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A Note from the Editors

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A NOTE FROM THE EDITORS

During the last year, we at the *Buffalo Law Review* have seriously questioned our *raison d'être*; too often law reviews, ours included, have published articles which were not especially innovative or provocative. Such a practice has done little more than endlessly fill pages and/or provide novice academes a forum in which they may published countless essays during their quest for tenure.

This issue, however, gives hope for the future and helps to dispel any notions of our uselessness. Each of the four articles herein is exceedingly stimulating and deals with an area of law currently under public scrutiny.

The *Review* is pleased to present an article by Professor Mitchell Franklin, a distinguished scholar of Romanist Law, entitled *Romanist Infamy and the American Constitutional Conception of Impeachment*. As its title may suggest, this essay recounts, from a Romanist viewpoint, the genesis of impeachment in the United States Constitution. It was the framers' intention, concludes Professor Franklin, that impeachment may be justified on mere grounds of public opinion.

Professor Adolf Homburger, in his article *Private Suits in the Public Interest in the United States of America* views class actions, stockholder derivative suits and public interest actions from the unitary perspective of promoting society's best interests. When such suits are perceived in this manner, some of their more troublesome hurdles—such as requirements for standing and notice—seem to evaporate.

Possible environmental consequences of the energy crisis are brought to the foreground by Philip Weinberg, a New York State Assistant Attorney General in charge of the Environmental Protection Agency. Mr. Weinberg makes several sound proposals to ensure that this nation's quest for additional oil does not come at the expense of environmental goals.

George Hezel, a local attorney, discusses from the perspective of administrative decisionmaking the existing inequities in the assessment practices for residential Buffalo properties. Mr. Hezel's observations are lucidly supported by statistical study of the problem prepared by Professor Dustan Haetenschwiller, which is appended to the article.

Finally, we are also pleased to present a commentary prepared by David Higley which reviews Raoul Berger's provocative book, *Im-*

peachment: The Constitutional Problems. This essay provides an interesting counterpoint to Professor Franklin's article.

We have been experimenting with the casenote form this year. In addition to finding it advisable to loosen the basic restrictions of the casenote, it has been our feeling that the student author spends too much time relating the general background material germane to his or her casenote. This activity seems to distract from the amount of time and room which may be devoted to creative analysis—the essence of a good law review student's piece. Therefore, in the casenote located on page 548 the author has provided an annotated bibliography in lieu of her discussion of the general state of the law. It is our hope that the reader will find this form sufficiently informative and practical.