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## FOREWORD

### A CHRISTENING: WHEREFROM? WHERE TO?

*Ben F. Johnson\**

In a figurative sense this is a christening of the *Georgia State University Law Review*. The publication of the initial issue of a law review is, indeed, akin to bringing into being a new life, and, to me, "christening" seems more appropriate than "dedication." As the founding dean of the College of Law scheduled for mandatory retirement at the end of this year, I am also taking the liberty of making this somewhat of a farewell address, hence in the first person.

Viewing a new law review in this way, all of us in the circles of legal education know well the paternal side of such a creation—it is the tradition which has brought law reviews into existence at most law schools. All are much alike—"like father, like son"—and their function as an educational experience is well understood and accepted somewhat as necessary to the maturation of any law school.

In this particular christening, it is the maternal side—the institution behind the publication of the law review—which warrants introduction. Allow me, then, to tell about Georgia State University and her College of Law.

Georgia State University was designated a university in 1969 by the Board of Regents of the University System of Georgia. It is located in downtown Atlanta and has developed somewhat as Atlanta itself—for the most part in recent years, as ages of cities and universities are reckoned. It is one of two comprehensive universities in the University System—the second largest of the System's thirty-three units of higher learning. It is one of the major state-supported urban universities in the nation. Its full-time faculty numbers approximately 850, three-fourths of whom hold the doctorate. Its enrollment in any regular term will exceed 21,000 students, and in a recent year it conferred 109 doctorates, 1,261 master's degrees, and 1,890 bachelor's degrees. Its six col-

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leges—Arts and Sciences, Business Administration, Education, Health Sciences, Law, and Public and Urban Affairs—offer 49 degree programs with 278 majors and hold 17 regional and national accreditations. Its physical plant is a modern and imposing monument to urban redevelopment, an attractive and compact campus in the very heart of downtown Atlanta.

I am a newcomer to Georgia State, after serving over thirty-five years on the law faculty at Emory University and as its law dean for twelve years. What I have found at Georgia State has been a revelation to me; there is a genius here. It is not in any of the manifestations of achievement I have described; it is not in its aspirations for academic excellence which are noble enough; indeed, it is not in its leadership, though what it has accomplished is phenomenal. To me it is something traceable to its origins.

In 1911, through the efforts of the Alumni Association of the Georgia Institute of Technology,\* a series of lectures on business subjects was held on the campus of Georgia Tech for its undergraduates. As a result of student response to these lectures, a number of the instructors offered to treat their subjects more fully in evening classes. By the academic year 1913-14 the Evening School of Commerce of the Georgia Institute of Technology was established on the Tech campus offering courses leading to the B.S.C. degree. The enrollment of the first class was forty-four students. In the following year the school was moved to rented quarters in downtown Atlanta. Continuously expanding enrollments forced three additional moves to larger and larger rented quarters, still in downtown Atlanta, until 1931. In that year, through the generosity of private business, and with donated labor and materials, a permanent building was made available on Walton Street, a developing slum area in downtown Atlanta. In 1932-33 the newly created State Board of Regents established the University System of Georgia Evening School as a separate unit of the University System. At about that time, 255 degrees had been awarded; the enrollment of part-time students had reached a high of 716, and the faculty numbered 37—all part-time, recruited largely from the faculties of Georgia Tech, Emory University, Agnes Scott College and the University of Georgia but approximately one-third being local business and professional leaders. Even the director was part-time for most of those years.

To me there is something extraordinary about this early devel-

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\* Formerly known as the Georgia School of Technology and, prior to 1912, as the State Technological School.

opment.\* No public funding was involved. What was done was accomplished by a *de facto* consortium of academicians, mostly from Georgia Tech, a coterie of business and professional leaders, and a sizeable constituency of young people eager for upward professional movement. I remember it because I became involved. Using figurative language which many involved in the early development of neighborhood legal services in the sixties will understand, it might be described as a “storefront” endeavor, dealing with people at a point of great need “right off the street.” Between the faculty and the students, with business and professional support in the background, it was a love affair. Thinking back on it all, this describes the genius I see in Georgia State and what I describe now as its first love.

