A Vast Image Out of *Spiritus Mundi*: The Existential Crisis of Law Schools (Book Review)

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A VAST IMAGE OUT OF SPIRITUS MUNDI: THE EXISTENTIAL CRISIS OF LAW SCHOOLS

BOOK REVIEW

Jeremiah A. Ho*


INTRODUCTION

After years of denial, complacency, and rigid adherence to orthodoxy that has led to a major decline in attendance, some in the Catholic Church have begun to look within and ponder change. The same can be said about American law schools these days. Alike in some ways, these two institutions, often upheld by the general population, negotiate between the elite and non-elite sectors of society, preach and abide by internal doctrine, facilitate transformations, serve the public at large, and help regulate behavior—just to name a few similarities. As big as they are, they are also not insulated from scandal. They are not beyond criticism. Although change seems imminent, at least as far as law schools are concerned, we are likely still in the rhetoric phase of the transition—and a decidedly profound one at that.

In her opening observations about the present state of American legal education in Teaching Law: Justice, Politics, and the Demands of Professionalism, Robin L. West wastes no time cautiously recounting how law schools have mismanaged the business of educating lawyers. In unsympathetic detail, she narrates the economic crisis of legal education with cause and effect, and a sense of morality about it in much the same way others have recounted the dishonest lending practices that led to the recent mortgage crisis and the Great Recession. First, changes in providing legal services at firms restructured available jobs in the marketplace and were met, secondly, with various law schools misreporting their employment data (1-4). What followed was decreased application and matriculation (4-5). Meanwhile, law schools neglected to reign in the rising costs of (often extravagant) operations, which were passed on to tuition-paying students and did not make attending law schools more enticing to would-be applicants (5-6).

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To compound this “economic crisis,” West then describes how law schools not only have oversaturated the market but the oversaturation itself is problematic beyond the number of job-seeking law graduates versus the available number of jobs. Law schools also inundated the market with candidates characterized as lacking serious professional judgment (7-8). By combining that criticism toward our graduates and the lack of focus and integrity with the way we produce legal scholarship, West then labels a second crisis to plague law schools alongside the economic one—what she calls, “the professionalism crisis” (10).

Still, West is not finished with the entire picture. The intersection of these two major criticisms of law schools is just the beginning of West’s real take on the current legal education crisis. Even if law schools solve both the economic and professionalism crises, West asserts that the actual problem with modern law schools remains unresolved: the existential crisis. According to West, removing the failed business model and the insufficient professional inculcation would reveal a problem with American legal education that goes to its ultimate constitution: that the concept of the law and the legal profession from which our legal education model originated, and has existed since the nineteenth century, sits on a skewed premise of what the law is modernly. In essence, West reveals that what we have been praying to for more than a century has been a Golden Calf of sorts.

How we conceptualize the law influences how we represent the law to our students and train them to think about it—or, more colloquially, think like lawyers. In what West terms as “a qualified dissent” to the ongoing discussion of what is wrong with law schools today, Teaching Law attempts to recognize larger, more primal concerns about law schools that stem not merely from the rise of the American legal academy in the late nineteenth century, but from the philosophies conceiving the law during the period that shaped what that particular rise looked like as far as the way we approach and build our courses, our campuses, our curriculum, our research, our relationships to the bar, and our institutional pursuits. The danger, West implies, is that either our failure to recognize history and the interrelatedness between concepts and commitments, or our blind allegiance to approaching our academic livelihoods under the old regime without change, has and will continue to render our approach to the law devoid of what it ought to service (that is, justice); keep our teaching lacking the political nature of the law; and uphold our relationship with the practicing bar at a suspiciously-distant arm’s length. And that for all the changes in business models and the incorporation of skills and professionalism teaching, we would always remain short of achieving the goals obtainable through the vehicle of law if we choose not to address the questions that, West believes, tug at our existence.

