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Preface

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With singleness of purpose, Kenneth Culp Davis early set himself to bring shape and order, principle and direction, to the entire field of administrative law, widely defined. The job is not complete; it never will be; but no serious scholar of administrative law will fail to be influenced by the remarkable scholarly achievements of Kenneth Culp Davis.

This law school can fairly claim, through the work of one of its pioneer professors, Ernst Freund, to have laid the foundations of scholarship in administrative law throughout the common law world. In Kenneth Culp Davis's teaching and writing here for the past fifteen years, this initiative has been excellently carried on; Ken has greatly enriched traditions in which we take pride. His work will continue at San Diego—the books, commentaries, and articles will continue to flow. We will miss discussions with him, characterized by his uncertainties about the law and doubts where the authorities are to be found. Would that he were staying with us; but my colleagues and I can put aside self-interest and wish him many happy years in his new academic home—that they will be productive years is certain.

Professor Davis has profoundly influenced the courts, administrative tribunals, regulatory agencies, and administrators of this country. There can be few more cited academics. His formidable influence is particularly astonishing to one, like myself, trained in

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English and Australian practice where textbooks and commentaries by living authors are not to be cited (though their views may be plagiarized) and where decisions of courts, particularly appellate courts, and the reasons offered for their decisions are for scholarly acceptance, not scholarly criticism. The American practice is much healthier. And indeed, Ken has become more than a commentator and teacher; his views are frequently the starting points for professional dispute and judicial decision, the frame on which the details of administrative law are being built.

It is a privilege to be associated with this issue of the *Law Review*, honoring our vigorous and productive colleague, Kenneth Culp Davis.