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Introduction

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INTRODUCTION

*by Louis H. Burke**

The publication of the inaugural edition of this Law Review marks a memorable moment in the development of Loyola University, School of Law, as one of California's prominent and proudly independent institutions of legal education. It was my happy privilege to have graduated from the law school some forty years ago during its infancy. I have followed its development under the guidance of its beloved Regent, Reverend Joseph J. Donovan, S.J., with interest and affection.

The path of an independent, non-tax supported law school is not an easy one, and for Loyola there has been no exception. It has succeeded only because of the great personal sacrifice on the part of all the distinguished men who have served the school in various capacities and brought it painstakingly and devotedly to its present position of eminence with its graduates among the leaders in government, the bar, and the bench.

From its very inception, the law school has been dedicated to extend a legal education to deserving and willing students, rich and poor alike, without discrimination. Even after its success had been assured and it could easily have eliminated its night school division, Loyola continued to extend its services to those to whom a night school presented the only avenue to a legal education. Its early professors were all either judges or practicing attorneys. They represented all faiths and were of varied backgrounds. However, they and the faculty members succeeding them have enjoyed one attribute in common. Once introduced to the school they were noticeably imbued with a zeal to serve, best exemplified by the total dedication of its Regent, Father Donovan, and his brothers of the Jesuit Order. Such fervor has been apparent throughout the history of Loyola. It is accountable in part to the complete academic freedom enjoyed there, to the warm response from students, to their eagerness to learn, to their love of discourse and debate, and to the consequent development of excellence in the ability to think and speak on one's feet. This last ability, so helpful to a lawyer, is best exemplified by Loyola Law School's pre-eminence in state and national moot court competitions.

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But there is more. Loyola is dedicated to a philosophy of the law which reaches beyond the goal of passing bar examinations and gaining financial success in the practice of the profession. It is best described as concern for, and a desire to serve, one's fellow man. It is in this manner that one best serves God. A fundamental task of the law school, then, becomes the orderly pursuit of expansion and refinement of our understanding of man's relationship to his social environment.

It is this understanding that today's law students will infuse into our legal system as tomorrow's attorneys, public officials, and judges. This infusion is of paramount importance since it is our legal system which gives order and cohesiveness to the complexity and vast scope of modern civilization. Consequently, I believe it to be essential that the contributions made by our law schools to the general appreciation and knowledge of human relations and the administration of justice be communicated and disseminated. Manifestly, thought which is not communicated is largely wasted. Therefore, it seems imperative that a law school devoted to the philosophical study of law, as is Loyola, have a vehicle by which to transmit the important work which is done there. A law review fulfills this communicative function.

The legal academic periodicals, which emanate from the law schools today in increasing volume, have achieved recognized importance in the comprehensive scheme of American jurisprudence. The widespread impact law reviews have had on the legal profession is evidenced by the increased frequency with which such publications are cited by courts, text writers, and attorneys as persuasive authorities for the particular legal proposition being advocated. The generally high quality exhibited by current law reviews reflects credit upon those responsible for the training of our prospective lawyers. Undeniably, by providing a continual source of commentary, based on logic, principle, and reason, on recent judicial decisions and by publication of analytical studies of controversial legal issues written by leading members of the bar, law reviews render valuable service to those involved in the administration of justice. Of course, the primary purpose of the law review is to supplement the law students' training at the formative level. The assistance given to practitioners in solving legal problems is merely an important by-product.

The production of an academic periodical is the prime vehicle through which interested and able law students can analyze and expound current trends within the law. It is through the exacting study focused on specialized areas of the law, as set forth in the reviews, that analytical abilities of the students formed in the classroom reach fruition and expression. The value of the experience students receive in writing for a law review

is inestimable. A law review controlled and produced by a student editorial board, zealous of achieving high standards of quality and originality, is an excellent complement to the sometime perfunctory classroom dialogue and private study. Law reviews afford the student the opportunity to dissect, test, and comment on his own terms upon the application of the legal principles introduced to him by the faculty. The law review can be said to comprise the experimental laboratory of the law school. By this process, the student is able to construct his own conceptions of the applicability of the law within the context of real social problems. His conclusions will have a profound effect on his legal career. In law school, the energy and searching intellect of the students are channeled into productive form with the wise guidance of the faculty, and the law review is the perfect conduit for this task.

A law review stimulates the spirit of intellectual competition so essential for success at the bar. For the faculty and school, the standards maintained by its law review in contributing to legal research and discussion are visible demonstrations of the level of instruction offered. A fine law review distinguishes the school in the estimation of the legal profession, and it provides a further basis for maintaining a strong and interested alumni.

I am confident that the consistent high standard of legal instruction and scholarship which has become associated with Loyola through the years will be graphically translated and exhibited in the tangible form of its own law review. It will constitute a direct challenge to the creative ability of Loyola University, School of Law. The law review will function as a voice of the law school in the legal community. What Loyola professes to say through its law review will hopefully resound profoundly through the profession. It is with such high expectations that I dedicate this newest entry into the field of legal periodicals and extend my best wishes for a long and distinguished existence.