The conclusion of the Review can be revealed here at this time: Teaching Law is a sobering, cautionary, and highly observant work that not only provides a working knowledge of why American law schools are the way they are, and what will happen if they do not change, but achieves it with a different kind of conviction—one that is thoughtful, mercurial, and vigilant, but without needless sensationalism, which is rare amongst all the critical and admonishing voices at this time. West’s inquiry into problems deeper than the business and the professionalism issues of law schools appeals to our noble sentiments toward the law and its relationship to its ultimate goal—pursuing justice. But her book also presses us to rethink the purposes of the legal academy if we are really here to comprehend what it means to be lawyers, especially for our current students and for generations to come.
I. The Sins of Our Forefathers: Origin, Existence, and Crisis

Having identified that the trouble with law schools is existential, West traces the first of three culprits she associates with that troubled existence—the lack of connection and teaching about justice in law schools—to the corruptible human habit toward the law (i.e. legalism) and also to the weakly maintained connection between law and justice that she asserts was prevalent in the movements between Formalism and Legal Realism during the infancy of American law schools. Here is where a major theme of West’s book emerges: that how we approach the law informs how we teach it and, vice versa, how we teach law affects how we continue to perpetuate our scholarship in the law, which is existential. We are what we, as law professors, profess.

Our loss of justice, as West seems to suggest, is like a miscalculation of our faith in the law. The work of legal reasoning, which is a more concrete aspect of the study and the work of law students and lawyers, overshadows the loftiness of broader norms, such as justice (48-49). West sees legalism crowding out justice, for instance, in civil procedure or criminal law courses, where legitimate manifestations of our sense of due process are reiterated in canonical case readings and in lectures drawing heavy valuations of a fair legal process, but at the expense of connecting the same laws to justice (49). She also sees a sense of legalism in the analogical treatment of cases that we teach our students, where syllogism and analogy in reasoning prizes horizontal equity and falsely imparts the idea that “‘legal justice’ requires the ‘like treatment of likes’” (50).

The problems with this preference for processual fairness and horizontal equity is, as West believes, that it makes technique into a value and eventually ends up “defin[ing] a way of being in the world—in much the same way, for example, as does ‘fundamentalism’ or ‘Judaism’ or ‘liberalism’ or ‘feminism’. . . .” (55). Ultimately, that penchant for legalism harbors a moral neutrality or relativism that informs how and what we teach. So our students do not come out of law schools acting like sociopaths—thankfully, not quite—but the spotlight on legalism creates substitutes for justice. Correspondingly, West feels the same absence of justice in our scholarship. The movements within contemporary legal thought that intersect and run parallel to our scholarship examine law through the values embedded in social policy empiricism (“costs, benefits, wealth, efficiency, and ‘policy’”) but not on the virtues of justice (59-60). Instead, our fervor toward intellectual rigor has also left us lagging behind other disciplines in thinking about justice (66). This is a positive morality that we reach, but not a critical morality that would help us judge whether our laws work to promote the norms of society (69). “The lack of a scholarly commitment to a study of justice impoverishes normative legal scholarship,” West describes the cost of legalism to our scholarship. “The law provides a testing ground, basically, for theories of justice,” she writes; but very few academics take the opportunity to explore this notion (88).

History offers a connection to this legalism. West posits that the birth of contemporary American legal thought, which arguably coincided with the birth of the American law school, was not helped by the promotion of legalism while Langdellian-Formalist and Legal Realist movements struggled over the concept of law. The Formalists assumed the completeness of our laws so that automatically an inquiry of justice would appear unwarranted while the Realists, on the other hand, relied on the goals of the social sciences to move the law along when they should have been informed by justice (72-86). Consequently, the struggles for dominance in American
legal thought during the rise of law schools did very little to center our concepts of law on justice.

Similarly revealing about the existential flaws of law schools is the biases against politics—even though law, as West points out, is fathered by politics (93-96). Here, the focus on juriscentricity reveals a self-righteousness that leads not just to critical distraction but also to unnecessary and, at times, unwarranted biases against legisprudence. Politics is not discussed readily in the first-year curriculum; instead, the preoccupation in our class investigations of how the law is produced is by examining judge-made common law with slight references to regulatory or legislative innovations, such as the Uniform Commercial Code or Model Penal Code, but in very piecemeal spurts (96-97). West traces this peculiar antipathy toward politics to an inferiority complex rampant amongst law schools, one reflected in how the teaching and study of law, from Langdell to the Realists, upheld adjudication over legislation as the primary embodiment of law (101). Langdell’s “learned profession” presumed whatever discoveries enlightened us about the law would come from the body of cases accumulated through the process of common law. The Realists, on the other hand, also paid inattention to the political process because they believed in law’s incompletion and forward judicial progression. Such focus on judicial decision-making rendered a heavy emphasis on studying law through appellate opinions rather than legislative processes (104-05).

