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Kimball, Bruce A. (2009). *The Inception of Modern Professional Education*. Chapel Hill, NC: UNC Press.

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In part statement of defense and in part the eulogy C.C. Langdell never had, Bruce Kimball's biography shines a spotlight on an immensely influential and controversial father of modern professional education. It is an account of the man, the system he created, and the contradictions within both that contributed to our present-day, flawed yet effective, system of academic meritocracy. Being both a scholar and product of that system, I read the book with enthusiastic hopes of discovering how the image of professional education at elite universities transformed from a privilege of gentility to a means of achieving the American dream. I finished the book satisfied by Kimball's detailed historical narrative, touched by the vivid description of Langdell's personal struggles, but also with some question about Langdell's legacy and the future of academic meritocracy.

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Kimball makes an important contribution to the history of higher education with this book. In looking through my copy of John R. Thelin's *A History of Higher Education*, a seminal text in history of higher education courses, I was reminded of the minimal inclusion of professional education in most histories of higher education. Further, there is no mention in Thelin's book at all of C.C. Langdell, the first Dean of Harvard Law School, and his influential innovations that have since impacted not only professional education but also the entire range of higher education, including the undergraduate level. Kimball goes into much detail about Langdell's scholarly contributions to the field of law and also eloquently describes his life from childhood to death as a troubled and proud man. These substantial sections of the book give essential background and frame Langdell's journey and contributions within a context. However, the most thought provoking portions of the book, which also complement our existing understanding of the history of higher education, focus on the book title's subject: the inception of modern professional education.

Bruce A. Kimball, Ed.D., is a professor in the School of Educational Policy and Leadership at Ohio State University and has also served as director of the School. He is a historian and philosopher of education, with degrees from Harvard University and Dartmouth College. He is an ordained Unitarian-Universalist minister, has held faculty positions and administrative roles at several universities, and has published extensively in the field of American educational history.

Kimball presents Langdell as the first to institute a formal system of academic meritocracy through:

- 1) an admission requirement of a bachelor's degree or equivalent;
- 2) a three-year law curriculum with sequenced courses that progressed from foundational to advanced electives, instead of a two-year "merry-go-round" model where students could enter and exit topics at will;
- 3) case-method teaching and the invention of the casebook;
- 4) exams for continuation and graduation that require written responses to hypothetical and complex problems;
- 5) honors tracks of study;
- 6) a career track for faculty that came directly out of academia, not through the legal profession;
- 7) the use of the library for scholarly pursuits, not just to dispense textbooks; and
- 8) national alumni associations that support the school.



Thus, this new concept of meritocracy was intended to make the democratic and measurable criterion of academic accomplishment the sole means to success, as defined by access to additional academic opportunities and entry to professional fortune. Langdell also believed that meritocracy was the means to elevate the legal profession and safeguard the integrity of the legal system. However, Kimball points out that, from the start, academic meritocracy was impure in practice and riddled with contradiction. While the ideal of meritocracy seems to indicate that all people have an equal chance and that judgment is made solely on the basis of academic performance, women and graduates of Catholic universities were not given an equal opportunity in Harvard Law School admissions practices during Langdell's time as dean. He and Charles W. Eliot, Harvard's president at the time, believed that these two groups could not possibly measure up and so should be excluded from the meritocratic system. By establishing that the law was an unfit subject of study for women and that Catholic institutions could not confer "respectable degrees" because of the suppression of scientific inquiry, Langdell and Eliot were able to make these groups invisible, justify discrimination, and still maintain that they implemented a fair and noble meritocracy. Further, many contemporary critics of Langdell faulted him for creating a system that seemed to be based on his own path and image as the goal and ideal. Langdell's system did increase access to professional schools for many populations and disentwined professional education from gentility but it was by no means an unbiased system.

The experience of reading *The Inception of Modern Professional Education* is somewhat different from that of reading a typical biography. The beginning and ending are relatively chronological and particularly poignant. The chapter about Langdell's boyhood and youth describes him as a "pauper scholar" experiencing the dawn of his intellectual life and crying over a lost scholarship on the steps at Phillips Exeter Academy. Kimball also presents the intense emotional wounds, caused by the death of his mother, which would impact his relationships and reactions to losing people close to him throughout his life. Likewise, the blindness of his old

age and continued commitment to scholarly contribution is painted sadly but with respect. The middle five chapters are more problematic because they essentially cover the same most influential decades five times through five different perspectives: scholar, teacher, faculty, the first dean, and students. While this method certainly helps the reader distinguish between these parts of Langdell's life, it does become somewhat repetitive to go over the same time period five times because the five perspectives are not completely divorced from one another.

Throughout Kimball's account, there is little mention of other higher education reform movements occurring in the late 19th century. Langdell's contributions would be better contextualized and understood vis-à-vis concurrent changes from leaders such as Nicholas Murray Butler at Columbia University. The principles that underlie Butler's efforts in the area of undergraduate admissions and education parallel Langdell's and are well summed up in his own words: True democracy will carry on an insistent search for these wisest and best, and will elevate them to posts of leadership and command. Under the operation of the law of liberty it will provide itself with real leaders, not limited by rank, or birth, or wealth, or circumstance, but opening the way for each individual to rise to the place of honor and influence by the expression of his own best and highest self. (as cited in Wechsler, 1977, p. 73)

As Langdell and Eliot did at Harvard, Butler changed Columbia's policies to require an undergraduate degree for admission into graduate programs (Wechsler, 1977) and implemented other meritocratic reforms. Though Langdell was perhaps not the picture of the lone trendsetter that Kimball paints, his contributions are nonetheless noteworthy.

Though Kimball's book, as a biography, appropriately stops short of connecting Langdell's innovations to present-day university structures and practices, the reader seems happily encouraged to make that intellectual leap throughout the book. As an alumna of Brandeis University, a school named in honor of Justice Louis Brandeis, one of "Kit's freshmen"

(C.C. Langdell's first group of devoted students at Harvard Law School), Kimball's description of Langdell's legacy gave me further insight into my alma mater. The university prides itself as being an institution founded on principles that were likely nurtured and encouraged in young Louis Brandeis by his teacher C.C. Langdell: social justice, the democratic rights of the individual, and the pursuit of "Truth Even Unto Its Innermost Parts" (the Brandeis motto). Though this is a fairly obvious expression of how my education has been impacted by the legacy of C.C. Langdell, I would say that almost all students at elite undergraduate, graduate, and professional schools in the United States would not be there if they did not participate in a modern version of meritocracy. Is that modern version more equitable than the original or does it just discriminate against a different population? Are there ways to bring it closer to its intended ideal?

In our policy and planning, ideals like academic meritocracy give us a general direction. In this biography and historical account of the beginnings of modern professional education, Kimball shows us the contradictions within human thought and action. If ideals like Langdell's academic meritocracy may be as Kimball describes "the best of the worse ways of organizing professional life," (p. 346) do we fight against the system as inherently imperfect or do we accept it, at least until something better is found, and try to improve the way it functions? I opt for the second option and thank C.C. Langdell for his gifts and Bruce Kimball for wrapping them in a way that informs, raises questions, and keeps us moving forward through the insights of history.

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About the Reviewer

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