In 1933 I enrolled in this institution as a sophomore, after a first year at Emory on a nonrenewable scholarship. This was at the depth of “The Great Depression” when a job and an opportunity for evening school made me one of the more fortunate. I attended in the evenings, after a day’s work, for three years, during which enrollment in the school reached 1,278. In 1936, I transferred to the University of Georgia, a necessary move to obtain a Bachelor of Arts degree. One never knows how it might have been otherwise, but that evening school on Walton Street in downtown Atlanta made a significant contribution to my life and my career. It was the Socratic teaching, superbly done, in an evening school course in contracts, by a truly competent and dedicated teacher that gave initial direction to my career; it was from this total experience that I learned about the significance of motivation, the effective use of time, and the incremental power of persistency.

Nearly forty years later and totally unrelated to this earlier experience, I was asked to serve as founding dean of a new law school to be established at Georgia State. On October 1, 1981, I began—no physical plant, no faculty, no staff, no students, no accreditation, no recognition, no acceptability; as I saw it, three things were going for us: (1) being a part of Georgia State University; (2) being located in downtown Atlanta; and (3) this genius which I have tried to describe. In September 1982, the College of Law enrolled its first class of beginning students; it numbered 199 drawn from an applicant pool of 620. Its academic credentials were substantial. From the national market a faculty of seven was chosen—a fine group, all full-time, mostly seasoned law teachers. A

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\* For a fuller history of this early development, see B. FLANDERS, *A NEW FRONTIER IN EDUCATION* (Atlanta Division, University of Georgia 1955).

generous University provided the first phase of a splendid physical plant. Now, we have enrolled three classes; the student body numbers 498; the faculty, nineteen full-time and fifteen part-time; a law library slightly in excess of 100,000 volumes; a splendid physical plant of approximately 70,000 square feet; effective programs of student placement and continuing legal education; a competitive moot court society; and now—the *Georgia State University Law Review*!

Out of the total experience which I have described I perceive that the genius of Georgia State University is in its first love which it still professes and to which, in large measure, it has been faithful. This University is, in its essence, the natural progeny of the union of the academic community, the business and professional communities, and students who want to learn. Most conventional universities seem to have had their origins in “first principles”; academics gauge their excellence accordingly and have a faith that the results of their effort will trickle down to the benefit of society—working from the top down, so to speak. Of course, this is noble and not to be faulted. Other universities, unconventional, perhaps, seem to have evolved from urbanization—a natural gravitation of academic, business, professional, civic, and social leaders, applying their knowledge and experience to the needs of the urban community—working from the bottom up, as it were. Their excellence is gauged by their sensitivity to urban problems and the intensity and persistency of their efforts to work at these problems. Georgia State is one of these unconventional universities—its genius lies in its origins, its sensitivity to urban problems, and its intensity and persistency in working at these problems. The College of Law, by design, partakes of this nature. My hope for the *Georgia State University Law Review* is that it, too, will be unique, and, in appropriate ways, bear witness to this heritage.

Institutions, no matter their organizational structures, credentials of leadership, programs, and the numbers which go with all of this, do not create this genius; it is a phenomenon which evolves from qualified persons who see in people a potential for development towards a higher quality of life and who strive mightily to create opportunities for this development under any circumstances. I saw this on Walton Street in the 1930's; I see it today at Georgia State. Here there are academics with all the standards of academia, but they have more, a compassion for students, all students and would-be students. This is not faddish tokenism but a genuine interest in a more broadly-based educated citizenry. This genius, here and wherever else it may be found, is as fragile as the slender flame of a lighted candle—even gentle breezes are threat-

ening; the appearances of success alone may snuff it out; bureaucratic legalism and prerogative-based exercise of power and personal professional ambition can be deadly; the tendency of academics to gloss over primitive beginnings and reshape aspirations to the conventional models of the scholastic tradition is as natural and subtle as a gentle breeze. Just as there is an excellence in fostering the scholastic tradition there is an excellence in fostering the development of people as they are, where they are, where they live, and where they work—a delicate balancing of scholastic discipline and standards with serving the needs of people. Georgia State University, the College of Law, its Law Review, cannot create this genius, but they can honor it, preserve it and promote it!