Combined with the law schools’ traditional focus on constitutionalism and judicial review (106-11), West notes that a misconception arises, promoting subversion between law and politics to allow the law seemingly to “cabin” politics and give courts the business of interpreting and applying the law (110). And according to West, the harm of not teaching politics as a result of antipathy is a profound ignorance of politics that hinders a necessary and more complete critique of gaps in the law that might prevent justice (116). West believes once students become lawyers, they will not be readily able to see legislative solutions, in lieu of jurisprudential ones, or know how to approach legislative solutions deftly and expertly (125). All of this limits the scope for potential societal changes toward justice (125). All of this makes our students less powerful for seeking justice-focused changes in society.

On her third identified problem in the existential crisis of law schools, West turns to the academy’s relationship to the bar and explores it extensively with what the bar has criticized the academy for: the distance conveyed by our scholarship and teaching that appear not to further the understanding of law on a practical level (131). Her arguments here are probably the most controversial (or seemingly blasphemous from within the Ivory Tower). Again, West assigns part of the crux of this distance on history and tradition in the legal academy as the paradigms of Langdell’s “Learned Profession,” informed by Formalism, encouraged focus on appellate lawyering over trial or transactional work. This focus reflected itself into notions that anything in traditional legal scholarship associated with “on the ground” lawyering would have likely conveyed the opposite of intellectual esteem, simply because the source of controversy for scholarly investigation would lack a high-ranking appellate-court genesis (132). Hence, what results is scholarly neglect of many aspects of the legal process outside of conflicting appellate opinions (132). West finds interdisciplinary, nontraditional legal scholarship short in another way. As she notes emphatically, “they are not themselves, part of the ‘law.’ They are about law, but they are not arguments within law: they are not arguments, in other words, about what the law is or should be” (133). It’s a damned-if-you-do-or-damned-if-you-don’t situation: much of
traditional legal scholarship is not fulfilling its ordained purpose while interdisciplinary legal scholarship brings scholarly purposes from other disciplines that do not fit the cause.

Traditional Langdellian concepts and ideals have also created the distance between the academy and the bar when it comes to legal education. West analyzes the age-old complaint about the lack of preparation that law schools provide to graduates going into the profession—by first identifying that the composition of the traditional law faculty comprises individuals whose own career paths often have only short spans in actual practice and then noting that the Formalist emphasis on appellate case law created a pedagogy that, again like scholarship, limits focus and presentation of the law and legal process, but this time for our students. The result is that “[w]hatever learning about a legal practice happens in the classroom, happens as a welcome side effect, but a side effect nonetheless” (135).

Yet the complaints of distance from the bar created by our scholarship and teaching do not entirely hold the legitimacy that West feels should be addressed in kind. Here is where her critique clearly does not align with other critiques more favorable toward stronger alliances between the academy and the bar (137). In fact, West challenges the idea of proximity and asserts that “[t]he law schools should strive for a respectful but nonetheless critical and to some degree adversarial relation with the bar and bench, and the professional critique almost entirely fails to acknowledge this” (137). West values that distance because it stokes not just a critique function per se, but this function of critique restores intrinsic identity and role to the academy. Here, another theme of Teaching Law emerges more clearly: the academy as the primary custodian for legal knowledge. She assesses the expectations that the bar has placed upon law schools and seizes the chance to call it unilateral. So to justify this critical distance from the bar while striking a balance with our task of educating lawyers, we should be concerned with how we possess and represent the knowledge of the law modernly. In other words, what is needed is a “post-Langdellian concept” of the law and the profession for ourselves that can justify that distance, while improving the relevance and definition of our teaching (150). What the legal academy brings is expertise. But without unifying goals, we lessen our effectiveness. We are like a temple whose clergy seem more and more preoccupied with something less relevant—and as a result, are patronized by fewer followers.

II. REFORMATION

So what is West’s post-Langdellian ideal? It begins with the idea that law is not autonomous but is inherently a product of jurisprudence or politics, is used to resolve disputes, embodies economic, cultural, and historical influences and in turn impacts those influences as well, and it maintains values that reflect our philosophical ideals of humanity. Based on these notions, the academy must ask what the contemporary lawyer needs and come up with “a shared ideal of what it means to be a lawyer” (150). And to externalize her post-Langdellian vision, West focuses on changes to the law school curriculum—changes that reflect the very tenets of her theme on the academy and legal knowledge and serve as the direct vehicle for refining existentialism. If law schools are the national custodians of knowledge about the law and a law school’s curriculum reflects that custodianship, then her changes begin there.

