

FROM PAGE TO PRACTICE: AN INTRODUCTION

On March 6, 2009, the *N.Y.U. Review of Law & Social Change* commemorated its fortieth anniversary. The celebration, which brought together approximately 150 current members and alumnae from all four decades of the journal's history, happened somewhat by chance. None of the journal's 2008-09 leadership knew of *Social Change's* upcoming birthday until we were tipped off by the editor-in-chief of another N.Y.U. journal that had been founded in the same year. Not surprisingly for an organization whose members are often more occupied with challenging the status quo than self-promotion or self-congratulation, *Social Change* has limited records detailing its creation, history, and activities, aside from the publication itself. Though well-trained in their journal-related duties, new generations of *Social Changers* have inherited their responsibilities without much sense of the legacy preceding them. And yet—as was reiterated again and again as we spoke and exchanged emails with *Social Change* alumnae prior to the anniversary celebration—*Social Change* has a long history of serving as more than simply a vehicle for publishing legal scholarship. Whether initially attracted by the off-beat office space (which feels like the most welcoming place on campus for many progressive students), by the cutting-edge ideas published in *Social Change's* pages, or simply by recommendations from upper-class students, four decades of *Social Changers* have found and fostered a community of like-minded people seeking to advance social justice through their writing, advocacy, and activism.

We decided *Social Change* was due for an anniversary bash that would celebrate our publication and reconnect our community. We embarked on multiple archival projects to learn about *Social Change's* rich history, collecting information from forty years of mastheads, colloquia programs, and alumnae. We spoke with Gary Flack '71, editor-in-chief of the very first volume of “the Review”—as earlier classes referred to *Social Change*—who shared some of the journal's earliest history. As Gary explained to us, *Social Change* began in 1968-69 as a discussion group of students who were interested in legal careers serving underrepresented populations. These students were critical of existing “elitist” law reviews and frustrated by the lack of analysis of the issues that topped the progressive legal agenda in the late 1960s. Having grappled with how best to organize themselves and present their views, these students decided their first project would be a legal analysis of why urban elementary and

secondary education was failing. They framed this critique against the backdrop of New York City Mayor John Lindsay's campaign to decentralize oversight of public education. The project proved unwieldy, requiring specialized knowledge of complicated bodies of law and raising complex issues regarding the relationship between law and social policy. Not unlike their successors in years to come, the earliest *Social Changers* were concerned about environmental destruction. They decided to forego publishing this initial study because they did not feel confident that its quality was high enough to justify cutting down the trees necessary to print its content. It was not until the following year that they reached this goal; they decided to publish their first issue—a thin volume containing student analyses of recent Supreme Court welfare law jurisprudence, issues surrounding legal aid and the right to effective counsel, and reform efforts to address the problem of retaliatory eviction. A new tradition was born.

N.Y.U.'s administration challenged *Social Change's* first leaders to prove that N.Y.U. needed a critical journal and that the endeavor was worthy of institutional support. Peter Gold '71, a member of *Social Change's* inaugural editorial staff, recalls going before the N.Y.U. faculty to argue for funding and accreditation. He also remembers, after successfully winning approval, approaching Norman Dorsen to convince him to be *Social Change's* first faculty advisor. Dorsen, who later became the president of the ACLU and Society of American Law Teachers, was, even then, a veteran advocate for civil rights and was adored by many progressive students.

The first several volumes of *Social Change* featured student scholarship and followed a somewhat erratic publication schedule. Jane Stewart, who was co-editor-in-chief in 1978-79, remembers being called into Dean Norman Redlich's office for a meeting in which the Dean announced that he intended to close the journal if it failed to improve in quality and consistency. In response, and with the Dean's encouragement, that year's class organized the first *Social Change* colloquium, "Obscenity: Degradation of Women Versus Right of Free Speech." Held in December 1978, the event attracted some of the leading thinkers on the issue of pornography from both civil libertarian and feminist camps—including Andrea Dworkin, Susan Brownmiller, and Phyllis Chesler—and earned itself full coverage in the *New York Times*.¹ This was the first of many *Social Change*-sponsored colloquia and symposia, over twenty-five of which have produced freestanding issues of scholarship by their participants. These many events reflect a desire to air and debate new ideas in search of solutions to society's most vexing problems. A cynical observer might glance at a list of *Social Change's* colloquia and symposia

1. Judy Klemesrud, *Women, Pornography, Free Speech: A Fierce Debate at N.Y.U.*, N.Y. TIMES, Dec. 4, 1978, at D10.

topics and feel discouraged that we are facing the same issues today as we have for the last four decades. But a list which includes topics such as immigrant labor rights, indigent criminal defense, prison overcrowding, gay and lesbian rights, welfare reform, censorship, and social justice movement-building highlights the extent to which *Social Change* has been at the forefront of cutting-edge legal thinking over the years. These events have provided a valuable forum for scholarly inquiry and critical discussion, drawing attention to challenging new ideas that were often neglected in other fora.

