

1959

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Recommended Citation

Editorial: Reorganization of Editorial Staff, 26 J. AIR L. & COM. 108 (1959)
<https://scholar.smu.edu/jalc/vol26/iss1/7>

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EDITORIAL

REORGANIZATION OF EDITORIAL STAFF

WITH the first issue of Volume 26 the JOURNAL is pleased to announce the reorganization of its Editorial Staff. From the time of resignation of Mr. Edward C. Sweeney as Editor-in-Chief two years ago until the autumn 1958 issue, the JOURNAL has been without an editor-in-chief. It has been published by the Transportation Center with the help of certain of the members of its former editorial advisory board, but its masthead has remained almost a static reflection of its earlier self. It has now been decided to abolish the Editorial Advisory Board, to whose members the JOURNAL wishes to express its most sincere thanks for their past assistance, and to name a new editorial staff. This will consist of the following:

G. NATHAN CALKINS, JR.—Editor-in-Chief. Mr. Calkins is presently a partner in Galland, Kharasch & Calkins of Washington, D. C., engaged in aviation and departmental practice. He was formerly Chief of the International & Rules Division, CAB, and participated extensively in the international and legal work of that agency. He was chairman of the U. S. Delegation to the Hague Conference to Revise the Warsaw Convention 1955.

PAUL CHERINGTON—Associate Editor. Mr. Cherington is Professor of Business Administration in the Graduate School of Business Administration, Harvard University. Formerly Executive Assistant to the Chairman, Civil Aeronautics Board, Professor Cherington is the author of *Airline Price Policy*, 1958, and *The Status and Significance of Airline Equipment Investment Program*, 1958.

JOHN COBB COOPER—Associate Editor. Mr. Cooper is presently Legal Advisor, International Air Transport Association and Professor Emeritus, McGill University. He was Chairman of the American Bar Association Committee on Aeronautical Law, 1932-1935; Vice President, Pan American Airways, 1934-1945; Institute for Advanced Study, Princeton, 1945-1951; and Director, Institute of International Air Law, McGill University, 1951-1955.

JULIAN G. GAZDIK—Associate Editor. A partner in the firm of Cutler, Lachapelle and Gazdik, Montreal, Quebec, Mr. Gazdik is also Secretary, Legal Committee, International Air Transport Association; Lecturer, Law Faculty and Institute of International Air Law, McGill University; and Chairman, Air Law Committee, Quebec Branch of the Canadian Bar Association.

OLIVER J. LISSITZYN—Associate Editor. At present Mr. Lissitzyn is Associate Professor of Public Law, Columbia University School of Law. He was formerly consultant with American Airlines, Inc. and is the

author of *International Air Transport and National Policy*, 1942, as well as numerous articles on international aviation.

EMORY T. NUNNELEY, JR.—Associate Editor. Mr. Nunneley is presently General Counsel, Investors Diversified Services, Inc. of Minneapolis, Minn. He was General Counsel of the Civil Aeronautics Board from 1946 to 1955. During that period he participated extensively in the work of the Air Coordinating Committee and served as Chairman of the Legal Committee, ICAO, 1951-1952. He has also served as a member of U. S. delegations to numerous international legal meetings, and was Chairman of the Delegation to the Rome Conference, 1952.

RHEBA CRANE—Managing Editor. Mrs. Crane is presently Director of Publications and Information Services for the Transportation Center at Northwestern University.

EDITORIAL

STATEMENT OF POLICY

AT the first meeting of any new board or group of individuals banding together for a common purpose, it is not unusual for the group to examine the basic reasons for its existence. The new Editorial Staff of THE JOURNAL OF AIR LAW AND COMMERCE has thus given consideration to the justification for the continued publication of a professional journal in the specialized area of aviation and astronautics law, economics, and business.

Is there a real need for such a publication? Why cannot the legal, economic, and business journals of more general application meet this need? There is certainly no dearth of such journals. Again, if there is an apparent need for a specialized journal, what brings about this need and what policies should govern the editorial content of the journal?

Not surprisingly perhaps, the Editor and his advisors concluded that such a need definitely does exist in the English speaking world and certainly in the United States. The basis for this need lies in the fundamental nature of aviation and astronautics and in particular in the rapid changes which are taking place in these fields.

Air law can no longer be classed as "new." It is, however, beset with problems which are novel, and as aviation grows and changes, legal and economic problems change with it. Questions that were yesterday dismissed as overly imaginative and unrealistic, today are pressing, and tomorrow will be of no more significance than the "springing use."

The dynamic nature of aviation's problems is shown by its history. No sooner had we adjusted our thinking to the open-cockpit biplane than the DC-3 came on the scene. Just as we were getting comfortably settled in our legal and economic approach to air transportation by DC-3, we found it had changed completely in character, and now we

must recast our thinking in the mold of the jet, with the age of space inexorably bearing in upon us. Aviation's changing quality is unique. While the automobile has brought great modification in the pattern of our living, the legal reins which govern its use bear strong resemblance to those attached to the horse and buggy.

This changing nature of air commerce places a heavy load on its advocates and its administrators. The reservoir of case law is frequently inadequate to govern disposition of aeronautical matters since legal relationships between the industry, its users, its competitors, and its bystanders are often non-repetitive. Technological change prevents its being so. And on the side of its regulators, intergovernmental relationships between the local, state and federal governments, as well as the relationships between nations, are continually affected by its ever-widening horizons.

The kaleidoscopic nature of air commerce means that today we must make tomorrow's decisions on yesterday's records. This requires, we believe, a general recognition by all that aviation law is *law in movement*, that its doctrines require constant reappraisal, that its sound development demands the exercise of disciplined imagination.

We believe that the JOURNAL can perform useful work in stimulating this recognition. To that end we will seek to publish articles which re-examine old credos in the light of current operational facts, articles on the aeronautical laws and requirements of foreign countries which are provocative of original thinking in the United States, and articles discussing the legal and economic aspects of aviation and space navigation of the immediate future. In substance, we will publish articles and other materials of professional interest to lawyers, economists, and executives concerned with aviation and astronautics.