

# COMMENT

## THE CHICANA/O-LATINA/O LAW REVIEW: THE PLIGHT OF THE IDENTITY JOURNAL

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### I. INTRODUCTION

*“Oliver Wendell Holmes described a word as the skin of a living thought. If this is so, there is grave responsibility upon those who thrust words into the living stream of our society. We must be guided not by bitterness, but by courage and compassion, for as living things words may prove loyal to their purpose.*

*We, the Chicano Law Students at UCLA, accept this trust. We do it gladly, for its reward is self-respect, and its burden is maturity.”<sup>1</sup>*

— Leo Salazar, Editor in Chief

With these kind yet empowering words, the birth of the *Chicana/o-Latina/o Law Review* was brought to fruition and with it, came the countless voices of thousands of people who for years were a mere shadow in the laws of our nation. It was the summer of 1972, and with the Chicano Movement culminating, the *Chicana/o-Latina/o Law Review*, then called the “*Chicano Law Review*,” became the first journal in the nation to recognize how common law, statutes, legislative policy, and politically popular propositions impact the Latino community.<sup>2</sup> The first issue immediately addressed the value of public interest and civil rights organizations to Latinos in the United States, while simultaneously warned about negative images of Latinos in the public

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\* J.D. Candidate, 2009, UCLA School of Law. B.S., 2005, Santa Clara University. The author dedicates this comment to all those who have contributed to the Chicana/o Latina/o Law Review tradition; past, present, and future. For without you our efforts would be in vain.

1. Leo Salazar, Forward, 1 *CHICANO L. REV.* i, (1972).

2. *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008).

sphere.<sup>3</sup> In so doing, the first issue set the pace and setting for future volumes; the journal was to address the concerns that often seemed negated or forgotten by mainstream legal academia.

But the *Chicana/o-Latina/o Law Review's* influence is not limited to its own scholarship. The journal also opened the doors for subsequent law journals<sup>4</sup> that were to join the ranks of the *Chicana/o-Latina/o Law Review* in their efforts to voice Latino issues in the archetypal law school setting. More than a decade after its inauguration in 1972, the students at UC Berkeley (Boalt Hall) began publishing their own journal in 1983 titled the *La Raza Law Journal*.<sup>5</sup> Students at both Harvard Law School and the University of Texas School of Law followed eleven years later in 1994, publishing the *Harvard Latino Law Review* and the *Texas Hispanic Law Journal of Law & Policy*.<sup>6</sup> What began as a unitary effort had transformed into a widespread movement emphasizing the dissemination of information of the effects of the law on the Latino community and the promotion of Latino scholarship.

The advent of law review journals dealing specifically with the Latino community did not come about haphazardly. Their creation was a product of the increasing presence of Latinos in law schools, their concern over the non-existence of legal academia dealing specifically with issues concerning the Latino community, and their increasing realization of the importance of the law review institution as a transformative tool to critique and develop legal jurisprudence. Thus, the creation of the Latino specialty law journal<sup>7</sup> was similar in some respect to the efforts exhibited by Harvard Law School's Langdell Society, who by es-

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3. See Michael Bennett & Cruz Reynoso, *California Rural Legal Assistance (CRLA): Survival of a Poverty Practice*, 1 CHICANO L. REV. 1, (1972); Joe Ortega, *The Privately Funded Legal Aid Office: The MALDEF Experience*, 1 CHICANO L. REV. 80, (1972); Mario Obledo, *Broadcasting: Mexican-Americans and the Media*, 1 CHICANO L. REV. 85, (1972).

4. As the first major law review publication dealing with Latino issues, the *Chicana/o-Latina/o Law Review* sparked the subsequent creation of *Berkeley's La Raza Law Journal*, the *Harvard Latino Law Review*, and the *Texas Hispanic Journal of Law & Policy*. All four journals are aligned in their commitment to voice the Latino experience at major law schools. That said, their mission and purpose are one and the same.

5. *La Raza Law Journal*, <http://www.boalt.org/LRLJ/> (last visited May 5, 2008).

6. *Harvard Latino Law Review*, <http://www.law.harvard.edu/students/orgs/llr/> (last visited May 5, 2008); *Texas Hispanic Journal of Law & Policy*, <http://www.utexas.edu/law/journals/thjlp/> (last visited May 5, 2008).

7. The term "Latino specialty law journal" will be used in this paper primarily to refer to the *Chicana/o-Latina/o Law Review*, *Berkeley's La Raza Law Journal*, the *Harvard Latino Law Review*, and the *Texas Hispanic Journal of Law & Policy*. While other law school journals in the United States may be concerned directly with the Latino population and promote the same goals as the aforementioned journals, their substance is beyond the scope of this paper.

tablishing the *Harvard Law Review* sought to discuss legal topics, write legal essays, and seek a larger audience for their work.<sup>8</sup> Yet, the founding of the Latino specialty law journal was very different in that it sought to bring about an underlying purpose deficient in the quintessential law review. That is, it developed a mandate alongside its purpose of furthering legal academia to actively expose and develop legal issues that were considered non-issues for many decades. Thus, it became a tool not only to further Latino scholarship, but also to actively inject the psyche of the academic legal world by bringing legal issues from the Latino community to the forefront. Hence, it functioned as a bridge to narrow the disconnect between the voices on the street and the voices within law classrooms, law offices, and courtrooms.

That said, the advent of the Latino specialty law journal can be seen as an effort to problem solve: 1) the disparate treatment of matters of legal importance to the Latino community by generalist law reviews; 2) the disconnect between educated and non-educated Latinos; and 3) the need to redefine what is and what is not worthy of legal scholarship.

To that end, Part II of this paper will analyze the history and the developmental importance of the law review as an academic legal institution. This section will delve into the early history and rise of the law review within the scholastic, legal, and judicial world. It will track the development of the law review as a tool to impact the evolution of the law, speak out on legislation and court holdings, reference material, and train future law professors, lawyers, and judges.<sup>9</sup>

Part III will describe the rise of the Latino specialty law journal in the conventional law school environment. It will follow the effort of Latino specialty law journals to redefine the classical "law review" into an institution that recognized their individual and collective cultural identity, by appropriating a foundational element of modern day law schools and making it their own. In addition, Part III discusses the importance of Latino specialty law journals in disseminating valuable legal information and scholarship to attain a more collective understanding of Latinos.<sup>10</sup> Further, this section will present the idea of the emergence of the Latino specialty law journal as a method of

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8. See generally CENTENNIAL HISTORY OF THE HARVARD LAW SCHOOL 1817-1917 139 (1918); see also Michael I. Swygert & Jon W. Bruce, *The Historical Origins, Founding, and Early Development of Student-Edited Law Reviews*, 36 HAST. L.J. 739, 789 (1985).

