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LAW AND SOCIETY: AN INTRODUCTION

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"Our changing society now faces challenges to public order and to the realization of American ideals greater than any since the Civil War — the cluster of problems known as the urban crisis.

Legal institutions provide a network of relationships for cooperation and for reconciling conflict in society, and so are inconspicuous when society is at peace. Their inadequacies as well as the importance of their functions become clear in times of trouble. . . .

. . . For many, our institutions have proved inadequate to secure the benefits of equal justice. We must overcome this failure."

Report of the American Assembly on Law and the Changing Society, Chicago, 1968.

The two articles which follow are the first products of an attempt by the University of Arizona to involve the law school, the University and the community in conversations about the major social, economic, political and — therefore, of course — legal issues of our time. The College of Law has initiated a series of informal convocations entitled Law and Society in which important men and women of ideas and actions will lead in examining America's critical problems. Frequently, as in the cases of the first two, the speakers will be lawyers. Just as frequently, we hope, they will be non-lawyers who can bring to bear the insights of other disciplines just as deeply engaged as the law in trying to build a better society. It is our intention that the College of Law will play a leading role in the agonizing process of facing squarely and dealing unflinchingly with the issues thrust upon us by the realities of twentieth century America and the world.

The legal profession has been accused of failing to keep pace with changes in society. The law schools in particular have neglected to sensitize their students to the lawyer's professional responsibility for the public welfare. The Law and Society series is one, and only one, of the efforts of the law school at Arizona to discharge its own public responsibility to the profession and to the community.

It is no accident that the first two speakers in this series have addressed themselves to the problems of violations of the criminal law. Professor Jerome Hall, one of the most distinguished of legal philosophers, spells out an analytical framework within which we can test the rationality of our attempts to control anti-social behavior. Congressman James C. Corman, a member of the National Advisory Commission on Civil Disorders, discusses the civil disorders that have occurred because some of our black citizens have despaired of social justice and have lashed out destructively and violently against society and its law. There is no better evidence than the Commission's Report to demonstrate that lawyers cannot concern themselves solely with "the law" while ignoring the conditions in society that produce lawlessness. Lawyers can recite endlessly "the law" regarding the use of deadly force to halt a fleeing felon; but, if they do no more, they will have contributed nothing toward solving the question of whether looters should be shot if necessary to stop them.

A society in swift transition requires that its citizens confront their public problems with a willingness to face the facts, to brush aside the comfortable but superficial solution and to grapple with the complex, subtle and desperately important social issues that lie half-hidden beneath. *Law and Society* is the University of Arizona's modest first attempt to provide a forum in which that essential process can start.