

I N H O



N O R O F Nisba



☺ A late portrait taken of Sophonisba Breckinridge. ☺ (Above) Over 200 alumnae, faculty, and students attended the reception and dinner in honor of the ninetieth anniversary of Breckinridge's graduation from the Law School. Lillian Kraemer '64, presided at the dinner, which featured guest speakers Herma Hill Kay '59, dean of the University of California Berkeley School of Law, and Dean Geoffrey R. Stone '71. ☺

On October 14, 1993 over 200 Law School alumnae, faculty, and students gathered in Chicago to celebrate the ninetieth anniversary of Sophonisba Breckinridge's graduation with the second Law School class—the first woman to be granted a J.D. by the new Law School as well as the first woman member of the Order of the Coif. Geoffrey R. Stone '71, as dean of the Law School, discussed three extraordinary women who had graduated or taught at the Law School. The following article is adapted from his remarks about Sophonisba Breckinridge.

Many national law schools boast of the time when they first admitted women students. Women first were deemed eligible for admission to Yale in 1918. Columbia first admitted women in 1927. And Harvard first opened its hallowed doors to women in 1950.

The University of Chicago Law School, the youngest of our national law schools, first came into existence in 1902. But our very first entering class included two women students. Tonight, we celebrate the ninetieth anniversary of the graduation of Sophonisba Breckinridge, the first woman to graduate

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from our Law School, as one of the sixteen members of the Class of '04.

But to say that she was our first woman graduate does her a deep disservice. For although that is a fact, it tells only a very small part of a most extraordinary tale.

Sophonisba Breckinridge's path to the University of Chicago was marked by the unique challenges and opportunities of the age in which she lived.

Nisba—as she was known to family and friends—was born in the bluegrass land of Kentucky in 1866, just a year after the Civil War. Her family was well known throughout the Commonwealth. Her great-grandfather served as Thomas Jefferson's attorney general. Her uncle ran against Abraham Lincoln in the election of 1860 on a pro-slavery platform, and later held high office in the Confederacy.

Her father, who fought as a colonel on the side of the Confederacy, established a busy law practice after the war and quickly earned a reputation as a "liberal." Indeed, he lost his first bid for public office in 1868 because he argued in favor of permitting African-Americans to testify in court. As you might imagine, this was not a particularly popular position at the time in Kentucky.

While still an adolescent, Nisba attempted to enroll at the Agricultural and Mechanical College in Lexington. The president of the school promptly sent her home. But Nisba and her parents persisted and she was admitted as the school's first woman student. This was a pattern that would recur often in Nisba's life.

Several years later, Nisba enrolled at Wellesley College in Massachusetts. When Nisba began her studies at Wellesley, she took her place among a group who would be remembered as pioneers: the first generation of college-educated women in the United States. As a natural scholar and leader, Nisba flour-

ished at Wellesley and finished at the very head of her class.

It was then that she first confronted the great contradiction of the revolution in women's higher education at this time—for such education prepared the first generation of women college graduates for a world of opportunities that simply did not exist. As a result, the problem of what to do after graduation was a troubling one for these women.

In spite of prevailing societal expectations of their proper role, many college-educated women dreamed of active and even nontraditional careers. But it was difficult to attain such goals. As Nisba Breckinridge later recalled, "I had promised myself to be a lawyer, . . . but at that time there were not many law schools open to women."

Thus, in a pattern typical of the first women college graduates, Nisba returned home to her family after graduating from Wellesley. In the next few years, Nisba began reading law in her father's law office and, in 1892, after a three hour oral examination by the chief justice of the state court of appeals, she was admitted to the Kentucky bar. She was the first woman ever to achieve that distinction, and the story was reported widely in the national press, including the *New York Times*.

Not surprisingly, however, Nisba's legal practice developed at a painfully slow pace. As she later recalled, "during the first weeks, three cases involving special women's interests were brought to me," but it soon became apparent that few citizens in trouble with the law were willing to take the further risk of being represented by a woman attorney. Discouraged, Nisba faced the unhappy fact that all of her hard work had still failed to provide her with a rewarding career.

