

# In Celebration of Seventy-Five Years of the *Iowa Law Review*

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The outgoing editors of volume seventy-four of the *Iowa Law Review* bequeathed to their successors the task of marking the *Review's* seventy fifth anniversary. They will be pleased with the legacy. Volume seventy-five both celebrates the achievements of the *Review's* illustrious past and portends an even brighter future.

There is much to celebrate in the *Iowa Law Review's* first seventy-five years. Its list of contributors reads like a who's who of the legal academy: from Pound<sup>1</sup> and Frankfurter<sup>2</sup> a generation ago, to Fiss<sup>3</sup> and Dworkin<sup>4</sup> today, the *Review* has always presented leading figures in the law. The *Iowa Law Review* appears on any list of great American legal journals. It is cited throughout the legal literature in cases, books, other law reviews, and teaching materials. By any count, it is in the top tier of legal journals.

Less visible than its outward accomplishments, however, is the *Iowa Law Review's* teaching role in the law school. The University of Iowa College of Law is proud of its extensive legal writing program in which students are expected to write in every semester throughout their education. In theory, the faculty wanted every student to receive a law review experience: close supervision, careful attention to detail, and the type of writing instruction that most faculty members received as student writers on the law reviews of their respective schools. Yet, because most of the faculty attended institutions whose law reviews could reach only a handful of students, the law school initially envisioned a limited role for the *Iowa Law Review*, with the faculty providing most of the supervision.

Over the years, the faculty has maintained an unwavering commitment to supervising student writing in the tradition of the great law reviews. In the process, however, the Law School got much more than it originally anticipated. Simply put, the *Iowa Law Review* has become a central component of the Law School's writing curriculum. Unlike many of its cousins at other law schools, the *Iowa Law Review* aggressively encourages participation by vast numbers of students. In recent years, it has selected a quarter to a third of the second-year class, requiring each student to produce two articles of law review quality. Thus, the Law School has succeeded far

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1. Pound, What Can Law Schools Do for Criminal Justice?, 12 *Iowa L. Rev.* 105 (1927).
2. Frankfurter, Conditions for, and the Aims and Methods of, Legal Research, 15 *Iowa L. Rev.* 129 (1930).
3. Fiss, Free Speech and Social Structure, 71 *Iowa L. Rev.* 1409 (1986).
4. Dworkin, What is Equality? Part 3: The Place of Liberty, 73 *Iowa L. Rev.* 1 (1987).

beyond what it might have expected with its original law review model. The *Review* itself teaches many, and it teaches them well.

The editors of the *Review* are exemplary teachers. They work hard, expect a great deal, and help others reach their highest potential. But with its teaching responsibilities, the *Review* has had to face up to critical obligations. Editors have put aside their personal likes and dislikes, prejudices, and viewpoints, in order to provide a welcoming environment for an increasingly diverse group of student-writers. Gender and race barriers have been shattered, and the once white-male club of the law review has become a pluralistic home for all students. Today, *Iowa Law Review* editors lead by example. And, though they are teachers, they never lose sight of their commitment to make the *Review* a great publication.

In recent years, law review bashing has become a popular indoor sport. No faculty author is without at least one law review horror story. The litany of criticism bears repeating: (1) students ought not determine the intellectual output of the profession; (2) students are incompetent to choose, let alone edit, articles on subjects beyond their ken; (3) law reviews are unduly preoccupied by form, not substance; (4) law reviews are obsessed by needless footnoting, slavish adherence to convention, and stilted legalese that smothers high quality writing.

Despite these often valid criticisms, we ought not bury law reviews too quickly. Student-run journals bring a breath of fresh air to the profession. They are not doctrinaire. In any single law review issue one can find liberal and conservative articles alike—law and economics, side-by-side with critical legal studies, adjacent to feminist jurisprudence, with a little doctrine thrown in the mix. Old editors graduate and are replaced by others who often completely dismantle their predecessors' prejudices and replace them with ones of their own. In law reviews, the discipline police have short terms of office. Journals do not become the captives of one viewpoint or one way of thinking. Transfusions of new editors insure transitions in different directions. No faculty member in the legal academy who is familiar with the single-submission, peer review systems of other disciplines can fail to appreciate the wide range of choices that law reviews provide.

This is not to say that law reviews are without fault, far from it. Few who have faced a law review editor's demand for footnotes supporting every sentence of an article (including the author's original contributions) could believe that all is well in law review land. Law review writers will testify that the demand for authority can obscure even the simplest of texts. But even in this regard there is hope. Law reviews reconstitute themselves yearly. They increasingly disdain form over function, needless compulsiveness, and stultifying demands on language.

It is in the spirit of liberating from the law review form that the editors of the *Iowa Law Review* have put together this issue. They asked the faculty to feel unburdened by the constraints of traditional law review formats, to venture where they have wanted to go, but were prevented from going, and to share insights into the law and legal culture that might not be suitable for a conventional law review article. In short, the editors called for essays.

Essay, from the French word *essayer*, meaning to try, “allows for the presence of personality in a way that technical articles do not.”<sup>5</sup> Essays call for “a less predetermined, more venturesome, approach to writing.”<sup>6</sup> They don’t usually boil down to a summary, as articles do, and the style of the writer has a “nap” to it, a combination of personality and originality and energetic loose ends that stand up like the nap of a piece of wool and can’t be brushed flat. Essays belong to the animal kingdom, with a surface that generates sparks, like a coat of fur, compared to the flat, conventional cotton of the . . . article writer, who works in the vegetable kingdom instead.<sup>7</sup>

From the simple,<sup>8</sup> to the complex,<sup>9</sup> this seventy-fifth anniversary issue is a “means of trying things out or attempting something new in writing.”<sup>10</sup> It is an excursion “to a kind of mental journeying that takes the writer—and the reader—‘into a new country.’”<sup>11</sup>

The *Iowa Law Review* offers this essay issue for your reading pleasure.<sup>12</sup>

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5. C. Klaus, C. Anderson & R. Faery, *In Depth: Essayists for our Time* 6 (1990).

6. *Id.*

7. Hoagland, *What I Think, What I Am*, in C. Klaus, C. Anderson & R. Faery, *supra* note 5, at 362-63.

8. “A composition of moderate length on any particular subject, or branch of a subject; originally implying want of finish, ‘an irregular undigested piece,’ but now said of a composition more or less elaborate in style, though limited in range.” *III Oxford English Dictionary* 293 (1961).

9. “To attempt; to try to do, effect, accomplish, or make (anything difficult).” *Id.* 294. “To put to the proof, try (a person or thing); to test the nature, excellence, fitness, etc. of.” *Id.*

10. C. Klaus, C. Anderson & R. Faery, *supra* note 5, at 2.

11. *Id.*

12. “The principle which controls . . . is simply that [the essay] gives pleasure; the desire which impels us when we take it from the shelf is simply to receive pleasure. Everything in the essay must be subdued to that end.” Woolf, *The Modern Essay*, in C. Klaus, C. Anderson & R. Faery, *supra* note 5, at 809.

