

# **Law Professor and Accidental Historian**



# Law Professor and Accidental Historian

*The Scholarship of Michael A. Olivas*

Edited by

**Ediberto Román**



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# Preface

*Ramon Gutierrez*

Since the annexation of Texas in 1845, every generation of ethnic Mexicans living in the United States has had its folk heroes, its unsung leaders, its women and men who have captured the concerns of our collective imagination, given them form, and amplified them with passion to enact social change. Michael Albert Olivas is one of these. They have protested discrimination, resisted marginalization, and demanded equality and respect for Mexican Americans, for Latinos, and for other minorities, as citizens and residents of the United States. The histories that trace the genealogies of our civil rights activism over the course of a hundred years are filled with self-sacrificing lawyers and generous educators, with selfless public servants, and with many just plain, ordinary, and impoverished workers who shouted out in pain after decades of abuse: *Basta ya! No Mas!* They talked back. They protested. They stood up straight after years of stoop labor in the fields, looking their oppressors in the face. *No Mas!* Thus they were deemed ever so revolting to their employers and the Anglo American dominant classes. For such affronts they were hunted down, imprisoned, lynched, and silenced for good. No uppity, dirty Mexicans here anymore, the master class proudly vaunted.

But memory is not something so easily forgotten. Nor is history so quickly erased. Mexican Americans have not forgotten these moments of profound bravery and self-awareness. Nor should we. One of our earliest heroes, still vividly remembered as if his feats occurred just yesterday, was an ordinary cowhand from south Texas named Gregorio Cortez. To this day the *mexicanos*, Chicanos, and Mexican Americans of the Southwest sing his *corrido* with particular gusto when seeking inspiration and the gumption to protest their present woes. The ballad memorializes the culture of vicious racial arrogance that marked relations between Anglos and Mexicans in Texas in the years following its annexation and the Mexican War through the story of Gregorio's unjust fate before the law. In those years Mexicans saw their lands stolen, their crops destroyed, their cattle and

horses rustled, their rights trampled and ignored. Gregorio was mistakenly accused of stealing a horse in 1901. When asked if he had recently purchased a horse he said no, he had purchased a mare. But this linguistic nuance in Spanish was lost in translation. The local sheriff who did not speak Spanish well did not quite understand what Gregorio had said and clearly saw a horse. When W.T. Morris, the sheriff of Kearns County, attempted Gregorio's unwarranted arrest, guns were quickly drawn. They fired. Morris was dead, Cortez having killed him in self-defense. Of course, he fled. What other choice did he have in Jim Crow Texas? A fugitive, for months he was hunted down in one of the most massive manhunts American history has seen. Eventually he was captured, convicted, and imprisoned. But in time he was exonerated. Gregorio Cortez became a legend in his time and remains so in ours too because he fought back against injustice, defended his rights, and did as he deemed necessary, with a pistol in his hand.

If we were living in 1901 and not 2015, I can only imagine that Michael A. Olivas would be strutting about Houston, all decked out in leather chaps, sporting the meanest cowboy boots money can buy, riding atop his white bronco named Trigger, with a lasso and a pistol in his hands, taunting the powerful with words like, "Hey boys, which of you is really a man?" Instead, as a man of his times, today Michael wields a powerful pen and equally potent oratory that sings and destroys unfair laws, fallacious arguments, and obtuse ideas, and proposes creative ways to right past wrongs. Lethal in his attacks against racism and inequality, punishing in defense of the rights of the poor, the marginalized, and the powerless, Texas Rangers and U.S. Border Patrol agents beware. Michael A. Olivas *es un hombre, feo, fuerte, y formal*, as they used to say of Gregorio Cortez. Beware!

Ever a sweetheart, ever a generous and gentle man, indeed, a gentleman in every sense, with his boundless energy and encyclopedic knowledge of the law, he daily dons his academic robes to teach pupils of every rank and distinction about immigration, higher education, and entertainment law. When necessary he preaches from his professorial perch, inspiring, invoking, cajoling, and provoking our better selves to selfless communal service. Teacher, scholar, rock and roller, historian, writer, and loving husband, this is the Michael A. Olivas I know.

