The next decade could witness the end of the law review as we know it. At first glance, this contention might seem implausible - after all, the law review is the supreme institution of the contemporary American legal academy. Virtually all accredited law schools have one; quite a few have several. Law schools depend upon law reviews for publicity and prestige. Law professors depend upon law reviews for publication and promotion. Law students depend upon law reviews for education and eventual employment.

The law review, however, is hardly an inevitable institution. It emerged in the late nineteenth and early twentieth centuries as the product of the fortuitous interaction of academic circumstances and improvements in publishing technology. Today, new academic circumstances - not least among which is an increased professorial dissatisfaction with law reviews themselves - and new computer-mediated communications technologies (e.g. on-line services and the Internet) are coming together in a way that may soon lead to the demise of the familiar law review in favour of a more promising system of scholarly communication.
This article offers a comprehensive re-assessment of the law review from the perspective of the present age of cyberspace. Such re-assessment is best begun with an investigation of the academic and technological conditions that initially joined to generate the form. The standard story of the rise of the American law review focuses on the 1887 founding of the student-edited Harvard Law Review - it is factually accurate, but conceptually inadequate. It downplays the extent to which the law review served the general interests of the university-based law school as a formerly-marginal institution seeking greater distinction for its programs and its students in late nineteenth and early twentieth century America. It presents the law review as the creature of narrow legal considerations where there is at least circumstantial evidence to suggest that a desire to match the new journal-publishing projects of numerous other disciplines (e.g. medicine, chemistry, history) might have animated the professors who supported the student initiatives at Harvard and elsewhere. Most important for present purposes, the traditional story totally disregards technological developments in the printing and publishing industries — in particular, the development of high-speed rotary presses and improved paper-making processes — that in the late nineteenth century radically lowered printing costs and made law school sponsorship of legal periodicals financially and conceptually plausible for the first time. In light of these factors, the initial spread of law reviews to a variety of law schools can be seen as a logical outgrowth of contemporary circumstances, rather than as an instance of institutions across the United States simply following the leader.

Insofar as the law review had emerged in response to perceived institutional, professorial and pedagogical goals, it was potentially vulnerable to criticism as it tried to fulfill those. Almost from the outset, dissident law professors, practitioners, judges and occasionally even law students themselves complained about the law reviews content, form and operation. The criticisms came in waves, each larger and more powerful than the last. The first, weakest and most diffuse wave of criticism lasted roughly from 1905-1940. In part, this first wave was a reaction against the apparent redundancy caused by the relatively-rapid proliferation of general-purpose school-sponsored legal journals. In part also, it was a reaction against the standardization of the law review format which had come with the growing popularity and power of the genre. Concern about student editing and aversion to the dominant doctrinalism of the law reviews (especially on the part of so-called realists) also precipitated objections. These early critiques prompted the creation of a few newstyle law reviews which were designed for specific state audiences, which featured single-subject symposia, or which aspired to greater interdiscipli-