A BRIEF HISTORY OF THE *MELBOURNE UNIVERSITY LAW REVIEW*

EDITORS' NOTE

To mark the 50th volume of the Melbourne University Law Review *('*Review*'), each issue of this volume will feature an Editors' Note on a particular aspect of the* Review. *This issue focuses on the history of the* Review.

The history of the *Review* began in 1891 with *The Summons*, a periodical published within the Law School at the University of Melbourne until 1903.[1] *The Summons*, subtitled 'A Magazine of Legal and General Literature', was primarily concerned with current affairs, both local and further afield, publishing reports of moots and topical issues such as the fusion of the two branches of the Victorian legal profession.[2]

In 1935, students at the Law School felt there was scope for a publication that would engage more critically with legal journalism. In that same year, *Res Judicatae* was established as a student-run legal journal — the first of its kind in Australia. The journal was run by an Editor and a Sub-Editor, who collected material for the forthcoming issues, and publication costs were financed through advertisements secured by the Business and Advertising Managers.[3] It was not until 1952 that a *Res Judicatae* Editorial Board was established for the first time by Professor Zelman Cowen, the then Dean of the Law School (and later the Governor-General of Australia).[4]

Throughout the 1950s, the Law Faculty at the University of Melbourne developed strong ties to law schools in the United States and deepened its familiarity with student-run journals.[5] This cross-cultural exchange inspired confidence that *Res Judicatae* should be more strongly identified with the Melbourne Law School, and thus in 1957, the *Melbourne University Law*

[1] Maxwell F Bradshaw, 'The First Fifty Years' (1935) 1(3) *Res Judicatae* 268, 268.

[2] 'Amalgamation of the Legal Profession' (1891) 1(1) *The Summons* 1, 2.

[3] Tania de Jong, 'A History of the Melbourne University Law Review' (University of Melbourne, 1988) 22.

[4] Ibid 24.

[5] Ibid 27.

Review was born. The intention of the Faculty and its founders was for the journal to stimulate enlightened legal discussions, emulating student-run publications such as the *Harvard Law Review*. Early volumes of the *Review* featured several notable contributors including Sir Robert Gordon Menzies (former Prime Minister of Australia), Sir Garfield Barwick (the seventh and longest serving Chief Justice of Australia) and Sir Keith Aickin (former High Court Justice).

The Editorial Board of the *Review* expanded over the 1960s and 1970s, adding the roles of Secretary, Case Note Editor and Assistant Editor. The *Review* also refined its visual identity: in 1973, the original fawn colour of the issue covers changed to orange and white, and reincorporated the image of the angel that had originally appeared on *The Summons*.

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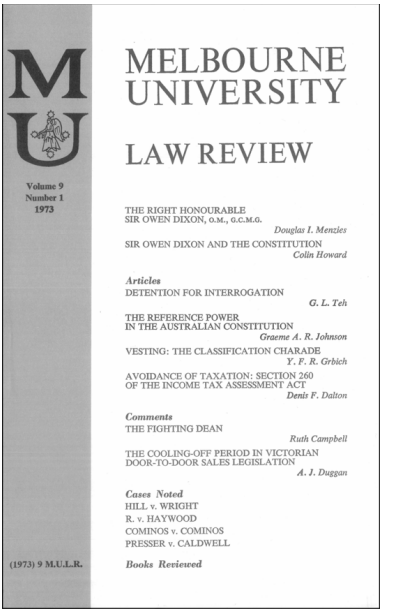

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THE RIGHT HONOURABLE SIR OWEN DIXON, O.M., G.C.M.G. — *Douglas I. Menzies*

SIR OWEN DIXON AND THE CONSTITUTION — *Colin Howard*

Articles

DETENTION FOR INTERROGATION — *G. L. Teh*

THE REFERENCE POWER IN THE AUSTRALIAN CONSTITUTION — *Graeme A. R. Johnson*

VESTING: THE CLASSIFICATION CHARADE — *Y. F. R. Grbich*

AVOIDANCE OF TAXATION: SECTION 260 OF THE INCOME TAX ASSESSMENT ACT — *Denis F. Dalton*

Comments

THE FIGHTING DEAN — *Ruth Campbell*

THE COOLING-OFF PERIOD IN VICTORIAN DOOR-TO-DOOR SALES LEGISLATION — *A. J. Duggan*

Cases Noted

HILL v. WRIGHT
R. v. HAYWOOD
COMINOS v. COMINOS
PRESSER v. CALDWELL

Books Reviewed

(1973) 9 M.U.L.R.

