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Foreword

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SYMPOSIUM
LEGAL EDUCATION
IN TWENTIETH-CENTURY AMERICA

FOREWORD

*Matthew Diller**

In 2012 our colleague Robert J. Kaczorowski published *Fordham University School of Law: A History*.¹ As we read Bob's book, discussed it, and thought about it, we realized emphatically that it not only synthesized the history of Fordham Law School in a superbly illuminating way, but that it is one of the best books to date on the history of twentieth-century legal education in America. It compellingly tells the story of American legal education through the lens of an urban law school founded to expand access to the legal profession for groups that had been shut out of the pathways to power that legal education provides. The initial focus on Catholics and immigrants quickly expanded to include African Americans, women, and others.² It became obvious that we needed to do more to bring Professor Kaczorowski's book to the attention both of scholars who are interested in studying legal education and of administrators who must guide it.

Accordingly, with the assistance of Professor William Nelson of New York University School of Law, we organized a conference on the history of legal education in twentieth-century America around the topics discussed in Bob's book. The conference was held on July 2–4, 2018, at the New York University conference center in Florence, Italy. The goal in organizing the conference was to bring together scholars who are writing about the history of legal education and the legal profession, along with individuals who played important parts in making that history happen. Thus, in addition to Professors Kaczorowski and Nelson, we invited Professors Daniel Coquillette and Bruce Kimball, who have published a history of Harvard Law School in the nineteenth century³ and are working on a forthcoming volume

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

2. *See id.* at 37–47.

3. *See generally* DANIEL R. COQUILLETTE & BRUCE A. KIMBALL, *ON THE BATTLEFIELD OF MERIT: HARVARD LAW SCHOOL, THE FIRST CENTURY* (2015).

about Harvard's twentieth-century history;⁴ Professor Kenneth Mack, who has written a history of African American lawyers in the first half of the twentieth century;⁵ and Professor Robin West, a leading scholar of the role of feminism in law.⁶ Two preeminent leaders in recent years in legal education, Guido Calabresi, United States Circuit Judge and former dean of Yale Law School, and John Sexton, president emeritus of New York University and former dean of its Law School, both of whom transformed their respective institutions during their tenure in office, participated in the conference. James P. White, dean emeritus of the University of Indiana Law School at Indianapolis, who served as the American Bar Association's consultant on legal education from 1974 to 2000 and continued to serve in an emeritus role for twelve years thereafter, was also invited but could not attend.

We thank the editors of the *Fordham Law Review* for their judicious decision to publish the papers from the conference, together with the discussion by the participants, in this issue of the *Law Review*.⁷ The papers and discussion will become important sources for future scholars writing about the history of legal education. The papers and the discussion raise significant questions, not only about the history but also about the future of legal education, and I expect, as a result, that this issue of the *Law Review* will become a fountain of inspiration for administrators like myself who must address those questions in the years to come.

This is also a fitting occasion to thank Professor Kaczorowski not only for giving us this remarkable book, but for his contributions to American legal history and to our law school more generally. Professor Kaczorowski is one of the most influential and insightful legal historians of his generation. His writing on the enforcement and interpretation of civil rights in the period following the Civil War is authoritative.⁸ Our students have benefited from his knowledge and passion for over thirty years. The scholarship in this volume is a tribute to Professor Kaczorowski's lasting impact on all of us.

4. See generally BRUCE A. KIMBALL & DANIEL R. COQUILLETTE, *THE INTELLECTUAL SWORD: HARVARD LAW SCHOOL, THE SECOND PHASE* (forthcoming 2019).

5. See generally KENNETH W. MACK, *REPRESENTING THE RACE* (2012).

6. See generally, e.g., Robin West, *Jurisprudence and Gender*, 55 U. CHI. L. REV. 1 (1988).

7. Guido Calabresi, *Essay: Developing Appropriate Standards for Achieving Diversity in Faculty Appointments*, 87 FORDHAM L. REV. 959 (2018); Robert J. Kaczorowski, *Fordham University School of Law: A Case Study of Legal Education in Twentieth-Century America*, 87 FORDHAM L. REV. 861 (2018); Bruce A. Kimball & Daniel R. Coquillette, *History and Harvard Law School*, 87 FORDHAM L. REV. 883 (2018); Kenneth W. Mack, *Second Mode Inclusion Claims and Legal Education*, 87 FORDHAM L. REV. 1005 (2018); William E. Nelson, *The Importance of Scholarship to Law School Excellence*, 87 FORDHAM L. REV. 939 (2018); John Sexton, *Subsidiarity and Federalism: The Relationship Between Law Schools and Their Universities*, 87 FORDHAM L. REV. 911 (2018); Robin West, *Women in the Legal Academy: A Brief History of Feminist Legal Theory*, 87 FORDHAM L. REV. 977 (2018).

8. See generally, e.g., ROBERT J. KACZOROWSKI, *THE POLITICS OF JUDICIAL INTERPRETATION: THE FEDERAL COURTS, DEPARTMENT OF JUSTICE, AND CIVIL RIGHTS, 1866–1876* (2005).