The Law School

Harry A. Bigelow
HarryA.Bigelow@chicagounbound.edu

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tions were made in Texas and New Mexico during ten seasons, and there
was built up the most valuable collection of early vertebrates possessed
by any institution in the world. From 1918 to 1929 annual expeditions
by Mr. Miller to Nebraska and South Dakota have added a large array
of tertiary mammals.

The most recent additions to the vertebrate collections have come from
the far-off Karoo Desert in South Africa, visited last year by Associate
Professor Alfred S. Romer and Mr. Miller with the aid of funds gener-
ously given by an anonymous donor in Chicago. In the bleak Karoo re-

gion the story of the evolution of the vertebrates read from the American
rocks is continued through the next chapter in the book of time.

Within recent years through the efforts of Adolf C. Noé, Associate Pro-

fessor of Paleobotany, a large collection of fossil plants particularly from
the American coal measures has been added to the earlier collections in this
field.

In addition to the gifts from individuals the generosity of the geologi-
cal surveys of Illinois and neighboring states in making the museum a re-
pository for collections made by the museum staff or students under sur-
vey auspices has been of the greatest value.

The collections are being constantly augmented through the researches
of the staff and through the generosity of former students and friends, but
additional funds are especially needed to cover the expenses of field re-
searches.

THE LAW SCHOOL

BY DEAN HARRY A. BIGELOW

O

N APRIL 15, 1902, the Board of Trustees voted to establish a
law school at this University.

Professor Joseph H. Beale, of Harvard Law School, was in-
vited to come to Chicago to organize the school and to act as dean. An
arrangement was made with Harvard University whereby Professor Beale
was granted leave of absence for half the year 1902–3, and again for half
the year 1903–4 in order to accomplish this work. The original composi-
tion of the faculty included as full-time men, Professors James P. Hall
and Clark B. Whittier, both of whom were at that time teaching in Stan-
ford University Law School, and Professor Ernst Freund, who was at that
time a member of the Department of Political Science in this University.
The part-time men included Mr. Julian Mack, later appointed a federal
judge, Mr. Horace K. Tenney, and Mr. Blewett Lee. They were, at the
time of their appointments, all outstanding members of the Chicago Bar. The faculty was essentially a faculty of young men. Professor Hall and Professor Whittier were barely thirty, and the other members of the faculty, including Professor Beale, were in or about the early forties.

SCOPE AND PURPOSE

At the very outset of the creation of the school, a fundamental question of policy was presented. This had to do with the scope and purpose for which the school was organized, and two divergent views manifested themselves. One view may perhaps be not unfairly stated to have been that the school should be a school of jurisprudence, that is, that the school teach law as a social phenomenon forming a part of, and to be correlated with, the other social sciences. This view would have placed the emphasis, not upon professional training, but upon the sociological values of the legal elements in the social structure, although in all probability, the aspect of professional training for practice at the bar would not have been by any means ignored.

The other view was that the work of the new Law School should be exclusively that of a school devoted to furnishing the best possible professional training for practice at the bar. There was, of course, no implication in this that the training should be rule of thumb. It was, however, believed by the group holding the second opinion that it was undesirable to approach legal problems from any other than a legalistic point of view or to attempt to do anything in the way of what may be termed legal-sociological work.

The later of these views was the one that was adopted, and the school was organized on the theory that its function was to give scientific training for practice at the bar.

AN INCREASING FACULTY

One year after the opening of the school, the faculty was greatly strengthened by the addition of Professor Floyd R. Mechem. Professor Mechem came from the University of Michigan law school with a high reputation, both as a teacher and as a writer. His special fields were the law of corporations, of sales, and of agency. In all three of these he was an outstanding figure. He continued to be such during all of his long and remarkable career at this school until his death in 1928. His writings in the field of sales, and even more so in the field of agency, are known wherever the common law obtains. In 1923 he was selected by the Ameri-
can Law Institute to formulate the law of agency and was engaged in this work at the time of his death.

At the retirement of Professor Beale as dean at the expiration of the two years for which he had been lent by Harvard University, Professor Hall was made dean and continued to hold this position until his death in 1927. Under his vigorous and scholarly leadership the development of the school was steady and solid. Dean Hall had a clearness and precision in the determination of the fundamental policies of the school and an accuracy in details that marked him as a natural leader. Almost from its start, the Law School obtained wide recognition for the quality and thoroughness of its instruction. While the members of the faculty varied in their methods of instruction, the high ability of the faculty as a whole, on the pedagogical side, was generally acknowledged.

