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REFLECTION

OBSERVATIONS ON THE EVOLUTION OF MINORITIES IN THE LAW: FROM LAW SCHOOL TO PRACTICE

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This year, St. Mary's University celebrates its Sesquicentennial Anniversary. One hundred and fifty years of educating young men and women in the areas of engineering, business, and the arts and sciences. Concurrently, St. Mary's University School of Law celebrates its seventy-fifth year: after almost forty years at its original location, 112 College Street, the present site of La Mansión del Rio Hotel; one semester at the Maverick-Clarke Building on Travis Street, the present site of a multi-story parking facility; and approximately thirty-five years at our present location on the Woodlawn Campus. We are celebrating three-quarters of a century wherein we have prepared young men and women from San Antonio, South Texas, and the surrounding region to practice law and enter areas of government, business, and commerce in which a law degree is useful, if not essential. Having been associated with this institution, first as a student, and then as a member of the faculty for almost forty years, or over one-half of its entire existence, I offer a unique position in which to reflect upon the evolution of minorities in our past, our present, and hopefully in our future.

† Fellow, American Law Institute; St. Mary's University Distinguished South Texas Professor of Law; Fulbright Scholar, *Universidad de Rene Gabriel Moreno*, Santa Cruz, Bolivia; LL.M., University of Michigan; M.C.L., Southern Methodist University; B.B.A., University of Texas; J.D., St. Mary's University School of Law. The author would like to acknowledge the help of his colleague, Professor Aloysius A. Leopold, who follows him on the faculty by one year, for his help and memory in making sure no errors of commission or omission were made in the above.

It should be noted that St. Mary's, unlike other law schools, has from its inception taken a special interest in minorities, especially Hispanics. Our location in San Antonio provides us with a unique opportunity to take advantage of our diverse culture both here in San Antonio and in neighboring areas. We have always had a higher percentage of minority students than most other law schools.¹ One only has to glance at pictures of our graduates in the Alumni Room of our Law Library to note this fact.

While it is dangerous to name some of our illustrious predecessors (there is always the risk of omitting someone), we should take special pride in those who excelled in the halls of Congress: Henry B. Gonzalez (class of 1943),² who chaired the powerful Finance Committee; his son, Charles A. Gonzalez (class of 1973), who presently serves in Washington, D.C.; and my own cousin, Eligio "Kika" de la Garza (class of 1952), Chairman for many years of the equally important Agriculture Committee. All are graduates of our law school and serve as role models for our students. The judiciary has also been well represented by individuals, such as the late Judge H.F. "Hippo" Garcia (class of 1951), the first Mexican-American federal judge in the Western District of Texas, and Filemon Vela (class of 1962), who currently serves as the Federal District Judge for the Southern District of Texas, and the many, many others who serve as judges throughout South Texas, Bexar County, and beyond.

Two additional individuals deserve special recognition. Mario G. Obledo (class of 1960), former California Secretary of State and the first and only St. Mary's graduate to receive the Presidential Medal of Honor for his tireless efforts in promoting the advancement of Hispanics in particular, and all minorities in general, and G. Mario Moreno (class of 1981), who served in Washington, D.C. as the U.S. Assistant Secretary of Education.

St. Mary's also made history with its faculty. Carlos Cadena, who although was not a St. Mary's graduate and who subsequently went on to an illustrious career as Chief Justice of the Fourth Court of Appeals in San Antonio, was the first Mexican-American law professor on our faculty and in the country. I followed as the second in both categories and am now the most senior tenured Hispanic member of a law faculty in

1. Two schools that exceed us in this area are the University of New Mexico in Albuquerque, which has always had a very high Hispanic enrollment, and Texas Southern University School of Law in Houston, which for many years was one of the traditional African-American law schools in the country.

2. Graduating class years were verified with ST. MARY'S UNIVERSITY: LAW ALUMNI DIRECTORY 1992 (1992); Photographs in the Law Alumni Room, Law Library, St. Mary's University School of Law; and the Alumni Relations Office, St. Mary's University School of Law.

the United States. We were both hired as law professors many years before other law schools began to promote the representation of minorities on their faculties.

Our history in this area was a tradition long before the country found its social conscience, and our government, prodded by the civil rights movement, urged institutions of higher learning to engage in affirmative action. This preceded the movement by national organizations involved in legal education, such as the Law School Admissions Council, which created a committee on Minority Affairs, and the Association of American Law Schools,³ to encourage law schools to recruit and admit more diverse student bodies and to represent this diversity amongst its faculty. As a result of these endeavors, all law schools began to promote the admission of Hispanic and Black students to their student bodies as well as to their faculties, clinics, and administrations. They have contributed much. The important fact, however, is that St. Mary's and Hispanics led the way in this national movement!

It is also worth noting that the history of women in legal education either as students, professors and/or administrators, members of the bench and bar, government, and business has a curious parallel to minorities. In fact, the two areas often overlap. For example, Hattie Elam Briscoe (class of 1956) was the first African-American woman to graduate from a law school in Texas when she walked the stage with her St. Mary's class. Rose B. Spector (class of 1965) was the first woman ever elected to the Supreme Court of Texas in its 150-year history, and currently, Barbara Parker Hervey (class of 1979), who sits on the Texas Court of Criminal Appeals, is the highest ranking St. Mary's graduate to sit on an appellate court. She is followed by Karen Angelini (class of 1980), Alma Lopez (class of 1969), and Catherine Stone (class of 1982) on the Fourth Court of Appeals in San Antonio and Barbara E. Rosenberg (class of 1976) on the Fifth Court of Appeals in Dallas. Elma Salinas Ender (class of 1978) was the first Hispanic woman to serve as a District Judge in the state, and Carol Haberman (class of 1956) and Carolyn Spears Petersen⁴ were early trailblazers in seeking and winning judicial offices in Bexar County.

M. Colleen McHugh (class of 1981) is one of the few women who has served as President of the State Bar of Texas. Sue Hall (class of 1975) was one of our first women members of the faculty, and Phyllis Harper

3. The Association of American Law Schools is one of the two national accrediting agencies, along with the American Bar Association. The two organizations engage in a series of inspections of all accredited law schools in the country every seven years.

4. Carolyn Spears Petersen attended St. Mary's University School of Law in the late 1960s, earned enough credits to take and pass the bar, but did not become an official graduate of the school.

(class of 1968), an associate dean, was one of the first women administrators in legal education. Barbara Bader Aldave was not a St. Mary's graduate, but at St. Mary's she became the first woman Dean of a law school in Texas. Finally, our own Irma Rangel (class of 1969) has had a long and distinguished career in Austin representing her constituents in South Texas.

Generally, the number of women in our student body, as well as on our faculty, began to increase dramatically in the 1970s when most, if not all, law schools were making an amplified effort to increase the size of female representation. Today, we are more or less on par with the national norm in this respect, and I would assume that we will continue to be.

In closing, we should note that this increase in minority representation, which would include women, is evident in the classroom, the courtroom, the boardroom, and other levels of government, trade, and business. Many of our graduates not mentioned in this perspective, including minorities, are now active leaders in their respective communities and have become well-known throughout the state and the country. They represent us well, and we are proud of them.

Our future? We can only hope that with the projected increase in the Hispanic population in the United States, the minority representation in law schools across the country will continue to outpace this future growth, and St. Mary's will continue its usual role as a leader in celebrating the achievements of its minority students, faculty, and administrators.