

The Catholic University of America, Columbus School of Law
CUA Law Scholarship Repository

Scholarly Articles and Other Contributions

Faculty Scholarship

1968

Academic Aloofness: Stimulant or Depressant to Legal Education?

George P. Smith II

The Catholic University of America, Columbus School of Law

Follow this and additional works at: <https://scholarship.law.edu/scholar>



Part of the [Legal Education Commons](#)

Recommended Citation

George P. Smith II, Academic Aloofness: Stimulant or Depressant to Legal Education?, 21 J. LEGAL EDUC. 89 (1968).

This Article is brought to you for free and open access by the Faculty Scholarship at CUA Law Scholarship Repository. It has been accepted for inclusion in Scholarly Articles and Other Contributions by an authorized administrator of CUA Law Scholarship Repository. For more information, please contact edinger@law.edu.

congestion, environmental pollution, crime, safety of foods and medicines, rights of property owners, etc. In many of these projects, the participation of a legal scholar or lawyer at an early stage is absolutely essential if analysis and planning is to go forward on a realistic footing; for example, it is extraordinary how many studies in the area of urban planning treat the most fundamental property rights as either non-existent or trivial.

Fourth, the law schools should restore to their curriculums and professional literature at least some part of the old subject of "Government" which has been abandoned to the political scientist. Statutes, laws, regulations, court decisions, constitutional safeguards, and legal restrictions are so fundamental to the science of government that the abdication of this branch of learning to political science theoreticians has become increasingly hazardous, particularly in an era marked by a vast expansion of Federal powers.

Finally, law is still the most effective discipline for shaping legislative and political solutions to societal problems. Social planning and systems engineering still have to be related to reality—they can only achieve their purposes within the context of law and political institutions. Such qualities as the ability to integrate social, economic, technological and political factors into sound legislation; the capacity to communicate in clear, unequivocal English, free of jargon; and practical experience with men and affairs, are all contributions which the trained lawyer can bring to the planning process.

In short, the law schools have tapped only a small part of the large reservoir of talent which could be brought to bear on the pressing social and economic problems of the day. If they are prepared to take the initiative, they will find ample sources of support, both public and private, to finance their efforts.

ACADEMIC ALOOFNESS: STIMULANT OR DEPRESSANT TO LEGAL EDUCATION?

GEORGE P. SMITH, II *

Within the ranks of legal educators, there is an alarming number who feel that it is vitally important to maintain an air of aloofness, detachment or, if you will, non-involvement, in their daily relationships with students. For the most part an unarticulated idea, yet at times often imparted to a young, beginning professor by one who considers himself greatly experienced,¹ this concept is rooted in a misunderstanding of purpose or role, compounded by a basic unwillingness to commit any more time than is absolutely required in the lecture hall to the student. For some, then, the role of legal educator is relegated to that of spending from two to four hours a week in a structured classroom situation endeavoring, as such, to impart the rich treasures of the Corpus Juris to students or participating in a more enterprising way by acting as the prime mover in a creative classroom dialogue employed through the Socratic method.

* Assistant Dean & Assistant Professor, School of Law, State University of New York, at Buffalo.

¹The writer is speaking from personal experience during the first teaching assignment he held.

Once the professor leaves the classroom, he oftentimes feels that his commitment to the student has been fully met. What more could be asked? After all, his contract merely states that he will teach; no mention is made of counselling or outside-classroom activities with students. Quite often, even in the case of law review candidates and senior editors, many a professor will neither be willing nor courteous enough to assist them in their basic publishing efforts. But, it is the average student who suffers psychologically by virtue of his neglect as a consequence of a persistent policy of academic aloofness. Not to be forgotten is the professor, himself, who assumes such a posture; for he suffers in the final analysis in that he never fully attains self-realization as a teacher.

When the student feels unable to communicate with his professors and, indeed, is prevented from activity outside the classroom, he not only fails to identify with the particular law courses but, more importantly, the law school as well. If a situation like this exists while the student is in law school, there can be little doubt that he will not become a member of the alumni association and cannot be subsequently relied upon as a loyal supporter of the school.

Many educators stand accused and, indeed, convicted of treating their students as a type of neuter gender—an inanimate "object" nearly devoid of all human responses, save in the classroom. They feel that any token counselling or public relations which might conceivably need be done is easily delegated to one or two administrative officers within the law school. An attitude of this type shows clearly that the professor has failed to understand that this duty or obligation to be of general assistance to the student as he struggles through his maturational development and seeks his identity within the law school setting is really a non-delegable duty.

Academic aloofness can only act as a depressant to the learning situation. It is therefore most imperative that we, as legal educators, re-orient ourselves to the basic responsibilities that we, as teachers, have to our students.

Professors need not seek the student out and act as his Confessor. What is needed is merely an active awareness of student needs and responses outside the classroom. For a student to know that his professors will have sympathetic ears and in fact *listen* to his ideas, his problems, his career plans and, if the occasion warrants, give suggestions and offer direction is all important. Surely, as a student, this is not too much to expect. The all too standard three hour office period a week which many professors maintain could be expanded as a first step to meet student needs.

That the professor has a right to expect and demand respect is without question. It is submitted that this is in no way jeopardized when the professor merely displays a cordial and interested attitude in his relationships with the student outside the classroom. Perhaps it is well for all of us to remember the simple fact that our very positions as educators would be without merit and, indeed, without need if there were no students.