

DEDICATION ADDRESS

THE HONORABLE EARL WARREN†

It is a thrilling experience to participate in the dedication of the new home of the Law School of Indiana University. It is thrilling because it represents a re-dedication to the advancement of legal education in an institution which already has a rich heritage of more than 115 years of leadership in the training of lawyers for state and nation. It is thrilling because this dedication symbolizes vigor and enthusiasm in adapting legal training to the needs of an ever-expanding nation.

If one were to search for a key word representing the foremost characteristic of this age, it would undoubtedly be "change." In the field of science one miraculous achievement follows another as our full resources are applied to research and development of the physical sciences. The speed of travel, conquest of space, and the ability to bring the atom within control have placed overwhelming power in the possession of man. Translated to physical potential, the men of science have made it possible to add to the well-being of all of humanity. This possibility can become reality through a corresponding advancement of law and the social sciences.

The dramatic discoveries of our time have produced equally dramatic changes in our social, economic, and political structures. Medical science has reduced infant fatalities and has extended the life expectancy of man. The population of the world has increased and continues to increase to a point far beyond any previous expectation. The pattern of living has shifted from the rural areas to gigantic metropolitan centers. Universal education has spread and all of man's energies are being released in his struggle for a share of the earth's material goods. Every aspect of living in this society has taken on greater proportions and has increased in complexity. Goods are produced and distributed on a mass scale. Labor has become highly organized in an effort to deal on an equal footing with business. And government has increased in size and function in order to preserve a balance of power among the competing groups.

The greatest problem of today is that of adapting our democratic institutions to these precedent-shattering changes without disturbing the basic fundamentals of a free society. To a very large extent this adap-

† Chief Justice of the United States. Delivered at the dedication of the new law school building of Indiana University, Bloomington, Indiana on November 2, 1957.

tation falls upon the legal institutions of our nation, for it is there that the framework of business and society should be equated with the constitutional safeguards of our government. The legal profession has contributed greatly to such leadership in the past, and I am confident that it will rise to meet these new challenges of public service. It is through this leadership that scientific knowledge can be fully employed in a free society for the advancement of the dignity and well-being of all mankind.

There have already been visible changes in the practice of law which represent the adaptation of law to economic, social, and political changes of this age. At the turn of the century, legal education was concerned primarily with the common law of torts, property, contracts, and equity, with particular emphasis being placed upon the courts for the solution of social and business problems. In recent years, more and more emphasis has been placed on the solution of social and business problems through legislation. In 1947, the Congress, forty-four state legislatures in regular session and five special sessions produced more than 46,000 pages of law. Today it requires more than 275 bulky volumes of federal and state codes to report all of the legislative enactments of the state and federal governments. The United States Code Annotated contains 110 volumes.

Paralleling the development of legislation one finds a comparable growth of the field of administrative law and procedure which is necessitated by the application of statutory law to the varying problems of our society. The bulk of administrative law is equally overwhelming. The Code of Federal Regulations consists of fifteen volumes in which are reported the regulations of the federal administrative business. The administrative decisions of four agencies—the Internal Revenue Service, the Tax Court, the National Labor Relations Board, and the Interstate Commerce Commission—required twelve volumes in the year 1946-47. The regulations and decisions in the field of state administrative law are largely unpublished.

In the areas of labor law and contracts there has been a spectacular growth of arbitration procedures. Proposals have been made to submit other types of cases to arbitration boards. These developments point to the expanding nature of law and the adaptation of our legal system in a manner which has created new machinery for applying sanctions to the regulation of business as well as personal conduct.

We have long since recognized that in the practice of law, it is not sufficient to merely know the cases. At the time of Blackstone, there were less than 5,000 reported decisions, whereas today there are more than 2¼ million reported decisions. It is also now necessary to be able

to research the law in statutes, the regulations of administrative agencies, the decisions of administrative boards as well as in the decisions of the courts. Law has become more and more specialized and has grown in complexity with the society that it serves.

In our changing life of today, the function of our law schools is to contribute not only men trained in law but men who are trained in relating the law to the needs of a free, democratic society. The democratic ends of our society must be served by professional lawyers educated to achieve clearly defined, democratic values.

The lawyer is an important factor in policy formation. He is frequently an active participant in the political and civic life around him, but even more important is the cumulative effect of multiple thousands of daily presentations of fact and expressions of opinion. Lawyers are among the most influential leaders of opinion in modern society. In this position it is the responsibility of lawyers to call upon the experiences of the past and to correlate law with history, economics, and all of the social sciences available in the solution of human problems. Already the law schools have recognized this important relationship of law and social science, and the laws enacted by our legislators have drawn heavily on this area. This is reflected in the statutes which regulate labor relations, unemployment compensation acts, and in legislation designed to provide housing for lower income groups. The economic impact of taxes, tariffs, and of wage and price controls has been a serious consideration in the minds of our law makers. It is important that the members of the legislature, many of them lawyers, have a basic understanding of the social and economic impact of the laws which are being enacted.

The law school of today carries an important responsibility for leadership not only in the training of lawyers, but in the actual development of the operation of our democratic system. This calls for new types of research consisting of programs of critical and analytical examination of the operation and impact of our laws on business and society. The law schools can provide leadership in the development of law itself through unbiased and objective examination of our legal system with long-range planning and perspectives. It is in the environment of the law school that extensive factual inquiry can be conducted and where the troublesome areas of the law can be analyzed. There is a pressing need for creative research projects designed to bring insight to the solution of new and difficult problems of the substantive and procedural law. It is through this type of activity that the law schools can contribute to the growth of law which must accompany the changes in our social and economic institutions. It is the type of development which Jeffer-

son must have had in mind when he wrote, "But I know also, that laws and institutions must go hand-in-hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must change also, and keep pace with the times."

As you dedicate this fine building which will enable you to carry on these important activities, I am reassured of your continued dedication to these worthy objectives in the service of mankind. Already, for many years, your institution has sought to carry out these important roles and has manifested outstanding leadership in the field of legal education. Your law school publication reflects a concerted effort to relate law to the complex problems of today and to meet the changes of our society. Here, at Indiana, the student is not taught in the isolation of the case method, but he is also tutored in research, drafting, negotiation, and in non-courtroom problems. The forward-looking programs of your institution have for many years achieved national recognition. For this your faculty and administration are to be commended. In a large sense it is to them and to their achievements that this building is dedicated. I trust that its physical resources will provide inspiration for the continued growth and service of this great law school to the State of Indiana and to the Nation.

On the occasion of the recent dedication of a new law building, the Indiana University School of Law presented the Addison C. Harris Lectures. Addison C. Harris (1840-1916), a native Hoosier, was a distinguished lawyer and statesman. He was a state senator representing Marion County, was appointed minister to Austria-Hungary by President McKinley, and later served as President of the Indiana State Bar Association and President of the Board of Trustees of Purdue University.

His widow, India Crago Harris, upon her death in 1946, created a trust in his memory for the purpose of sponsoring a lectureship for the benefit of lawyers and students of law. The trust calls for the procurement of the services of "men of great ability and renown." The keynote of the series presented on this occasion was *The Law and Changing Ideas of Individual and Social Responsibility*.

The series certainly did justice to the ideals acknowledged by Mrs. Harris, and the men who delivered them were truly men of great ability and renown. Because of the ever-increasing importance of the subject discussed, the Indiana Law Journal has reprinted these lectures for its readers.