9. Michael L. Closen & Robert J. Dzielak, *The History and Influence of the Law Review Institution*, 30 AKRON L. REV. 15, 23-24 (1996).

10. See generally Gerald P. Lopez, *Learning about Latinos*, 19 CHICANO L. REV. 363, 368 (1998) (discussing the importance of marketing increased more effective information in order to spread the influence and recognition of Latinos).

“problem solving” the misalignment of legal scholarship with the development of issues of particular importance to the Latino community. It will visualize the rise of such journals through the weary eyes of Latino law students and their concern over the virtual non-existence of their present and future selves in the law.

Finally, this comment will delve into the *Chicana/o-Latina/o Law Review's* plight in developing an essential forum for the discussion of central legal issues affecting the Latino community. To that end, Part IV will examine the *Chicana/o-Latina/o Law Review's* efforts to bridge the gap between the widespread Latino community and Latinos in law school, its efforts to bring cutting-edge legal issues to the forefront, and its success in redefining the worthiness of Latino legal issues and scholarship. It will view the *Chicana/o-Latina/o Law Review's* model as the quintessential example of problem solving within the established law school institution. That is, it defined the problem (lack of treatment of Latino issues within established mainstream law journals), it developed a solution (created its own law review), and it allowed for continuity (it held on to the idea and made it established tradition while simultaneously paving the way for subsequent Latino specialty journals).

## II. THE HISTORICAL DEVELOPMENTAL IMPORTANCE OF THE LAW REVIEW INSTITUTION

### A. *Early Beginnings*

Contrary to popular belief, the *Harvard Law Review* was not the first student-edited law journal.<sup>11</sup> The first American student-edited law journal to exist was the *Albany Law School Journal* in the year 1875, yet its failure to last more than a year rendered its claim to fame inconsequential.<sup>12</sup> In addition, although the second student-edited legal journal appeared at Columbia Law School under the name of the *Columbia Jurist*, the publication also faltered after only serving a short term of approximately two years.<sup>13</sup> Thus, commentators tend to refer to the *Harvard Law Review* as the first student-edited law review due to its consistent publication schedule since its inauguration in 1887.<sup>14</sup> Consequently, it is widely agreed among the legal com-

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11. Swygert & Bruce, *supra* note 8, at 763-764.

12. FREDERICK C. HICKS, *MATERIALS AND METHODS OF LEGAL RESEARCH* 207 (3d ed. 1942).

13. Swygert & Bruce, *supra* note 8, at 766; HICKS, *supra* note 12, at 207.

14. John J. McKelvey, *The Law School Review: 1887-1937*, 50 HARV. L. REV. 868, 878 (1937).

munity that Harvard Law School began the modern day law review movement.<sup>15</sup>

One of the main factors that contributed to the development of the student-edited legal periodical at Harvard Law School was the presence of the Langdell Society, an informal student club interested in discussing and developing legal topics, mock trials, and legal essays.<sup>16</sup> Looking for a wider and larger audience to voice their scholarly analysis, the Langdell Society established the *Harvard Law Review* to achieve that end.<sup>17</sup> In short, their objectives were modest: “Our object, primarily, is to set forth the work done in the law school with which we are connected . . . to furnish news of interest to those who have studied law . . . and to give, if possible, to all those interested in the subject of legal education, some idea of what is done under the Harvard system of instruction.”<sup>18</sup> Soon after, the *Harvard Law Review* led to the propagation of subsequent law reviews at other American law schools, eventually culminating in the scientificization of legal education.<sup>19</sup> The modest goals of a few students had founded the development of what was to be a powerful legal institution.

#### B. *Initial Judicial Response to the Law Review*

Although students across a wide spectrum of law schools had established their own law reviews, the inception of student-edited law journals as an integral piece of the legal world was not legitimized immediately upon their inauguration. The judiciary was particularly speculative of the weight and credibility that was to be given to respective law journals.<sup>20</sup> Justice Holmes went as far as to proclaim that law review articles were the mere “work of boys.”<sup>21</sup> Nevertheless, law reviews flourished in the nineteenth and early twentieth centuries, playing a significant role in the development of the law.<sup>22</sup>

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15. Reinhard Zimmermann, *Law Reviews: A Foray Through a Strange World*, 47 EMORY L.J. 659, 670 (1998) (describing the movement as “Keeping Up with Harvard”). Fred Rodell, *Goodbye to Law Reviews*, 23 VA. L. REV. 38, 44 (1937).

16. See CENTENNIAL HISTORY, *supra* note 8, at 139; Swygert & Bruce, *supra* note 8, at 770.

17. CENTENNIAL HISTORY, *supra* note 8, at 139; Swygert & Bruce, *supra* note 8, at 770.

18. 1 HARV. L. REV. 35 (1887).

19. Zimmermann, *supra* note 15, at 670.

20. Closen & Dzielak, *supra* note 9, at 25-26.

21. See Charles E. Hughes, *Foreword*, 50 YALE L.J. 737 (1941). Note, the law review as an institution has continued to be inundated with occasional criticism over the past 85 years, yet its legal presence cannot be doubted. For examples of some criticisms see, e.g., James Lindgren, *An Author's Manifesto*, 61 U. CHI. L. REV. 527 (1994) (describing scholarly journals to be “in the hands of incompetents.”); Geoffrey Preckshot, *Comment, All Hail Emperor Law Review: Criticism of the Law Review System and Its Success at Provoking Change*, 55 MO. L. REV. 1005 (1990).

22. Swygert & Bruce, *supra* note 8, at 787.

As early as 1897, the United States Supreme Court began citing to law review articles in its written opinions.<sup>23</sup> As courtrooms on all levels consistently began to refer and cite to law review periodicals, the law review soon solidified itself within the legal climate of the nation. Although law review articles initially did not play a major role in deliberations within the courtroom, the continual reliance of Supreme Court Justices and other judges on such articles, had effectively established them as judicial decision-making stepping-stones by the mid-1920's.<sup>24</sup> In fact, by 1931 Justice Benjamin Cardozo was already characterizing law reviews as "the repositories of much of modern legal scholarship,"<sup>25</sup> urging: "Judges and advocates may not relish the admission, but the sobering truth is that leadership in the march of legal thought has been passing in our day from the benches of the court rooms to the chairs of universities."<sup>26</sup> Through the advent of the law review, legal academia and discourse began to be the regular business of law schools.

