

"Admission and Methods of Instruction.—Applicants for admission not graduates of a college are examined in Latin (Cæsar, Cicero), Blackstone's Commentaries. Every student who has been in the school one year or more has an opportunity each year of arguing in a case before one of the professors in a moot court."

The subjects taught and the books used show more clearly than any general description the intensely technical and practical character of the course of instruction. This may stand, I think, as the general model or even highest type of legal instruction in this country.

I agree in the main with the spirit of the committee's criticism which I have above quoted, but I would phrase my own views in somewhat different language. I insist, for I believe it to be true, that the stereotyped course of legal instruction in this country is defective, not so much for what it contains as for what it omits. It is defective in that no adequate provision is made for specific instruction in historical and comparative jurisprudence, and in the literature, science and philosophy of the law—in what may, perhaps, be compendiously expressed as general jurisprudence. If this is what the committee means by the expression that the course of instruction is too technical, I agree with it. But it is to be remembered that it is of the essence of our legal systems that they are in their historical development and nature, technical, and so far as they are so, instruction, to be adequate and thorough, must itself be technical, and in an important sense it is not predicable of it that it is too technical. Having in view the circumstances which surround the subject of legal education in this country, I approve the wisdom of the general course of instruction in our law schools, so far as it gives chief attention to the usual and enumerated branches of practical private law. But I still insist that it is defective in the want of adequate provision for instruction in the history and the literature of the law and in what I call, for short, "general jurisprudence."

Great lawyers, like Coke and Blackstone and Eldon, may be made by the current methods; but the growth of greater lawyers like Hale, Bacon and Mansfield, who in their day wisely amended and improved the law, and who represent the higher professional ideals, is not adequately promoted or encouraged by the existing course of methods of law instruction in the law schools of this country.