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Preface

Adam Heavin

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PREFACE

The *Tulsa Law Review* encountered a plethora of unprecedented obstacles during the 2020–21 academic year. These obstacles were by no means unique to our journal. The entire world found itself reeling from the effects of the Covid-19 global pandemic, which claimed the lives of millions worldwide and hundreds of thousands in the United States. The tragic statistics that became commonplace in daily news briefings were only the tip of the iceberg, and there has been an accompanying toll on the mental health of humanity that we will likely never be able to fully grasp. Social isolation, economic instability, loss of loved ones, and the routine complications inherent within our lives on a daily basis combined to give the world a year that none of us will ever forget. I have no doubt that a decade or two from now, people will be sitting on porch swings around the world telling their children about the challenges they endured in 2020.

In this context, the issues that arose while carrying out the work of a law review in Tulsa, Oklahoma seem miniscule, and that's because they *were* miniscule. Converting the normal business of a law review from in-person to remote will never compare to the importance of the work done by those who developed, tested, and distributed a vaccine in record time or to the vital care and compassion employed by healthcare professionals that looked after our loved ones when they were sick. However, this is not a reason to think less of ourselves. We are only capable of doing our best given our own ability and skillsets. I can assure you that nobody would have wanted me administering aid to their loved ones who fell ill with Covid-19. Unfortunately, that is not a skill I possess. Nonetheless, we all have something to contribute, and it is our duty to persevere through the hardships that life throws at us and contribute what we can for the betterment of the human experience. Humankind is not so much marching forward into a better future as it is taking baby steps. Some of those baby steps would make an actual baby's steps look like leaps. We find ourselves constantly reevaluating our society, and anytime we stop to take a look at it, we're smacked in the face by the blatant fact that it's not perfect.

In Volume 56 of the *Tulsa Law Review*, our journal made an effort to discuss some of these imperfections. When the previous Editor-in-Chief explained that our typical publication schedule would have to be altered due to complications from Covid-19, I realized that we would have to modify this volume in a pretty big way. In a 'typical' volume of the journal, we try to publish two standard issues that contain articles and comments discussing a variety of legal topics, and a third issue is published that contains book reviews. In Volume 56, however, we knew that we'd struggle to find authors who could carve time out of their already-burdened schedules to review books for that issue. So, we had a decision to make. We could consider this a year for survival, publish two issues instead of three, and hope for more favorable circumstances in years to come. Or we could replace the book review issue with something else and make the most of it. We chose the latter option and decided to publish this special issue discussing the legal implications of the Supreme Court's historic *McGirt* opinion. That decision was a bit scary, as we knew the pandemic would make it difficult to find authors with enough time in their schedules to write on such an important topic. However, we

were pleasantly surprised and, thanks to the tireless work of our Guest Editor, Mary Kathryn Nagle, we are now able to present an outstanding lineup of authors who have all provided incredible insight to a legal issue that will undoubtedly be of immense interest to our readers.

In addition to the *McGirt* Issue, the *Tulsa Law Review* has spent the past year planning a live symposium commemorating the 100th anniversary of the Tulsa Race Massacre, which will take place on May 21, 2021, ten days prior to the centennial anniversary of one of the most brutal instances of racial violence that our country has ever witnessed. On the night of May 31st, 1921, Tulsa's Greenwood District (known across the nation at the time as Black Wall Street) was burned to the ground by a mob of white Tulsans, many of whom were deputized by government officials; hundreds of African American residents were murdered in the process. After that night, the Massacre was scarcely reported in the news, and the brutal event was covered up by city officials. Even today, it's not uncommon to come across native Tulsans who were unaware of the event until recently, as the Tulsa Race Massacre is rarely discussed in Tulsa classrooms. Only recently has the tragedy of that night started to see the light of day, and across the city, Tulsans are beginning to realize the truth of what happened here 100 years ago. The *Tulsa Law Review* hopes that it will be able to help our city take another baby step towards the goal of raising awareness among Tulsans of that horrific chapter of our city's history.

I want to commend every member of the *Tulsa Law Review*, because each and every one of them played a part in making our journal thrive this year. They went above and beyond what was required, and many even volunteered to take on responsibilities that didn't fall within their job descriptions. Because of that dedication, we were able to play our small part in the continuing effort of our society to take baby steps in the right direction.

I will close by offering a quote, which was taped up on the wall next to my desk in the law review's office. I am not sure if it was last year's Editor-in-Chief that first put it there, or if it was placed here years ago and never moved (as I will not move it) because of the profound nature of its encouraging message, but I hope future Editors-in-Chief will continue to take it to heart. The quote happens to be from my all-time favorite Supreme Court justice, Justice Oliver Wendell Holmes, who explained that:

"The riders in a race do not stop short when they reach the goal. There is a little finishing canter before coming to a standstill. There is time to hear the kind voice of friends and to say to one's self: *The work is done*. But just as one says that, the answer comes: *The race is over, but the work is never done while the power to work remains*. The canter that brings you to a standstill need not be only coming to rest. It cannot be while you still live. For to live is to function. That is all there is in living."

It has been one of the great privileges of my life to function in this role as Editor-in-Chief of the *Tulsa Law Review*, and I look forward to seeing future members of our journal carry on the tradition of taking baby steps in the right direction.

—Adam Heavin
Editor-in-Chief — *Tulsa Law Review*