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## Prologue

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## PROLOGUE\*

HAROLD GILL REUSCHLEIN

THE year was 1927, the U.S. economy was booming, and Villanova College was giving thought to expanding the graduate professional education by establishing a law school. As time passed, boom descended into depression, but plans for the law school continued to simmer until finally reaching the boiling point in 1933, when Villanova College turned its attention to the small, independent, unapproved, and apparently under-financed Philadelphia College of Law. To the Augustinian Fathers, the time seemed opportune for a take-over of the College of Law. Operating in the Archdiocese of Philadelphia, the Augustinians were committed to cooperation with their Archbishop, His Eminence Dennis Cardinal Dougherty. Without the knowledge and approval of the Cardinal Archbishop, it was unthinkable that any important action be taken by the Augustinians or any other religious community operating in Philadelphia or its environs in that day and age.

So the Cardinal's gracious nod of approval was sought, and was sought, and was sought, with only silence emanating from His Eminence. Why this disturbing silence? Apparently, a pontifical university located in the nation's capital furnished the explanation. The Catholic University of America, located in Washington, D.C., had operated a law school since 1898. The School had become a member of the Association of American Law Schools (AALS) in 1921. It was, however, struggling in competition with its Jesuit neighbor, The Law School of Georgetown University (AALS 1902) and the unapproved Columbus Law School, an evening school sponsored by the Knights of Columbus, later absorbed by Catholic University. Indeed competition was not restricted to legal education under catholic auspices. Operating in the capital city were the George Washington University School of Law (AALS Charter Member), the National University Law School (later absorbed by George Washington) and the Washington College of Law (for women, later absorbed by American University). The Catholic University of America is a pontifical University, therefore a creation and a nurtured child of the Holy See. Thus, it is not difficult to understand that interference or competition without the approval or blessing by the Ordinary of the Archdiocese of Philadelphia was unthinkable. At least so it seemed to Dennis Cardinal Dougherty.

Despite exchanged correspondence between Father Edward V. Stanford, the President of Villanova College and Bishop Corrigan, the Rector of the Catholic University, in which the Bishop expressed no objection to

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Villanova opening a law school in the Philadelphia area, the ultimate and dispositive answer of Cardinal Dougherty seemed to be: clear the matter with Rome without my blessing. So the Philadelphia College of Law passed out of existence and the plan for a law school at Villanova was put on a long-time hold to await a much later day.

When the idea of a law school at Villanova was finally revived, the aspiration became a reality at a speed surprising in light of the foregoing history. The dramatic ending of World War II and the subsequent hostilities in Korea had brought a flood of servicemen to the United States with grants of federal funds for the education of veterans, and an insatiable hunger on the part of the recipients to make up for lost time in establishing themselves in civilian careers. Everywhere, the empty classrooms of the war years were being filled to capacity and beyond. A war-hardened generation was eager to prove itself in the professions. What would Villanova do to meet these demands and opportunities?

Administrators of the University were not in total agreement as to the course to pursue. A very powerful and influential voice in the College administration favored the founding of a medical school. Other administrators, conversant with the excessively high cost of medical education, were emphatically wary of such a move and the heavy financial commitment such a move would involve. The fact that a significant number of medical schools formerly operated by private universities had transferred their efforts to state-supported facilities seemed to have had a significant impact at Villanova. Under the impression that a law school could be operated at a reasonable cost, the element in administration eyeing a medical school in the college's future saw the law school as a step into professional education, which might ultimately warrant the establishment of a medical school at a later date. At any rate, the die was cast and Villanova College arrived at the determination to found and operate a law school.

Enter at this point, a young and personable Villanova College president, Father Francis X.N. McGuire, O.S.A. At the outset, Father McGuire decided he needed professional backing to further his plans for a law school and accordingly organized a group of lay advisors, Catholic judges and prominent lawyers, with whom he discussed his hopes and concerns. (This group later developed into the present Board of Consultors to the School of Law.) The initial group of advisors was a rather formidable one, whose views were not likely to be ignored. Among the early members were a former Attorney General of the United States, a soon-to-be Chancellor of the Philadelphia Bar Association, members of the federal and state judiciary, practitioners who had arrived as well as younger members of the bar who were climbing the ladder of success in their profession. The sentiment of the advisory group was emphatic in its conviction that Philadelphia needed and should welcome a quality Catholic law school and that the need extended to the whole Commonwealth of Pennsylvania. There was but one law school in all Pennsylvania under Catholic auspices, the

Law School of Duquesne University in Pittsburgh, which at the time was exclusively a part-time evening operation. Thus buoyed by such distinguished backing, Father McGuire was able to persuade the College trustees of the feasibility of moving in the direction of graduate education in the law. Though the commitment to a law school has been made, the hoped-for medical school and a projected mammoth football stadium were still planned and programmed for a time, until the proponents passed from the scene.

During all of this time of planning and well into the operating life of the Villanova School of Law, the Jesuit Fathers at St. Joseph's College in Philadelphia indicated their intention to establish a law school, initially, at least, to be a part-time evening operation. It was the view of administrators at Villanova and of Villanova's advisors and of the yet-to-be appointed founding dean that the establishment of two Catholic law schools in the Philadelphia area fore-ordained disaster for both such ventures. In warding off the threat from St. Joseph's one must give great credit to the influence of Walter Gibbons, a member of the original board of advisors, who often served as lawyer for the Archdiocese in important matters: the influence of James McGranery; Hermen Obert; and according to Dean Reuschlein, who spoke about the matter to Archbishop O'Hara (later Cardinal O'Hara) perhaps to the then-new Archbishop himself. At any rate, the folly of two Catholic colleges competing with each other in legal education was made apparent.

And so, the die was cast. There was to be a Villanova Law School. It now became necessary to take the first step to make the dream a reality. A dean must be found. Understandably, in this quest, the advisory group could be of little help. Off to Chicago went Father McGuire to talk to legal educators in attendance at the annual meeting of the Association of American Law Schools. . . . Father McGuire spoke with [many] prospects at the Chicago meeting. Of the group only [one] expressed interest in girding for battle and starting a new school, but then concluded that family commitments would keep him [away].

With Father McGuire's return to the Villanova campus, new candidates were proposed—not sitting deans—but veteran law professors . . . . No sooner had Professor Reuschlein been suggested, when Father McGuire established contact with him by telephone. The phone call immediately sent sparks flying. A trip to visit with Professor and Mrs. Reuschlein in their home in Mount Lebanon immediately established a good rapport between Father President and the Reuschleins. After numerous weekend planning visits to Villanova, a deal was struck. It was the beginning of a love affair between the Reuschleins and Villanova which has continued for almost forty years. In late February, 1953, an agreement was reached between Villanova and Professor Reuschlein. Soon the world learned that Villanova would launch a law school that both the College and the Dean-designate were determined to make history with a program destined to achieve excellence in a minimum of time.