Our friendship goes back almost fifty years, having first met in Albuquerque, New Mexico, as fellow students at St. Pius X High School. In 1968 he was a graduating senior. I was a junior. Both of us were following a higher calling, or so we both thought back then, seeking Holy Orders as Roman Catholic priests. Neither the Archdiocese of Santa Fe nor the Order of the

Fathers of Saint Joseph had enough vocations to merit offering us high school educations of their own. So quite by coincidence our superiors sent us to the same high school at the same time. Michael was coming from Our Lady of Fatima Parish in Albuquerque's heights, where many of the city's Irish and Polish Catholics had settled. I was from San José in the valley, where most of the *mexicanos* lived. We met as debate team partners in the Model United Nations Club that year assigned to represent Canada. The burning question of the day, which remains so even today, was what should be done to bring an enduring peace to the Middle East after the 1967 Arab-Israeli Six-Day War. With our virtuosity, of course, we became statewide debating champions that year.

Michael's parents, Sabino Olivas III and Christine Childers, began their married life in a number of military postings, and eventually moved to northern New Mexico. But it was in Tokyo, Japan, that Michael was born in 1951, letting out his first *grito* (*ya saben que gritón puede ser*) at a U.S. Army hospital near where both of his military parents were stationed. On leaving the service, Sabino and Christine eventually settled in Albuquerque, parenting nine other children along the way. Michael's mother Christine died when he was fifteen, in 1967, and so his father Sabino became the family's anchor. As Michael recalls it, life in the Olivas family was rather regimented in those days. His father was "famously scornful of failure and never tolerated it. . . ." He demanded that his children's teachers always assign them homework. And if by chance they misbehaved (Michael? Never!), they should be disciplined at school, something Sabino promised to reinforce at home as well. "If I was disobedient my library privileges—permission to go to the public library by myself on the bus—were suspended."<sup>1</sup> Never flush with florid words of praise for his children, Sabino was a disciplined military man who expected much the same from his kids, particularly after their mother's death. Though he was extremely proud of his children and was always bragging about them with his peers, at home he regularly feigned anger and disappointment when their scholastic achievements were not as superlative as he expected.

Michael graduated from St. Pius X High School in 1968 and attended the College of Santa Fe the next academic year, still a seminarian, still contemplating vows of chastity, poverty, and obedience. In the fall of 1969, the

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1. Michael A. Olivas, *Professor Graglia, Meet My Father*, 23 BILINGUAL REV./LA REVISTA BILINGUE 106 (1998).

Archbishop of Santa Fe dispatched him to the Pontifical College Josephinum in Worthington, Ohio, where historically the clerical royalty of America has been forged into bishops and cardinals, and maybe even into popes. Can you imagine a Pope Michael? There Michael studied philosophy and English literature, graduating *magna cum laude* in 1972. By then there was turbulence in his soul and even more so in the world. Was the priesthood right for him? He could easily live the vow of poverty, which he gladly embraced. He could live a chaste and pure life too. But, oh lord, that obedience, that was something he bristled about and had caused considerable angst ever since his childhood. He left the seminary, initially thinking he just needed a short break. He never returned.

He moved across town to Columbus, Ohio, in the fall of 1972 to begin a master's program in English literature at Ohio State. His love for the field had been born as an adolescent growing up in a large New Mexican family, taking up reading to tune out those around him. His life-long passionate engagement with the work of John Updike was ignited by a gift. When he graduated from eighth grade his cousin Margaret Valdez gave him a copy of Updike's novel *The Centaur*. It is the story of the relationship between a rather depressed schoolteacher in Alton, Pennsylvania, named George Caldwell and his son Peter. Peter constantly dreamed of fleeing his hometown, idolizes the Dutch painter Johannes Vermeer, and yearned for the life of a famous painter in a big city like New York. Perhaps what initially captured Michael's imagination was that Peter suffered from the autoimmune disease psoriasis, which Michael also had. Half human, half horse, the centaur of Greek mythology was believed to represent the union of the unbridled forces of nature with those of civilization and learning. It is hard to know, but perhaps such ideas were percolating in Michael's mind too as he tried to chart a course for his life. Would he become a priest or something else? Dreams of New York most certainly offered an escape from the routine of Michael's adolescence in Santa Fe. Those fantasies were made all the more tangible when Margaret offered Michael another gift: a subscription to *The New Yorker*, where Updike was on staff.