Then, in 1894, a classmate from Wellesley, who was studying at the newly-founded University of Chicago, wrote Nisba about the excitement of the

place and urged her to join her. In fact, this new University drew many women students to its doors because it made good on its promise to welcome them. For example, although men graduate students far outnumbered women in the Department of Political Science, half the fellowships were granted to women.

Taken with the city and with the University, Nisba decided to stay. And stay she did. For the rest of her life, the University of Chicago would figure prominently in Nisba's experience. In her own words, although she arrived at the University by "pure accident," she never left the institution "without . . . a round trip return."

Upon her arrival in 1895, the dean of women at the University suggested political science as a possible field of study. It was thus that Nisba Breckinridge first began her studies with Professor Ernst Freund.

Her choice of Freund as a mentor proved decisive for Nisba, for she learned from him a special brand of political science, one that broadened the discipline's traditional focus to embrace an activist approach to law. Freund championed the view that government intervention "to secure and promote the public welfare" and to redress inequality legitimately evolved in response to social, economic and political conditions.

Freund's belief in the dynamic nature of law led him to support often highly controversial legislation—such as maximum hour and minimum wage laws—as a proper exercise of the police power, appropriately designed to "create a new ideal of social justice." Nisba learned from Freund the essential intellectual grounds to justify the use of law as an instrument of social welfare. These lessons were to prove central to the rest of her life.

Just at the time Nisba completed her

☛ (Right) Breckinridge in full
academic regalia. ☛

Ph.D. in political science, the University was in the process of establishing its new law school. A key figure in the founding was Ernst Freund, who helped set the interdisciplinary tone of the institution that has marked its mission to this very day. Following Freund's advice, Nisba enrolled in the initial entering class and was the first woman to graduate from the Law School in 1904.

