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Celebrating One Hundred Years

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CELEBRATING ONE HUNDRED YEARS

This volume marks the one hundredth year of publication of the *Cornell Law Review*. At a reception held at Myron Taylor Hall on April 15, 2015, we celebrated the centennial volume with other law students, faculty, and administration. Dean Eduardo M. Peñalver and Professor Robert A. Hillman, former advisors of the journal, spoke at the reception. We share a noteworthy anniversary with Cornell University, which turns one hundred fifty this year.

Before creating this journal, Cornell Law School launched journals on two prior occasions: the *Cornell Law Journal* in 1894 and the *New York Law Review* in 1895. But the *Cornell Law Quarterly*, as this journal was first called, attracted special interest. The impetus to establish the *Quarterly* arose from within and without the law school—students, faculty, and alumni. George G. Bogert, then professor and later also dean of the law school, was particularly enthusiastic about the effort. His confidence in the project "was not to be resisted," and the faculty named him the first "faculty editor" of the *Quarterly*.¹ The journal quickly exceeded expectation, distributing about 10,000 copies in the first year.

The first issue of the *Quarterly*, a work of 342 pages, appeared in print in November 1915. Jacob Gould Schurman, president of Cornell University at the time, authored the first article. The issue contained a statement of purpose as expressed by Edwin H. Woodruff, dean of the law school and a member of the law school's first graduating class. The journal's editors remembered his words in Volumes 10 and 50, and we follow that example here:

This *Quarterly*, then, will not fail of its purpose, if it substantially enhances the spirit of mutual service between the College of Law and Cornell lawyers; if it aids in some degree to foster any needed reform in the law, or to give help by intelligent discussion and investigation toward the solution of legal problems; and if it satisfies within the college itself among the students and faculty a desire to

¹ See Edwin H. Woodruff, *History of the Cornell Law School*, 4 CORNELL L.Q. 91, 109 (1919). In 1916, Edwin H. Woodruff, in his capacity as dean of the law school, reported to the President of Cornell University: "One of the most noteworthy events in the whole history of the College [of Law] was the establishment in November last of the *Cornell Law Quarterly*." 24th Annual Report to President of Cornell University (1916). The *Cornell Law Journal* appeared in June 1894 and consisted of a single issue. The *New York Law Review* had six issues, printed from January to July 1895, and it was "addressed primarily to the business-like problems most likely to arise before the busy lawyer." Charles H. Werner, N.Y.L. Rev. 38, 40 (1895).

advance, beyond the point of classroom instruction, the cause of legal instruction in the larger sense.²

Dean Woodruff's confidence has proved well placed. The journal has published important contributions to legal scholarship and thereby served to shape legal thinking and practice. Authors have included scholars and practitioners, professors and students, as well as those whose exclusive focus is the law and those whose approach is interdisciplinary. Many of the journal's works have found their way into classrooms, courtrooms, law offices, and other settings in which serious discussion takes place. Generations of the journal's editors have received training "beyond the point of classroom instruction," through various stages of the production process that have included reviewing articles, researching and writing notes, editing, and participating in symposia.³

Additionally, the journal has broken new ground in ways that have special significance. In Volume 52, a thirty-four-member journal staff expanded production from four issues to six, prompting a name change to the "*Review*" in Volume 53.⁴ In Volume 98, the journal introduced a companion online publication, the *Cornell Law Review Online*. Also, it is worth noting that in Volume 5, when Mary H. Donlon served as editor-in-chief, the journal became the first at any law school in the United States to be led by a woman. Three more women served as the journal's editor-in-chief before another law school, more than thirty years later, had a woman editor-in-chief.⁵

With this volume, our aim has been both to serve as good stewards of this journal's traditions and also to advance new developments to prepare for the volumes to come. Volume 100 features works by professors, students, judges, and practitioners; works looking at history and works looking to legal reform for the future; works grounded in philosophy and works primarily intended to be of direct practical significance. And we are proud, as always, to publish the works of Cornell Law faculty and students, including a symposium coordinated by former dean Stewart J. Schwab. Beyond adding another volume to the shelf, we strive to contribute to the broader fora in which our

² Edwin H. Woodruff, *The Cornell Law Quarterly*, 1 CORNELL L.Q. 27, 28 (1915). See also The Tenth Anniversary, 10 CORNELL L.Q. 487, 488 (1915); Ray Forrester, Introduction to Volume 50, 50 CORNELL L.Q. 1, 3 (1964).

³ Early on the law school recognized that journal work "afford[ed] valuable training in research, independent thinking and writing." Robert S. Stevens, *Cornell Law School History 1919-1954*, 54 CORNELL L. REV. 332, 337 (1969).

⁴ Introduction to Volume 53, 53 CORNELL L. REV. 116 (1967).

⁵ See Cynthia Grant Bowman, Trailblazers: First-Ever Women Editors in Chief of a Law Review, FORUM, Spring 2014, at 20, available at http://forum.lawschool.cornell.edu/Vol40_No1/Feature-4.cfm; Cynthia Grant Bowman, Mary Donlon Alger: A Strong Pair of Shoulders, FORUM, Fall 2014, at 16, available at http://forum.lawschool.cornell.edu/Vol40_No2/Feature-3.cfm.

readers constructively engage with ideas that matter. We are inspired by the potential for a more thoughtful, more useful, more just way of addressing important issues of law.

We gratefully recognize the efforts of the hundreds of editors who have contributed to the journal. We are honored to be a part of this group—from the first staff of six student editors to today's eightyeight editors, and from the days when the journal's offices were located high up in the Myron Taylor Hall tower to today's Law Review Reading Room and offices on the first floor of Cornell Law School.⁶ We dedicate this volume to all of the editors, past and present, of the *Cornell Law Review*.

Board of Editors

⁶ Robert S. Stevens, *The Cornell Law School from 1919 to 1954*, 54 CORNELL L. REV. 332, 337 (1969).