What followed was a two-year course of study at Ohio State where Michael devoted himself to the study of John Updike's works, writing a master's thesis published in 1975 as *An Annotated Bibliography of John Updike Criticism, 1967–1973, and a Checklist of His Works*.<sup>2</sup> Worldcat attests

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2. MICHAEL A. OLIVIAS, *AN ANNOTATED BIBLIOGRAPHY OF JOHN UPDIKE CRITICISM, 1967–1973, AND A CHECKLIST OF HIS WORKS* (1975).

that 437 libraries around the world own this book as one of their important reference works. While at Ohio State, Michael was also the editor of the *Updike Newsletter*, which closely followed everything John Updike wrote. Though he never personally met Updike, they did correspond.

With an increasingly skilled and dexterous pen in hand Michael worked on several editorial projects—the Papers of Nathaniel Hawthorne, the Papers of James Thurber—both activities Ohio State University was curating. As stimulating as all this focus on Updike, Hawthorne, and Thurber was, Michael, much like Walter Mitty, kept daydreaming about a number of professional scenarios that could possibly come next. The job market in 1974 for American literature scholars was miserable, particularly for those with only a Master of Arts degree. Who would he study with? His graduate advisor had died. Even his career ambitions to live the life of the cloth, and if not that, a career as a folklorist, by now seemed dashed.

What now? What next? The logic that followed, or so Michael explains, was a calculus that if he got a doctoral degree in higher education he would easily find a job as a university administrator, as a dean or vice dean of some sort. And so it came to pass. He earned his doctoral degree in higher education and organizational theory from Ohio State University in 1977, writing a dissertation on the history of Ohio State's Board of Regents.<sup>3</sup> A *juris doctor* quickly followed from Georgetown University's Law Center in 1981, marrying his interest in higher education with law.

Most of his increasing knowledge was immediately put into practice, working for the Institute for the Study of Educational Policy as a senior fellow and as their assistant director of research from 1977 to 1979. In 1979, Michael's second book appeared, *The Dilemma of Access: Minorities in Two Year Colleges*, which explored all the moving parts of a college's administration that were required to work in tandem to attract, retain, graduate, and educate minorities. The book became a quick hit and is still reprinted as "A Howard University Press Classic."<sup>4</sup> Appointment as the director of research for the service centers of League of United Latin American Citizens (LULAC) followed from 1979 to 1982.

It did not take long for others to recognize Michael's unique talents. The eventual move in 1982 to the University of Houston began when Barry

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3. Michael A. Olivas, *Public Policy Dimensions of Statewide Coordination of Higher Education: Agenda Building and the Establishment of the Ohio Board of Regents* (1977) (PhD diss., Ohio State University).

4. MICHAEL A. OLIVAS, *THE DILEMMA OF ACCESS: MINORITIES IN TWO YEAR COLLEGES* (1979).

Munitz, then the university's wunderkind president, noticed Michael's work, wooed him with a law school post at the university and the creation of the Institute for Higher Education Law and Governance (IHELG), which Michael has directed since its birth. During his tenure as the Institute's director IHELG has grown into one of the major global centers for the study of higher education law. It has a robust set of publications that monitor legislation and litigation, university governance, finance and financial aid, and postsecondary access and achievement. Its dynamism also stems from its creative policy proposals and its catalytic conferences that focus on the important issues of the day, among them the traumas immigrant children face in education and deportation.