By contrast along the way, West assesses the two most-prevailing recent thoughts of reform—Brian Tamanaha’s call to separate the academy into two tiers of law schools (one with
an academic focus on the law and another with a more professional tradesmanship focus) and the Carnegie urge to shore up professionalism issues by initiating more practice-oriented experiences in law schools—and why they would not address the existential crisis. According to West, they both, in addressing the changes towards their own particular fixations with legal education, neglect to attend to the teaching and instilling of justice-centeredness, the connection between law and politics, and the kind of professionalism problems that West has raised. Instead, in a section titled, “Educating the Whole Lawyer,” West offers her solutions, which call for more base-line changes dealing with a more unified psychology of lawyering and concept of law. West extends her previous thesis on the professionalism crisis that, despite being in a world where Langdell’s concept of the law and “learned profession” no longer holds entirely true, we have not adopted a unified concept of contemporary American law and lawyering. Yet still, we continue to conduct many aspects of our law courses with remnants of the old Langdellian case method but “notably, minus the [Langdellian] faith” (182 ital. added). By cataloguing several curricular changes that she believes would educate the lawyer in a contemporary way and directly connote a sense of what lawyering means, West tries to stoke a new faith. In general, her reforms would include: transactional work alongside litigation; transnational and global practice rather than domestic law practice; public policy formation; and practices of legal criticism that would promote and develop a sense of obligation to justice within the law for students (186). She then breaks down her curricular changes into concrete course arrangements from year to year, where she hopes to help inculcate our students with an idealized version of the modern lawyer without disturbing the academy’s growing pluralism. West’s choice to start at the law school curriculum is a smart and not unadvised one for reform if reform requires an overhaul of a total concept of law and lawyering to replace Langdell and to set future changes. It is a place from which a unified ideal could then begin taking shape.

As for legal scholarship and fixing its burdens on the existential problem of law schools, West’s “rethinking” of legal scholarship centers around the relevance and purpose of legal scholarship. So in her retooling of legal scholarship, West places it within a normative search for justice. Seeming more optimistic about legal scholarship than her colleagues Roberto Unger and Pierre Schlag, whose criticisms of normative legal scholarship looking pejoratively like judicial opinions she cites (204), West seeks to address the “So What?” questions that current legal scholarship often leaves us asking. Rather than descriptive truth, “[n]ormative work can be driven entirely by a conception of justice, or of the public good, rather than by the dictates of the interests of another to whom one owes a duty of fidelity” (204). Normative work can be interdisciplinary, but “the purpose of such scholarship is to effectuate a change in the law (or to argue against one)” (205). It is with this strident declaration of what scholarship in law could do that seems to serve the unifying principle that connects the pluralism within the academy that West identifies. Otherwise we look too far toward the ground, when we should be aiming higher in targeting the purpose—and necessarily hope—for scholarship. This is what she manages to effectively persuade us in Teaching Law.

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III. DOCTRINE AND PEDAGOGY

Beyond the legal academy, the most widely-noted public criticism over what is taught in today’s law schools has been David Segal’s 2011 article in *The New York Times*, arguing that “[l]aw schools have long emphasized the theoretical over the useful, with classes that are often overstuffed with antiquated distinctions, like the variety of property law in post-feudal England.” Although somewhat hyperbolic, Segal’s sentiment here (and his article, generally) says, similarly as West’s more sobering thesis does, that what we teach in law schools speaks volumes about who we think we are. Their observations here are highly reminiscent of the concept in education theory of the “hidden curriculum” within a teaching institution. Like the hidden curriculum—which deals with messages that an educational institution conveys subterraneously beneath its surface of courses, policies, and habitual mannerisms toward learning—both West and Segal are inferring messages of relevance and disconnect through the knowledge of what law schools currently profess to teach and that knowing what we teach in our course offerings might mean one thing on one particular level, but what it is missing might say something else. So if West is correct that law schools persist with an outdated mode about the law that is incompatible with a modern take on lawyering, then changes to reflect a modern idea—a post-Langdellian concept—and other normative values could begin with the composition of knowledge we teach through a revised curriculum. In theory, she’s more than likely correct for targeting the curriculum.

