



3-1-1979

Dedication—J. Rex Dibble

Otto M. Kaus

Frederick J. Lower

Lloyd Tevis

Richard A. Vachon

Follow this and additional works at: <https://digitalcommons.lmu.edu/llr>



Part of the [Law Commons](#)

Recommended Citation

Otto M. Kaus, Frederick J. Lower, Lloyd Tevis & Richard A. Vachon, *Dedication—J. Rex Dibble*, 12 Loy. L.A. L. Rev. ix (1979).

Available at: <https://digitalcommons.lmu.edu/llr/vol12/iss2/1>

This Introduction is brought to you for free and open access by the Law Reviews at Digital Commons @ Loyola Marymount University and Loyola Law School. It has been accepted for inclusion in Loyola of Los Angeles Law Review by an authorized administrator of Digital Commons@Loyola Marymount University and Loyola Law School. For more information, please contact digitalcommons@lmu.edu.

DEDICATION

The *Loyola of Los Angeles Law Review* dedicates this issue to Professor J. Rex Dibble, in commemoration of his retirement from the faculty of Loyola Law School. For over four decades, Professor Dibble has been a major figure at the Law School. The Class of '79 is fortunate for having had the opportunity to benefit from Professor Dibble's command of Constitutional Law and from his rigorous teaching methods. We undoubtedly join two generations of Loyola graduates in thanking Professor Dibble for the enrichment of our analytical skills.

The Board of Editors

*Otto M. Kaus**

Our class of '49, which started law school in September 1946, was a curious lot, though we did not know it at the time. Law school was not just a continuation of undergraduate studies—most of us had not sat in a college classroom for the duration of the war, and after several years away from books, going back to school seemed regressive. Yet we were keenly aware that the war had delayed our career goals by just those years. Besides, many of us had taken on family responsibilities rather earlier in life than we had planned. In brief, we had lost whatever scholarly habits and virtues we ever had and looked on law school not as an occasion to become familiar with a new and exciting discipline, but solely as a means to an end: admission to the Bar, and, thereby, untold riches. As far as we were concerned anything that was not on the Bar exam we did not want to hear about, teachers who asked questions without answering them were not earning their pay and legal problems without black letter solutions were unfair to veterans in a hurry. We were a tough audience.

Under these conditions it is proof of Rex Dibble's genius as a teacher that he survived us and we him. Of course, he cheated: for had he come on like the typical frustrated Gestapo interrogator, sadistically delighted in confusing the student and grinding him into bits, we would simply have scratched him off as another loser and turned to Forrest Cool's outlines and Witkin's Summary, then a manageable—and affordable—two volumes. No, Rex fooled us by at first seeming to be genuinely willing to please us on our own Philistine terms: "Tell us what the law is, not what it ought to be, might have been or never will be." It did not last, of course—but somehow, when Rex decided to shift into the higher gears, we were willing, even anxious, to try and follow. Heaven only knows by what magic he turned a blasé group of career-hungry vets into intellectually-curious scholars—I suppose if one could analyze it, one would have the undiscovered and undiscoverable recipe for "how to be a great teacher."

No matter how it was done, under Rex we came of age as lawyers. For this my class mates and I shall be forever in his debt. About two decades later, under his deanship, the law school itself came of

* *Associate Justice, California Court of Appeal.*

age—and the number of debtors multiplied by the dozen. The profession will never be able to repay him.

*Frederick J. Lower, Jr.**

I find it a difficult task to write about J. Rex Dibble because of my own uncertainty over which hat I should wear in responding to the invitation of the editor. Tributes upon retirement from teaching are usually written by former students, fellow professors, deans and friends. Fortunately, through a happy combination of circumstances extending over nearly twenty years, I can lay claim to all of these hats.

I cannot recall my first meeting with Rex, although I am certain it was more of an encounter than a meeting. One simply did not meet Professor Dibble in Constitutional Law. One encountered his brilliant analysis and exposition, and his hypotheticals that ranged, according to the typical student wisdom of the day, somewhere between baffling and confusing.

