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PERSISTENT INEQUITIES AND UNDERREPRESENTATION AS THE GENESIS OF THE 2024 LATINA FUTURES SYMPOSIUM

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ABOUT THE AUTHOR

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The persistent economic, political, and social inequality that hinders meaningful opportunity for minoritized communities combined with the gross underrepresentation of Latinas in positions of power and influence across decision-making tables in the U.S. characterize law and policy in the twenty-first century. The macro and micro implications of this combination elucidate the ways in which institutions, structures, and systems

serve to deprive minoritized communities and intersectional identities full dignity and security across issues and decision-making bodies. The need to explore these statements from a Latina lens was dire. Prior to the Latina Futures 2024 symposium,¹ no research one university had convened a major symposium that centrally focused on the status of Latinas with respect to domestic policy and constitutional law.

The impetus for the Latina Futures Symposium was two-fold: 1) to address the underrepresentation of Latina legal scholars in U.S. law schools² and 2) to center the Latina experience across law and policy in dialogues between scholars, practitioners, and emerging leaders. A simple micro and macro landscape analysis underscores the descriptive and substantive representation challenges that complicate parity for Latinas and other similarly situated groups. At the micro level, the retrogression of U.S. Latina/o/x faculty³ or administrators at UCLA School of Law,⁴ absence of any Latina/o/x serving in any of the 17 leadership positions at UCLA,⁵ and the success of the University of California in never elevating a Latina/o/x to lead the Office of the President in 155 years⁶ or Chair the systemwide Academic Senate in 61 years.⁷ At the macro

¹ LATINA FUTURES SYMP., <https://latinaleyucla.com> [<https://perma.cc/NX4A-GVD2>].

² See Raquel E. Aldana, Emile Loza de Siles, Solangel Maldonado & Rachel F. Moran, *Latinas in the Legal Academy: Progress and Promise*, 26 HARV. LATIN AM. L. REV. 301, 302-03.

³ U.S. Latina/o/x refers to individuals who identify as Latina/o/x and were born in the U.S. or identify as American because they immigrated before legal adulthood (18 years of age). This is an important distinction to specify the differences between U.S. Latina/o/x and international Latina/o/x individuals as it relates to demographic representation.

⁴ *Dr. Laura E. Gómez* joined the faculty of UCLA School of Law in 1994 as the second U.S. born Latina/o/x on faculty at the School. When Gómez rejoined UCLA in 2011, she was one of three U.S. born Latina/o/x faculty members, but the only Latina. At the start of the 2018–19 academic year, UCLA had three U.S. born *Latina* faculty at the law school: Gómez, *Rachel F. Moran* and *Jennifer Chacón*. This “critical mass” lasted less than 18 months; by January 2020 Moran left to the University of California, Irvine, and at the start of the 2021 academic year, Chacón left to the University of California, Berkeley. Upon Gómez’s retirement from UCLA and her return to the University of New Mexico, there are no Latina/o/x members of the law faculty. See *UCLA Law Faculty*, UCLA SCH. OF L., <https://law.ucla.edu/faculty/faculty-profiles> [<https://perma.cc/N2LT-F7QV>].

⁵ See *Leadership*, UCLA, <https://www.ucla.edu/about/leadership> [<https://perma.cc/UX7N-XUKA>] (noting the absence of a Latina/o/x campus leader in any of the following leadership categories: Chancellor and Executive Vice Chancellor/Provost, Office of the Chancellor, Vice Chancellors, and Vice Provosts).

⁶ See *Previous UC Presidents*, U.C. OFFICE OF THE PRESIDENT, <https://www.ucop.edu/president/about/past-uc-presidents.html> [<https://perma.cc/M5L8-KEHQ>].