At the outset, we can infer from West’s revised law curriculum a unifying sense of relevancy—in scholarship and teaching, but also in our conception of the law. The modern incarnation of law practice has moved far away from Langdell and so have movements in the law surpassed Formalism. But West insists that we have not found a replacement for our concept of the law—a post-Langdellian concept, she calls it—and that we continue to teach out of habit religiously as if committed to these rituals without a bedrock of unified faith. This is a post-modern, slightly-Messianic anxiety that West addresses by primordially reifying a sense of relevance and purpose through the goal of pursuing justice. Although others have articulated this elsewhere, West is the rare one to focus on its importance in its entirety. Whoever’s theory of justice is embodied (whether it is Amartya Sen’s or Michael Sandel’s; John Rawls’ or even Plato’s), the idea of law’s societal instrumentality is not denied in her reminder that law serves something, and this something must be loftier than even liberty and equality: our laws for achieving liberty and equality must ultimately be just. Instilling this in our students explicitly in our courses aligns the law with normative objectives not fuzzied by less nobler ambitions. Her specific revisions to the second-year curriculum with classes on justice are important here to reflect a law school’s response to the right norms. So is her argument for a mandated course on tax law; not only is tax a substantive course partially-grounded on codified rules, which brings

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6 See also PHILIP C. KISSAM, *THE DISCIPLINE OF LAW SCHOOLS* 25-31 (2003) (discussing several “tacit messages” that the core curriculum conveys); Edward Rubin, *Curricular Stress*, 60 J. LEGAL EDUC. 110, 110-13 (2010) (pointing out how the stresses that the curriculum imposes on students inhibit awareness of social justice changes and politics); Duncan Kennedy, *The Political Significance of the Structure of the Law School Curriculum*, 14 Seton Hall L. Rev. 1, 2- (1983) (discussing what the emphasis between public and private law courses conveys politically to students).
7 See Rubin, supra note 46, at 113.
politics into the classroom, but it is also, as she has claimed elsewhere, “the one place where we do societally think about social justice and how we distribute resources.” Furthermore, these inclusions of justice in the curriculum would be paired with her earlier recommendations for teaching justice in the law classroom by professor-led discussions on justice in regards to the particular law being studied (90).

Likewise, West is correct that politics should play well into our senses of our own legal system and that the dangers of not teaching political solutions and problems in law contribute to an incomplete knowledge of lawyering (99). In this way, adding courses on administrative law and legislation—courses that could direct student attention from juriscentricity—is helpful for showing there is a more complete picture of our legal system than one that merely tracks a body of common law. Both her intentions for teaching law with justice in mind and rounding out the curriculum with mandated studies of administrative and legislative processes push the teaching of legal knowledge beyond its relegated comfort zones. They are all very valiantly argued and articulated for in her book.

Yet, although West’s changes for the existential crisis in legal education provide a more comprehensive and focused blue-print for what law schools should teach, they could also be more pedagogically entrenched. The pedagogical concerns encompass the sole criticism this Review asserts toward her praiseworthy book. West’s reformations for law school do not lack a sensibility toward connecting law students to what they will need to know as modern lawyers entering the practice. West’s proposed structural changes have solid intentions. Rather those changes seem to also yearn for a stronger methodology that would help students shift from knowing about the law to what education philosophers call praxis. In other words, despite the layout that West produces for the curriculum that seeks to show what students should know, would this reconfiguration alone allow them to effectively transfer what they have learned into their existence as the kind of lawyers that West’s revised curriculum intends them to be? This is where instructional changes in law schools would come in to implement that intent to truly round out student experiences in the academy. And her book ends before getting to such a proposal, even a general one, for pedagogical changes that would resonate as strongly as her calls for curricular ones.

More pedagogical specificity could be attained in West’s solutions in Teaching Law to facilitate student transfer from knowledge of lawyering to being lawyers. She cites one illustration in bringing the teaching of justice into the classroom by fostering dialogue and inquiry into law courses—but what about calls for other more active ways to further the notion of justice behind the instrument of law? Perhaps another solution might be to incorporate the courses on justice and its theories that West suggests in the second-year curriculum into the first-year offerings at the start of a student’s law school experience instead. West’s suggestion of having some direct classroom instruction on justice provides much more clarity in the messages a law school could send to students, and does more than what law schools usually do with the idea of justice—either at some obligatory speech at orientation or in some sort of vague incarnation through an oath of professionalism ceremony. Both of which only convey a

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transitory sense of justice compared to what could be conveyed in a full semester-long course. So why not place that course more strategically beside the mandated first-year courses that law schools already offer? A course on justice in the second year, at the midpoint of the law school experience has passed, seems like a rather delayed response to connecting justice and law—perhaps almost connoting an idea, anathema to West’s original intention, of justice only as an afterthought. Thus, West’s arrangement of the justice course here could be more urgently positioned to match the lack of teaching justice in law schools that she has observed.