Ever the "accidental historian," as he likes to nominate himself, Michael has continually rescued from dust bins and musty archives the accomplishments of civil rights ancestors he wants us to know well. He is swiftly gathering every publication of the New Mexican priest Father José Antonio Martínez (1793–1867), who fiercely resisted Anglo American domination, both in its secular and clerical forms. Alonso S. Perales (1898–1960) was one of the first Mexican Americans admitted to the bar in Texas and later went on to become a major leader of LULAC and civil rights agitator *par excellence*. Michael led a group of colleagues to chronicle Perales' early civil rights work, simultaneously recuperating his publications and the immense reputation he had established as a leader. There have been books, both singly authored and edited by Michael on the legal histories of the *Hernández v. Texas* jury desegregation case and of *Plyler v. Doe*, which mandated primary and secondary public education for unauthorized immigrants. I am sure you all know the slew of important case books that make Michael A. Olivas well known in the legal profession.

The authors whose essays follow in this volume admirably chronicle the formidable scholarly corpus Michael A. Olivas has produced. Prolific, piquant, pugnacious, and perspicacious are just a few words that have been used to describe him. A host of gentler words are apt too, like gregarious, gracious, and generous. As Michael says of his own stellar career, which has been marked by honors and recognition galore:

I write because I read, and because no day goes by where I do not mine my experiences and reading to produce scholarship. I have always been a very lucky boy, and being able to write and convey my thoughts is the glory of my being a professor and author. The day that this source dries up, like the water in *Manon of the Spring/*

*Manon des Sources*, is the day I will step down, because the light from my star will have moved on.<sup>5</sup>

I doubt that will happen anytime soon. Michael A. Olivas has found his groove. He rocks. He rolls. With his published work and so many entries in the Library of Congress catalog, it is unlikely anyone will ever erase his stories, his songs, or his legal opinions short of Armageddon. And besides, who would dare, given that pen he always has in his hand, which he sports like Gregorio Cortez brandished his gun.

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5. Michael A. Olivas, *The Accidental Historian; or, How I Found My Groove in Legal History*, in *A PROMISING PROBLEM: THE NEW CHICANA/O HISTORY* 33–57, 53 (Carlos K. Blanton ed., 2015).





# Introduction: Michael A. Olivas and the Study of Latina/os and the Law

*Kevin R. Johnson*

Michael Olivas is nothing less than a hero to a great many law professors as well as scholars in other disciplines. That is the firm impression that I was left after reading the chapters in this volume analyzing his pathbreaking scholarship and full array of other accomplishments. The contributions, including the preface by influential historian Ramón A. Gutiérrez, offer many affectionate stories, jokes, praise, and related expressions of admiration for Professor Olivas. All told, they demonstrate the respect and high esteem with which he is held. The scholars make clear what we all know—Michael Olivas has left an indelible mark on legal scholarship, the academy, and the law generally.

As I read the impressive installments of the book, something important seemed missing. The authors glowingly reviewed the scholarship (and deservedly so), but one is left to read between the lines to discern what truly animates and energizes Michael Olivas as a scholar. In my estimation, the bottom line is relatively simple, if not downright obvious—he consistently writes about issues that are important to Latina/os. The focus on Latina/os explains Professor Olivas' forays into legal history surrounding the Latina/o civil rights struggle, the sustained study of the nuances of immigration law and enforcement (as well as the law's treatment of immigrants), with an emphasis on Latina/os, and the deep and insightful analysis of law and education, with Latina/os at the center.

Latina/os, albeit through the lens of a variety of areas of law, are simply what Michael Olivas writes about. Improving the status of Latina/os in American social life is what seems to motivate his writing and his work in the academy generally, just as much as social ferment—with rock 'n roll

another one of Olivas' passions — speaks to the legendary musician Bob Dylan.

My scholarship has wandered through a variety of areas of the law. Perhaps I unconsciously followed Michael Olivas' model and wrote about how the law in different fields directly impacted the Latina/o experience. As my mentor (as well as at times my harshest — yet constructive — critic), Professor Olivas encouraged me to pursue that path. His scholarship offered an incredibly useful road map for doing so. I do not claim to be anything like Michael Olivas as a scholar, activist, or person, but some might accuse me of being something of a copycat. Other contributors to this volume may have been as well.