Rex was a teacher from the no-nonsense, hard work and strictly business school of teaching. And he did work his students hard, both in preparing for his classes as well as during each class session. J. Rex, as he was known privately among the students, habitually called upon one student at a time, firing question after question until the student wilted, wavered, caved-in, collapsed—or the bell rang. I remember vividly that during the year I studied Constitutional Law I held the record for “minutes on your feet.” This was an achievement no one ever sought, but one that once conferred was worn proudly, ranking somewhere between a Purple Heart and a Silver Star.

The hundreds of students privileged to sit in his classes can never forget the stimulating and effective influence of a rugged personality they respected. Rex’s skill in the methodology of teaching, an individual methodology that probably only Rex could make work, is an important attribute of one who devoted a lifetime to academic pursuits. Yet there are two other qualities that are perhaps even more important in his make-up for they formed the bed rock upon which he built everything else he did. These qualities are thoroughness and fairness. And with regard to these qualities Rex was scrupulous, in the very

* *Dean, Loyola Law School, Los Angeles.*

good sense of being minutely careful, precise and exact. His writings, his lectures and the manner in which he dealt with everyone bear witness to these qualities. His colleagues chose him as their dean. His profession made him a life member of the prestigious American Law Institute. The list could go on. But of all his accomplishments and services it is as a teacher that Rex shall best be remembered.

He was also a marvelous faculty colleague. During faculty meetings we looked forward to those relatively rare moments when Rex raised his hand, for we knew that the fuzzy and obscure would be clarified and organized. He was always direct and practical and was a master of dramatic simplicity.

His mature judgment and advice were always available for the asking. Rex first came to the law school in 1937, and he had an unrivaled breadth and depth of experience which he was perfectly willing to share but which he was totally unwilling to force upon anyone.

But the times I remember best are those with Rex and Elda, his wife of nearly fifty years, aboard their sloop *Comanche* off the California coast. Those were the quiet times, the fun times. I think my favorite mental picture of Rex consists of watching him position the main hatch cover on the *Comanche* after a day of sailing. Here was Rex the sailor. Rugged, honest, independent and forthright. A man who lives life as he taught his students.

And as he begins his retirement he should know that his example and influence will continue to be important in the lives of his students, colleagues and friends—no matter which hat(s) they wear.

*Lloyd Tevis**

When the tattered remnants of the entering class of 1947 gathered for the fall semester of 1948, there was a collective feeling of confidence. We had, after all, survived the first-year trial by ordeal. We supposed that the toughest part of law school was behind us. Our mistake was that we failed to take Professor J. Rex Dibble into account. It was he who would teach us what preparation really meant. It was he who would guide us into an expanded understanding and appreciation of the law. In doing so, he would introduce us to a level of classroom excellence we had not dreamed existed.

* *Professor of Law, Loyola Law School, Los Angeles.*

It was my good fortune to take Constitutional Law, Trusts, and Federal Taxation from Professor Dibble. The work was difficult as it had to pass his rigid inspection. Yet under his tutelage it did not become drudgery. As the saying goes, "He ran a tight ship." (God knows he did!). This perhaps made him less beloved than some other less demanding professors, but he gained the more important responses—respect and confidence. Without hesitancy I have, over the intervening thirty years, been able to say on many occasions that Rex Dibble was the best teacher I have ever had.

Recent years have been years of abundance for the nation's law schools. It is sometimes hard to remember that it was not always thus. The latter half of the 1950's presented a different picture at many law schools, including Loyola. The postwar student boom was over and enrollment was down. Many traditional values in legal education were being subjected to scrutiny. Loyola did not escape the difficulties and challenge. The times required new leadership. Loyola found it in the person of J. Rex Dibble, who became our Dean in 1959. His appointment marked a turning point in the life of the Law School.

