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Introduction

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SYMPOSIUM ON LEGAL EDUCATION

ASSOCIATION OF AMERICAN LAW SCHOOLS

INTRODUCTION	505
ROUND TABLE CONFERENCE	
THE MEDIA IS THE MESSAGE	<i>Eugene F. Mooney</i> 507
EDUCATIONAL PLANNING AT YALE	<i>Abraham S. Goldstein</i> 520
CURRICULAR REFORM FOR LAW SCHOOL NEEDS OF THE FUTURE ...	<i>Charles D. Kelso</i> 526
COMMENTARIES	<i>Hardy C. Dillard</i> 532
	<i>Walter Gellhorn</i> 536
	<i>C. Robert Morris</i> 541
REPORTS	
MODELS FOR CURRICULAR REFORM	<i>Quintin Johnstone</i> 544
REVISING THE TORTS COURSE	<i>Richard S. Miller</i> 558
CONCLUSION	571

INTRODUCTION

Curricular change is an eternal law school problem. There is persistent pressure to modify the assortment of courses offered as new fields of law emerge or become more prominent, different approaches to legal scholarship develop and innovations in teaching methods gain support. Teacher turnover tends to produce curricular revision, too, for new teachers often have different preferences from those of their predecessors; and there is a tradition of eventually allowing each man to teach what he wants, even if it means giving him a course never before offered by the school, or perhaps by any school. Especially encouraged in periods of relative affluence like the present is change through more and different offerings, for at such times moneys are easier obtained to hire added staff to teach added courses.

Pressure for curricular expansion is also strong because of continued impatience in many quarters with legal doctrine as the primary organizing and analytical focus of legal education. The study of law as a body of consistently structured rules having their own internal logic is frowned on by many as sterile conceptualism. A number of the more creative law teachers and scholars have shifted their emphasis from legal doctrine, and are concentrating on the actual and potential impact of law on the society, drawing heavily on other fields of learning in doing so. But the

relation between law and the other intellectual disciplines has not been adequately clarified, and curricular experimentation with new courses and seminars is reflective in part of groping by some law faculty members for a new identity in the intellectual community.

Noticeable shifts of outlook are also apparent in which the law schools view themselves as something more than professional recruiting and training instruments, as more than mere appendages to the legal profession and dominated by its concerns. They increasingly see themselves as independent centers of learning charged with responsibility for objective inquiry into a broad range of social problems. But far from resolved is what should be their special expertise and competence if their professional ties are weakened. These, too, are issues with which curricular revision is deeply involved.

This symposium presents a variety of opinions on curricular aims and forms by a group of law teachers who have been worrying over such problems. The papers and remarks appearing here are the end-product of efforts by the 1966 Curriculum Committee of the Association of American Law Schools, and notably of its roundtable on "Curricular Reform for Law School Needs of the Future," presented at last December's annual meeting of the AALS. The contributions of Professors Goldstein, Kelso and Mooney are the somewhat edited versions of the principal papers given at that roundtable; and the commentary by Dean Dillard and Professors Gellhorn and Morris are the edited roundtable remarks that followed. The commentary was largely extemporaneous, as the commentators had not read the principal papers in advance. My paper on law school models is a slightly modified version of the annual report of the Committee, although actually a solo venture not necessarily carrying the indorsement of Committee members. The paper by Professor Miller was submitted to the Committee in connection with a project it was engaged in. The Committee is indebted to the editors of the University of Miami Law Review for publishing this symposium. Such cooperation helps make the Association of American Law Schools a more meaningful operation.

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