As the following chapters of this book will attest, and which are organized based on his expertise in legal history, immigration, and law and education, Michael Olivas has offered an incredible number of invaluable contributions to the ongoing analysis on the impact of the law on the status of Latina/os in American social life. The chapters show the great breadth of his scholarship — and how Latina/os are at its core.

## I. Legal History

As the title of this volume suggests, Michael Olivas is something of an “accidental historian.” I do not believe for a minute, however, that his historical travels are truly an accident. He consciously and systematically interrogates many historical episodes of the law that are especially important to the Latina/o experience.<sup>1</sup> He is to Latina/os what Arthur Schlesinger is to Anglos in documenting critical moments of American history.

The chapters in the Legal History section consider the scholarship of Michael Olivas that analyzes episodes of critically important Latina/o legal history, much of which previously had been ignored in legal scholarship. Steve Bender focuses attention on Michael A. Olivas, *The Chronicles, My Grandfather's Stories, and Immigration Law: The Slave Traders Chronicle as Racial Hierarchy*,<sup>2</sup> in which he relays meaningful family history as a tool for analyzing the harsh treatment of Latina/os in U.S. immigration history. It

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1. See “COLORED MEN” AND “HOMBRES AQUÍ”: *HERNANDEZ V. TEXAS* AND THE EMERGENCE OF MEXICAN AMERICAN LAWYERING (Michael A. Olivas ed., 2006) (collecting essays analyzing the Supreme Court's decision in *Hernandez v. Texas*, 347 U.S. 475 (1954), finding that barring Mexican Americans from juries violated the Equal Protection Clause of the Fourteenth Amendment).

2. 34 ST. LOUIS U. L. J. 34 (1990).

is a foundational article that brought Latina/os to the forefront of the study of civil rights and immigration law.

Christopher David Ruiz Cameron considers Michael A. Olivas' article *The Arc of Triumph and the Agony of Defeat: Mexican Americans and the Law*.<sup>3</sup> Cameron thoughtfully analyzes Professor Olivas' scholarship as the work of a careful historian "who had sifted through the archival evidence to chronicle early resistance by Mexican Americans to Anglo oppression. . . ."

Marc-Tizoc González "pay[s] homage to Professor Olivas" by engaging several pieces of his scholarship, with a particular focus on "*Breaking the Law*" on *Principle: An Essay on Lawyers' Dilemmas, Unpopular Cases, and Legal Regimes*.<sup>4</sup> In incisively analyzing Olivas' study of the role of the lawyer in bringing about social change, González reflects on Professor Olivas' persistent efforts to promote change through his scholarship. As his career attests, that scholarship is closely linked to engaged activism, fostering social change, and the betterment of the place of Latina/os in American social life.

Professor Olivas also considers history in areas other than those directly implicating Latina/o civil rights. For example, Laura Rothstein reviews Olivas' historical scholarship in education, concluding that it highlights "the importance of stories and remembering what they teach when one engages in strategic advocacy to effect change." For Olivas, documenting history is not just for history's sake but with the aim toward promoting analysis of social change and providing a road map for future change.

Gloria Valencia-Weber takes on *IN DEFENSE OF MY PEOPLE: ALFONSO S. PERALES AND THE DEVELOPMENT OF MEXICAN-AMERICAN PUBLIC INTELLECTUALS* (Michael A. Olivas ed., 2012), which analyzes the work of prominent activist lawyer Alfonso Perales in advocating the civil rights of "la raza mexicana" (the Mexican race). The book "provides a guide to Perales' distinct characteristics, viewpoint, conduct, and numerous overlapping roles." The impacts of Mexican-American public intellectuals on civil rights activism obviously drew Professor Olivas to this subject.

