

FOREWORD

Political polarization is a defining quality of early 21st century American life. A recent year-long study by the Pew Research Center noted that the ideological divide between Democrats and Republicans is larger than at any point in recent history.¹ Major hot-button issues have reemerged with vigor in the American political climate during this election year. As a consequence of the vast ideological divide, partisan antipathy has produced political gridlock and posed new challenges for progressive activism. Income and educational disparities, LGBTIQ rights, racial justice, criminal justice reform, and immigration represent just a few of the areas facing increased pushback in this politically divisive era.² All the while, marginalized communities continue to move forward under social injustice and inequitable distribution of resources and power.

The Chicana/o-Latina/o Law Review (“CLLR”) selected to confront several of these issues head on in Volume 34. In selecting works to be published for this volume, CLLR hoped to promote critical and nuanced perspectives from scholars dedicated to rights expansion for Chicana and Latina communities, as well as other communities of color. Beyond this goal, however, the articles also reflect good-faith efforts to push through ideological divides to arrive at rational and thoughtful legal and policy alternatives. These alternatives balance interests of the state in regulating immigration and providing education to all students with those of communities directly affected by the outdated and unjust legal status quo.

As an interdisciplinary journal, we are pleased to publish the work of Francesca López, PH.D., an associate professor in the Educational Policy Studies and Practice department at the University of Arizona. Her work explores the intersection of civil rights and education policy for the Tucson Unified School District. Attempts to implement federally mandated segregation in Tucson following *Brown I* and *Brown II*

¹ See Pew Research Center, *Political Polarization in the American Public: How Increasing Ideological Uniformity and Partisan Antipathy Affect Politics, Compromise, and Everyday Life*, [people-press.org](http://www.people-press.org) (June 12, 2014), <http://www.people-press.org/2014/06/12/political-polarization-in-the-american-public/>.

² See *Fisher v. U. of Texas*, No. 14- 981 (June 23, 2016); *U.S. v. Texas*, No. 15- 674 (June 23, 2016); *Dollar General v. Mississippi Band of Choctaw Indians*, No. 13- 1496 (June 23, 2016); *Whole Woman’s Health v. Hellerstedt*, No. 15- 274 (June 27, 2016).

has created unique challenges for the Latino student majority districts. López's work reminds us to remain critical of policies aimed at remedying structural discrimination in our nation's schools through archaic and binary definitions of desegregation and proposes strategies to promote the spirit of *Brown I* through a more nuanced reconceptualization of desegregation, one aimed at expanding educational opportunity for students of color in minority-majority districts.

Acknowledging the need for thorough critical legal analysis, we offer Lucy Y. Twimasi's article which focuses on the issues immigration judges, attorneys and families in immigration removal proceedings confront due, in part, to Congress' failure to offer consistent guidance for those seeking a common form of removal relief, cancellation of removal for non-lawful permanent residents. By analyzing the historical underpinnings and policy objectives of the evolving "exceptional and extremely unusual hardship" standard for cancellation of removal in the Immigration and Nationality Act ("INA"), Twimasi sheds light upon the need for greater interpretive measures that produce more consistent and just outcomes that are congruent with emerging U.S. immigration policy.

Finally, as a student-run journal dedicated to publishing student work, we are pleased to publish the work of Alexander Holtzman, a law and public policy student, whose background as a community organizer has greatly informed his scholarship and will continue to shape his work as an immigrant rights' advocate. His article provides a blueprint for bringing together allies from various fields of expertise and interest areas to build an effective coalition for passing comprehensive immigration reform. Holtzman grounds his strategy in research developed during advocacy efforts for the enactment of the Americans with Disabilities Act, a momentous win for the disability rights movement that garnered exceptional bipartisan support.

In addition to publishing Volume 34 this year, CLLR is proud to have hosted our annual conference. On April 7, 2016, CLLR staff and editors welcomed six practitioners from the immigrant's rights community and featured author, Alexander Holtzman, to UCLA Law for our conference entitled, *Joining Voices: Cultivating Alliances in the Fight for Immigration Reform*. The event served as an opportunity to discuss how coalitions can be informed by legal scholarship and implemented to push for immigration policy reform at the local, state and national levels. In maintaining our character as student-centered and student-led

publication, we involved UCLA Law students directly in these discussions through breakout groups and presentations, further providing an experiential component to one of this volume's published works. CLLR is infinitely grateful to Mr. Holtzman, other distinguished guests, our financial supporters, journal staff and other allies who collectively made this event possible.

This volume represents a step towards challenging the dominant dialogues being held in our country's political and community forums, as well as at the inter-personal level. We at CLLR hope to reframe some of our country's divisive issues to promote approaches to legal reform that unite those willing to look beyond ideological silos to address the problems threatening not only our nation's humanity and historical legacy, but more importantly our families and communities.

In Solidarity,
Rocio La Rosa & Natalie Petrucci

