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## Centennial Dedication: A Brief History of the *Fordham Law Review*

The Editors

*Fordham University School of Law*

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# CENTENNIAL DEDICATION

## A BRIEF HISTORY OF THE *FORDHAM LAW REVIEW*

Fordham University School of Law opened its doors on September 28, 1905.<sup>1</sup> It was not until the fall of 1914, however, that the school was “financially strong enough to launch the *Fordham Law Review*.”<sup>2</sup>

As one of the first dozen law reviews in the country,<sup>3</sup> the *Fordham Law Review* had a modest beginning. Published in *The Fordham Monthly*,<sup>4</sup> Volume I was about fifty pages long.<sup>5</sup> Students wrote book reviews and summaries of recent court decisions on legal issues such as whether a Christian scientist who treated patients through prayer had practiced medicine without a license (he had)<sup>6</sup> and whether a criminal defendant was liable for murder though his pregnant victim only died later from subpar hospital care (he was).<sup>7</sup> Volumes II and III tripled in size and began publishing articles, while still “advertis[ing] such marginally legal items as Tuval’s Havana Cigars and Kich’s French Bread.”<sup>8</sup> The *Law Review*’s early articles and notes were typically no more than seven pages in length. Footnotes ran into the dozens, not the hundreds. The early volumes cost \$1 per year.

With the advent of the First World War, the young *Law Review* ceased publishing after just three volumes.<sup>9</sup> Despite the Great Depression, it was revived in expanded form in 1935. In the first pages of Volume IV, the *Law Review* reemerged by publishing *Why Law School Reviews?: A Symposium*. New York Court of Appeals Chief Judge Frederick Evan

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1. ROBERT J. KACZOROWSKI, *FORDHAM UNIVERSITY SCHOOL OF LAW: A HISTORY* 1 (2012).

2. Robert M. Hanlon, Jr., *A History of Fordham Law School*, 49 *FORDHAM L. REV.* xvii, xxii (1980).

3. KACZOROWSKI, *supra* note 1, at 76.

4. *Foreword to* 1 *FORDHAM L. REV.* (photo. reprint 1947) (1914).

5. John D. Feerick, *The Fordham Law Review and Dean Joseph M. McLaughlin: A Combined Tribute*, 68 *FORDHAM L. REV.* (SPECIAL ISSUE) 85, 85 (1999).

6. *See* Comment, 1 *FORDHAM L. REV.* 183 (1914); *see also* KACZOROWSKI, *supra* note 1, at 76.

7. *See* Comment, 1 *FORDHAM L. REV.* 365 (1914); *see also* KACZOROWSKI, *supra* note 1, at 76.

8. Hanlon, *supra* note 2, at xviii.

9. *Editorial*, 3 *FORDHAM L. REV.* 121, 121 (1917); *see also* Constantine N. Katsoris, *In the Service of Others: From Rose Hill to Lincoln Center*, 82 *FORDHAM L. REV.* 1533, 1549 n.140 (2014).

Crane began the symposium by noting the emerging vitality and relevance of law school journals:

In some such ways the law school [review] has slowly and gradually developed into one of the chief functions of our law schools and has become so important and useful that its weight and authority find influence outside the scholastic atmosphere with the practicing lawyer as well as the judges in our courts.<sup>10</sup>

These words are still true today, particularly when tracing the growth of the *Fordham Law Review*. Just five years after returning from its long hiatus, the *Law Review* was producing material that was cited by the U.S. Supreme Court.<sup>11</sup> A student comment published in 1978 formed the basis for enterprise liability in tort law<sup>12</sup> and remains a well-known example of courts citing to student works.<sup>13</sup> The *Fordham Law Review* is currently the fourteenth most cited law journal overall as well as the ninth most cited by state and federal courts and the fifth most cited by other legal journals.<sup>14</sup>

John D. Feerick, who served as an editor-in-chief of the *Fordham Law Review* and later dean of Fordham Law School, noted: “The success of the *Fordham Law Review* is due to the many hundreds of men and women who have served with distinction on its staff. Many former staff members are now prominent judges, teachers, practicing lawyers, and public servants.”<sup>15</sup>

In this centennial edition, the Board of Editors for Volume 83 would like to thank the former editors and staff of the *Fordham Law Review*. Our work is possible because of the century-long tradition of excellence achieved through your service.

THE EDITORS

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10. Frederick Evan Crane, *Law School Reviews and the Courts*, 4 FORDHAM L. REV. 1, 1 (1935).

11. See *Boehm v. C.I.R.*, 326 U.S. 287, 294 (1945) (citing Joseph B. Lynch, *Losses Resulting from Stock Becoming Worthless—Deductibility Under Federal Income Tax Laws*, 8 FORDHAM L. REV. 199 (1939)). Coincidentally, Joseph B. Lynch was a member of Volume II of the *Fordham Law Review* in 1915.

12. Naomi Sheiner, Comment, *DES and a Proposed Theory of Enterprise Liability*, 46 FORDHAM L. REV. 963 (1978).

13. Bert Sloan, Note, *What Are We Writing for? Student Works As Authority and Their Citation by the Federal Bench*, 61 GEO. WASH. L. REV. 221, 227 n.38 (1992).

14. See Law Journals: Submissions and Rankings, WASH. & LEE SCH. L. L. LIBR., <http://lawlib.wlu.edu/LJ/> (last visited Mar. 25, 2015).

15. Feerick, *supra* note 5, at 86.

To commemorate our founding in 1914, the Board of Editors has selected six influential pieces published by the *Law Review* over the past 100 years and will republish one piece in each issue.

The fifth piece selected by the Board is *The Arduous Virtue of Fidelity: Originalism, Scalia, Tribe, and Nerve* by Ronald Dworkin. In these remarks, Dworkin described his view of fidelity to the Constitution's text and argued that a constructive interpretation of the Constitution requires moral judgment. Advocating for such an interpretation, he urged the audience: "Let's not lose our nerve, when all around the world other people, following our example, are gaining theirs."

The late Professor Dworkin's lecture was part of the Levine Lecture Series founded in 1992 to honor the legacy of alumnus Robert L. Levine and bring some of the brightest legal scholars in the country to the Fordham community.

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