

## Editorial Section

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# Maryland Law Review

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## EDITOR'S NOTE

Perhaps the most frustrating experience for a legal theorist is to witness the misapplication of a rational, comprehensive and well conceived body of law in a way which undermines the fundamental purposes for which it was developed. Ronald M. Shapiro, in *The Zoning Variance Power — Constructive In Theory, Destructive In Practice*, examines just such a situation, the peculiar disparity between the theory and the practical application of the zoning variance. Mr. Shapiro suggests that the source of this discrepancy is the misuse of the variance by the zoning boards of appeal, the local governmental organs which exercise the variance power. By indiscriminately granting variances where such variances are authorized neither by the precepts of zoning law nor the dictates of land use planning, the boards of appeal are gradually eroding the integrity of zoning ordinances and, thus, the theoretical foundation of the zoning concept. Mr. Shapiro's highly persuasive argument is punctuated by his promising proposed solutions to the variance problem.

The REVIEW's current student offering, *Compensation For Negligently Shortened Life Expectancy*, undertakes the promotion of a theory of tort damages which has stalemated the English courts and intimidated most American courts since its inception. As the reliability of actuarial evidence develops, independent recovery for the negligent curtailment of life expectancy will become an increasingly frequent factor in the computation of tort damages. A second student Comment, *Labor Relations In Public Employment — Can Government Govern Itself?*, explores a problem of enormous contemporary significance, the resolution of labor disputes involving public employees, and isolates the source of this problem, the apparent failure of existing legal alternatives to adequately balance the public interest in maintaining uninterrupted public services and the need for more effective avenues for the satisfaction of legitimate public employee grievances. Other student articles treat current legal issues raised by recent Maryland decisions, the source of the liability of securities brokers for the fraudulent acts of their employees and the contemporary value of the ancient felony-misdemeanor distinction in the law of arrest.

The REVIEW is pleased to announce the selection of the following first year law students as candidates for membership on the REVIEW staff:

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Because of unforeseen obstacles and editorial complications, the REVIEW is forced to postpone its forthcoming urban law symposium from the Spring, 1969 edition to the Summer, 1969 issue.