48
You're wonderful. Thank you very much.

MEREDITH LOCKWOOD 1:22:55
What a privilege it has been to share this conversation with our dear friend, Leah Watson. Her leadership and unwavering commitment to defending civil rights reminds us what it means to use the law as a force for justice. My dad and I recorded our discussion with Leah last year. And as of today, February 20th, 2026, the ACLU announced a major victory. The Department of Education has ended its directive that attempted to restrict diversity, equity, and inclusion efforts in schools nationwide. This reflects the very issues Leah speaks about in this episode and the real ongoing impact of this work in protecting academic freedom and education equity. Leah worked on this case firsthand, and this reflects the very issues we spoke about in our episode and the real ongoing impact of this work in protecting academic freedom and education equity. As always, if you found this conversation meaningful, please rate, review, and subscribe.Also , share it with someone who would value it as well. Your support helps keep these important stories alive and sparks more dialogue across generations. Tune in next time.