New Law School Curriculum

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BEGINNING with the Fall Quarter, 1937, a new four-year curriculum will gradually be put into effect at the Law School.

For several years the faculty of the Law School has been working on the problem of the best method of fulfilling its obligation to the community at large and to the legal profession. The answer to this problem involves a consideration of what that obligation is conceived to be.

With regard to the community we were influenced by the fact that a large proportion of men in public life have had a legal training and have begun their professional lives as members of the bar, and that this will continue to be the case. Of the judges this is practically universally true. Of the men in public administrative positions, especially the more responsible ones; of the members of commissions that are partly judicial and partly administrative; of the members of various legislative bodies; a majority are lawyers. A great part of their education for their work must come, as in other fields of effort, from the experience, that is proverbially the best teacher. This fact, however, does not absolve the law schools from an effort to do what can be done in providing a formal education consciously framed with the objective in mind of preparation for the highest grades of public service. Our duty toward the legal profession we consider to be to give future members of the bar that training which will enable them with experience to become leaders of the bar, not only as counsellors to clients and as skilled advocates, but as shapers of legal thought and development. Incidentally, we feel certain that men who achieve this position will make a name and financial competency for themselves. We are glad that this result is a probable one, but from the point of view of our aims, it is incidental. We believe that the education that we have planned as that best adapted to fulfill our obligation to the community is also best adapted to fulfill our obligation to the profession, and that it will give the future lawyer an education that is "practical" in the best and broadest sense of that word.

Law is a reflection of the life of the people or state for which it exists. It is conditioned by, and its concepts and formulae in turn condition, that life. As a reflection of the life of the state it is affected by the same conflicts and changes in thought and feelings and interests as are other aspects of the life of the state. It is not difficult to list certain of the more important elements in the life of the state that go to make it what it is and that serve to fix the law of that state. Thus the economic organization, both in its broad outlines and in many of its details, is one of the main factors in fixing the pattern of the life of the state both as a unit and with respect to its individual members. Equally so is the political organization. Equally so, on another basis of classification, are the ethical standards of the community, and from still another point of view, the psychology both of the individual and of the group. Each of these (and others might be mentioned) is an element in the composite that may be called the life of the state, and each correspondingly had an influence in determining the shape that the law assumes.

As a matter of history, it is well recognized that there is ordinarily a considerable lag between the community life change and the correlative change in the law. If the life of the state remains stable or comparatively so for a considerable period of time, the law of the country will tend to be a correspondingly accurate picture of the ideals, express and implicit, of the state, and is largely taken for granted. When periods occur in which there are changes in one or more of the fundamental factors the relation between law and these other elements is realized and the need for a scrutiny of possible incongruities between the two is felt. For example, it may be said that during the period from 1870-1920 our law was in a tolerably static condition. For the last ten years because of world economic and political changes, with resultant reexamination, and in many cases, alteration, of men's thoughts and feelings and ideals, the tendency to include in this reexamination the law of the state is inevitable; and it is obvious that in proportion as we get into the areas of conflicting ideas or interests, the study of "book" law alone becomes an increasingly more unsatisfactory means of getting an adequate understanding of current legal questions.

This relation between law and the other elements of community life, and the necessity, if preparation for public service or at the bar is to be on the plane that it should be, for a conscious and detailed examination of those elements are obvious in the fields of law where the stresses and consequent possible discrepancies between law as formulated and the life of the state, are most marked. However, the same relations also exist in those fields of the law where there is no such discrepancy, and a systematic study of the law should pursue the same methods in those fields.

This outline will indicate the point of view from which the reorganization of the curriculum has been considered and the objectives that we have sought to attain. In previous years, we have done what many other law schools have done in handling this problem, that is, we have prescribed certain pre-professional work for the student, and made recommendations as to other courses. Experience with this system, with various changes in the pre-legal material and various efforts at coordination, finally led the Faculty to the conclusion that it was not a satisfactory method of accomplishing the end desired. Some of the students worked conscientiously at these courses. They either could see, or were willing to take on faith, that the work was of value to their coming professional study or they became interested in it for its own sake. With an undesirably large proportion of the class, however, the attitude was that the work of the pre-professional year was one more
obstacle that had to be surmounted before the work in which the student was really interested, namely, his professional work, could be started. Consequently, the attitude toward the work was one that varied from fairly keen interest by a few students to lukewarmness or indifference on the part of a great majority.