Figure 1: the cover of Res Judicatae *in 1940 and the cover of the* Melbourne University Law Review *in 1973*

Technological change came for the *Review* in the late 1980s, as it did for the rest of the world. The *Review* received its first word processor in 1988,[6] and in 1994 the *Review* conducted its typesetting in-house for the first time.[7] New computers were purchased to facilitate this work, and so began the *Review*'s practice of naming its computers after sitting High Court justices.[8] While this change was no doubt exciting, it was not without its trials: exchanging documents over email was 'hazardous', 'often fatal' for the retention of footnotes, and invariably ended in tears.[9]

In 1995, the *Review* relinquished its orange covers for the royal blue and white colour scheme associated with the University of Melbourne. The year of 1997 brought even greater change: a motion was passed at the *Review*'s Annual General Meeting to publish three issues a year instead of two, the IT Manager created a home page for the *Review* 'on the World Wide Web'[10] and the Style Guide Committee 'updated, renovated and elongated' the *Review*'s traditional Style Guide, laying the foundation for the publication of the first edition of the *Australian Guide to Legal Citation* ('*AGLC*') in 1998.[11]

In 2001, the Melbourne University Law Review Alumni Association was established to distribute annual newsletters and organise alumni functions.[12] At the end of that year the *Review*, along with the rest of Melbourne Law School, moved from the Old Quad to a new building on Pelham St. The *Review*'s 'spacious new premises' comprised a workroom with computers, a fax machine and photocopiers, a conference room and ample storage space for

[6] Ibid 46.

[7] *Melbourne University Law Review Handbook* (Members' Handbook, 1997) 12 ('*1997 Members' Handbook*').

[8] Ibid. This practice continues today — conveniently, we have exactly seven monitors in the *Review* office.

[9] Ian Malkin, 'Change and the *Melbourne University Law Review*' (Speech, Melbourne University Law Review Annual Dinner, 29 October 2009), quoted in 'Annual Dinner 2009' (September 2010) *Melbourne University Law Review Alumni Association Newsletter* 7.

[10] *1997 Members' Handbook* (n 7) 20.

[11] *Melbourne University Law Review Handbook* (Members' Handbook, 1998) 15.

[12] 'The Review in 2002' (October 2002) *Melbourne University Law Review Alumni Association Newsletter* 2.

back issues. Much to the delight of the membership, the move also located the *Review*'s operations 'conveniently close to the vending machines'.[13]

More change arrived in 2002, albeit of the digital kind: the *Review* launched a new website, and the editing process began to shift online with the 'mark-up' functionality on Microsoft Word.[14] This was still quite far from the modern editing process, however, with prospective authors invited to submit their contribution by 'email attachment or an IBM compatible 3½" diskette'.[15]

