

Introduction

David L. Gregory

Follow this and additional works at: <https://scholarship.law.stjohns.edu/lawreview>

Recommended Citation

Gregory, David L. (2000) "Introduction," *St. John's Law Review*: Vol. 74 : No. 3 , Article 1.
Available at: <https://scholarship.law.stjohns.edu/lawreview/vol74/iss3/1>

This Article is brought to you for free and open access by the Journals at St. John's Law Scholarship Repository. It has been accepted for inclusion in St. John's Law Review by an authorized editor of St. John's Law Scholarship Repository. For more information, please contact lasalar@stjohns.edu.

ST. JOHN'S LAW REVIEW

VOLUME 74

SUMMER 2000

NUMBER 3

INTRODUCTION TO THE THIRD NATIONAL CONFERENCE OF THE ASSOCIATION OF THE RELIGIOUSLY AFFILIATED LAW SCHOOLS

DAVID L. GREGORY*

The Third National Conference of the Association of the Religiously Affiliated Law Schools occurred on-site at the St. John's University School of Law on Monday, July 10, 2000. Marquette University Law School hosted the First National Conference in Milwaukee in the spring of 1994, and Regent University School of Law hosted the Second National Conference in Virginia Beach in September of 1998. On each occasion, the host school's law review published the National Conference proceedings in a dedicated Symposium issue. The St. John's University School of Law and the *St. John's Law Review* are privileged to continue this tradition. Pepperdine University School of Law in Malibu, California has volunteered to host the Fourth National Conference in the fall of 2002.

In September 1999, the Editor-in-Chief of the *St. John's Law Review* sent a call for papers solicitation letter to the President, Provost, Dean, and to each individual faculty member at each of the religiously affiliated law schools. Upon the suggestion of the President of the Association of the Religiously Affiliated Law Schools, Dean Howard Eisenberg of the Marquette University Law School, and Dean John Makdisi of the St. Thomas University Law School in Miami, the coordinating theme for the papers for the Third National Conference became "Realizing Our Missions."

* Professor of Law, St. John's University. J.S.D., LL.M., Yale University; J.D., University of Detroit; M.B.A., Wayne State University; B.A., The Catholic University of America.

On June 30, 2000, I had the privilege of presenting the draft papers in person in Rome to His Excellency, Archbishop Joseph Pittau, S.J.,¹ the Secretary of the Holy See's Congregation for Catholic Education at the Vatican. We are extraordinarily blessed to have the congratulatory letter from Archbishops Grochowski² and Pittau, S.J., on behalf of the Congregation for Catholic Education,³ to open this Symposium Conference.

On Monday, July 10, 2000, then-Senior Associate Judge of the New York Court of Appeals, the Honorable Joseph W. Bellacosa, offered formal welcoming remarks to open the on-site Third National Conference. His paper is a thoughtful and concise outline of his hopes and aspirations for all of legal education, and, more immediately, for his beloved alma mater, the St. John's University School of Law, for which he officially commenced the Deanship on August 1, 2000. Judge Bellacosa graciously and ecumenically welcomed everyone to the Conference within the spirit of *Ex Corde Ecclesiae*—From the

¹ Archbishop Pittau is currently the Secretary of the Congregation for Catholic Education. Prior to his present position, he was the president of Sophia University in Tokyo, a Jesuit-run university. He was a professor at the University, as well as the academic dean and chair of the board of trustees. He has published six books and numerous articles on matters involving the Catholic Church. See *Xavier University* (visited Jan. 1, 2001) <<http://www.xu.edu/mpr/archbishop.html>>.

² Archbishop Grochowski is a Polish canon lawyer who was nominated by Pope John Paul II to become the next prefect to the Congregation for Catholic Education. He has been put in charge of implementing the *Ex Corde Ecclesiae*, which is Pope John Paul II's 1990 Apostolic Constitution on Catholic higher education. The Archbishop has worked in the Vatican since 1972. Previous positions include prefect of the Holy See's Supreme Tribunal, the Apostolic Signatura, secretary of the tribunal, and consultant to the Papal Council for Legislative Texts. The Archbishop has a doctorate in canon law and has lectured on the subject. See *National Catholic Reporter* (visited Jan. 1, 2001) <http://www.natcath.com/NCR_Online/archives120399/120399e.html>.

³ The Congregation for Catholic Education has been in existence, in some form, since 1588. It was created by Pope Sixtus V to supervise the University of Rome. The Congregation serves three separate functions: (1) it oversees all seminaries; (2) it oversees all ecclesial universities and institutes of higher education that depend on ecclesial persons; and (3) it oversees all schools depending on ecclesiastical authorities. Some of the issues it faces include determining how sex education is taught in Catholic schools, and problems related to teaching morality and religious matters in public schools. It also determines where and when new seminaries will be built, and who will be nominated and confirmed as rectors and deans of the ecclesial universities. The Congregation publishes statistics on seminarians and priestly ordinations yearly, as well as articles or guidelines for Catholic affiliated schools, such as *The Catholic School on the Threshold of the Third Millennium*. See *The Holy See* (visited Jan. 1, 2001) <<http://www.vatican.va/>>.

Heart of the Church—Pope John Paul II's Apostolic Constitution for all Catholic institutions of higher education. Judge Bellacosa's welcoming remarks are an invitation to meditation and to dialogue upon the fundamental meaning and purpose of religiously affiliated legal education.