### C. *The Purpose and Importance of the Law Review Institution*

Since their creation, law reviews have transformed themselves into an influential medium to effect change within and outside the law. By recognizing and exposing legal problems, law reviews create a space to provide answers through legal scholarship. Through this process, the modern day law review becomes a depository of valuable researchable information, providing guidance and documenting change. However, their purpose is not limited to this unique function. Law reviews help educate future lawyers, law professors, politicians, and judges. In so doing they provide an essential bridge between outgoing legal society (those leaving law school to enter the real world) and incoming legal society (those entering law school to begin their legal indoctrination).

A major objective of the law review institution has been to influence the developmental progress of the law.<sup>27</sup> Interestingly, the articles that tend to have the most dramatic impact on the legal world tend to be those articles that are usually shunned, not read, or not fully appreciated by the respective legal commu-

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23. *Id.* at 788.

24. See generally Douglass B. Maggs, *Concerning the Extent to Which the Law Review Contributes to the Development of the Law*, 3 S. CAL. L. REV. 181 (1930).

25. George J. Thompson et al., *Preface*, in *SELECTED READINGS ON THE LAW OF CONTRACTS V* (George J. Thompson et al., eds., 1931).

26. Benjamin N. Cardozo, *Introduction*, in *SELECTED READINGS ON THE LAW OF CONTRACTS VII, IX* (George J. Thompson et al., eds., 1931).

27. See Michael L. Closen, *A Proposed Code of Professional Responsibility for Law Reviews*, 63 NOTRE DAME L. REV. 55, 55 (1988).

nity.<sup>28</sup> In other words, influential law review pieces are usually not written in proximity to the established legal thought at the time.<sup>29</sup> However, within time, the article's legal argument of theoretical perspective may come to be appreciated and respected as a general accepted legal principle or idea or possibly become a leading treatise. Witness the example of Louis Brandeis' and Samuel Warren's *The Right to Privacy*, published in the *Harvard Law Review* in 1890. What is considered one of the most influential law review pieces of all time was initially not accepted upon being released in the legal community. It was not until fifteen years later, in 1905, that the Georgia Supreme Court recognized a right to privacy and legitimized Brandeis' and Warrens' work.<sup>30</sup>

The law review has also been used as a tool to criticize legislation and the theoretical analysis or holding of particular courts.<sup>31</sup> Through the particular piece, the author is allowed great leeway to explain the problem in detail, dissect its evident flaws, and propose a requisite solution or path to follow. In turn, law practitioners may choose to cite to the particular piece in briefs submitted to courts. The law review piece then becomes recognized and exerts its influence once a court accepts its analysis and either evaluates a legal problem in a different light, overrules a case, or strikes down a pertinent statute.<sup>32</sup> Moreover, this same process applies equally to the impact that law reviews have on legislation. Legislative histories and statutes are riddled with citations to law review articles that speak to their validity.<sup>33</sup> Thus, efforts to change the law by legislators are more often than not directly or indirectly guided by the scholarship of law reviews.

In addition, law reviews play a pivotal role in the development and promulgation of functional research material. They serve as reference material not only for student authors, but also for law professors, law practitioners, and judges. By flushing out the legal arguments, indicating the relevant statutes and codes particular to an area of law, and referencing similar works on given material, law reviews make research more accessible and save the practitioner, law student, or judge, considerable time.<sup>34</sup> More importantly, this allows areas of law to develop rapidly and

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28. See, e.g., William L. Prosser, *Privacy*, 48 CAL. L. REV. 383, 384-85 (1960).

29. *Id.*

30. See *Pavesich v. New England Life Insurance Co.*, 50 S. E. 68 (Ga. 1905); see also Prosser, *supra* note 28, at 386.

31. See Marcia Chambers, *Seems That We All Like a Good List*, 13 NAT'L L. J. 17 (1991).

32. Closen & Dzielak, *supra* note 9, at 23.

33. *Id.*

34. Jordan H. Leibman & James P. White, *How the Student-Edited Law Journals Make Their Publication Decisions*, 39 J. LEGAL EDUC. 387, 397 (1989).

functionally by aiding the dissemination of valuable legal scholarship.

Further, law reviews function as essential training grounds for future law professors, lawyers, and judges.<sup>35</sup> They provide a unique forum where student work and creativity have a direct influence on the law,<sup>36</sup> consequently allowing law students to develop subjects of their interest and further diversifying the study of law. The practicality of exposing law students to the legal profession before graduation is invaluable, as it lays the groundwork for the best education available: education by peers.<sup>37</sup>

#### D. *The Legitimacy of the Law Review Institution*

The emergence of the law review institution was thus a movement for law students to not only involve themselves in legal scholarship, but to also steer the law to avenues not yet directed. It creates a space to develop the study of the law while simultaneously provides an allowance for students to bring cutting legal edge issues to the forefront through sheer collaboration. Moreover, the power to exert direct influences on the law established law reviews as a necessary element of law schools and created a bridge to disseminate information from the chairs of the archetypal law school to the benches of prominent courtrooms and beyond.

### III. THE RISE OF THE LATINO SPECIALTY LAW JOURNAL

#### A. *The Emergence of the Latino Specialty Law Journal*

Although specialty law journals began to appear at the turn of the half-century across vast areas such as environmental law, international law, legislation, interdisciplinary studies, women's issues, and race,<sup>38</sup> little to no analysis of what role specialty journals exert in legal scholarship continues. Scholars have gone as far as to proclaim that, "The sudden, rapid, and widespread increase in the number of specialized law reviews has attracted relatively little scholarly attention even though it is the most

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35. Ronald D. Rotunda, *Law Reviews-The Extreme Centrist Position*, 62 IND. L. J. 1, 4 (1986).

36. Closen, *supra* note 27, at 55.

37. See John T. Noonan Jr., *Keynote Address: Law School & Continuing Legal Education*, 47 STAN. L. REV. 1117, 1117 (1995) (describing law reviews as "the finest example of the energy of our youth culture and the best testimony to the sense of purpose that animates law students and legal education").