Moreover, perhaps—and this is a very experimental perhaps—after the second year, justice could be emphasized somehow in West’s suggestions for third-year experiential opportunities or through the pro-bono requirements that many law schools and state bars mandate prior to graduation. In this way pedagogically, students will have had an orientation to law and justice early in their law school career, extend it in the law classroom with advance substantive study of it as incorporated into a doctrinal class, and then conceptualize it through the work they do prior to graduation. This approach is not something West has likely failed to intuit because she has posed something similar in Teaching Law for instilling more awareness for politics through centers and institute work that stokes teaching opportunities (130). But that strategy is absent in her approach for teaching justice. If students can see different incarnations of justice and its theories in the law, and different solutions through a more complete image of the law, the more potential for a transfer of that knowledge emerges.10

Overall, an increased emphasis on pedagogy would tighten her curricular focal points. It is one thing to set up the content of knowledge to be learned and another to deal with how to teach that knowledge. Again, West’s thesis on the existential crisis in the legal academy and her curriculum line-up is mostly strong and convincing. But what could be stronger is the call for developing pedagogy that advances her goals for legal education better than the Socratic Method and the remnants of Langdell. In some aspects, without some guidance or unifying call from the podium, which admittedly is more difficult to pull off, the prevalence of inquiry in the Socratic Method that lives within a revised curriculum could likely stoke the legalism that it naturally gravitates toward—perhaps forgetting justice once again because of its perceived lack of intellectual rigor. Ultimately, this change for methodology might mean incorporating more skills and active learning to allow more practice with normative goals in mind.

Another pedagogical limitation is a lack of specificity to which her curriculum reforms in whole could apply to law schools across the board. West writes very democratically throughout the book, which is appropriate when she addresses the historical and philosophical concerns of the law school’s mere existence, because it reflects a more or less unified experience of legal education on the national imagination, and also is appropriate for unifying the pluralist divide she sees amongst the different breeds of law scholars—traditional, interdisciplinary, and clinical—to combat irrelevancy and lack of purpose in our scholarship. But an argument could be made that her knowledge-based curriculum seems more easily applicable to elite law schools in the higher tiers than the non-elite ones on the lower ranks—especially schools whose curricula focuses on bar passage compliance and may consequently compete with West’s curricular objectives, and also schools that focus on sequencing experiential learning opportunities into

curricula to appease the practice-ready calls from the bar. Such curricular expansion towards clinics, externships, and field placements would violate the merely one-semester experiential learning opportunity that West places at the end of the third-year curriculum. It would also seem to erode the critical distance she values and places between the legal academy and the practicing community. More could be explored through curriculum reform to address these realities of legal education, an institution maybe less democratic as West has depicted and one that instills a continuing hierarchy even if her reforms catch on in popularity and debate over, for instance, Tamanaha’s.

To summarize, West’s book brings lucid awareness to a bigger crisis beneath the business and professionalism issues that are at the surface of the debate over the future of legal education. But the reforms that mostly near around her revised curriculum could use more methodology that would help students transfer her knowledge-based intentions into praxis. This is only a slight criticism, but does not invalidate her observations and ideas. The hardest part in reforming legal education is determining what to teach (i.e. law) and what that context means. How to teach law is a related but entirely different subject. For such an intelligent book, the noted absence of a discussion on pedagogy is not a failing but only a gap we deliciously anticipate that West will shore up in future writings on law schools. In other words: she likely has just gotten started.

CONCLUSION

At the very end of her book, we get a sense that West has not at all been interested in “thinking like a lawyer”—a phrase as well-recognized as certain symbols in religious iconography or as emphatically distinguishable on the uniform of Langdellian thought as the cassock is for the priest. She’s more interested in law teaching that shows students what it means to be a lawyer and legal scholarship that reflects that aesthetic. Indeed, after reading West’s book, one cannot help but believe that “thinking like a lawyer” has been the wrong emulation all along. Even grammatically, what it implies is shallow and places “lawyer,” as symbolically a thing—almost platonic—to imitate and not become. This proverbial phrase, as pervasive in the legal academy for over a century, as prominent in filmic history about the law school experience, as ever-lacking in enlightenment, should be retired from its residence atop the entrance to the legal academy because, with incredible breadth and grace, West has shown us reasons to put that phrase to rest, and what should be inscribed in its place.