

UIC School of Law

## UIC Law Open Access Repository

---

UIC Law Open Access Faculty Scholarship

---

1-1-1994

### Teaching and Learning in Law School: An “Alternative” Bookshelf for Law School Teachers, 29 Gonz. L. Rev. 49 (1994)

Paul T. Wangerin

*John Marshall Law School*

Follow this and additional works at: <https://repository.law.uic.edu/facpubs>



Part of the [Legal Education Commons](#)

---

#### Recommended Citation

Paul T. Wangerin, Teaching and Learning in Law School: An “Alternative” Bookshelf for Law School Teachers, 29 Gonz. L. Rev. 49 (1994).

<https://repository.law.uic.edu/facpubs/221>

This Article is brought to you for free and open access by UIC Law Open Access Repository. It has been accepted for inclusion in UIC Law Open Access Faculty Scholarship by an authorized administrator of UIC Law Open Access Repository. For more information, please contact [repository@jmls.edu](mailto:repository@jmls.edu).

# Teaching and Learning in Law School: An “Alternative” Bookshelf for Law School Teachers

Paul T. Wangerin\*

## INTRODUCTION

“If by some terrible mistake you were arrested and put on trial,” Thomas Angelo recently wrote, “would you hire a lawyer who thought that keeping up with the research on jury selection, effective defense strategies, and sentencing patterns was a waste of time?”<sup>1</sup> Angelo’s question, of course, is a rhetorical one. He continues: “We all expect—or at least hope—that professionals will be knowledgeable and keep current in the research that informs their practice.”<sup>2</sup>

Anecdotal evidence indicates that most law teachers are knowledgeable and keep current in the *subjects* they teach and write about. Thus, the bookshelves of most law teachers contain books and journal articles on various legal subjects, such as Torts, Contracts or Criminal Law. Unfortunately, anecdotal evidence also shows that most law teachers do not keep current about the art of *teaching* itself. Their bookshelves contain few or no materials on teaching, learning, or educational issues generally.

This essay is aimed at law teachers interested in developing an alternate bookshelf that contains materials on teaching and learning. This “alternate” bookshelf should include works and indexing tools on teaching and learning in (1) law school; (2) medical school; and (3) higher education institutions generally.

Anecdotal evidence suggests that many law teachers think teaching and learning cannot be quantified in any sense. A famous law teacher at a famous university stated this position most forcefully in private correspondence: “I think the logic and psychology of learning at any age are more complicated than captured in any analytic structure.” Teachers who hold these beliefs tend to believe that studying research on teaching and learning serves little or no purpose. Anecdotal evidence also suggests that many law teachers think legal education is unique. These teachers believe information and ideas about

---

\*John Marshall Law School, Chicago, Illinois.

1. Thomas Angelo, *A Teacher’s Dozen: Fourteen General, Research-Based Principles for Improving Learning in Our Classrooms*, 45(8) AM. HIGHER EDUC. ASS’N BULL. 3 (1993).

2. *Id.*

teaching and learning in other disciplines simply have no applicability in law school.

This essay will not attempt to resolve these debates. Rather, this article makes two assumptions: (1) that the study of teaching and learning has some merit, and (2) it assumes that law teachers can learn something of value by studying teaching and learning outside of law schools.

### A. *Teaching and Learning in Law Schools*

A law teacher's alternative bookshelf should first contain a section dealing with law school teaching and learning. This section should contain the "old reliables" of legal education, other works within the general literature of the legal profession, and works that exist entirely outside the literature of the profession.

Most law teachers have heard of the "old reliables." These are works that anyone interested in legal education consults *automatically*. Llewellyn's *Bramble Bush* tops this list. Other prominent publications are the American Bar Association's 1983 report on professional competence,<sup>3</sup> Robert Stevens's history of legal education in the United States,<sup>4</sup> and virtually any of Roger Crampton's<sup>5</sup> or Robert McKay's<sup>6</sup> many works on legal education. In addition, two works describing law school from a student's perspective—*The Paper Chase* and *One L*—must surely be included.