38. Bernard J. Hibbitts, *Last Writes? Reassessing the Law Review in the Age of Cyberspace*, 71 N.Y.U. L. REV. 615, 636-68 (1996).

significant development in legal academic publishing in the second half of the twentieth century.”<sup>39</sup>

Within this realm, the Latino specialty law journal arose to address the lack of legal attention on central issues confronting the Latino community.<sup>40</sup> With the recent founding of the most prominent civil rights organization in the Mexican-American community, the Mexican American Legal Defense and Education Fund (MALDEF),<sup>41</sup> and in the midst of the Chicano Movement, Chicano students at the University of California, Los Angeles School of Law took it upon themselves to establish the first law review dedicated particularly to the Latino community.<sup>42</sup> In so doing, they accepted the responsibilities that came along with being the sole legal voice for the Latino community and strived to attain “maturity” and “self-respect” through their scholarship.<sup>43</sup> From the summer of 1972 to the spring of 1983, the “*Chicano Law Review*,” as it was then titled, served as the only student-edited law journal in the nation addressing issues unique to the Chicana/o Latina/o experience.<sup>44</sup>

The *Chicana/o-Latina/o Law Review* is widely regarded as beginning the modern day Latino specialty law journal movement.<sup>45</sup> It sparked the arrival of the *Berkeley La Raza Law Journal* in 1983 and the subsequent creation of Harvard’s *Latino Law Review* and the University of Texas School of Law’s *Hispanic Law Journal of Law & Policy* in 1994.<sup>46</sup> Over a span of twenty-two years, what was once considered a unitary effort became a joint effort of student partnership and law school collaboration in

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39. Tracey E. George & Chris Guthrie, *An Empirical Evaluation of Specialized Law Reviews*, 26 FLA. ST. U. L. REV. 813, 818 (1999) (citing to Mike Antoline, *The New Law Reviews*, 17 STUDENT LAW. 26 (1989); Closen & Dzielak, *supra* note 9, at 15-16; Hibbits, *supra* note 38, at 615; Leibman & White, *supra* note 34, at 388).

40. By “lack of legal attention” the author speaks of the general neglect by American law reviews to focus on Latino issues. Again, the term “Latino specialty law journal” is meant to include the *Chicana/o-Latina/o Law Review*, *Berkeley’s La Raza Law Journal*, the *Harvard Latino Law Review*, and the *Texas Hispanic Journal of Law & Policy*. The creation of these journals was both specific and broad: specific in that they sought to respond to the systematic neglect of Latino issues at their respective law schools and broad in that they sought to counter the general neglect of Latino issues in the legal profession.

41. Mexican American Legal Defense and Education Fund, <http://www.maldef.org/about/index.htm> (last visited May 5, 2008).

42. *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008).

43. Leo Salazar, Forward, 1 CHICANO L. REV. i, (1972).

44. *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/past-issues.htm> (last visited May 5, 2008).

45. See generally *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008).

46. See generally *La Raza Law Journal*, <http://www.boalt.org/LRLJ/> (last visited May 5, 2008); *Harvard Latino Law Review*, <http://www.law.harvard.edu/students/orgs/llr/> (last visited May 5, 2008); *Texas Hispanic Journal of Law & Policy*, <http://www.utexas.edu/law/journals/thjlp/> (last visited May 5, 2008).

dedicating a commitment to the development of Latinos and the law. Rather than participate in exclusivity, the journals were to build off the efforts of one another both scholastically and administratively. This realization was key, as it allowed students at four different law schools and geographical regions to build off the efforts of each other's scholarship.

B. *Redefining the Law Review Institution to Fit the Latino Identity*

Through their creation, Latino specialty law journals sought to redefine the classical "law review" into an institution that recognized their individual and collective cultural identity. Although some may argue that the specialized journal came about only to provide an outlet for poor scholarship, most specialty journals arose to contribute something unavailable in general law reviews.<sup>47</sup> This is particularly the case with Latino law students, who before the inception of Latino law journals, had witnessed the overt non-existence of Latino issues and scholarship in general law reviews. Thus, by creating Latino specialty law journals, Latino law students began to assert their rising presence in American law schools by aligning themselves with American legal scholarship.

C. *Making What is Theirs Ours*

Creation of the Latino specialty law journal was not an effort to assimilate into the legal scholarship culture of American law schools. Rather, it was an effort to appropriate a foundational law school principle by remaking it into something that was not only worthy of legal scholarship in law schools, but also practical for the advancement of the Latino population under the guise of the law. Complete assimilation into the law school law review experience meant finding a space within an exclusive community that often shunned and doubted the importance of groundbreaking changes in the law which affected Latinos.<sup>48</sup> Backed with such motivations, Latino law students found it essential to establish their own law review and determine for themselves changes in the law they found relevant to the progress of the Latino experience.

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47. See generally Arthur S. Miller, *A Modest Proposal for Changing Law Review Formats*, 8 J. LEGAL EDUC. 89, 89 (1955) (criticizing the "monotonous uniformity" of law reviews).

48. See George A. Martinez, *Latinos, Assimilation, and the Law: A Philosophical Perspective*, 20 CHICANO-LATINO L. REV. 33 (1999) (warning about the dangers of using the law to "foster a homogeneous people" and "forcing Latinos and other minorities into homogeneous mold that is not true to their distinctive cultures").

Additionally, Latino law students adhered to Hibbitts' vision wondering "why, if law review experience was so pedagogically and professionally valuable, it should be limited to that small number of law school students who received high first-year grades."<sup>49</sup> Establishment of a Latino law review meant providing a larger space for students who wanted to reap the benefits of participating in a quintessential law school experience. At the same time, creating their own journal allowed Latinos to adhere to the concept of self-determination, as they were frustrated with the idea of generalist law reviews having the sole power to determine what was and what was not worthy of legal scholarship. If such were the practice, Latino legal scholarship would not be where it is at today.

#### D. *Providing A Forum for Latino Legal Scholarship*

One of the key aspects of student-edited law journals is their ability to further student and faculty collaboration.<sup>50</sup> With the advent of Latino specialty law journals came the rising presence of Latino student written work and Latino legal scholarship. Incidentally, collaboration between Latino professors and other scholars interested in writing about the Latino experience in respect with the changing legal climate, fostered collaboration between law students and legal professionals.

The creation of the Latino specialty law journal created a window of opportunity for Latino legal scholars who had a difficult time finding a place for their articles.<sup>51</sup> With the tendency of generalist law reviews to be more concerned with changes in the black letter law, the inauguration of such a journal allowed Latino legal issues to be brought out of their obscurity. In addition, by creating such a particularized journal, Latino students built a reference source for future practitioners who would one day decide to concentrate their legal scholarship on this particular area of law.<sup>52</sup> For law professors on the tenure track, and other practitioners looking to further their careers and influence in the Latino community, the birth of the Latino specialty law journal increased the space available for their much needed legal analysis.<sup>53</sup>

Latino specialty law journals also increased and furthered the demand for Latino student written work. They fostered col-

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49. Hibbitts, *supra* note 38, at 635.

50. Noonan, *supra* note 37, at 1117.

51. See generally Jean Stefanic, *The Law Review Symposium Issue: Community of Meaning or Reinscription of Hierarchy?*, 63 U. COLO. L. REV. 651, 655 (1992).