The years that followed were filled with accomplishments. It would be impossible to rank them in order of their importance or lasting effect. A mere recitation would fail to do justice to the man who provided the necessary inspiration and leadership.

Over the years of his Deanship, Rex's insistence on high standards of competence and professionalism permeated every nook and cranny of the Law School: the quality and size of the faculty; the curriculum; the performance of the students; the library services; the student services; even the housekeeping of the premises. New ties to the alumni were established, including our first tentative approach to continuing legal education of the bar. His leadership was demanding, but not dictatorial. To an extent never before achieved, the faculty was involved in planning and policymaking. By the time Rex resigned to return to full-time teaching, a vastly different institution had been built.

All this is not to suggest that nothing remained for his successors to accomplish. Yet a substantial revitalization had occurred. With creative workmanship and devotion he laid the foundation which sustained the unprecedented growth that followed.

It must have been with a sense of accomplishment, yet also with a sense of relief, that Rex returned to full-time teaching. It has been said that it is a waste of a good teacher to make him Dean. This was not true in his case, but Rex does belong in a classroom. In the twelve or so

years since he returned there, hundreds of students have become richer for having met him there.

For some thirty-one years I have been associated in one way or another with J. Rex Dibble. Much that one knows and appreciates about another after so many years of a friendship does not lend itself to public expression. What I have said will, I hope, suggest the esteem and regard I have for Rex Dibble. I feel a particular sense of gratitude for his friendship and am forever indebted to him for what he has taught me in and out of the classroom by word and by example.

*Richard A. Vachon, S.J.**

To write of Rex Dibble releases a flood of memories. The administrator who could build the structure to house the expanding faculty and student body for a curriculum which he had the guiding hand in developing. The colleague who invented the incomparable "Dibble Test" designed to select those faculty applicants who could operate soberly under stress. The meticulously prepared teacher of generations of lawyers. The self-proclaimed conservative who was always long strides ahead of everyone else in breaking new paths for student freedom and participation in one's own destiny. The extra-ordinary self-taught mariner who lived life fully, joyously and intelligently. It all brings back my first encounter with him seventeen years ago. Encounter it was, and a fond memory. But it was a sign of the effect a strong and dutiful man can have on events and institutions outside his ken and perhaps even beyond his immediate interest. And it was a portent of things to come, for such men mold history.

In June of 1962 I was finishing my graduate work at Columbia. On the fourth, I received a letter from my Provincial Superior informing me that he was assigning me to teach at Loyola Law School. That was the way things were done in that far-off pre-Vatican II era. Within a week I wrote to Dean Dibble of this fact, expecting that it would be received with at least as much thrilling happiness as I was experiencing. I then left New York for Boston to make a retreat and points North. On the 5th of July I returned to New York. A letter was awaiting me from Father Casassa, President of Loyola. He informed me that Rex had read my earlier letter with something less than enthusiastic glee,

* *Professor Of Law, Loyola Law School, Los Angeles.*

and requested that I send Rex my curriculum vitae, come to Los Angeles for an interview and have my application processed as any other applicant's.

And so I flew to Los Angeles, met with Rex and Lloyd and Clem and Bud and Don. I was taken to lunch where I underwent the "Dibble Test," presumably, successfully. As far as I have been able to ascertain, this was the first time that a Jesuit's application to teach in a Jesuit University was processed in this way. Of course it is a common practice today and has been developed into a rigorous scrutinizing procedure. But it was Rex's strength and independence which proved to be a harbinger of what would be a general practice uniformly accepted in every Jesuit institution in the country.

The dictionary tells us that a "dibble" is an instrument to make holes in the ground for seeds, bulbs and young plants. Rex planted well. What Loyola Law School is today is in large measure the fruit of his labor. But more than that, his dedication to the details of Loyola Law School's proper development had an influence beyond the Law School. Far beyond it.



PROFESSOR J. REX DIBBLE