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Dedication Address

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DEDICATION ADDRESS

by Honorable Robert C. Murphy, Chief Judge,
Court of Appeals of Maryland

No speech can be entirely bad, the saying goes, if it is short enough—an observation that has always appealed to the odds-maker's instinct in me, particularly where, as here, the occasion involves speaking during the dinner hour to a hungry audience hell-bent on adjourning for the evening meal at the earliest possible moment.

My remarks, therefore, will be mercifully brief, prefaced at the outset by an apology for my lack of foresight in not having attended the University's School of Law; and, consequently, for being something of a foreigner in your midst on what is undoubtedly an intensely proud and personal moment for all alumni of the University, for its administrative officers and staff, for its faculty and for all members of the student body.

The magnificent Law Center which you dedicate today would likely not have seen its first construction drawing, its first brick, its first steel girder, had it not been for truly remarkable—indeed extraordinary—record of achievement of the graduates of this institution—achievement so beneficial to the citizens of Maryland as to have virtually mandated the erection of a new University Law Center, one befitting the importance of the high mission to be undertaken in the public interest within its walls.

Looking about this room today, I see many members of the alumni of the University of Baltimore School of Law who hold leadership positions of great prominence and trust throughout our state—judges, lawyers, officials at all levels and in all branches of our government, business, community and other leaders. I see also members of the University's distinguished faculty, both active and retired—dedicated, per-

servering, sometimes underappreciated souls, who are so directly accountable for the success of the graduates of this institution, and without whose constant and relentless preaching and prodding the skills so necessary to succeed in law school, and to endure and persevere beyond its doors, simply would never have been acquired. And no institution, no matter how richly endowed with brilliance of faculty, and no matter how stupendous its student body may be, could begin to fulfill its purpose unless blessed, as this University has been blessed for so many years, with highly competent administrators, beginning with its President, through the Dean of the Law School and his very capable staff assistants. Cornball though it may sound, the new Law Center is a high tribute, a personal monument, a public testimonial to the collective accomplishments of the graduates of this institution, members of its faculty and of its administration.

No words of eloquence can possibly do justice to this dedication ceremony today; the eloquence lies in the occasion itself and impels brief but appreciative reflection on the University's humble beginnings, some fifty-seven years ago. It was the year 1925 when the University of Baltimore received its charter from the state and began operation of its law and business schools. The University's law school was organized to afford an opportunity to those wishing to pursue a law degree who, because of their work and other commitments, were unable to meet all technical requirements then being imposed by other area universities as a prerequisite to law school admission. Educators of vision in the city realized that to deny opportunity to such persons to study law

and become lawyers would be tragic indeed—an irreversible loss of legal talents which could never be rectified. Dr. Maynard Clemens, an educator of great reknown, together with a number of other farsighted educators, met less than a mile from where we stand today to implement their quest for a high quality university to satisfy this compelling need. And thus was the University of Baltimore born, opening its doors in 1925 for the first time, with little equipment and only the roughest of facilities. The first law class graduated in 1928—thirty-eight students in all, a mere trickle in the cascade of graduates that would follow in their footsteps. The enrollment of the law school increased year by year and even prospered in the wake of the stockmarket crash of 1929 and through the ensuing depression years. Year by year, the school's faculty was strengthened and the graduates of the institution fanned out all across the state, assuming, as I have said, leadership positions, not just in the judiciary or as practitioners of the law, but in all professions, business and the arts.

The University of Baltimore is by no means a large university. Obviously, it cannot lay claim to exalted status solely by reason of ancient origin. Neither is the University rich or famous, like Yale or Harvard. But throughout the almost sixty years of its existence, the University of Baltimore has spread open the doors of opportunity to thousands of deserving men and women seeking improvement through higher education—education but for the existence of the University of Baltimore might otherwise have been denied. A greater mission, no university has ever undertaken; a greater legacy no university has ever left to its student body. It is no secret to anyone in this room that those who gave birth to the University in 1925 have had their faith justified many, many times over.

All of us, of course, have a great stake in the nation's law schools for our society is built on a fragile foun-

dation—the belief that every citizen is entitled to and must receive equal justice under the law. Indeed, if we have a national religion, it has been that belief—a belief coupled with the perception that the law is itself a magnificent edifice, sheltering all of us, with each stone resting on another. The University's new Law Center is tangible proof of society's continuing commitment to equal justice for all citizens and it will be within its formidable walls that the fundamentals of the process will take root in the minds of generations of fledgling lawyers certain to come.

Looking to the future, how will the University's Law Center most effectively be utilized to redound to the benefit of the public which we all serve? That, of course, is a matter committed to the expertise of the administration and faculty of the institution. But certain as night follows day, the classrooms of the Center will provide a forum, a stage upon which hoary legal precepts engrained in our society by reason alone of their ancient origin, will be thoughtfully challenged—the first step, according to the immortal Mr. Justice Holmes, in the process of what he termed an enlightened skepticism. You may recall that in his essay, *The Path of the Law*, Holmes said that "Most of the things we do, we do for no better reason than that our fathers have done them, or that their neighbors do them." In advocating thoughtful review of old legal precedents, Holmes urged that we "get the dragon out of his cave onto the plain and in the daylight [so that] you can count his teeth and claws, and see just what is his strength." It is revolting, Holmes continued, to have no better reason for a rule of law than that it was laid down at the time of Henry IV and even more revolting if the grounds upon which it was laid down have vanished long since and the rule simply persists from blind imitation of the past.

We recognize, of course, that both the courts and the legislature are empowered to change the common

law to meet the needs of our people. Our present day society is far more complex than it was but a few decades ago, and there is today far greater readiness to assess and reassess the worth of old legal precepts, to test whether they are mere vestiges of the past, no longer suitable to the needs of our people. Law professors, practicing lawyers, judges and law students are all in the forefront of this necessary exercise, but change, simply for the sake of change, is as irrational as refusal to change simply because the concept under scrutiny is one of ancient vintage. There are those who thoughtlessly urge change simply to appear progressive, their reasons at best being fanciful, cosmetic or otherwise ill-founded. There are those among us wholly unwilling to change any rule of law, no matter what the circumstances, no matter how lacking in rationality it may be in light of modern day conditions. The discarding of old and the shaping of new legal precepts to better serve our society in the years ahead is beyond all question one of the most important classroom exercises which university faculty and students can undertake. And I predict that the new Law Center of the University of Baltimore, with its elegant trappings, so conducive to education and study, will witness many debates addressed to this so very fundamental issue in our jurisprudence.

This assembly today is a most eloquent expression of approval, of appreciation, and of support for the University and for its School of Law. The new Law Center, although but an organized mass of windows, walls, bricks and cement, has already begun to develop its own pulse. I have no doubt that in the years ahead it will beat loud and clear in the service of our people, fostering, always fostering, the American concept of freedom and equal justice for all.

Your gracious invitation to attend and participate in these historic ceremonies is deeply appreciated.

Thank you very much.

Delivered September 29, 1982, University of Baltimore Law Center.