52. See generally Closten & Dzielak, *supra* note 9, at 39.

53. See generally *id.* at 40 (speaking of the role of specialty journals in increasing the space for authors to find a "home" for their articles).

laboration amongst Latino law school peers by allowing them a space to pursue their own scholarship and further each other's work. By exposing them to the law review process and bringing them together in single space, it allowed them the opportunity to pursue serious work while simultaneously enabling them to witness each other's creativity.<sup>54</sup> Thus, the Latino specialty law journal provided a haven from the archetypal law school propaganda that consistently discredited the durability and worthiness of such scholarship.<sup>55</sup>

Further, the rise of the modern day Latino specialty law journal provided an essential link to foster collaboration between Latino legal professionals and Latino law students. Not only did it help strengthen Latino student-professional ties, it also enabled them to work together towards exposing cutting-edge legal issues and problems confronting the Latino community. In so doing, the Latino specialty law journal connected the future legal minds to those of the present, creating a symbiotic relationship of training and development.

#### E. *A Colloquium of Ideas*

The inauguration of the Latino specialty law review also functioned as a medium to express political activism. Like many other specialty law journals, the Latino specialty law journal departed from "the intellectual pretense of false neutrality" of traditional law reviews.<sup>56</sup> In an era where Latino legal issues and problems were underrepresented, law students found it essential to create a politically charged medium to respond to mainstream law reviews who seemed to have forgotten them. Thus, the rise of the Latino specialty law review was also a political response to the undeserving treatment of such issues as affirmative action, education, Spanish and Mexican land grants, environmental justice, language rights, and immigration reform.<sup>57</sup> The Latino specialty law journal was to be a colloquium of ideas important to the Latino community.

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54. See Noonan, *supra* note 37, at 1117 (describing law reviews as "symbols of seriousness and centers of creativity").

55. Richard Delgado, *The Imperial Scholar: Reflections on a Review of Civil Rights Literature*, 132 U. PA. L. REV. 561 (1984) (noting the scarcity of critical scholarship by minorities published and cited in major generalist law reviews).

56. See Mike Antoine, *The New Law Reviews: A Burst of Specialty Alternatives*, 47 STAN. L. REV. 1131, 1133 (1989).

57. Chicana/o-Latina/o Law Review, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008).

## F. *The Dissemination of Valuable Latino Information*

The rise of the Latino specialty law review also functioned as a vehicle to further circulate knowledge about Latinos in general. From its initial creation, the Latino specialty law review did not tie itself to the exclusivity of generalist law reviews and embraced alternative scholarly projects and knowledge. Thus, early in its years it widely accepted speeches, notes, and other non-traditional forms of law review scholarly publications.<sup>58</sup> This non-exclusive practice not only helped disseminate valuable information about Latino legal issues, it also legitimized the Latino race as contributors to the law profession. Consequently, the Latino specialty law review is essential because it “helps make Latinos matter,”<sup>59</sup> and counteracts negative stereotypes of Latinos in the legal culture and the surrounding external world.

## G. *Problem Solving at Its Finest*

### 1. *Influencing the Development of the Law*

Before the rise of the Latino specialty law review, the development of legal analysis concerning Latinos at the law school level was slow and underrepresented. Student authors, law practitioners, and law professors had to appeal to “the hierarchy of generalist law review staffs and their editorial policies.”<sup>60</sup> Thus, in order for a scholarly Latino law article to be published, the author had to appeal to the law review and its guidelines before even getting the opportunity to speak about legal matters concerning the Latino race. More than often, in order to do this, the author was required to either tone down the political activism or “ethnic-ness” behind the article in order to be considered for publication.<sup>61</sup> This discouraged Latino legal scholarship and difused its centrality.<sup>62</sup>

By creating a journal specifically dealing with the Latino community’s intersection with the law and social policy, Latino students eliminated many of the problems that existed in appealing to generalist law reviews. Authors no longer have to worry about decreasing the political outlook behind their particular

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58. Chicana/o-Latina/o Law Review, <http://www.law.ucla.edu/ellr/past-issues.htm#> (last visited May 5, 2008).

59. Lopez, *supra* note 10, at 413, (1998) (advocating for Latinos who choose to “create and circulate knowledge about Latinos”).

60. See George & Guthrie, *supra* note 39, at 821.

61. See Laura M. Padilla, *Social and Legal Repercussions of Latinos’ Colonized Mentality*, 53 U. MIAMI L. REV. 769, 784-785 (1999) (warning about the dangers of adopting a “colonized mentality” and “internalizing negative self-perceptions” and vouching for creating “a positive Latino identity which will have a multiplier effect” and allow for a “stronger and more unified community”).

62. See generally *id.*

piece, or making it unduly “ethnic.” Such “watered-down” pieces are no longer a requirement for obtaining a publication offer from a law review institution. Moreover, Latino specialty law journals did not eliminate the possibility to continue to publish with generalist law reviews, as that option is always available for Latino authors who wish to take that route. The Latino specialty law review simply developed an outlet for the creative and empowered Latino spirit.

Further, by establishing a specialized law review at law school institutions, future Latino practitioners, law professors, politicians, and judges were given the opportunity to participate in the production of a substantive area of law.<sup>63</sup> Like many of their law school counterparts at other journals, they could now exert a direct influence on the law without necessarily losing their individual identity. Such “process of self definition” is key to the young Latino law student, because by “not creat[ing] positive images, [Latinos] leave a void which others can fill with distorted images of what a Latino is or is not.”<sup>64</sup> Thus, the presence of a Latino specialty law journal encouraged and embraced the Latino legal scholastic outlook without compromising individual identity.

## 2. *A Tool to Criticize the Pecking Order*

Like generalist law reviews, the Latino specialty law journal created an avenue to criticize legislation, social policy, and the theoretical analysis or holding of particular courts.<sup>65</sup> However, by distinguishing itself as a specialized Latino journal, it allowed for such criticisms on a more concentrated and individual level by holding itself out as particularly looking out for the respective Latino community.<sup>66</sup> Thus, the journal as a whole created a framework to criticize, attack, or defend against politically unpopular decisions threatening the Latino community in areas such as immigration, education, language rights, and various other politically charged areas.<sup>67</sup> At the same time, the journal provided an essential forum to advance solutions to ongoing legal problems. Lastly, the journal also provided a space to ana-

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63. See generally George & Guthrie, *supra* note 39, at 821.

64. Padilla, *supra* note 61, at 784.

65. See Chambers, *supra* note 31, at 17.

66. Chicana/o-Latina/o Law Review, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008); La Raza Law Journal, <http://www.boalt.org/LRLJ/> (last visited May 5, 2008); Harvard Latino Law Review, <http://www.law.harvard.edu/students/orgs/lrr/> (last visited May 5, 2008); Texas Hispanic Journal of Law & Policy, <http://www.utexas.edu/law/journals/thjlp/> (last visited May 5, 2008).

