

# **UCLA**

## **National Black Law Journal**

### **Title**

Preface

### **Permalink**

<https://escholarship.org/uc/item/30r906tx>

### **Journal**

National Black Law Journal, 10(3)

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### **Publication Date**

1988

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## PREFACE

This issue represents another milestone in the NATIONAL BLACK LAW JOURNAL's (NBLJ) history because it completes volume 10. Every issue of the NBLJ is a landmark in itself, since NBLJ is the first national publication published in a predominately White law school by Black law students, yet this issue is even more significant.

Not many other non-traditional law journals publish often enough to have double-digits on their spine. Two individuals have been responsible for the continued success of NBLJ—our faculty advisors: Professors Reginald Alleyne and Henry W. McGee, Jr. We are proud and grateful for their support, advice, and the numerous other resources that they continue to provide.

We are even more excited since, in the last two years, UCLA has added three other Black law professors: Kimberlé Crenshaw, Bryan Fair and Isabelle Gunning. Though the entire School of Law has been a direct beneficiary of their talents and time, we at NBLJ feel especially fortunate because each of "our" professors has made a special effort to become intimately involved with NBLJ.

The administration of the UCLA School of Law should be commended for taking the initial step of hiring minority faculty, but it remains to be seen whether the School of Law will make the next move and actively seek to retain, encourage and nurture the academic matriculation of Professors Crenshaw, Fair and Gunning.

The allegorical method and the legal process is the underlying theme of this issue of the NBLJ. Each author tries to strip away mystical conceptions of the legal process; they often use myths and allegories to make their point.

It is with that thought in mind that we selected Professor Andrew Haines' "Minority Law Professors and the Myth of Sisyphus: Consciousness and Praxis Within the Special Teaching Challenge in American Law Schools" as the lead Article. Haines, a tenured law professor at the William Mitchell School of Law, relies upon his many years of teaching experience and the Greek Myth of Sisyphus in presenting the first comprehensive analysis of the role and special struggle of minority law professors in predominately White law schools.

Perhaps a future Article will deal with the special challenges of a minority law student in a predominately White law school. Undoubtedly, many UCLA law students could author the piece since in the past two years we have protested the method and means of the School's restructuring of the admissions process. We were told that it was little more than a procedural change, but this year's admission statistics confirm what many thought all along—the change has effectively eliminated student input from the admissions process.

This past year we had the opportunity to consider the goals, purpose and future of NBLJ. We are still devoted to providing a forum for the discussion of legal, social and political issues that affect Blacks and other traditionally under-represented groups. Oftentimes what separates NBLJ apart from other law journals is our more contextualized view of the consequences of a legal decision.

For instance Kwéku Hanson's Comment, which is undoubtedly the first

of many on *McCleskey v. Kemp*, the recent Supreme Court decision that acknowledged racial bias in the administration of the death penalty, but chose to do nothing about it. Hanson faults the Court for its inaction and summarizes the Court's faculty and mystical legal reasoning. He looks to Court precedents and argues that due to the disproportionate number of Blacks that receive death sentences, strict scrutiny under the fourteenth amendment mandates that the Court take a hard look at the circumstances under which these sentences are imposed.

We have added book reviews to NBLJ. In the past, NBLJ published only book briefs, but now we will carry lengthier reviews of contemporary works. We have been deluded with requests to review Derrick Bell's *And We Are Not Saved*. Bell uses Chronicles, or allegories, to critique race discrimination law in the United States. Bell's book may be one of the most instructive "fictional" books ever written, we chose to publish two rather different reviews. Professor Fair provides a general summary of the book and offers his own observations on racism in the United States. In contrast, Professor Beverly M.M. Charles focuses primarily upon the Chronicle of the DeVine Gift, which explores the limits of affirmative action in American law schools.

Lawrence Kupers critically reviews Thomas Sowell's *Unconstrained Ideologies*. Kupers challenges Sowell's supposedly neutral vision of social and political thought as being divisible into two camps, which are set apart by their contrasting set of assumptions regarding social reality. Judge Bruce Wright, a Black New York state court judge, is a visionary of a different sort. A book brief of his latest work, *Black Robes, White Justice*, is also included.

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