

# 80 NOTRE DAME LAW REVIEW CELEBRATES ITS TH ANNIVERSARY

Volume 80 of the *Notre Dame Law Review* marks the 80th anniversary of the publication. Founded as the *Notre Dame Lawyer* in 1925 by then-Dean Thomas Konop, the publication was renamed in 1982.

In its first issue, U.S. Supreme Court Justices William Taft and Louis Brandeis both offered greetings; Dean Konop had served as a U.S. Congressman from Wisconsin during Taft's tenure as President of the United States.

In his Preface to Volume 50, Father Theodore Hesburgh, now President emeritus of Notre Dame, wrote, "Anniversaries are significant events because they afford us an opportunity to reflect upon the past and chart our course for the future." In its foreword to the same volume, the Editorial Board wrote:

***We have always sought and continue to demand from our authors—both students and attorneys—scholarship that penetrates the black letter of the hornbooks to treat the weightier concerns of justice and righteousness. Such scholarship has its basis in the simple yet exact phrase of Aquinas defining law as “an ordinance of reason for the common good” and finds its inspiration in the courageous statement of St. Thomas More on the scaffold: “I die the King’s good servant, but God’s first.” It goes beyond an adherence to things as they are to a concern for things as they ought to be.***

The following is the dedication the present *Law Review* board included in Issue 1 of Volume 80, a tribute to Clarence J. Ruddy, co-founder and first Editor in Chief, and the other *Review* members.

## A tribute to Clarence J. Ruddy and the members of Volume One

Nearly eighty years ago, a group of eager and idealistic young men published a law review to emulate the Notre Dame lawyer—a law review that, like graduates of Notre Dame Law School, was “synonymous with respect for law, and jealous of any attacks upon it.”<sup>1</sup> The leader of those young students was Clarence J. Ruddy, co-founder and first Editor in Chief of the *Notre Dame Law Review* (then the *Notre Dame Lawyer*).

On June 21, 2004, a day after his ninety-ninth birthday and just two months before the journal he co-founded celebrated its eightieth anniversary, Clarence passed away. Clarence's death marked the end of an era, as he was the last surviving member of Volume One. Thus, as we commence the Notre Dame Law Review's eightieth volume, we pay tribute to our first Editor in Chief and the members of Volume One.



Reflecting on Clarence's life, both through his writings and the words of his family and acquaintances, it is evident that Clarence held the law and the legal profession in the highest esteem. For Clarence, law was not merely a means to achieve an ideal; law was the ideal. Thus, in selecting a motto for the Notre Dame Lawyer, Clarence and his fellow staff members chose Lord Coke's maxim: “Law is the perfection of human reason.”<sup>2</sup>

Clarence knew that choosing such an idealistic maxim might provoke criticism, prompting him to defend the motto in a foreword to Volume One:

At this day, when so many reflections are being cast upon the law, it may seem a little naïve to choose as the motto for a new magazine “Law is the perfection of human reason.” We may be accused of ignorance of modern law, and may provoke a superior smile from the tolerant and a derisive laugh from the prejudiced; some may even urge us to change our motto. But we will not change it...

...[W]e still cling tenaciously to our motto....We still bestow upon our profession all the veneration that can be bestowed upon an ideal. Our faith is still whole. The law to us is an ideal, a symbol of right and majesty. It connotes peace and security, amity and concord.<sup>3</sup>

As Clarence admitted in a 1994 article, this language may seem “sophomoric and a little pretentious.”<sup>4</sup> Regardless, many students enter law school with a comparable view of the law, only to fall prey to the legal profession's seemingly abundant cynicism. Indeed, what makes Clarence the paradigmatic Notre Dame lawyer is not the ideals he professed as a student, but that he maintained those ideals throughout his legal career.

After graduating from Notre Dame Law School in 1927, Clarence began his legal practice at the firm of Alschuler, Putnam, Johnson, and Ruddy in Aurora, Illinois, earning a mere sixty dollars per month. Clarence later helped establish the firm of Myler,

# INTERESTING FACTS

Founded in **1925**, the Notre Dame Lawyer became the Notre Dame Law Review in **1982**.

Volume 80 stands on a solid foundation of **79** volumes, **371** issues, and over **69,000** pages of top-notch legal scholarship.