"Old reliable" materials need not be old. Although current issues of the *Journal of Legal Education* are clearly not old, they, together with the so-called "MacCrate Report"—*Legal Education and Professional Development—An Educational Continuum*,<sup>7</sup> unquestionably belong on the bookshelf of any law teacher who is interested in teaching and learning in law school.<sup>8</sup>

But the "old reliables" do not dominate the field. In fact, some of the most important and provocative discussions about law school teaching and learning appear outside of works in this category. For example, several of

---

3. TASK FORCE ON PROFESSIONAL COMPETENCE, AMERICAN BAR ASS'N, FINAL REPORT AND RECOMMENDATIONS (1983).

4. ROBERT STEVENS, LAW SCHOOL: LEGAL EDUCATION IN AMERICA FROM THE 1850'S THROUGH THE 1980'S (1983).

5. See, e.g., Roger C. Crampton, *The Trouble with Lawyers (and Law Schools)*, 35 J. LEGAL EDUC. 359 (1985).

6. See, e.g., Robert B. McKay, *What Law Schools Can and Should Do (And Sometimes Do)*, 30 N. Y. L. SCH. L. REV. 491 (1985).

7. TASK FORCE ON LAW SCHOOLS AND THE PROFESSION, AMERICAN BAR ASS'N, LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—AN EDUCATIONAL CONTINUUM (1992).

8. Any number of lesser known works might also qualify as old reliables. These works are cited in a rather conventional bibliography provided in the MacCrate Report, *id.* at 341, and in a decidedly unconventional bibliography put together by Wangerin. Paul T. Wangerin, *Skills Training in Legal Analysis: A Systematic Approach*, 40 U. MIAMI L. REV. 409 (1986).

Kissam's important recent works, including his recent piece on law school examinations, appear outside of the "old reliables"<sup>9</sup> as have all of Wangerin's recent discussions of legal education.<sup>10</sup> Some of these important materials appear in the overall literature of the legal profession while others appear completely outside of the profession.

To find materials that appear in the law literature, readers generally need look no further than the library shelves containing materials indexed under Library of Congress classification numbers KF 261 through KF 292. These classification numbers include much of the literature on learning and teaching in law schools. Also, those interested in finding these works can look up topics like "law students" and "legal education" in the *Index to Legal Periodicals* or the *Current Law Index* or in comparable computer databases. Since these indexes catalog all of the journals of the legal profession, a search will locate virtually any essay on teaching and learning that appears in a law-related journal. For example, searches of these indexes quickly leads to works by Kissam, Wangerin, and other writers.

But this sort of search will not lead readers to all of the existing material on teaching and learning in law school. For example, consider a recent essay arguing that legal writing should be given full-fledged disciplinary status in law school.<sup>11</sup> Or consider another recent work describing a research methodology to determine whether an academic support program for specially admitted law students accomplished anything of consequence.<sup>12</sup> Searches such as those described above will not locate these works. In fact, the search techniques described above would produce none of the following articles:

- *Untangling the Law: Verbal Design in Legal Argument*<sup>13</sup>
- *Bridging the Classroom and the Real World: A Video Implementation Study at Harvard Law School*<sup>14</sup>

9. See, e.g., Philip C. Kissam, *Law School Examinations*, 42 VAND. L. REV. 433 (1989).

10. See, e.g., Paul T. Wangerin, *The Evaluation of Teaching in Law Schools*, 12 J. PROF. LEGAL EDUC. (forthcoming 1994); Paul T. Wangerin, *Alternative Grading Practices for Large Section Law School Classes*, 6 U. FLA. J.L. & PUB. POL'Y (forthcoming 1994); Paul T. Wangerin, *A Multidisciplinary Analysis of the Structure of Persuasive Arguments*, 16 HARV. J.L. & PUB. POL'Y 195 (1993); Paul T. Wangerin, *Learning Strategies for Law Students*, 52 ALB. L. REV. 471 (1988); Paul T. Wangerin, *Objective, Multiplistic and Relative Truth in Developmental Psychology and Legal Education*, 62 TUL. L. REV. 1237 (1988).

11. James F. Stratman, *The Emergence of Legal Composition as a Field of Inquiry: Evaluating the Prospects*, 60 REV. OF EDUC. RES. 153-235 (1990).

12. Carolyn Jane Inouye, *Understanding the Law School Experience: Enhancing Student Achievement and Satisfaction* (1989) (unpublished Ph.D. dissertation, U.C.L.A.).

13. Kristin R. Woolever, *Untangling the Law: Verbal Design in Legal Argument*, 6 J. ADVANCED COMPOSITION 151-65 (1986).

14. Karen J. Hoelsher, *Bridging the Classroom and the Real World: A Video Implementation Study at Harvard Law School*, J. COMPUTING IN HIGHER EDUC., 32-77 (1990).

