

FOREWORD TO THE FIFTIETH VOLUME

In 1959, the first student-run law review at Boston College Law School printed its inaugural issue. This publication, the *Boston College Industrial and Commercial Law Review*, grew from Dean Robert Drinan's recognition that, although it was respected, the original scholarly journal at Boston College Law School, the *Annual Survey of Massachusetts Law*, did not adequately advance the ambitious goals he had for the law school. Instead, "[a] major law review was necessary."¹ The changes to Boston College Law School's academic publications were emblematic of the broader transformation of the institution. In the years following, Boston College Law School continued to emerge from its humble beginnings to become a prestigious, national law school with graduates in leadership positions from top law firms to the judiciary to the U.S. Congress.

This legacy of self-improvement remains institutionalized not only at the law school, but also on the *Boston College Law Review*. Over the years, the publication has evolved alongside the school, growing in focus to embrace legal thought in any area, and at the vanguard of scholarship. The *Annual Survey* focused on Massachusetts law, aiming to help practitioners at a time when the school was more regionally focused. The *Industrial and Commercial Law Review* favored more academic scholarship in eponymous legal fields as the focus of the school began to shift under the bold changes of Father Drinan. And with a few short words in volume nineteen, the publication became the *Boston College Law Review*, a name that better "acknowledge[d] this journal's growth in scope."² As the law school has matured, then, so has the *Law Review*. The *Law Review* of 2009 is, in no small measure, faithful to Boston College's credo: *Ever to Excel*.³

Law reviews are unique in that they are student edited. Participating in and managing the editing process is what students take away to

¹ Robert S. Drinan, S.J., Dedication, *Statement of Robert F. Drinan, S.J. Professor of Law, Georgetown University Law Center and Former Dean of Boston College Law School on the Contribution of Professor William Willier to the Establishment and Continuation of the Boston College Law Review*, 27 B.C. L. REV., at vii (1986).

² Editorial Note, 19 B.C. L. REV., at v (1977).

³ This motto is derived from Sixth Book of *The Iliad*. A fuller text is more insightful for this foreword than the quip alone: "Always be the best, my boy, the bravest, and hold your head up high above the others. Never disgrace the generation of your fathers. . . . There you have my lineage. That is the blood I claim . . ." HOMER, *THE ILIAD* bk. VI (Robert Fagles trans., Penguin Books 1990).

their later careers, and this experience is what molds law review members into the future thinkers and leaders they come to be. Ultimately, every publication is the result of individual efforts, and this human capital is directly responsible for its quality. The hours spent writing, editing, and mulling legal thought are life experiences that color the approach to and direction of staff members' practices. It is the enterprise itself that the editors remember—either fondly or not—and there is no question that the enterprise itself affords students the opportunity to think critically, to be consumed by an issue, and to engage in true academic work. It also provides the chance to work intimately with the law's shield and its sword: the written word. In fact, the development of writing skills among the student membership was a primary reason for creating the publication in the first place.⁴

Lawyers in some respects are fiduciaries to society as a whole—they are there for its betterment and preservation. Law school is a time when students learn the structural fabric of social rules, and the *Law Review* supplements the experience with the chance to evaluate these rules, to think normatively, and to propose better approaches. Only such an intense experience, attuned to the nuances of an argument, can provide this invaluable critical opportunity. With an expansive scope, the *Law Review* allows students to edit the work of professors in fields they may not have even known about, and it allows students to write on issues they find interesting. The *Law Review* thus serves a vital role in preparing those who will become society's leaders and lawmakers because during no other time in one's career can so much time be dedicated just to thinking, exploring, and writing.

At the same time, the *Law Review* is not merely a self-indulgent exercise. For new professors, tenure decisions rest on publication. For seasoned ones, publication is the avenue to hone views developed over the years and to engage in serious debate over fundamental legal principles. Most importantly, the vibrancy of intellectual exchange and progress is at the heart of the *Law Review* and thus the academy in general. The *Law Review* can also provide courts with persuasive reasons why the law should be changed, and lawyers can enhance their understanding of emerging legal issues. At Boston College, our *Law Review* toes the line, ever in tension in legal academia, between the practical and the academic.

⁴ Drinan, *supra* note 1, at vii.

Though there has been debate for decades about the efficacy and utility of student-run legal publications,⁵ the fact is that they remain stalwart as the repository of legal scholarship and as the gateway to continuous normative debate. In some ways, student publications are fitting for a field with a Janus-like history, yearning for academic esteem while needing to educate practitioners and provide actual solutions.

Society advances, and so does the law. The *Law Review* aspires to be at the nexus of the debate about the direction of that advance. Along with Boston College Law School, the members of the *Boston College Law Review* continue to excel and engage this normative project well beyond the confines of the three years of law school. As citizens and as part of the legal profession, we face serious challenges, be they to our security, our environment, or our treasury. Our role is not only to suggest solutions on our pages, but also to implement them by training the next generation of leaders. Like our predecessors fifty years ago, it seems a daunting task. But like them, the students of the *Boston College Law Review* will rise to the challenge.

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⁵ E.g., Jonathan Mermin, *Remaking Law Review*, 56 RUTGERS L. REV. 603 (2004); Richard A. Posner, *The Future of the Student-Edited Law Review*, 47 STAN. L. REV. (SPECIAL ISSUE) 1131 (1995); Phil Nichols, Note, *A Student Defense of Student Edited Journals: A Response to Professor Roger Crampton*, 1987 DUKE L.J. 1122; Fred Rodell, *Goodbye to Law Reviews*, 23 VA. L. REV. 38 (1936).