This year marks the twenty-fifth anniversary of Rutgers Law Journal’s Annual Issue on State Constitutional Law. Since this first appeared in 1989 we have worked to provide a forum that encourages interdisciplinary scholarship on state constitutionalism by professors, judges, lawyers and students. The idea was originally proposed in 1988 by our colleague, Professor Earl Maltz, responding to a suggestion from Dean John Pittenger that he think of a focus that our Law Journal could develop to carve out a niche for itself. Looking back, we believe that was an exceptionally good idea and we thank them for it. The Introduction to that first issue indicated that “[W]e anticipate that this issue of the Law Journal will fill a major gap in state constitutional law scholarship.”\cite{1} The record will show that we have more than delivered on that prediction.

The tables of contents collected in this booklet provide ample evidence of the development of a substantial body of scholarship, in law, political science,\cite{2} and legal history. Contributions have been made by the top scholars in the field, together with newer scholars, as well as the research and writing of a generation of students at Rutgers Law School in Camden. This range of interdisciplinary coverage has been made possible by the authors’ interaction at the

\begin{flushright}
* Distinguished Professor of Law, Rutgers University School of Law, Camden, Associate Director, Center for State Constitutional Studies, camlaw.rutgers.edu/statecon/ I have been honored to serve as the faculty editor for the Law Journal’s Annual Issue on State Constitutional Law.

** Distinguished Professor of Political Science, Rutgers University, Camden, Director, Center for State Constitutional Studies, camlaw.rutgers.edu/statecon/


\end{flushright}
Center for State Constitutional Studies. After we formed the Center in 1997 we have cosponsored each year’s Annual State Constitutional Lecture, published as the Foreword to the Annual Issue.

Burt Neuborne’s Foreword on positive rights in the first Annual Issue\(^3\) was, interestingly, followed thirteen years later by the Foreword written by his former student, Helen Hershkoff.\(^4\) Now that is a great example of scholarly impact! The Law Journal was also honored to publish a “brother-brother act” of Forewords, the first by Akhil Amar\(^5\) and then, later by his brother Vikram Amar.\(^6\)

Over the span of the Law Journal’s focus on state constitutional law, we have published important scholarship not only on New Jersey state constitutional law,\(^7\) but also that of the


As Professor Richard Kay of the University of Connecticut School of Law has observed:

> The transformation of a law school from an institution of vocational competence into one of intellectual excellence is often associated with an increased attention to legal subjects that are national in scope….It is also true, however, that this broadening of interest need not be accompanied by an abandonment of a special concern for the legal issues and problems that are peculiar to a law school’s home.

nation, and, importantly, the newly-emerging area of comparative subnational constitutional law.8

In 2001 we published an entire Issue on tort reform and state constitutional law.9 Over the years, we have solicited and published book reviews on many of the important new books on state constitutional law.10

Our broad, interdisciplinary range of subjects has included, for example, an analysis of the first American state constitutions,11 the Progressive Era state constitutions,12 positive rights in modern state constitutions,13 environmental and natural resource provisions,14 and the current state constitutional litigation and developments concerning same-sex marriage.15 Additionally, we have published the very important works of state high court justices offering their own views of state constitutional interpretation.16 Further detailed analysis has included the processes of

---


15 Amar, supra note 6; Amestoy, infra note 16.

amendment and revision of state constitutions, the fiscal provisions of state constitutions, and the important area of reapportionment and redistricting under state constitutions.

The Introduction to the first Issue noted that a “national survey of judicial interpretations of state constitutions… will be beneficial even to those few who consider themselves experts in the field. Such a survey constitutes a prodigious task of legal research, organization, and analysis, for which the editors and staff of the Rutgers Law Journal should be commended.”

Those words of commendation can only be amplified now after more than a generation of Rutgers Law Journal members have read and analyzed virtually every state constitutional law decision by state high courts in the United States. This research and writing task not only informs our readers but also provides an introduction to the field of state constitutional law even for those students who do not take a specific course in the topic. Since 1999, in the Eleventh Annual Issue on State Constitutional Law, we have included detailed case comments where our students have analyzed in detail some of the leading state constitutional decisions in the country every year since.

All of these kinds of important scholarly and practical contributions to the literature on state constitutionalism are what we set out to stimulate and provide twenty-five years ago. We

---


20 Williams & Maltz, supra note 1 at 878.
are proud of these accomplishments by our authors and Rutgers law students, and we see no reason why this project will not continue successfully in future years.