In its eighty-volume history, **nearly fifty** U.S. Supreme Court cases and **well over a thousand** state and federal courts have cited materials published in it.

Ruddy & McTavish, where he continued to practice law full-time until he retired in 1985 at the age of eighty. During his fifty-eight years of full-time practice, Clarence served as President of the Kane County Bar Association; Illinois delegate to several Democratic National Conventions; member of the Electoral College that elected President Franklin D. Roosevelt; Illinois Assistant Attorney General; founder of the Aurora Foundation and the local chapter of the Knights of Columbus; and sixty-five-year member of the Loyal Order of Moose, serving as Supreme Governor and General Counsel.<sup>5</sup>

For many, the true measure of success is not necessarily what one contributes during life, but the legacy one leaves behind. In setting a high standard for the *Notre Dame Law Review*, Clarence's legacy continues with every article published, every cite checked, and every student note written. More important, however, is the legacy he left to the Ruddy family. Clarence was a loving father, grandfather, and great-grandfather who passed his love and respect for the legal profession to his children and grandchildren. In fact, two of Clarence's children went on to become lawyers, and four of his grandchildren have elected to pursue a legal education.

As Volume Eighty contemplates the *Notre Dame Law Review's* past and future, we look to what Clarence told a group of Notre Dame Law students in 1948 regarding the *Notre Dame Lawyer's* mission:

*Remember, we were not merely going to publish a law review. We intended to study and report recent cases and legislative trends, of course. But we were going to do so much more. We were going to defend historic concepts, defend the law that we revered—the law, that is, that was built upon rights and duties established by God.*<sup>6</sup>

Volume 1 consisted of **200** pages and a grand total of **10** footnotes. In contrast, Volume 79 consisted of over **2,000** pages and nearly **10,000** footnotes.

Each issue of the Review is “Dedicated to Our Lady, Mirror of Justice.”

Clarence's words remind Volume Eighty and the legal academy that law reviews should not merely serve as a means by which students and professors gain recognition. Rather, journals like the *Notre Dame Law Review* should foster scholarly discourse in an effort to help the legal community approach the perfection embodied in Lord Coke's maxim. We feel confident that in the roughly eighty years since Clarence helped found the *Notre Dame Law Review*, we have remained faithful to this mission.

In 1925, Clarence offered this law review “as the expression of the Notre Dame lawyer.”<sup>7</sup> Appropriately, we now offer Volume Eighty of the *Notre Dame Law Review* to the memory of a man who exemplified what it means to be a Notre Dame lawyer: Clarence J. Ruddy.

In addition to paying tribute to Clarence, we, the members of Volume Eighty, also dedicate this volume to the other members of Volume One. These eight individuals strove toward high ideals through scholarship, establishing the tradition that breathes life into the work we do today.

**Paul M. Butler**, Assistant Business Manager  
**Maurice Coughlin**, Business Manager  
**John A. Dailey**, Editor of Book Reviews  
**Marc A. Fiehrer**, Associate Editor  
**William A. Hurley**, Assistant Business Manager  
**David P. Stanton**, Chairman, Foundation Committee  
**Luther M. Swygert**, Circulation Manager  
**William L. Travis**, Editor of Recent Cases

**Requiescat in Pace.**  
**Volume Eighty**  
**Notre Dame Law Review**

**1** Clarence J. Ruddy, Foreword, 1 NOTRE DAME LAW. 30, 30-31 (1925).

**2** Id. at 30. The motto, “Law is the perfection of human reason,” was abandoned without explanation in Volume Eight (1932), and later replaced by “Dedicated to Our Lady, Mirror of Justice” in Volume Twenty-Six (1950). Although Lord Coke's maxim no longer appears on our masthead, the *Notre Dame Law Review* remains committed to the ideals it embodies.

**3** Id.

**4** Clarence J. Ruddy, On the Shoulders of Giants: Reflections on a Life in the Law, EXPERIENCE, Spring 1994, at 12, 15.

**5** Obituary, CHI. TRIB., June 23, 2004, at C10.

**6** Clarence J. Ruddy, Address to a Notre Dame Law School Graduating Class (1948) (transcript on file with the *Notre Dame Law Review*).

**7** Ruddy, supra note 1, at 31.