67. See Kevin R. Johnson, *Speech: On the 30th Anniversary of the Chicano-Latino Law Review*, 23 CHICANO-LATINO L. REV. 1, 3-4 (2002).

lyze the progress of racial concerns dealing with complex issues such as identity, gender, and activism.<sup>68</sup>

### 3. *The Vast Creation of Reference Material*

The Latino specialty law review also allowed for the vast creation of rich reference material across law school campuses.<sup>69</sup> Before their inception, authors who desired to research an area of particular concern to the Latino community were forced to search all generalist law reviews in hopes of finding legal articles that dealt with their specific subject or topic. Although the process was feasible, it was burdensome and time consuming. With the advent of the Latino specialty law review came inevitable repositories of Latino scholarship and research that introduce legal issues, develop legal arguments, and reference other relevant material. The countless volumes produced at various law schools provide a rich source to begin, continue, and further Latino legal scholarship.

### 4. *Building Essential Training Grounds*

Before the inauguration of the Latino specialty law review, many Latinos were not allowed to participate in the law review experience due to the exclusivity of generalist law reviews. Such exclusivity hurt the promulgation of Latino student-written scholarship and research, in turn affecting Latino legal scholarship in the law profession. By building their own law review, Latinos asserted their right to engage in the pedagogical and professionally valuable practice that is the modern day law review.<sup>70</sup> Further, creating such an entity provided necessary training grounds for future law professors, lawyers, judges, politicians, and activists. Thus, amidst scholarly pursuits, student collaboration in these law journals would later foster lasting relationships among similarly motivated individuals.

## IV. THE CHICANA/O-LATINA/O LAW REVIEW

### A. *Bridging the Gap Between the Latino Community & Latinos in Law School*

The rise of the *Chicana/o-Latina/o Law Review* was an essential ingredient in order to incorporate the problems of the Latino community into the traditional law school environment. Upon its inauguration, the editors at the time made a conscious

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68. *Id.* at 4.

69. *See generally* Closen & Dzielak, *supra* note 9, at 23 (speaking to the functionalism of law reviews in making research more accessible and expansive).

70. *See generally* Hibbitts, *supra* note 38, at 635.

decision to accept the burden of voicing the plight of the Latino struggle and sponsoring change through a powerful scholastic medium. Their dedication and vision in creating such an avenue of scholarship helped in bridging the gap that exists between the widespread Latino community and Latinos in pursuit of a legal education.

For example, the *Chicana/o-Latina/o Law Review* has opened up the doors for the discussion of valuable legal scholarship by hosting symposia and colloquia to bring together students, professors, practitioners, politicians, and judges along with activists and other community members to discuss current issues affecting the Latino community.<sup>71</sup> Over the years notable symposia have included such politically charged areas as Proposition 209, affirmative action, and hate crimes.<sup>72</sup> These events function as outlets for the production of knowledge and also create opportunities to learn about critical issues and discussions undergoing the current legal climate. By allowing for such discussions, the *Chicana/o-Latina/o Law Review* fosters an open climate of scholarship and debate, an aspect that helps counter the “exclusivity” that is often attributed to American law schools.

## B. *Addressing Cutting-Edge Legal Issues*

The *Chicana/o-Latina/o Law Review* has succeeded in bringing cutting-edge legal issues to the forefront and redefining the worthiness of Latino legal issues and scholarship. Since its inauguration, it has made it a priority to address and discuss affirmative action and education, language rights, immigration reform, race and identity, and equal protection.

### 1. *Affirmative Action and Education*

The existence of the *Chicana/o-Latina/o Law Review* owes its presence in part to affirmative action and the growing number of Chicanos and Latinos at UCLA School of Law.<sup>73</sup> Its volumes and articles are flooded with scholarly treatment of the importance of securing a diverse student body as essential to provide access to America’s law schools for all races and creeds. For example, as early as in Volume 5, the *Chicana/o-Latina/o Law Review* began to feature articles showcasing the struggle of minority admissions at UCLA School of Law<sup>74</sup> and documenting the ensu-

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71. *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/symposia.htm> (last visited May 5, 2008).

72. *Id.*

73. Johnson, *supra* note 67, at 4.

74. See Rogelio Flores, *The Struggle of Minority Admissions: The UCLA Experience*, 5 CHICANO L. REV. 1 (1982).

ing "Strike of 1978." In addition, in Volume 7, an article published under the title of *The Poverty of Theory and Practice in Public Law School Affirmative Action Programs*, documented the irony of the fact that private law schools could do sufficiently more than public law schools in their efforts to admit a diverse student body.<sup>75</sup> Further, in Volume 9, the *Chicana/o-Latina/o Law Review* published adamant speeches delivered at student protests at UCLA School of Law in response to changes in the school's policy in the role students would play in the admissions process.<sup>76</sup> Among the speakers in attendance at the 1988 protest was Cesar Chavez, prominent U.S. labor and civil rights leader and President of the United Farm Workers, who urged: "*Estamos con ustedes porque su causa es justa*" ("We are here with you because your cause is just").<sup>77</sup>

The *Chicana/o-Latina/o Law Review* has cautiously watched admissions policies at UCLA School of Law and other law schools in order to increase the presence of a diverse student body; since the modern day law school is thought to be one of the pinnacles of American scholarship, its efforts to ensure that all races and creeds have an equal opportunity to such an education is worthy and just. Since its inauguration the *Chicana/o-Latina/o Law Review* has been a constant reminder to American law schools of their obligation to serve the diverse population of the United States.<sup>78</sup>

## 2. Language Rights

The *Chicana/o-Latina/o Law Review* has vigilantly followed the promulgation of English-Only legislation and the use of language based discrimination.<sup>79</sup> Volume 11 features a series of articles that document the threat to language rights spawned by the English-Only movement. For example, in the capacity of that volume, the *Chicana/o-Latina/o Law Review* published *The Shame of Spanish: Cultural Bias in English First Legislation*, which uncovered the English-Only movement as being solely

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75. Keith H. Borjon, Comment, *The Poverty of Theory and Practice in Public Law School Affirmative Action Programs*, 7 CHICANO L. REV. 60 (1984).

76. *UCLA Law School's Faltering Commitment to the Latino Community: The New Admissions Process*, 9 CHICANO L. REV. 73 (1988).