The new plan is based upon the theory that if the so-called non-legal material can be correlated with the conventional legal material, the interest of the student in both branches of work will be intensified and the value of both to him increased. The difficulties of making such a coordination of work are great. Many groups of non-legal material have a relation of varying degrees of closeness to several fields of law. Yet there is a limit to the extent to which the study of a given non-legal subject can advantageously be broken into small fragments. Each non-legal subject has a consistency of its own, and in proportion as it is broken down upon a basis of relating it to various legal subjects, it tends to lose the unity that makes it a separate body of study. The Faculty had to reconcile these conflicting considerations as best it could.

The organization of the new curriculum may be outlined thus. The law courses are spread over a period of four years. In the first year are given the beginning law courses, Torts, Contracts, Procedure, Family Law and a course called Legal Methods and Materials. This latter course is designed to give the student working ideas as to the nature of law and legal concepts in their relation to logic and social policy, and also to provide practice in handling legal material. Concurrently with these courses, the student will take courses in English Constitutional History and in Psychology. The latter course lays its emphasis upon individual and social psychology as related to legal problems. In the second year, the work includes, in addition to more advanced legal material, the subjects of Accounting and Economic Theory, and in the third year, the subject of Ethics. Other courses are themselves a combination of legal and non-legal materials such as, in the second year, the work in Crime and in Government, the latter being based upon Constitutional Law and political theory; in the third year, the work in Historical Methods and in Public Finance and Taxation; in the fourth year, the work in Economic Organization, which includes Economics, Statistical Methods, Theory of Money and Prices, and more immediately legal material such as anti-trust legislation, and labor law.

It is not, only in the giving of correlated course instruction in the various non-legal subjects that we expect to obtain the amalgamation of legal and non-legal material. The picture that we have of the future activities of the School is that of a constant interchange of ideas by all the members of the Faculty, including the members whose interests lie primarily in non-legal fields. Our expectation is that the various law members of the Faculty will sit in on the non-legal courses that are of interest to them, and that the members of the Faculty dealing primarily with non-legal material will sit in the different law courses as they can make opportunity.

The new curriculum, in addition to the incorporation of material ordinarily regarded as non-legal, also has reorganized the law material. In this reorganization we have had the objective of making the student realize that the law does not consist of more or less isolated units, with particular captions but is, as a great legal scholar described it, "a seamless web." As a matter of mere time and space, it is impossible to learn and to teach all the law at once, but we are taking steps to go as far as we can in this process of unification.

One step is handling the legal material in a comparatively small number of fairly large units composed of related legal concepts instead of breaking it up into a large number of separate courses. The four years of the old curriculum had from fifty-five to sixty courses. The full new curriculum has thirty-one groups. It is believed that by this method, we can give the student a better grasp of fundamental legal principles and of their development in the more specialized fields of the law. Many of these group topics will be in charge of two or more members of the Faculty, and this cooperation with inevitable differences of opinion on the part of the instructors is bound to prove stimulating and helpful to the students.

The only examinations will be comprehensive examinations given at the end of the academic year. The examinations for the first year will cover the work of that year. Those of the second and other years, while primarily concerned with the material covered that year, will assume on the part of the student, a command of the material of the preceding years and may be based specifically upon such material.

Another element in the new curriculum to which attention should be directed is the amount of time devoted to individual work. One-half the student's time in the last year, and one-fifth of his time in his third year, are so devoted. He may elect to do this research work in any two out of seven fields. These fields are (1) Crime, (2) Civil Procedure, (3) Property, (4) Marketing and Credit, (5) Economic and Business Organization and Regulation, (6) Government, (7) History and Theory of Law. The idea of this part of the plan is that one of the best things that the Law School can do for the student is to teach him the technique of handling specific problems and of working out to an organized conclusion the result of a piece of individual research. Work of this kind has a double value. It gives the student an intensive acquaintance with one or two fields of law.

