

PREFACE

This issue of the NATIONAL BLACK LAW JOURNAL is the first to be published during the 1990's. Since its inception in 1970, the *Journal* has been dedicated to addressing and analyzing social, political and economic issues which impact people of color. During the 1970's, the *Journal* published issues addressing such topics as school desegregation, prisoners rights and urban problems. The 1980's were equally prosperous years for the *Journal*. Along with publishing issues on such topics as voting rights and human rights, the *Journal* co-sponsored a commercial law writing competition. We look forward to publishing issues on race and gender and the law, the Rehnquist Court and the 20th Anniversary of the National Black Law Journal.

During the 1990's, the NATIONAL BLACK LAW JOURNAL will continue to serve as a vehicle for presenting proposals that will further the advancement of Black people. Along with the problems and challenges that already exist, African Americans will be confronted with new obstacles and new challenges during the 1990's. The articles in 11:3 offer a glimpse of some of the issues facing the Black community in this decade.

Professor James Bowen examines the social and legal problems of Black defendants facing all white juries as a result of prosecutors' use of peremptory challenges to eliminate same-race veniremen. Black defendants in criminal trials have been historically discriminated against by the exclusion or under representation of Black jurors. Often, a Black defendant who faces an all white jury is not convicted on the facts of the case, but on the common prejudices and stereotypes that exist in society. Professor Bowen's article explores the inadequacy of the Court's decisions in *McClesky v. Kemp* and *Batson v. Kentucky* to afford Black defendants a truly fair and representative trial as guaranteed by the sixth amendment.

In *Charles Houston and Black Leadership of the 1930's and 1940's*, Dr. Vibert White provides an insightful and informative essay on the development of the Black elite. Dr. White explains that although the Black middle class was instrumental in the struggle for civil rights and desegregation, the primary motivation was self interest; the Black professional middle class' primary motivation was class integration rather than racial integration.

Veronica Patton's Comment evaluates equal protection doctrine in the aftermath of *McClesky v. Kemp*. Patton objects to the Supreme Court's use of the "discriminatory purpose" standard and proposes that the Court adopt an anti-subjugation principle which would guarantee a right to be free from racial subordination.

In addition to the articles and comments, an essay based on J. Anthony Lukas' *Common Ground* is provided, and two book reviews critique recent works of interest in the fields of law and sociology.

In this first issue of the 90's, the NATIONAL BLACK LAW JOURNAL has attempted to publish articles which provide a retrospective glance at the decade past and an insightful glimpse into the new decade. As we enter the 1990's, the *Journal* will remain a voice for expression of social, legal and economic issues affecting people of color.

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