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## Introduction

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# WASHINGTON AND LEE LAW REVIEW

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## INTRODUCTION

The *Washington and Lee Law Review* is pleased to present the first issue of its Golden Anniversary volume prefaced by a congratulatory note by Justice Lewis F. Powell, Jr. For fifty years, the *Law Review* has strived to provide our readers with timely, scholarly and useful legal writings. As part of this continuing effort, this issue contains an outstanding Tucker Lecture, delivered by Professor Morton Horwitz, concerning the backgrounds and jurisprudential perspectives of several members of the Warren Court. Further, we are presenting a new format for the Fourth Circuit Review issue. In addition to an expanded number of case comments, the issue will now include two new features: For the Criminal Practitioner and For the Civil Practitioner.

Currently authored by Carl Horn, the For the Criminal Practitioner section provides a thorough overview of published and unpublished Fourth Circuit criminal cases. The format is designed to provide attorneys with an easy method of keeping abreast of criminal law developments in this circuit. For the Civil Practitioner, a piece primarily authored by various members of the Washington and Lee faculty, provides an analysis of influential Fourth Circuit civil cases. The format is designed to provide attorneys with probative insight into significant cases.

The *Law Review*, with these additions, hopes to provide our readers with a solid base of the major decisions handed down in the Fourth Circuit during the preceding year. The *Law Review's* Fourth Circuit Review issue will also continue to contain lead articles exploring issues of current interest in the Fourth Circuit.

In this issue, we are pleased to publish two essays addressing whether the Virginia Military Institute (VMI) can constitutionally remain a single-sex, publicly-funded undergraduate institution. Professor Allan Ides explains how evolving concepts of constitutional rights and the scope of judicial review have rendered VMI's all-male admissions policy constitutionally suspect. Professor Ides suggests that concentrating solely on the absence of an all-female counterpart to VMI overlooks the more difficult and important question of whether Virginia's system of higher education discriminates on

the basis of gender. Professor Mary Cheh criticizes the Fourth Circuit's constitutional analysis of VMI's all-male admissions policy, arguing that an all-male VMI promotes gender stereotypes and is constitutionally impermissible.

Judge William W. Wilkins, Jr. and John R. Steer analyze the process by which the United States Sentencing Commission amends the sentencing guidelines as contrasted with the judicial amendment of the guidelines as in *United States v. Dunnigan*, decided by the Fourth Circuit. Professor Carl Tobias then discusses the application of the Civil Justice Reform Act on the district courts within the Fourth Circuit.

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Editor in Chief