⁷ See *Past Academic Senate Chairs*, U.C. ACAD. SENATE, <https://senate.universityofcalifornia.edu/about/past-chairs.html> [<https://perma.cc/UF74-3JFE>] (noting all chairs from

level, recent decisions from the U.S. Supreme Court on abortion and affirmative action,⁸ legislative (in)action by the U.S. Congress on comprehensive immigration reform, reproductive justice, voting rights, and gun rights coupled with executive overreach,⁹ fundamentally affect the economic, political, and social life of Latinas. The failure of American law and policy to consider Latinas consequential to decision-making at the federal level, where Latinas comprise 18 percent of women in the U.S., or at the state level in jurisdictions where Latinas are the plurality of all female residents in California and Texas, and the majority in New Mexico,¹⁰ requires significant interventions that plainly dwarf the aggregate efforts to date.

Two problem statements further elucidate the climate that compelled a national, public-facing convening on Latinas and American jurisprudence. First, UCLA School of Law has no U.S. Latina/o/x faculty, yet it is the “premier setting for studying the intersection of race and the law,”¹¹ and Latinos make up 49 percent of the Los Angeles County population.¹² Second, while the gender pay gap persists, California has the smallest wage gap between full-time, year-round workers by gender (\$0.89) across all fifty-one states,¹³ but has the largest wage gap for Latinas (\$0.44).¹⁴ Taken together, the absence of a U.S. born Latina/o/x

1963-2023).

⁸ See *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. 215, 223–302 (2022); *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 193–230 (2023).

⁹ See Vanessa Williams, *Understanding Democratic Decline in the U.S.*, THE BROOKINGS INSTIT. (Oct. 17, 2023), <https://www.brookings.edu/articles/understanding-democratic-decline-in-the-united-states> [https://perma.cc/8944-RZYL].

¹⁰ See *Custom Graphs: Control Your Data Exploration Journey*, LATINO DATA HUB, <https://latinodatahub.org/#/sign-up> [https://perma.cc/X6BV-QJS5] (for the 18 percent figure: make an account, then click on “Custom Graphs” and then on “Customize,” select “Include Sex Comparison” and for the state demographics, customize by state).

¹¹ *Critical Race Studies*, UCLA SCH. OF L., <https://law.ucla.edu/academics/centers/critical-race-studies> [https://perma.cc/Q2SP-5T55] (“[t]he first law school program in the United States dedicated to critical race theory in legal scholarship and related disciplines, the Critical Race Studies program is unequaled in American legal education.”).

¹² See *QuickFacts: Los Angeles County, California*, U.S. CENSUS, <https://www.census.gov/quickfacts/fact/table/losangelescountycalifornia/RHI725222>, [https://perma.cc/SP2F-DSGJ].

¹³ See NAT’L WOMEN’S L. CTR., *THE WAGE GAP BY STATE FOR WOMEN OVERALL — MARCH 2024* (2024), <https://nwlc.org/wp-content/uploads/2023/10/Wage-Gap-State-by-State-Women-Overall-3.1.24.pdf> [https://perma.cc/2QWA-EZS6] (noting California is ranked number one and the state’s wage for full-time workers for women was five cents more than the national average (\$0.84)).

¹⁴ See NAT’L WOMEN’S L. CTR., *THE WAGE GAP BY STATE FOR LATINAS — MARCH 2024* (2024), <https://nwlc.org/wp-content/uploads/2023/10/Wage-Gap-State-by-State-Latina-Women-3.1.24>.

law professor at UCLA and California being ranked both first in the nation for the smallest wage gap for women but last in the nation for the largest wage gap for Latinas, contextualizes the nuanced empirical analysis and critical interrogation of power necessary to grapple with the persistent inequities facing Latinas in the U.S. That is, even in jurisdictions with numerosity (large Latino populations) and climates that explicitly embrace equality, descriptive and substantive representation for Latinas remains dubious.