Eloisa C. Rodriguez-Dod assesses Professor Olivas' article *From a "Legal Organization of Militants" into a "Law Firm for the Latino Community": MALDEF and the Purposive Cases of Keyes, Rodriguez, and Plyler*,<sup>5</sup> which documents the role of the Mexican American Legal Defense and Education Fund (MALDEF) in some pivotal education cases decided by the

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3. 60 J. LEGAL EDUC. 354 (2010).

4. 52 U. PITT. L. REV. 815 (1991).

5. 90 DENV. U. L. REV. 1151 (2013).

Supreme Court. MALDEF is perhaps the leading Latina/o civil rights organization in the United States. Professor Olivas has dutifully dedicated years of service to its board of directors. Solangel Maldonado also talks of Michael Olivas' dedication to MALDEF in a chapter entitled "MALDEF's Champion." The tying together of MALDEF, civil rights, education, and history, all passions of Professor Olivas, is an apt way to close this part of the book.

## II. Immigration

Latina/os are at the center of Michael Olivas' cutting-edge analysis of immigration law. He has written incisively on what unquestionably is the most pressing contemporary civil rights issue for Latina/os—immigration. His scholarship makes it clear to all readers that immigration is *the* civil rights issue of the twenty-first century for Latina/os.

Jennifer M. Chacón insightfully analyzes Michael A. Olivas, *IIRIRA, the DREAM Act, and Undocumented College Residency*,<sup>6</sup> an article on a topic that combines Professor Olivas' analysis of immigration and higher education law. He specifically studies the issue of access of undocumented immigrants to higher education and various related legal and other changes in recent years.

Not one to shy away from controversy, Professor Olivas also critically studies some of the other pressing immigration debates of contemporary times. Gabriel "Jack" Chin analyzes the ongoing immigration debates between Michael Olivas and restrictionist activist Kris Kobach, one-time law professor and now Kansas Secretary of State (and possibly a player in the Trump administration). Shoba Sivaprasad Wadhia thoughtfully reviews Professor Olivas' article analyzing the exercise of prosecutorial discretion in the U.S. government's decisions to seek the removal of non-citizens from the United States in *Dreams Deferred: Deferred Action, Prosecutorial Discretion, and the Vexing Case(s) of DREAM Act Students*.<sup>7</sup> That issue, of course, is central to evaluating the lawfulness of the deferred action programs championed by the Obama administration, with the 2012 Deferred Action for Childhood Arrivals program having benefited tens of thousands of undocumented Latina/os. Finally, George A. Martínez looks at an important article by Michael Olivas on analyzing contemporary state and local immigration enforcement laws, which have

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6. 30 J.C. & U.L. 435 (2004).

7. 21 WM. & MARY L. REV. 475 (2012).

been passed with increasing frequency in the last decade and remain a source of great controversy because of their feared detrimental impacts on the civil rights of Latina/os, citizens and immigrants alike.<sup>8</sup>

### III. Law and Education

The education of Latina/os—from elementary to secondary to higher education—will likely be one of Michael Olivas’ enduring contributions to legal scholarship. Leticia M. Diaz reviews *Reflections of Professorial Academic Freedom: Second Thoughts on the Third “Essential Freedom.”*<sup>9</sup> Elena Maria Marty-Nelson’s essay discusses the continuing impact of Professor Olivas’ early scholarly work on in-state residency requirements for higher education entitled *Administering Intentions: Law, Theory, and Practice of Postsecondary Residency Requirements*. In a deeply personal tribute, Rachel Moran states her respect for how Professor Olivas’ scholarship and activism “continue[s] to blaze trails, without fear or apology.”

Throughout his career, Michael Olivas has been dedicated to diversifying the legal profession. Law deans María Pabón López and John Trasviña focus on Professor Olivas’ seminal article, *The Education of Latino Lawyers: An Essay on Crop Cultivation*,<sup>10</sup> which critically assesses the need to increase the numbers of Latina/o law faculty and students. Both deans express cautious optimism at the ability to ensure a future pipeline of Latina/o lawyers and law professors. Tanya Katerí Hernández also analyzes the insights of the “Crop Cultivation” article and considers how Olivas presents the data on Latino lawyers (and the relative lack of them) as evidence of nothing less than racism at work.

