FROM THE PUBLISHER

WE RECEIVED NEWS OF ASSOCIATE JUSTICE ANTHONY M. KENNEDY’S RETIREMENT as we prepared this edition of Judicature for printing. We look forward to paying tribute to him in a later edition of this journal.

Justice Kennedy came to Duke Law School in 2008 to dedicate our remodeled law library and our beautiful atrium, the Star Commons. He offered his reflections about the symbolism of the moment. These buildings, he said, were edifices for “the exploration and evolution of the rule of law” — a crucial part of the maintenance of justice around the world. “We still must make the case for the rule of law, and we still must remember that our freedom and our security consist of the world of ideas.”

He elaborated on this theme of ideas, developed through study, and then action or inter-action, developed through discussion: “[Students] go to the library and they begin to study, and we hope they encounter what Holmes called ‘the secret joy of isolated thought,’” he said. “In the commons, the students discuss the ideas of the law, the concept of justice, the meaning of freedom, with students from other disciplines, other backgrounds, from other countries. And, so it goes — from library to commons.”

Our new Bolch Judicial Institute seeks to do much of what Justice Kennedy so eloquently discussed. We aim to “make the case for the rule of law.” Our Institute is dedicated to preserving and advancing the rule of law, here in the United States and around the world. We will do this through research and scholarship — ideas — and through discussion, debate, and on-the-ground projects — action and interaction. We are working now to translate our vision into concrete plans and goals. I welcome your thoughts as we begin this important work.

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