77. See *id.* at 84.

78. See Johnson, *supra* note 67, at 6.

79. See Wendy Olson, *The Shame of Spanish: Cultural Bias in English First Legislation*, 11 CHICANO-LATINO L. REV. 1 (1991); Hiram Puig-Lugo, *Freedom to Speak One Language: Free Speech and the English Language Amendment*, 11 CHICANO-LATINO L. REV. 35 (1991); Michael M. Pacheco, *Does My Spanish Bother You - Language Based Discrimination as a Pretext for National Origin Discrimination*, 11 CHICANO-LATINO L. REV. 53 (1991); Leo Johnathan Romas, Comment, *English First Legislation: Potential National Origin Discrimination*, 11 CHICANO-LATINO L. REV. 77 (1991).

about the supremacy of culture, heritage, and language.<sup>80</sup> By documenting cases like *Gutierrez v. Municipal Ct. of S.E. Judicial Dist.*,<sup>81</sup> the article warned that such a movement directly made Spanish culture “inferior” and argued that such an injury was protected through the equal protection clause and the right to privacy in the United States Constitution.

Moreover, in that same volume, the *Chicana/o-Latina/o Law Review* published *Freedom to Speak One Language: Free Speech and the English Language Amendment*<sup>82</sup> and *Does My Spanish Bother You - Language Based Discrimination as a Pretext for National Origin Discrimination*,<sup>83</sup> both articles urging the necessity of protecting language rights in order to prevent discrimination upon the basis of national origin. Till this day, the *Chicana/o-Latina/o Law Review* continues to publish scholarly work that documents the struggle of language rights. Such an area is important to the Latino community, because curtailing such an inherent right would evidently lead to discrimination, strife, and social alienation.<sup>84</sup>

### 3. Immigration Reform

Race and its intersection with immigration law has been one of the most featured themes in articles published by the *Chicana/o-Latina/o Law Review*. Before immigration law scholars began to factor race into their analysis of immigration policies and reform, the *Chicana/o-Latina/o Law Review* published various articles analyzing the intersection of immigration law and the Latino experience.<sup>85</sup> As early as in 1975, the *Chicana/o-Latina/o Law Review* published an entire volume dedicated to this important subject.<sup>86</sup> The journal has been expansive in its treatment of immigration reform, from publishing material criticizing the discriminatory effect of the Immigration Reform and Control Act

80. Olson, *supra* note 79.

81. 838 F.2d 1031 (9th Cir. 1988) (Where a bilingual clerk in a Southern California municipal court successfully challenged a rule that forbade employees to speak any language other than English, except when acting as translators. The Ninth Circuit held that the English-Only rule was a violation of employee rights under Title VII's prohibition of employment discrimination on account of national origin).

82. Puig-Lugo, *supra* note 79.

83. Pacheco, *supra* note 79.

84. Puig-Lugo, *supra* note 79, at 36.

85. See generally George A. Martinez, *Race and Immigration Law: A Paradigm Shift*, 2000 U. ILL. L. REV. 517, 517-681 (2000).

86. See Michael Asimow, *Estoppel against the Government: The Immigration and Naturalization Service*, 2 CHICANO L. REV. (1975); Ronald Bonaparte, *Rodino Bill: An Example of Prejudice Towards Mexican Immigration to the United States*, 2 CHICANO L. REV. (1975); David Aberson, *Information Gathering Methods in Immigration and Naturalization Service Proceedings*, 2 CHICANO L. REV. (1975); Gilberto Cardenas, *United States Immigration Policy toward Mexico: An Historical Perspective*, 2 CHICANO L. REV. (1975).

of 1986<sup>87</sup> to putting forth articles voicing the centrality of naturalization and its effects on Latino empowerment.<sup>88</sup> With the growing presence of Latinos in the United States and the relative importance of such a topic, immigration reform promises to be an area of law that will continue to merit treatment in the pages and volumes of the *Chicana/o-Latina/o Law Review*.

#### 4. Race and Ethnicity

The *Chicana/o-Latina/o Law Review* has also been keen in examining the Latino identity. The very first issue included an article lamenting negative portrayals of Mexican-Americans in the media,<sup>89</sup> and various issues since then have documented this recurring problem in the Latino community. The *Chicana/o-Latina/o Law Review's* commitment to the issue of identity has been so concentrated, that it has contributed significantly to the emergence of LatCrit Theory.<sup>90</sup> Volume 19's symposium on *Difference, Solidarity and Law: Building Latina/o Communities Through LatCrit Theory*,<sup>91</sup> was dedicated exclusively to further the development of such an important area. The study of race, ethnicity, and Latino identity continues to be a crucial area of legal scholarly analysis because doing so will not only help Latinos to better define and understand themselves, it will also ensure against adopting "a colonized mentality [by] internalizing negative self-perceptions."<sup>92</sup> In their place, Latinos themselves have the ability to redefine and recreate their identity. The *Chicana/o-Latina/o Law Review* is one of the many outlets to seek that re-creation and redefinition.

#### 5. Equal Protection

Over the years, the *Chicana/o-Latina/o Law Review* has been an informative avenue in the subject area of equal protection. Not only has the journal documented and commemorated landmark cases; it has also functioned as an informative medium

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87. Mabel Aguilar, *The Discriminatory Impact of the Immigration Reform and Control Act of 1986*, 10 CHICANO L. REV. 14 (1990); Steve Sosa, *An Introduction to Search and Seizure Under the Immigration Reform and Control Act of 1986*, 10 CHICANO L. REV. 33 (1990).

88. Harry Pachon, *Naturalization and its Effects on Latino Empowerment*, 14 CHICANO-LATINO L. REV. 86 (1994).

89. Obledo, *supra* note 3, at 86 (describing the prejudice in characterizing Chicanos in the media as "lazy, slovenly morons").

90. See THE LATINO/A CONDITION: A CRITICAL READER (Richard Delgado & Jean Stefancic eds., 1998).

91. *Difference, Solidarity and Law: Building Latina/o Communities Through LatCrit Theory*, 19 CHICANO-LATINO L. REV. 1 (1998).

92. Padilla, *supra* note 61, at 784 (vouching for concentrating less on defensive posturing reacting to racist behavior and more on building positive images to recreate and redefine the Latino identity).

to educate current Latino students on decisions not usually discussed inside the typical law school classroom. For example, Volume 25 commemorated the 50th anniversary of *Hernandez v. Texas*, arguably one of the most important landmark civil rights cases for the Latino community.<sup>93</sup> Although *Hernandez* is one of the foundational cases in the development of Latino legal studies, most Latino students in law school have not heard of or studied the case in their capacity as law students.<sup>94</sup> While America as a whole is very aware of the *Brown v. Board* decision and has assessed its crucial impact, the same cannot be said of *Hernandez*.<sup>95</sup> Because of this reality, the *Chicana/o-Latina/o Law Review* commemorated the groundbreaking *Hernandez* decision and held the first major scholarly discussion devoted to this dramatic case.<sup>96</sup>

Thus, the *Chicana/o-Latina/o Law Review* functions as an important medium to educate current law students and to create a place of discussion that is not available within the confines of the archetypal law school classroom. Not only does it supplement the education Latinos receive in law school, it also enables them to become effective advocates by empowering them with an avenue to voice their desires.

