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July 12, 2012: What is Law School For?

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Title: What is Law School For?

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7/12/2012—There is all sorts of angst around law school these days. Too much debt. Too few jobs. So law schools are trying to reinvent themselves with skills courses and such. They want to be job ready. Except, what is the job? It is clear enough that many law school graduates will work for law firms, but many will not. And in any event, what do we want law and lawyers to do? The task has been clear all along, but we have lost sight of it. The purpose of law is to bring peace. Of course one way to bring peace in society is to resolve disputes. But that one aspect of law has come to dominate everything else. Another way to bring peace is to avoid disputes. There are many techniques for that in individual arrangements. They are known as deal making and getting to yes. We should be training lawyers who are looking to maximize everyone's opportunities. And good fences, too, which make good neighbors. The same is true at the macro level. Of course at that level, there is no peace long term without justice. So law schools need to be training lawyers in the design of just social arrangements. These have always been the goal of law schools. It is how the common law understood itself (though the language might have differed). And in the 1950's law schools even spoke of social engineering. So there is nothing utopian about this or trying to become relevant. Law schools have just forgotten what they were always about. These are the skills we need to be teaching, not the skills particularly that are currently being hyped.