It was not alone, however, upon the classroom side that the school attained eminence. Professor Hall specialized in the subject of torts and constitutional law, and wrote numerous articles on both topics. He was at the time of his death a member of the advisory committee engaged in the restatement of the law of torts for the American Law Institute. His casebook on constitutional law, prepared by him in the second decade of this century, is still the best casebook on that subject. Professor Freund, in part perhaps because of having had the advantages of a civil law training in addition to a common law training, has worked chiefly in the fields of constitutional law, comparative law, administrative law, public law, and statute law. In the last three mentioned subjects he is unquestionably the outstanding figure in this country. The subject of statute law as a field of legal research owes its origin to his study and his successful attempts to put its principles in a definite and scientific formulation.

GROWTH

The Law School, with the organization already indicated, rapidly took a position of leadership in the entire Middle West. Its student registration, except for the falling off occasioned by the entry of the United States into the World War, grew steadily, until for the year 1929–30, it was somewhat in excess of 600. The composition of the faculty inevitably changed from time to time, and also steadily grew until, at the present time, the faculty is composed of twelve full-time professors, and of other officers of instruction who are giving part of their time to law school work.

It is a commonplace that the last fifteen years have been productive of far-reaching shifts in social, economic, and business life. These changes have had marked effects in the law as a social tool. These effects have in
turn had a definite reaction in matters of law school policy. They have manifested themselves among other ways by a constantly increasing interest in the fundamental question of the relation of the law to other social sciences and of the function of the Law School in the attack upon this question. In the Law School these matters have been the subject matter of long discussions, both of a formal and informal nature, by the faculty. The focal points of these considerations of law school policy are so numerous that in an article of this length nothing more can be done than to indicate briefly those of chief importance.

LAW SCHOOL POLICY

1. The reorganization of teaching methods. When the Law School was organized the case system of teaching law was adopted as the accepted pedagogical method. There is no doubt that it was a marked improvement over former methods of instruction. Like all other human institutions, however, it had its limitations and questions have arisen as to whether or not modifications of the case system may not advantageously be made. It has great advantages as furnishing discipline to the student in the analysis of case material and in training the ability to make careful and logical distinctions. Once this ability is acquired, however, the repetition of the method in other courses loses a large part of its pedagogical value and the system of instruction based upon it is very time-consuming. A general inquiry into the nature and desirability of the whole system is now under way.

2. The curriculum of most law schools, at the present time, is based to a preponderant degree upon the organization of the Harvard curriculum which was made between thirty and forty years ago. That organization itself was built in part upon the personality of the men who at that time composed the Harvard faculty and prepared the original casebooks. With the change in business methods and social and economic organization that has taken place in the last forty years, there have been new alignments in the business, social, and economic world and the question has for some time been seriously mooted whether the curriculum of the Law School should not be revised to meet these changes.

3. These non-legal factual changes of the sort just referred to have an influence not only in suggesting the desirability of a re-grouping of the curricular material that is now embraced in law school instruction but also suggest the broader question of the infusing of legal material with considerations derived from other disciplines, the economic, the social, the business, and the political. This of course opens up a large field. Its
implications are too numerous to be more than mentioned. It involves cooperation with other social sciences in the comparison of their respective points of view on given problems. It involves the incorporation of these different approaches so far as the incorporation of them is valuable in the instruction of law. It involves the investigation into various factual problems.

4. Such investigation may be, as already indicated, for the purpose of strengthening and enlarging curricular materials. It may have, either concurrently with the purpose mentioned, or independently thereof, a second and broader objective. The second motive for investigative work arises from a new conception of the duty and opportunity of the Law School. Briefly, it is that within reasonable limits of time, money, and effort the Law School should contribute the specialized knowledge of its faculty to various kinds of public service. This may take the form of investigative work or it may take the form of some other kind of effort for the public good. One member of the faculty has already undertaken a piece of work connected with the improvement of the police department.

The above is but an outline of some aspects of law school activity. These and many other problems are receiving careful examination. Changes will be made as they recommend themselves after due consideration. We look to see the activities of the Law School greatly broadened during the coming years.