Larry Catá Backer observes Olivas’ pivotal role in that great shift of societal structures that marked the tail end of the twentieth century and the beginning of this one. According to Backer, Olivas may well have sensed that in order to change legal superstructures, one must first change the sub-structures of the society whose desires shaped these superstructures and their interpretive possibilities. Nowhere is this clearer than within the structures of education in the United States, and one of Olivas’

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8. Michael A. Olivas, *Immigration-Related State Statutes and Local Ordinances: Preemption, Prejudice and the Proper Role for Enforcement*, 2007 U. CHI. LEGAL F. 27 (2007).

9. 45 STAN. L. REV. 1935 (1992–93).

10. 14 CHICANO-LATINO L. REV. 117 (1994).

great contributions was his advocacy to expand the boundaries of who is included in society; to do so, one must open access to the university.

In a most apt conclusion to the book, Dean Alfredo García discusses Michael Olivas' efforts to increase the number of Latina/o law professors through the Hispanic National Bar Association's "Dirty Dozen" list of law schools with no Latina/o law professor among the tenure-track faculty. Olivas first issued the list in 1987 and discontinued it in 1999. His efforts at the public shaming of elite law schools into hiring Latina/o law professors drew considerable resistance. Professor Olivas, not surprisingly, endured considerable criticism from powerful law school deans and others for his efforts. García opines that the criticism of the Dirty Dozen hindered Professor Olivas' efforts to secure a law school deanship. Thus, Professor Olivas paid a personal price for his dedication to the Latino law professor cause.

Harvard and Yale were perennially at the top of the Dirty Dozen. Yet, unlike their efforts to have their publicity machines let the world know of their high rankings, the law schools did not publicize their inclusion in the Dirty Dozen. The list nonetheless helped bring about positive change. Although some law schools failed to add a Latina/o faculty member for years, other law schools did so more quickly. Only in the last few years—and Michael Olivas deserves credit for making the issue one that inspired Latina/o alumni to bring pressure to bear on their alma maters—did Harvard and Yale, the last bastions of elite non-Latinoness, both hire a tenure-track Latina/o law faculty member. Ultimately, Professor Olivas' efforts through the Dirty Dozen list and other actions almost single-handedly increased the number of Latinas/os on law school faculties from a handful in the 1980s to close to 300 today.

## Conclusion

Although his career is far from over, Michael Olivas has had an amazing scholarly run. And he has done much for the Latina/o cause besides producing excellent legal scholarship. As the contributions in this volume attest, Professor Olivas also has worked tirelessly to improve the quality of legal scholarship generally in dealing with issues of importance to Latinas/os by increasing the number of Latina/o law professors. Never forgetting his deep roots in New Mexico, Olivas literally has changed what the legal academy writes about and who is doing the writing.

Through his efforts over decades, Michael Olivas in effect willed the increase in the number of Latina/o law professors. As the contributions

mention time and again (and this volume's editor, Ediberto Román, details in his chapter) Olivas also has served as a dedicated mentor to many countless Latina/o scholars and helped them succeed. Among other things, Professor Olivas read and commented on drafts of countless numbers of scholarly articles, organized dinners and events to build community among Latina/o law professors, and in innumerable ways supported his Latina/o colleagues, who often found themselves in hostile environments.

Like many other contributors to this book, I have personally benefited from the generosity of Michael Olivas. He helped me earn tenure and has supported me ever since, as a scholar and law school dean. Olivas once invited me to give an endowed lecture at the University of Houston Law Center even though we both knew that there were scores of law professors better suited to the task and honor. More generally, at great personal cost, Professor Olivas' Dirty Dozen list led to the increased hiring of Latina/o law professors.

Michael Olivas is nothing less than a historical figure. This volume hopefully will begin a more in-depth look at his lifetime body of work. Indeed, my hope is that it will be the first of many efforts that will analyze the impacts on legal scholarship and the legal academy of Professor Michael Olivas' memorable career.

