

EDITORIAL

THE FAILURE OF AMERICA to live up to its oft-expounded principles of democracy, gave rise during the sixties to a morass of protest by blacks frustrated by social injustices. The decade spawned such great men as Malcolm X, Dr. Martin Luther King, Jr., and others too numerous to mention. And yet, due to the conflicting ideologies of numerous splinter groups vying for power, the progress of black people has been slight. The movement slowed and became bogged down by rhetoric without action.

The 70's must produce its own responses to Americas' continued failure to meet the economic and social needs of blacks. Rhetoric must be replaced by action. Deeds, not words, must be our battle cry!

The gulf between the races is sustained by the use of law as a weapon to further the interests of white power and hinder the potential for black power.

In the summer of 1970, five black law students and two black law professors at the UCLA School of Law started the BLACK LAW JOURNAL. We were dedicated to producing a publication which presented an objective view of the impact of law on black people. True to our philosophy, the JOURNAL represents a vast departure from the traditional academic treatment of legal issues generally concerned with whites.

Focusing on the challenges of the 70's, the JOURNAL will keep before the public articles and ideas on areas of the law affecting black people and offering guidelines for action as well. More importantly, the JOURNAL will seek to inform and motivate those "doers" in the black community whose actions affect the daily lives of black people. These include lawyers, social workers, doctors, teachers, public officials, and others committed to social justice. All will benefit in their work by greater knowledge of proposed legislation and existing laws concerning black people.

To our knowledge, the JOURNAL will be the first of its kind. Significantly, it will serve as a forum for a new breed of concerned and knowledgeable individuals, prepared to share their knowledge with those prepared to act in the community's self interest. Emphasis will be on such practical problems as bail reform, housing, education, and welfare. The JOURNAL will provide a mechanism for information and idea sharing by attorneys and non-attorneys alike. Hopefully, this will provide the much-needed impetus for action which must greatly distinguish the focus of black people in the 70's from earlier times of problem analysis and debate.

It is not the intention of the Board of Editors of the JOURNAL to step into the leadership role and attempt to guide the destiny of black people. Our goal is simply to provide a forum for that leadership. Although we have received enthusiastic support from professionals and laymen around the country, there has been a surprising willingness to "pass the leadership buck." This area is much too vital to the needs of black people to allow the less knowledgeable to frame the issues and provide the solutions. We call upon all of those individuals, whose thoughts and actions have long been directed to creating a just legal system, to make inputs into the shaping of a Journal directed to the legal problems of blacks. While your financial support for this exciting new venture will insure its survival, your direct participation in evaluating laws affecting black people will give it meaning.

The JOURNAL is a call to black attorneys and jurists, white attorneys committed to correcting inequities in the legal system, and professionals from various fields prepared to participate in the creation of an equitable legal system responsive to the needs of blacks. The creation of such a system will require a critical evaluation of the present inequities and the ways by which such laws help or hinder black progress. Lawyers, jurists, and indeed, black professionals, today stand in the middle ground between apathy and anarchy. Thus, they have a responsibility to use their knowledge to dispel the pervasive sense of helplessness and hopelessness in the black community.

MOST BLACK PEOPLE have witnessed the use of law as an instrument for the rich and the white. No longer can black men knowledgeable in law sit back and allow such practices to continue. Black lawyers have an opportunity to make law meaningful for those blacks who have lost faith in it and the system it perpetuates. In the 60's, black people tended to look solely to such national leaders as King and Malcolm. However, such reliance rendered them vulnerable as these leaders were eliminated by acts of violence. Thus, we feel that the strengthening of the black community as a unit will insure its survival and progress. Too long in the background of social change, black lawyers must now step forward unselfishly and courageously to assume positions of leadership in black communities coast to coast.

There are nearly 4,000 black lawyers in America, and numerous other individuals possessing legal skills. Urgent is the need for their active participation in providing analysis of black America's legal problems. The way would then be open for the development of new legal theories and strategies for making equality before the law a reality. The JOURNAL will offer a mechanism for critical evaluation of current laws and the creation of new legal thoughts in terms professionals and laymen alike can understand.

The legal method, even equitably applied, represents a slow method of social change. Courts only deal with cases and controversies brought before it. It is, therefore, incumbent on black attorneys to keep before the court those cases important to the interests of black people. Similarly, legislators respond generally to those issues brought to their attention by special interest groups. Therefore, black lawyers must critically analyze those areas more properly decided by courts and those areas with which legislators must deal. The JOURNAL can then become a vehicle for keeping black citizens aware of these areas, insisting that the courts deal with them, and pressuring legislators to heed the call for laws buttressing black aspirations.

The JOURNAL editors plan to continue a format of articles discussing the impact of law on black people, feature stories on outstanding black people in the law, past and present, and analysis of proposed legislation, laws, and cases. Where political and scholarly events arise and recurring legal problems suggest, entire issues will be devoted to particular themes. The full impact of the JOURNAL cannot be known at this early stage. It will be shaped by the issues and problems presented. A continuing goal will be to involve black attorneys, legal scholars, jurists, students, and professionals from various fields in the discussion of what law is and should be for black people. Additionally, information will be presented which will increase the skills and awareness of black practitioners. To blacks in the legal profession, and others concerned with inequities in the legal system, the JOURNAL editors welcome your moral and financial support, but your critical analysis and proposed guidelines for action will make the difference.

TRIBUTE
TO
A
FALLEN
LEADER

"My only plea is that if we must polarize in this country, then let us no longer polarize on the basis of race or religion or economic status, but let us polarize on the basis of decent people versus indecent people, between people who care and those who are callous, between those who are good and those who are bad . . ."

Whitney M. Young
1921 - 1971



1903-1967