Law Schools Face “Identity” Problem, Says U-M Professor

Law schools in the United States and Canada are undergoing an “identity crisis” as they attempt to provide broad interdisciplinary and “humanistic” education and at the same time meet the demands for practical legal skills training, according to U-M law Prof. Francis A. Allen.

Speaking this fall at the dedication of a new law building at the University of Victoria, Canada, Prof. Allen said law schools can no longer live in the past and ignore the humanistic and scientific approaches of other academic disciplines.

“Members of the traditional professions like the law are today required to share authority and prestige with the practitioners of other and newer disciplines,” noted Prof. Allen, who served as U-M Law School dean in 1967-71 and as president of the Association of American Law Schools in 1976-77. Currently he holds the Edson R. Sunderland Distinguished Professorship at the Law School.

“Much of this change stems from new knowledge, most of it discovered and cultivated in universities, that offers more penetrating explanations of conditions and events than the traditional professions were able to supply,” he said.

In the legal field, for example, the “rise of theories of social causation of crime or of genetic or psychological conditioning of human behavior” has opened the door to practitioners of the sociological, biological and psychological disciplines, noted Allen.

What this means for law schools, stressed Allen, is that sophisticated methods of fact-finding and analysis used by other fields have become necessary for many kinds of legal inquiry and even for the practice of law.

As a result, the law school is drawn more deeply into the “central intellectual current of university life,” said Allen.

Concurrent with this trend is the call for greater emphasis on “skills training” to improve the competence of young lawyers, noted Allen. “The reconciliation of humanistic legal education with demands advanced under the rubric of competency may be no simple or certain thing,” the professor warned.

“The danger is that sincere and able professionals may be disposed to impose rigid requirements with reference to course content or mode of instruction on the law schools with little thought about the impact of such requirements on the schools’ ability to achieve its other numerous and vital goals.”

“Insofar as legal education is concerned, I can think of no greater tragedy than that the pressures of modern events and attitudes should weaken our commitments to the humanistic ideal and induce us to accept a regime of narrow vocationalism, a regime directed to the goal of what a former colleague of mine described as ‘instantaneous practicality.’”

But Allen expressed the hope that, ultimately, “the essential needs for improved instruction in practical lawyer skills can be accommodated to an educational regime founded on the humanistic idea.

“Educational policy in the law schools during the closing years of this century is likely to become increasingly pragmatic, consciously experimental. We shall have to distribute our eggs among many baskets.

“It seems likely, therefore, that if the law school is to flourish as part of the university, the law school must become an even more pluralistic community than it has yet become.”

Honorary Doctorate Awarded To Allen

Prof. Francis A. Allen of U-M Law School has been awarded an honorary Doctor of Laws degree from the University of Victoria in Victoria, British Columbia, Canada.

Prof. Allen received the honor and delivered an address Nov. 15 in ceremonies marking completion of a new law building on the Victoria campus.

The citation honoring Prof. Allen said, in part:

“Francis Allen was born and educated in the United States and, over the course of a long university career, he has acquired an internationally recognized reputation. This distinction is due not only to the
Recovered Flemish tapestry dates to the 16th century.

considerable public service which he has given to his country in the fields of criminal justice and civil rights, but also to the quality of intellect which he has consistently brought to the teaching of law and to scholarship. It is with regard to both these achievements, and in particular for his outstanding contribution to teaching and scholarship, that we would honour him here in Canada today.

"His service as a law clerk to chief Justice Vinson of the United States Supreme Court between 1946 and 1948, a period which created reciprocal warmth and respect between the two men, was to mark the beginning of a career which has seen him sit on numerous public commissions, and teach as a law professor at the universities of Northwestern, Harvard, Chicago, and Michigan. He was dean of Michigan Law School from 1966 to 1971.

"His several books and many articles on legal education, criminal law and justice truly reflect the quality of the man who was invited as Holmes Lecturer at Harvard in 1973, Baum Lecturer at the University of Illinois in 1975, and, in 1979, the Storrs Lecturer at Yale and the Russel Lecturer at Michigan. This attainment is itself a most rare distinction.

"The warmth and sheer intellectual strength of his teaching are vividly remembered by all those students who over the years have participated in his classes. This gentle and scholarly man thus epitomizes all that we would honour in the profession of university teaching . . ."

Tapestry Mystery
Now Is History

The "Cook Tapestry Mystery"—a case almost as bizarre as some Sherlock Holmes tales—may soon be solved.


During their years of use as decorations at the Lawyers Club, each of the tapestries had been stolen as a prank and returned to the Law School.

But one of the Flemish tapestries, a 7-1/2 by 8 foot work depicting a hunting scene with an alligator prominent in the foreground, was stolen in 1972 and has never been seen since, according to U-M officials.

This fall, the tapestry turned up in a Detroit auction house.

Art experts say the piece is in "excellent" condition for a 400-year-old work, according to Diane Nafranowicz, director of the Lawyers Club, who was responsible for reporting the recent discovery of the tapestry to police and insurance company officials.

"All three tapestries were stolen at one time or another, probably as student pranks," says Nafranowicz.

"One was found in a student's room in the Lawyers Club where it was used as a rug. Another was returned through a Detroit attorney's office."

Once the missing tapestry is returned to the Lawyers' Club, Nafranowicz says the Law School will consider ways to display the works while protecting them from theft.

One possibility, according to Nafranowicz and Associate Dean James J. White, is to display the tapestries in a secure area of the new underground Law Library addition, once that building is completed.

In 1976 a local art appraiser, Joanne Winjum (who holds master's and doctoral degrees in art history from the U-M), was retained by the Law School to appraise the two Cook tapestries then in the school's