



REFLECTION ON THE LIVING TRADITION

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On Being a Jesuit Law Professor

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When I entered the novitiate sixty-two years ago, the majority of my class was like me, a graduate of a Jesuit high school. I became a Jesuit because I wanted to imitate the scholastics who had taught me and inspired me. I knew that Jesuits did many things besides teaching, including missionary, parish and retreat works. With a vague notion that I wanted to teach, I went through the academic program of majoring in Philosophy and Classics, although I was one hour short of a major in Political Science. Because several of the strongest Political Science professors at St. Louis University had formed a new Urban Affairs Department, I received a master's degree in Urban Affairs. When I taught high school, I taught several social studies courses that focused on these topics. One of those courses was Constitutional Law. Several people told me what a fine job I did in that course. At the same time, I was seeing Political Science becoming increasingly statistical and less philosophical. I began talking to superiors about going to law school after ordination. I was told that they would decide after ordination. I had put law school out of mind when I entered the Society because I was becoming a priest. I came from a family of lawyers. My parents met in law school. One of my grandfathers was a lawyer. Eventually my brother and one of my sisters became lawyers. I had worked two summers in my dad's law firm. After ordination I asked permission to go to law school and was approved.

I had tremendous advantages when I went to law school. I had three degrees and had taught at both the high school and college levels. All of my needs were met by living in a Jesuit community. I grew up hearing

about the law. I did well academically in law school. I got to know the dean of St. Louis University School of Law. Because I had not attended one of the top law schools (my JD is from the University of Missouri–Kansas City), he advised me that I needed to get a “curative” LLM from one of them if I wanted to teach in a law school. I received a LLM from New York University. I’ll never forget walking down Fifth Avenue in New York City to NYU and realizing that I had begun kindergarten thirty years before. I made myself available to the Jesuit law schools and began teaching at Loyola University New Orleans College of Law in 1982. Although I have been an associate dean and interim dean at the law school, trustee at Loyola, and rector of the Jesuit community at Loyola, most of my days were spent preparing for class, teaching, and meeting with students. The level of preparation for law teaching is demanding. I also for over forty years have been the most frequent celebrant of Sunday morning Mass at a nearby nursing home. I have performed over two hundred weddings involving law students and law graduates. I just received an invitation to perform the marriage of a son of one of those marriages. I also baptized him.

My style of teaching has been described by students as kind but demanding. I treat students with respect in the formal setting of the law school classroom. I am no Professor Kingsfield of Paper Chase fame. For years I have been chosen to teach a portion of Loyola’s own bar preparation program to help our graduates pass the bar exam.

I sometimes make comparisons between constitutional doctrine and Catholic teaching. For example, when I teach federalism and the value of decentralization, I refer to the traditional Catholic teaching of subsidiarity (the lowest and smallest unit of government should deal with a problem which that level of government is able to do so) from *Rerum novarum*.

My godfather, another lawyer, told me to tell my students that Harry Blackmun is a good man. Supreme Court Associate Justice Harry Blackmun wrote the majority opinion in *Roe v. Wade*, the case finding a constitutional right to abortion. My godfather got to know Harry Blackmun when his wife was undergoing cancer treatment and Harry Blackmun was general counsel for the Mayo Clinic. When you have a lot of time on your hands, a lawyer seeks another lawyer to talk to. After *Roe*, many critics of the decision vilified Justice Blackmun. I have told my students that story when I teach Constitutional Law.

I see myself as a throwback to the era when in the United States the majority of Jesuits taught or worked in education. I worry that a lower percentage of younger Jesuits want to teach. In my years at Loyola the

number of Jesuits working in the University has declined from thirty to six this year. I look back with pride over the more than 5,000 lawyers whom I have taught. I hope that they see the connection between the Church and high intellectual standards and the ethical practice of law.

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