- *Educating Natives in the Legal Profession*<sup>15</sup>
- *The Effects of a Lecture Training Program and Independent Study on the Knowledge and Attitudes of Law Students Toward the Mentally Retarded Offender*<sup>16</sup>
- *Organizational Socialization of Law Interns*<sup>17</sup>
- *Portia Lost in the Groves of Academe Wondering What to do about Legal Education*<sup>18</sup>
- *Interactions of Study Orientation and [Law] Students' Appreciation of Structure in their Educational Environment*<sup>19</sup>
- *The Challenge to Hierarchy in Legal Education: Suffolk and the Night Law School Movement*<sup>20</sup>
- *From Activism to Pro Bono: The Redirection of Working Class Altruism at Harvard Law School*<sup>21</sup>
- *Women Law Students' Descriptions of Self and the Ideal Lawyer*<sup>22</sup>

Fortunately, materials that appear outside of the law literature are easy to locate. However, resort to several non-law search tools is required.

The Educational Resource Information Center (ERIC) is, by far, the most important non-law research tool for locating materials on teaching and learning. ERIC indexes hundreds of journals in the field of education. It also indexes countless published and unpublished works on education that appear in journals other than the ones that its editors formally track.<sup>23</sup> Thus, ERIC

15. Karen Telidetzki, *Educating Natives in the Legal Profession*, 15 CANADIAN J. NATIVE EDUC. 49-59 (1988).

16. Thomas L. Winfree, Lawrence Kielich & Robert E. Clark, *The Effects of a Lecture Training Program and Independent Study on the Knowledge and Attitudes of Law Students Toward the Mentally Retarded Offender*, 11 WORK & OCCUPATIONS: AN INT'L SOC. J. 207-26 (1984).

17. Tommy Russell & Cynthia Ann Bryan, *Organizational Socialization of Law Interns*, 11 J. OFFENDER COUNSELING, SERVICES AND REHABILITATION 53-66 (1987).

18. Margaret Thornton, *Portia Lost in the Groves of Academe Wondering What to do about Legal Education*, 34 AUSTRALIAN UNIV. REV. 26-32 (1991).

19. H.J.P. Nuy, *Interactions of Study Orientation and [Law] Students' Appreciation of Structure in their Educational Environment*, 22 HIGHER EDUC. 267-74 (1991).

20. Thomas Koenig and Michael Rustad, *The Challenge to Hierarchy in Legal Education: Suffolk and the Night Law School Movement*, 7 RES. IN LAW, DEVIANCE & SOC. CONTROL 189-212 (1984).

21. Robert Granfield and Thomas Koenig, *From Activism to Pro Bono: The Redirection of Working Class Altruism at Harvard Law School*, 17 CRITICAL SOCIOLOGY 57-80 (1990).

22. Jane W. Coplin and John E. Williams, *Women Law Students' Descriptions of Self and the Ideal Lawyer*, 2 PSYCHOL. OF WOMEN Q. 323-33 (1978).

23. This secondary indexing occurs because many people involved in the field of education personally send manuscripts to ERIC. Thus, for example, people who publish works on education that appear in journals not formally indexed by ERIC simply submit copies of those published works to ERIC. ERIC editors then include references to these published works

cites virtually everything written by specialists in education.

One of ERIC's advantages is that it provides fairly elaborate descriptions of its indexed materials. It is, essentially, an "annotated" indexing tool. Consider, for example, an essay by Professor Schudson that links legal education with medical education.<sup>24</sup> The ERIC description is:

The present pattern of medical & legal education can be traced to the movement to raise standards in the first 2 decades of this century. The most influential statement to reform medical education appeared with Abraham Flexner's Carnegie-Foundation sponsored study of medical schools ("Medical Education in the United States and Canada," New York, NY: Carnegie Foundation for the Advancement of Teaching, 1910, Bulletin No. 4). In 19th century America, apprenticeship was the chief preparation for the bar. Proprietary schools offered afternoon classes to non full-time non law-clerk students who drifted into these schools to gain degrees solely through instruction. Medical education linked with the U's & the medical curriculum was standardized. The establishment of Johns Hopkins Medical School in 1893 provided a model for A. Flexner's view that medicine had become a science. Alfred Z. Reed produced a document ("Raising Standards of Legal Education," American Bar Association Journal, 1921, 7, Nov 21, 571), that surpassed the Flexner report in depth & style. Reed's basic premise was flexibility & reform. Flexner's report received fame while Reed's document remained obscure. Reed's report appeared again in 1921 after a period of reform. Flexner's report has been criticized as an "egocentric view of democracy;" both reports have served to restate the professional education quandary.