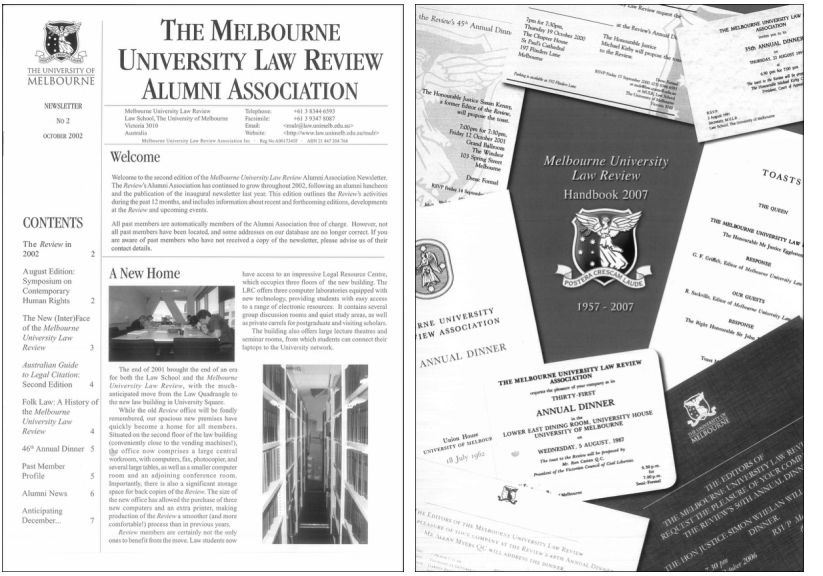

Figure 2: the first page of the 2002 Alumni Association Newsletter (left) and the front cover of the 2007 Melbourne University Law Review *Handbook, written in the* Review*'s 50th anniversary year (right)*

13 'A New Home' (October 2002) *Melbourne University Law Review Alumni Association Newsletter* 1.

14 'The New (Inter)Face of the *Melbourne University Law Review*' (October 2002) *Melbourne University Law Review Alumni Association Newsletter* 3.

15 'Submissions to the *Review*' (October 2002) *Melbourne University Law Review Alumni Association Newsletter* 7.

That year also saw the publication of the second edition of the *AGLC*, owing to the success of the first edition. This was followed by a third edition in 2010 and a fourth in 2018. Today, over 30 Australian and overseas law journals have adopted the *AGLC* as their official style guide, and many Australian universities prescribe the *AGLC* for use by their students (much to their dismay).

The *Review* underwent further change throughout the 2000s and 2010s, particularly when the University of Melbourne replaced its undergraduate LLB course with the postgraduate Juris Doctor course in 2008. However, the tradition of publishing the highest quality of legal scholarship continued, with the *Review* celebrating its 50th anniversary in 2007.[16] Notable contributors during this period included the Hon Justice Michael Kirby,[17] Professor Cheryl Saunders,[18] the Hon Justice Susan Kenny,[19] and the Hon Justice Michelle Gordon.[20]

The organisational workflow of the *Review* today is a far cry from that of just three decades ago. Today, members conduct much of their work on their personal laptops, communication takes place over online messaging, and the editing process has been almost entirely digitised, save for the final proofreading of printed manuscripts. But if anything is evident from our perusal of the *Review*'s archives, it is that despite the substantial change that has occurred over 50 volumes there is much that stays the same. The same challenges — staffing and recruitment, narrow publication deadlines and the 'time-consuming' nature of the editorship — appear year after year. Yet so too do the same highlights: late nights spent in the *Review* office procrastinating and proofreading, formal and informal social events, and the professional and academic opportunities afforded by *Review* membership.

Another constant is our enduring commitment to publishing high-quality scholarship, and to producing editorial work that is consistently attentive to

[16] Justice KM Hayne, 'Foreword to the 50th Anniversary Edition of the *Melbourne University Law Review*' (2007) 31(1) *Melbourne University Law Review* 1.

[17] Justice Michael Kirby, 'Judicial Activism: Power without Responsibility?' (2006) 30(2) *Melbourne University Law Review* 576.

[18] Cheryl Saunders, 'The Concept of the Crown' (2015) 38(3) *Melbourne University Law Review* 873.

[19] Justice Susan Kenny, 'Federal Courts and Australian National Identity' (2015) 38(3) *Melbourne University Law Review* 996.

[20] Justice Michelle Gordon, 'The Commonwealth Taxing Power and Its Limits: Are We There Yet?' (2013) 36(3) *Melbourne University Law Review* 1037.

detail. Upholding this commitment over the past 50 volumes has been made possible by the authors who entrust their work to the *Review*, the referees who generously peer review that work, the steadfast support of the deans and faculty of Melbourne Law School and, of course, the hard work and dedication of many decades of *Review* members. We are indebted to those who have come before us, and hope that those who come after us uphold this commitment despite the change the next 50 volumes will inevitably bring.

Olivia Mann, Lucy Roberts-Lovell and Alex Robertson
Editors