### C. *The Quintessential Example of Problem Solving*

The birth and rise of the *Chicana/o-Latina/o Law Review* is the quintessential example of problem solving within the established law school institution. The journal defined the problem, developed an adequate solution, and allowed for continuity. In so doing, the journal began a wave of legal scholarship that is irreversible.

#### 1. *Defining the Problem*

The lack of treatment of Latino issues within established mainstream law journals is unquestionably the main reason the *Chicana/o-Latina/o Law Review* came to fruition. With the increasing presence of Latinos in law schools came the increasing

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93. 347 U.S. 475 (1954) (A Supreme Court case challenging the jury selection practices of Jackson County, Texas, where a Mexican American had not been allowed on a jury for more than 25 years and where the Court decided that Mexican Americans and all other racial groups in the United States had equal protection under the 14th Amendment to the U.S. Constitution).

94. In fact, the author denotes that he is one of these students. Had it not been for his involvement in the *Chicana/o-Latina/o Law Review*, the case would have never been brought to his attention in his capacity as a law student.

95. Michael A. Olivas, Foreword, *Commemorating the 50th Anniversary of Hernandez v. Texas*, 25 CHICANO-LATINO L. REV. 7 (2005) (Olivas refers to the case as "symbolizing the beginning of Mexican American lawyering").

96. *Id.*

realization of the absence of treatment of issues directly relevant to their respective community. Thus, like the members of the Langdell Society, who sought a wider and larger audience to voice their scholarly analysis,<sup>97</sup> the founders of the *Chicana/o-Latina/o Law Review*, backed by the recent wave of *Chicanismo* that was exemplified in the Chicano Movement, looked for an avenue to share and develop Latino legal analysis. However, the founders of the *Chicana/o-Latina/o Law Review* had a particular purpose, as they sought to develop an avenue of scholarship available to others but unavailable to them. Thus, the founders of the *Chicana/o-Latina/o Law Review* were righteous in their pursuit to create their own journal rather than succumbing to the alternate decision to attempt to publish their work in generalist law reviews. Such a path would have been slow and would have diluted Latino legal scholarship. Moreover, such a path would have eliminated the opportunity to participate in the law review process for many Latino students.

More than often, how a problem is first represented to others has major effects on the results. The journal was inaugurated as the *Chicano Law Review*, changed to the *Chicano-Latino Law Review*, and subsequently modified to be the *Chicana/o-Latina/o Law Review*. Such changes acknowledged the major shift in the Latino population undergoing the United States and recognized the female gender. By changing the name of the review, the Latino students at UCLA School of Law acknowledged the commonalities inherent in the Latino experience under the law's guise.<sup>98</sup>

## 2. *Developing an Adequate Solution*

The development of the *Chicana/o-Latina/o Law Review* was not only an adequate solution; it was a novel one. While it may be true that scholarship in generalist law reviews is looked upon as being more commendable and respected by the law profession,<sup>99</sup> the *Chicana/o-Latina/o Law Review's* primary purpose was to further the development of Latino legal issues and scholarship. Its impact on the development of law has been notable, as the United States Court of Appeals for the Ninth Circuit, United States District Court for the Middle District of Pennsylvania, Nevada Supreme Court and New Jersey Superior Court

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97. CENTENNIAL HISTORY, *supra* note 8, at 139; Swygert & Bruce, *supra* note 8, at 770.

98. See Kevin Johnson, *Some Thoughts on the Future of Latino Legal Scholarship*, 2 HARV. LATINO LAW REV. 101, 117-129 (1997).

99. See generally E. Joshua Rosenkranz, *Law Review's Empire*, 39 HASTINGS L. J. 859, 914-16 (noting that secondary law reviews have credential value, but also acknowledging that the credential value of generalist review membership is greater).

have all cited the review as persuasive authority.<sup>100</sup> Moreover, service in a Latino specialty journal, such as the *Chicana/o-Latina/o Law Review*, is not to be undermined. Besides providing essential training grounds for future scholars and professionals, participation in such journals also has positive credential value.<sup>101</sup>

### 3. *Allowing for Continuity*

The *Chicana/o-Latina/o Law Review* model has provided for continuity in unprecedented ways. It has stayed true to its original model of promoting Latino scholarship and bringing Latino issues to the forefront while simultaneously laying the groundwork for the birth of subsequent Latino specialty journals. Thus, its original idea was not limited to its own vision. Rather, it was expansive to include future generations of Latino law students not only at UCLA, but also at other schools. The fact that other Latino specialty law reviews have modeled their mandate after the *Chicana/o-Latina/o Law Review's* model speaks to the well-structured foundation of the journal and its underlying ideas. That said, it is unassuming to proclaim that the journal is a quintessential example of the problem solving capabilities of the Latino law student vision.

## V. CONCLUSION

The hardships that entail being a specialized ethnic law journal are many, yet the *Chicana/o-Latina/o Law Review* is still in existence. The journal is witness to the importance of the law review institution as a transformative tool to critique and develop legal jurisprudence. Over the decades, the commitment by its dedicated members has allowed the journal to thrive and find acceptance in the legal community. Till this day, the *Chicana/o-Latina/o Law Review* continues to live up to its 1972 mandate, existing in a period of regression, amidst shrinking numbers of Latino students in American law schools. Nevertheless, it was the first of the law journals to visualize Latinos in the forefront and it continues to adhere to such vision through the weary eyes of Latino law students and their concern over asserting their present and future selves in the law. It has been said that Harvard Law School is "one of the Grand Princes of American legal

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100. *Chicana/o-Latina/o Law Review*, <http://www.law.ucla.edu/cllr/> (last visited May 5, 2008).

101. Max Stier et al., *Law Review Usage and Suggestions for Improvement: A Survey of Attorneys, Professors, and Judges*, 44 STAN. L. REV. 1467, 1488 (1992) (revealing in their survey of attorneys, professors, and judges that service on a secondary review "was considered a somewhat positive factor for an applicant").

scholarship,”<sup>102</sup> with that in mind, it is unassuming to declare that the University of California, Los Angeles School of Law is “one of the *Gran Príncipes*<sup>103</sup> of Latino legal scholarship.”

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102. Zimmermann, *supra* note 15, at 664.

103. Denotes the Spanish translation of “Grand Princes.”