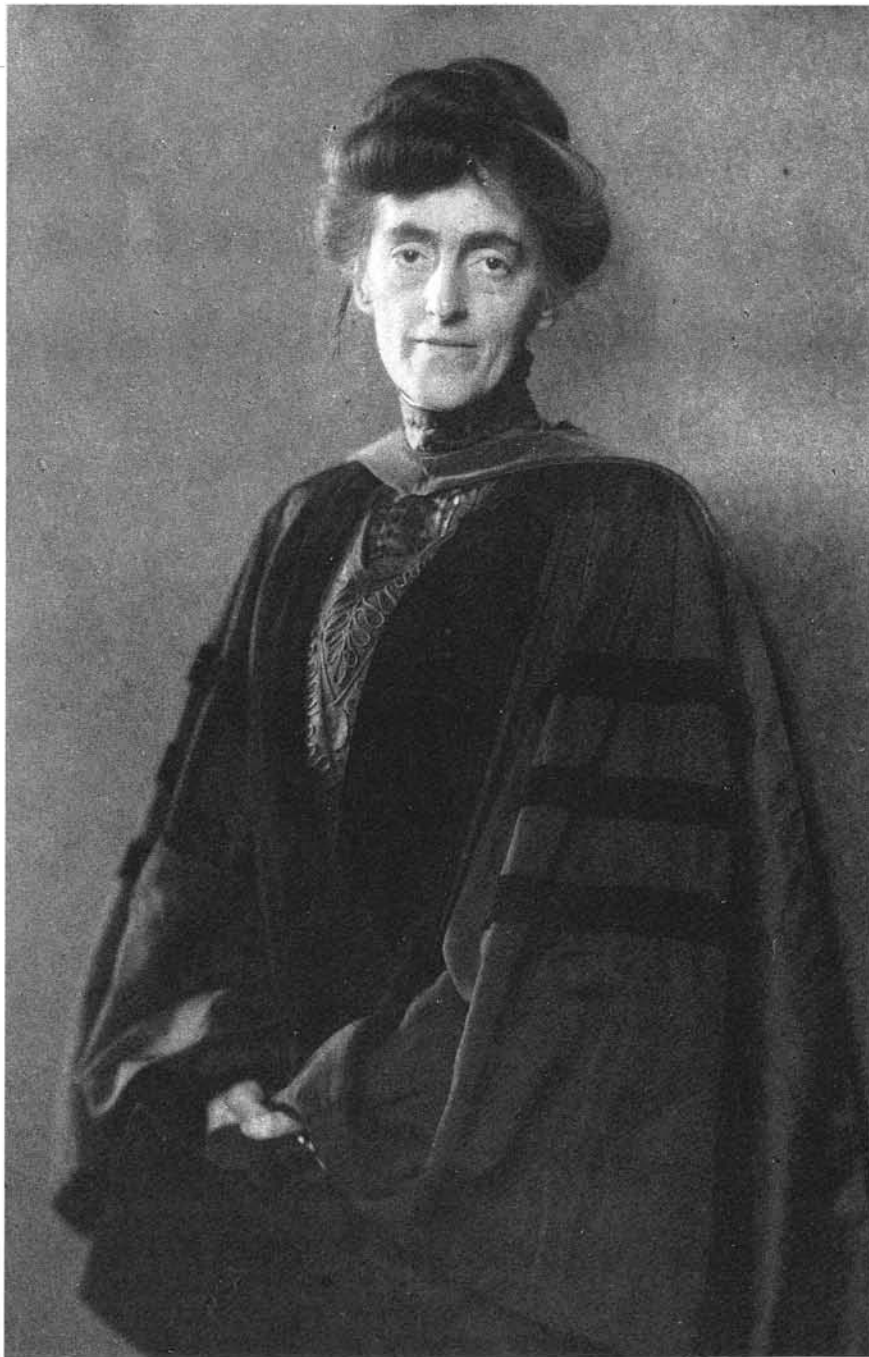
But her story does not end there. Upon graduation, Nisba was appointed a professor at the University in what was then called the Department of Household Administration. Seeing this appointment as an opportunity to effect change, she introduced courses on public institutional management and on public institutions for children.

Eager to do something "really useful," she turned her attention to what she described as "the great social issues of the day." In this activist spirit, she became involved with Jane Addams' Hull House, helped found the Chicago Women's Trade Union League, and was a founding member of the Chicago chapter of the NAACP.

Within a few years, Nisba assumed the leadership of the Chicago School of Civics and Philanthropy, while retaining her position at the University. It was through her efforts that the Chicago School of Civics and Philanthropy eventually merged with the University of Chicago to become the University's School of Social Service Administration.

Interestingly, a unique feature of the educational program at SSA was borrowed directly by Nisba from her experience in the Law School, for SSA was the first school of social service to adopt what has come to be known as the "case method."

Throughout her long and distinguished career at the University, Nisba never saw any conflict between scholarship and service, reflection and reform. For her, professional education, direct



work for the betterment of social service, and research into social problems all served one integrated purpose—the improvement of the welfare program so that the disadvantaged of our society might have richer lives.

Nisba Breckinridge was the author of numerous books, including, among others, *The Delinquent Child and the Home*, *Family Welfare Work in a Metropolitan Community*, *Public Welfare Administration*, *The Family and the State*, and *Social Work and the Courts*. She was the first woman ever to represent the United States at an international confer-

ence and, typical of her devotion to her students, she flew for eight consecutive days to return from the conference, which was held in Montevideo, in order to reach her opening classes on campus.

In 1929, the University named Sophonisba Breckinridge the Samuel Deutsch Professor of Public Welfare Administration, the first woman professor ever appointed to a named professorship. And after her death, after a truly remarkable and memorable career, the University named Breckinridge Hall in her honor.

This year, we honor Nisba Breckinridge as one of the most extraordinary figures in the history of our Law School and of our University. ♦