(Continued on Page 22)
Gone Microphotographic
(Continued from Page 8)

Two other well known members of the faculty have

might cross international boundaries more freely. Chicago was asked to provide the demonstration. But Chicago needed a speed camera—and money. The Secretary of the Navy was appealed to. The Surgeon General, the Department of State, and The National Archives supported. Secretary Swanson readily assented—Dr. Draeger was released to build the camera at cost and, for good measure, go to Paris also, while the Rockefeller Foundation came through with the necessary second grant, to the American Library Association, under whose auspices, then, the Chicago staff and apparatus will sail in April for six months filming before Exposition crowds, a month of barnstorming afterward, and return with rich treasure of text, including its camera by grace of Neptune.

Yes, Gutenberg’s eyes would bulge all right. But upon second thought he need not worry. The little fellow is more ally than rival—he can get places where the big fellow cannot go. He can repair some injuries, too. Censors may spoil the page, as pennies make palmsests, or fire may blacken. The camera in all these cases just does his infra-red or ultra-violet spectacles and declares again the ancient message. It’s the big fellow’s world after all, for the eyes are with him and readers stay full size. But

“He says they two will make a team for work:
Between them they will lay this farm as smooth!”

New Law School Curriculum
(Continued from Page 6)

and it gives him the training in initiative, organization and self-expression that has already been referred to.

The method of instruction under this new plan will vary with the instructors. The value of the case system of instruction as a means of training in case analysis and case comparison is great and there can be no thought of abandoning this valuable tool of discipline and instruction. Just as a method of instruction, however, the objection to it has always been its extreme slowness. After a student, through use of it for some time, has acquired the training in the technique of analysis for which it is most valuable, the continued use of it becomes subject to the law of diminishing returns. One may hazard the conjecture, therefore, that the use of syllabi, of lectures, of informal discussion, and of individual work will be followed in varying degrees.

The assumption that the student will have the ability to grasp and assimilate material, the large amount of individual work that will be required of him—in fact the whole educational program that we have adopted has the corollary that the number of students must be limited. The mere fact that a man has successfully completed two or more years of college work will not entitle him to admission to the Law School. His class standing, his personality, and his potentialities, so far as we can form an opinion with regard to them, will be elements in determining his admission.

The question may fairly be asked, “What kind of men do we expect to turn out from the School with this new curriculum?” We think that our graduates will have the type of training that a high grade lawyer should have. They will have received a thorough training in case analysis; they will have a thorough grounding in the fundamental principles of all the important fields of law; they will have had training in individual work and in formulation of ideas and, consequently, they should know how to go about finding and formulating the answer to any problem that may present itself. But our chief objective is more than this. We plan that they shall have a definite understanding of the considerations other than purely legalistic ones that lawyers, judges, administrators and legislators have to take into account in dealing with legal problems of the present time. Our belief is that if they have an awareness of these considerations, ethical, economic or political, and have given them thought as elements in problems with which they have to deal, then, whether their answers to these problems are “conservative” or “radical,” they will be based upon an understanding of what is involved therein. Men so trained will be better lawyers, better public officers, and better citizens.

News of the Quadrangles
(Continued from Page 19)

scheduled for publication this spring. This study is described by Professor Edson S. Bastin, head of the department of geology at the University, as the foremost book in the English language in its field. Although his field of special interest was in the classification of igneous rocks, Dr. Johannsen in his early career did notable work in his studies of the optical properties of rock-forming minerals, and his book on that subject, “A Key for the Determination of Rock-Forming Minerals in Their Sections,” published in 1908, has gone through several revisions.

Born in Belle Plaine, Ia., on Dec. 3, 1871, Dr. Johannsen retired at the age of sixty-six. He received the B.S. degree from Illinois and his doctorate from Johns Hopkins. Before coming to the University of Chicago in 1909 he served a long apprenticeship in field and laboratory practice of geology and petrology with the U. S. Geological Survey. He became assistant professor of petrography here in 1909, and a full professor in 1918. He is a member of the Geologic Society of America, the Mineralogical Society of America, the German Mineralogical Society, and an honorary member of the National Academy of Science of Mexico.

Despite his distinguished scientific career, Dr. Johannsen has had time to develop varied hobbies, and he anticipates the freedom he will have to pursue those interests. Collector of “dime novels,” first editions of Dickens and other authors whose works were illustrated by Hablot K. Browne (Phiz), and of Browne’s original steel engravings, he plans to compile a bibliography of the old-time thrillers and to complete a technical study of the Browne engravings.