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DEDICATION

A Tribute to Justice Stanley Mosk*

It is with great honor that we dedicate this symposium issue to Justice Stanley Mosk of the California Supreme Court. Few jurists of modern times inspire the legal profession and the society it serves with the sense of justice and coherence as Justice Mosk. In our complex world of seemingly irreconcilable interests, neither task is easily accomplished.

It is not difficult to find members of the American judiciary who approach their responsibilities with noble intentions of fairness to the litigants before them. This is the minimum threshold of judicial ethics we rightly demand of them. But dispute resolution is not the only task of the bench. As Karl Llewellyn once described:

*The court can decide the particular dispute only according to a general rule which covers a whole class of like disputes. Our legal theory does not admit of single decisions standing on their own. If judges are free, are indeed forced, to decide new cases for which there is no rule, they must at least make a new rule as they decide.*¹

Announcing new rules is in itself not a difficult task, nor is reciting old ones. But if society is to respect its system of laws, these rules must be justified; they must allow us to feel that justice is being done, not just that people are being pushed around.

It is the coherence of Justice Mosk's legal analysis that allows us to grasp the higher principles that inform his decisions. Through a process of rigorous examination and reexamination of the policies served by the abstract principles of law, Justice Mosk remains compassionate not only to the parties before the bench, but also to those who will have their lives shaped by those principles even though they may never see a courtroom. His clarity of reasoning, perspective, and common sense ensure that ours indeed remains a system of justice. Although it is often said that justice is blind, we always read his opinions with our eyes wide open.

* By the *Hastings Constitutional Law Quarterly* Volume 12 editors. We would like to thank the Honorable Justice Arthur Goldberg for suggesting this tribute and for his valuable assistance.

1. K. LLEWELLYN, *THE BRAMBLE BUSH* 36 (1930) (emphasis in original).