Tasked with synthesizing U.S. democracy and contemporary policy into a two-day symposium, the Latina Futures planning committee¹⁵ focused on designing an intervention that would pay dividends for generations to come. Recognizing the vicious cycle of exclusion in an unequal society, the planning committee integrated intentional tactics to remedy the underrepresentation of Latinas across positions of power and influence and address the dearth of scholarly literature and public thought leadership that centered on the Latina experience in law and policy. Here, the planning committee committed to a broad goal of diversity (geographic, sectoral, generational, racial, and sexual orientation), to seed and invest in a speaker and audience ecosystem that reiterated the complexity of Latina life in the U.S. and rejected a monolithic stereotype. Ultimately, the impact of the program would be felt most acutely by participants: ensuring multi-dimensional diversity increased the efficacy of post-symposium outcomes, including cross-generational and cross-sectoral connections and geographic hubs for future collaboration in places like Texas, Illinois, and the Northeast.

Similarly, the planning committee committed to a broad range of relevant panel topics that supplemented the scholarly cannon on constitutional law (affirmative action, reproductive justice, voting rights) by integrating an intersectional lens centered on the U.S. Latina cohort, but also challenged the erasure and invisibility of a Latina lens on more novel issues, including media, communications, and technology, LGBTQX

pdf [<https://perma.cc/NPF9-H7VU>] (noting California is ranked number fifty, and the state's wage for full-time Latina workers was thirteen cents less than the national average (\$0.57)).

¹⁵ *Planning Committee*, LATINA FUTURES SYMP., <https://latinalleyucla.com/planning-committee> [<https://perma.cc/5GUT-H5EN>] (noting the 12 member-committee, which included: Professors Cristina Rodriguez, Rachel F. Moran, Laura E. Gómez and Jennifer Chacón; practitioners Nubia Willman, Lourdes Rosado, Cinthia Flores, Lucero Chávez Basilio; law students Luz Murillo and Evelyn Sanchez Gonzalez; and academic personnel Sonja Diaz and Lila Burgos).

rights and police abuse. From an issues perspective, the Latina Futures Symposium sought to reject any typecasting of “Latina issues” by situating a Latina lens to “every issue.” Tactically, the integration of Chicana testimonios, expert panel discussions, fireside chats with national figures, and professional networking roundtables focused on leadership, provided a breadth of formats for participants to engage in and with. A decision was made early on to record, transcribe, and publish each portion of the program, so that it could be referenced in perpetuity to advance the careers and scholarship of a Latina lens. The intentionality and years-long planning process of the symposium committee paid off; the sold-out symposium brought together nearly 400 prominent Latina scholars, attorneys, politicians, policy leaders and students from across the country, and featured 70 speakers across eleven panels and plenary sessions, two fireside chats and a keynote.¹⁶

The true impact of the Symposium will be defined in three key ways: 1) the direction and magnitude of Latinas teaching at U.S. law schools, 2) the fluency of people in positions of power to integrate a Latina lens to decision-making *across issues*, and 3) the frequency and breadth of *Latina-led* interventions to build infrastructure that substantively responds to the needs of Latinas and similarly situated populations. Until then, today’s dereliction of law and policy to integrate Latina leaders into positions of power and influence requires a new narrative, one that articulates a basis for institutional, structural, and systemic remediation of white-led, white-serving institutions, should society attempt to meaningfully salvage the nation’s frail democratic institutions. Ultimately, the persistence of a status quo that renders Latinas and other similarly situated cohorts invisible, unimportant, or worse, erased, is not only perilous, but unsustainable. Present and future existential crises like worsening inequality, climate disasters, and artificial intelligence cannot be solved with an outright dependence on the acquiescence of a youthful and growing Latina cohort to an economic, political, and social agenda that has yet to depart from a non-Hispanic white imagination. Solutions to contemporary and future challenges exist; the Latina Futures Symposium is emblematic of the agency, dexterity, and ingenuity of Latina leaders when they are given the resources to lead.

¹⁶ See Cristian Rivera, *Empowering Latina Voices: Highlights from the Latina Futures Symposium at UCLA*, UCLA NEWSROOM (Jan. 29, 2024), <https://newsroom.ucla.edu/stories/highlights-from-latina-futures-symposium-at-ucla> [<https://perma.cc/AX8K-QE78>].