Excited by the opportunity to recover *Social Change's* history as a vehicle for promoting progressive legal thinking, we enlisted the journal's staff to help us dig into the archives and explore what exactly our community has been printing all these years. We found many familiar names: our own professors, writing at earlier stages in their careers; other scholars whose work appears in our casebooks or whose arguments we have relied on in our own research; prominent social justice lawyers who run organizations at which we aspire to work; and movement leaders whose visions for a more just world have inspired us to study law. We also found (with a little help from Google) that many *Social Change* alumnae and authors are continuing to advance progressive legal thought and reform as professors at law schools across the country; as government officials in prominent positions in the Obama administration; and as founders, directors, and staff in amazing nonprofit organizations. Efforts to identify and categorize subject areas that made frequent appearances in *Social Change* soon proved futile, due not only to the breadth of topics covered in the pages of the journal, but also to the nuance and analytical sophistication *Social Change* had developed over the years. Although we were proud to find *Social Change* articles that seemed to be particularly influential—judging from the rates at which they were cited in other articles, briefs, and court decisions—it did not take us long to conclude that Westlaw citing statistics could only tell a small part of the story.

Throughout our year as part of *Social Change's* leadership, we struggled with how best to quantify and articulate what *Social Change* has contributed during its forty years of existence. This challenge arose not only in anticipation of the anniversary celebration, but also in the context of recruiting and training new staff, selecting articles, and planning for the future. What makes a submitted piece of scholarship "*Social Change-y*" enough to satisfy the test of whether it is worth cutting down trees to publish? How do we explain what we stand for as an organization, while striving to respect diverse viewpoints and promote democratic decision-making? How do we continue to attract high-quality, innovative thinkers to publish with us, without missing potential authors who may be outside mainstream academia? And how do we explain the significance of the forum that *Social Change* provides—distinguishing ourselves in order to

attract new classes of committed *Social Changers*—without privileging the scholarly production of professional academics above the experience-based knowledge of practitioners in the field?

In the course of many conversations about these and other related questions, we found ourselves continually returning to a core theme, one that we believe describes the path along which the journal has developed over the previous four decades and one which we hope will help to guide future staffs in their work on the *Review of Law & Social Change*. We call that theme “From Page to Practice.” It captures our mission of fostering scholarship and dialogue that have a practical, useful influence on the ground, where social justice struggles begin and evolve. It is our way of describing what the journal’s founders saw missing from traditional law reviews and lacking in the law school environment.

“From Page to Practice” emphasizes our focus on scholarship with the power to promote change—not only change in unjust and repressive laws, but also change in how we think about law as a tool for advancing social justice. “From Page to Practice” also encapsulates what colloquia and symposia organizers were attempting to do by engaging with both theory and practice to create space for dynamic dialogue on pressing social issues. Finally, “From Page to Practice” provides a framework for evaluating article submissions and planning future programming. The first of these programs was the 2010 symposium, “From Page to Practice: Broadening the Lens for Reproductive and Sexual Rights,” which brought together over 150 students, academics, and practitioners to explore the future of reproductive and sexual rights.

The reflections in the following pages offer a range of perspectives on the interplay between page and practice. Our anniversary celebration participants, whose edited comments appear in this issue, explored various ways scholarship has affected their social justice lawyering and how practice-based knowledge has informed their scholarship. Many of the speakers’ ideas have traveled from page to practice and back again, some in the pages of this very journal. We are grateful to all of the participating alumnae for their dedication and thoughtful contributions to the celebration and to this issue.

Our explorations of forty years of *Social Change* history revealed many ways the journal has changed over time—from a discussion group to a journal, from a rival of other N.Y.U. journals to a friend of our D’Agostino basement neighbors, from years without a formal admissions process to struggles with the administration over control of our recruiting and writing competition. But much has remained constant throughout the decades, even as the inner workings of the journal have evolved. Now, just as in 1969, *Social Change* remains committed to providing a forum for progressive legal thought and to promoting work that bridges the gaps

between page and practice. *Social Change* also continues to exist as a community where public interest work is valued highly, where challenging the status quo is celebrated, and where like-minded law students can find support in the face of shared challenges. Before the anniversary celebration, many alumnae wrote to offer messages to their *Social Change* classmates or to recount fond memories of their time on the journal, conveying a sense of camaraderie and community that is precious. Brian Stull '00, a former student articles development editor, summed it up: "*Social Change* was the refuge for students alienated by the corporate pull of law school and a place for the cool kids and trouble makers, many of whom I still know and love." This community continues to thrive today, and we are proud to be a part of it. At the beginning of *Social Change's* fifth decade, we pause to celebrate the vision of the first *Social Changers* who broke ground in the late 1960s and to honor the tremendous work of forty years of subsequent *Social Changers* who have continued the pursuit of social justice.

Liz Kukura '09 & Katy Mastman '09
2008-09 Editors-in-Chief
August 2010