His Excellency, the Most Reverend James T. McHugh, the Bishop of the Diocese of Rockville Centre, Long Island, encompassing all of Nassau and Suffolk counties and one of the largest Roman Catholic Dioceses in the United States, was the superb keynote speaker for the Conference. One of the leading pro-life voices among the Catholic Bishops of the United States, Bishop McHugh offered a strategic educational agenda for the consideration of the religiously affiliated law schools. Enhancing fundamental human rights and service to the poor, including protection and respect for life in all of its dimensions, are among the central points of Bishop McHugh's keynote address. By his address, and by his personal pastoral example, Bishop McHugh eloquently demonstrated how moral and social justice teachings must undergird the mission of the religiously affiliated law school.

Individual paper presentations followed, with each paper addressing some aspect of how the particular author's own religiously affiliated law school may better realize its mission. Reverend Robert Araujo, S.J., a professor at Gonzaga University School of Law and a visiting professor at the Stein Institute for Ethics at the Fordham Law School, focused on the imperative of understanding and teaching justice as rightly ordered relationships. His paper draws on a rich tableau of metaphors and Scriptural vignettes to demonstrate the truth of St. Ignatius of Loyola's insight that human and institutional relationships must be ordered in a moral and legal regime of respect, decency, and dignity. Reverend John J. Coughlin, O.F.M., a superb scholar and one of the very finest classroom teachers at St. John's University School of Law, continued the emphasis on the worth and dignity of the human, and of the humane, from his own perspective of the worthy contributions of Franciscan spirituality to religiously affiliated legal education. My paper, co-authored with Professor Charles Russo of the University of Dayton, urged that Catholic law schools employ the worthy, proven techniques of affirmative action faculty hiring in order to

achieve and to enhance the necessary Catholic presence on Catholic law school faculties, as mandated by *Ex Corde Ecclesiae*. In addition to ensuring vibrant Catholic action among the faculty, implementation of our proposal will have the important and salutary additional benefits of enhancing the racial and ethnic diversity of the Catholic law school faculties, because the ethnic Hispanic, African, and Caribbean (e.g., Nigerian and Haitian), and Asian (e.g., Vietnamese and Philippine) communities are among the most vigorous and dynamic Catholic population centers. Professor Randy Lee of Widener offered the "outsider" perspective, as a Catholic at a secular, private law school, to challenge the religiously affiliated law schools to greater action, and to applaud them for their important contributions to legal education and to the broader culture.

Professor Peter Margulies of St. Thomas University School of Law used the Book of Exodus to ground a gripping account of a contemporary human rights drama in the immigration law clinic at the law school located in the Archdiocese of Miami, Florida.

Professor C. Scott Pryor of Regent Law School and Professor Frank S. Ravitch of the Barry University of Orlando School of Law, operating under the auspices of the Roman Catholic Dominican Sisters, returned the proceedings to overarching theoretical considerations, drawing upon, *inter alia*, the hermeneutics of Hans George Gadamer, to apply sophisticated interpretive techniques to analyze the formulation and actualization of law school missions. Professor Ravitch's faculty colleague at Barry, Kenneth Sprang, closed the individual paper presentations by reminding everyone of the therapeutic and healing roles that the religiously affiliated law schools are especially suited to fulfill.

Professor Coughlin and Dean Eisenberg moderated a lively dialogue among the audience at large to close the proceedings.

In addition to the formal presenters, many other Deans and professors from other religiously affiliated law schools participated informally in the lively conversations during the luncheon and reception. Boston College, Capital (Columbus, Ohio), Catholic University of America, Duquesne (Pittsburgh), Notre Dame, Pepperdine, Seton Hall, and Touro were among the

additional religiously affiliated law schools with faculty and/or decanal representatives at the Third National Conference.

The Conference was a special highlight during the 75th Diamond Anniversary celebration of the St. John's University School of Law. As a Catholic law school founded by the Congregation of the Mission in the spirit of St. Vincent de Paul, with a special mission to the poor, St. John's was especially privileged to host the Third National Conference of the Association of the Religiously Affiliated Law Schools, and to publish these important proceedings.



CONGREGATIO
DE INSTITUTIONE CATHOLICA
(DE SEMINARIIS ATQUE STUDIORUM INSTITUTIS)

PROT. N. 100/99
(Hic numerus in responsione referatur)

Rome, 31 May 2000

Dear Professors:

In the name of the Congregation for Catholic Education, we write to congratulate you on your participation in the Third National Conference of the Association of Religiously-Affiliated Law Schools to be held at St. John's University School of Law on July 10, 2000. Your dedication and commitment to the important interdisciplinary efforts between law and religion is most admirable.

The historical origins of our modern universities may be traced back to the rise of the medieval universities in places such as Bologna, Paris and Oxford. During the eleventh and twelfth centuries the medieval canon lawyers affected a renaissance in the study of law at these great centers of learning. The fundamental concepts of legal structures and rights, which underpin today's legal systems, find their origins in the creativity and respect for tradition that the medievals brought to the study of law. This work was a labor of faith — a faith that permeated every aspect of medieval law. Your endeavor today to retrieve and preserve the interdisciplinary contacts between law and religion carries on this great tradition.

May our Lord bless you with an abundance of wisdom and courage as you strive to elucidate that eternal truth, which as our Holy Father Pope John Paul II wrote in *Ex Corde Ecclesiae*, constitutes the center of the university. Please know of our prayers and best wishes.

Sincerely in Christ,

Most Rev. Zenon Grocholewski
Tit. Archbishop of Agropoli
Prefect

Most Rev. Joseph Pittau, S.J.
Tit. Archbishop of Castro in Sardinia
Secretary

Participants and Coordinators
Third National Conference of Religiously Affiliated Law Schools
c/o Rev. John J. Coughlin, O.F.M.
St. John's University School of Law
8000 Utopia Parkway
Jamaica, New York 11439
—U.S.A.—

