

## **PREFACE**

by Dalia Fuleihan

We are facing the third year of a global pandemic, and a third year of disruptions to our traditional working and living patterns. After three years of varying levels of work from home, lock down, economic disruption, fear of the disease, and devastating loss of life, many of us have been called to reevaluate our priorities and question the values that have shaped our lives for so long.

Despite this, the world appears relatively unchanged and may in fact be regressing. Earlier this month, a draft decision reversing *Roe v. Wade* leaked from the Supreme Court. Not only does this fundamentally threaten the constitutional right to an abortion and bodily integrity but throws into doubt many more fundamental rights such as the right to marry whomever we choose, the right to choose when or if we have children, the right to raise children in the manner we deem appropriate among others.

This utterly devastating, although unsurprising, failure of the judicial system only throws into sharper relief the ineffectiveness of the legislative and executive branches of our government.. The minimum wage is not nearly enough to afford adequate housing. Promises made about investing in infrastructure, expanding the social safety net, and cancelling student debt have yet to be fulfilled. Communities of color are still disproportionately impacted by pollution, climate change, harmful economic policies, the pandemic, and increase in violence. The Biden administration has reneged on its promises to overhaul the prior administration's tightening of immigration. Black people are being murdered by the police all over the country, and anti-trans bills have been proposed and/or passed in numerous states. Meanwhile, the 75 richest people in the country have been getting even richer, billionaires are spending fortunes on vanity trips to space, the United States has managed to get embroiled in a new standoff with Russia and has conveniently lifted the immigration restrictions keeping black and brown migrants from entering the country to allow Ukrainian nationals pathways to legally enter the country.

While it would be easy to watch this parade of injustice and inaction and use it as an excuse to give up hope entirely, instead, I invite you take this moment to examine the roots causes of these problems with a view towards reimagining possible solutions to widespread societal inequality. In this issue of the Review, we are excited to present a series of articles examining the structures that perpetuate the injustices we witness every day. In this issue, we will explore the systems that form the foundation of society and bring to light the ways in which these systems create the conditions for structural inequality to flourish.

In "The Moral Irredeemability of the Private Practice of Law" Da-

vid Wesley Frank lays bare the essential hypocrisy of the legal profession. He outlines the stark contrast between the profession's self-perpetuated image—dedicated to the public interest, the pursuit of justice, and service to the common good of society—and the reality of the egregious harm caused by a significant portion of legal practitioners in this country. Frank meticulously documents the rhetoric used by large corporate law firms to advertise their services and present themselves as defenders of justice while simultaneously actively working against the common good. Most large law firms represent the interests of large publicly traded companies and the ultra-wealthy, most often at the expense of the rights and economic situation of the majority of the population. Frank's article challenges us to reconsider our tacit acceptance of the legal profession's continued defense of itself despite the enormity of the harm it causes and perpetuates.

In "Beyond Barrett: Shifting A Progressive Legal Strategy From Federal to State Court" Steven Goldberg analyzes the effect of the wave of Trump appointees to the federal bench will have on civil rights in the United States. As we are already witnessing, the appointment of so many far-right judges, including to the Supreme Court, will usher in an era of conservative jurisprudence that will last for decades and the unraveling of fundamental rights that have been codified for years. Civil rights litigation has primarily taken place in federal courts. The appointment of so many conservative and undeniably politicized judges does not bode well for the fate of civil rights in the U.S. Goldberg proposes an interesting solution to this problem: look at state law. State constitutions and statutes is at least as protective as federal law, and in many cases, more protective. Goldberg discusses the ways in which civil rights litigation can be pursued through state courts, and shows how when one institution—the federal judiciary—becomes so heavily politicized, it is still possible to find a way to pursue justice.

In "Legal Service Centers as Voter Registration Centers: A Stop-Gap Solution to Support Clients' Civic Engagement," Jacob Carrel analyzes widespread voter disenfranchisement and the increasing numbers of restrictive voting laws. Widespread access to the ballot is a fundamental necessity of a healthy democracy. In the United States, a series of recent laws further restricting the right to vote have passed numerous state legislatures since the 2020 presidential election. Such voting restrictions disproportionately affect low-income voters (those most likely to use subsidized legal services), with fewer than 52% of legal service center clients exercising their right to vote. Carrel proposes a simple solution. Legal service centers are an ideal place for this population to register to vote. While this solution seems simple and uncontroversial, Carrel's article recounts the tortured political history of the Legal Services Corporation and explains the current political resistance to utilizing legal service centers to expand access to the ballot.

We close this issue with a review of Maclen Stanley's book *The Law*

Says What?: Stuff You Didn't Know About the Law (But Really Should!). The Review's Executive Editor, Michael Drake laments the legal industry's complete failure to make the substance of the law accessible to the general population. While Stanley's book is certainly a much-needed attempt to explain the American legal system in a digestible and enjoyable fashion, it perpetuates the legal education's incessant focus on broad theoretical concepts as opposed to the tangible skills necessary to navigate the system. Moreover, Drake skillfully demonstrates how Stanley's perpetuation of legal education's "neutrality" both perpetuates the flawed logic behind our system's more unjust elements and prevents students from fully understanding how the law functions in practice.

While we may be frustrated and exhausted with the seemingly endless turmoil of the past few years, it is important to remember that periods of upheaval provide unique opportunities to reimagine the world in which we wish to live. Reading this issue's articles, I am reminded that there is potential for improvement even in the bleakest aspects of our society, and many, many people with brilliant plans to build a better future.