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Celebrating the Life and Jurisprudence of Professor Edward J. Murphy

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Edward J. Murphy
1927-1995



FOREWORD

Celebrating the Life and Jurisprudence of Professor Edward J. Murphy

"It's a modest contribution to make."

—Edward J. Murphy

Professor Edward J. Murphy uttered the above words when questioned about his decision to be the first to undergo a pioneering cancer treatment in June 1994. It was his hope that others would benefit from the experiment. His decision exemplified the courage, concern for others, and faith in God which pervaded every facet of his life. Although Professor Murphy passed away on July 24, 1995, his legacy lingers in the hearts of his family and friends, in those touched by his writings, and in the practice of his many students. Indeed, every Notre Dame Law School graduate, beginning with the class of 1958 and ending with this year's graduating class of 1996, benefitted from his tutelage. This issue of the *Notre Dame Law Review* is dedicated to his memory.

Many distinguished graduates of the Notre Dame Law School, as well as noted members of the legal profession, sought to participate in this commemoration of Professor Murphy's life and jurisprudence. Although we could not accommodate all of these requests, we think that the selected tributes provide clear insight into Edward Murphy the father, the professor, the mentor, the scholar, the Catholic lawyer, and the friend.

The articles and book reviews following the tributes focus on various aspects of Professor Murphy's jurisprudence. They are written by leading scholars and practitioners in ethics and the natural law. The *Propter Honoris Respectum* article, *The Sign of the Cross and Jurisprudence*, was written by Professor Murphy himself in celebration of the 125th anniversary of the Notre Dame Law School. It is reprinted from Volume 69, Issue 5 of the *Notre Dame Law Review* (1994). Appropriately enough, that issue also was dedicated to Professor Murphy.

In another form of remembrance, Notre Dame Law School has established a scholarship in Professor Murphy's name. Although the complete details of the scholarship have not been finalized, the first scholarship will be awarded for the 1996-97 term. For its part, the *Notre Dame Law Review* is pleased to announce that it will donate \$5,000 to the Edward J. Murphy Memorial Scholarship. Furthermore, we encourage all who knew Professor Murphy to send contributions to the Edward J. Murphy Memorial Scholarship Fund, Notre Dame Law School, Notre Dame, Indiana 46556.

In a profession oft-maligned for its lack of moral and ethical integrity, Professor Murphy offered his students a different message. Not only did he provide us with a rigorous and Socratic introduction to the law, but he did so with a smile on his face; with a sparkle in his eye; with dedication, love,

and commitment in his heart; with poignant humor and clarity in his words; with kindness, understanding and respect in his voice; and, with a prayer in his soul, uttered daily for all to hear, beginning each class with the sign of the cross and the Lord's Prayer. We thank you Professor Murphy. God blessed us with your presence. May we in turn follow your example and favor God thereby.

It is with pleasure as well as sadness that the *Notre Dame Law Review* dedicates this issue to Professor Edward J. Murphy. It's a modest contribution that we make.¹

James R. Sweeney II
Editor-in-Chief
Volume 71

1 As a final and fitting tribute to Edward Murphy, the graduating class recently voted Professor Murphy the 1996 recipient of the Notre Dame Law School Distinguished Teaching Award. This prestigious award recognizes "that member of the law faculty exhibiting excellence in leadership, friendship, legal knowledge, legal teaching and professional ability" throughout the graduating class's three years of study. It will be bestowed during the May 19, 1996 graduation ceremony. In addition to this year's posthumous award, Professor Murphy earned "Teacher of the Year" honors in 1971 and 1993.