Law teachers can access ERIC in several ways. Virtually all university libraries have copies of the ERIC reference books or CD ROM copies of this database. Also, researchers can obtain microfiche copies of unpublished works from ERIC itself. Perhaps most importantly, law teachers can now easily search ERIC through WestLaw. The search process is simple. Instead of typing in the letters for a law-related database—for example, "ALLSTATES" or "ALLFEDS"—when the main menu for WestLaw appears, simply type "ERIC." This command automatically brings the ERIC database online. Researchers can then use standard WestLaw commands.

WestLaw provides several other important reference tools for locating materials that appear in places other than the literature of the profession. The

---

in the overall index. Further, countless people who write non-published papers on educational topics, or who give non-published speeches on such topics, or who write dissertations or theses on such topics, submit copies of their work to ERIC. ERIC editors then index these unpublished works.

24. Michael Schudson, *The Flexner Report and the Reed Report: Notes on the History of Professional Education in the United States*, 55 SOC. SCI. Q. 347-61 (1974).

Library of Congress Catalogue, for example, contains references to virtually all books and monographs dealing with law teaching and learning. Searchers can access this catalogue simply by typing "LCMARC-B" at the main WestLaw menu.<sup>25</sup> An index called "Dissertations Abstracts Online" contains many references to law students and law teaching. The WestLaw access code for this index is "DAO." Finally, a general social science index—"SOCSCISRCH"—is now available through WestLaw, as is another index dealing only with works in sociology—"SOC-ABS"—and an index on psychology—"OTP-PSYINFO." These indexes also might contain references to materials on point.

Two additional reference tools should be mentioned. Though neither of these tools is now accessible through WestLaw, both surely belong in the alternative library. The first is the *Education Index*. This index, like ERIC, cites articles from hundreds of education journals. Unlike ERIC, however, its index is limited to such cites and nothing more. Thus, although this index does not cite nearly as many works as ERIC, it tends to omit less important works. Second, the *Social Science Citation Index* allows researchers in the social sciences—including education—to locate follow-up citations to earlier works. Like *Shepard's Citations*, the *Social Science Citation Index* enables researchers to be relatively sure the materials they cite are current.

Law teachers who use the "old reliables," standard tools for searching the general legal literature, and the education indexing tools just described will probably find most existing materials on teaching and learning in the law schools. Unfortunately, these teachers will not find all of the important literature on teaching and learning. Some of the best and most provocative literature involves research with non-law students.

### B. *Teaching and Learning in Medical Schools*

Educators would probably agree that medical education literature is the most interesting and provocative of the materials on graduate-level education. Medical education literature is so strong because the faculties of many medical schools employ some individuals whose educational backgrounds have prepared them to study education itself and others who do nothing except study and write about medical education. Not surprisingly, the work that these individuals produce is generally stronger than work produced by people without formal training in educational research and who occasionally write about education issues.

Therefore, an alternative bookshelf on law teaching and learning should include a section of materials (and indexes) on medical education.

---

25. The term "LCMARC-B" means "Library of Congress Machine Readable Catalogue - Books."

Fortunately, finding materials on medical education is surprisingly simple. In fact, you can do a substantial amount of research in this field by simply using the tools already described. Many references to medical materials are contained in ERIC, the *Education Index*, the Library of Congress Catalogue, and various other WestLaw-accessible indexes such as "SOCSCISRCH," "DAO," and "SOC-ABS." The *Social Science Citation Index* provides follow up on at least some materials in the health care professions.

These research tools will not by themselves allow researchers to find all of the important medical education materials. Fortunately, another index allows easy access to all journals in the medical field. The *Cumulated Index Medicus* contains citations of articles in thousands of medical and science journals that are not indexed anywhere else. Although the *Cumulated Index Medicus* is available in all major health care libraries in book form and perhaps on CD ROM, it is easily accessible through the WestLaw system. When the main WestLaw menu appears, simply type "MEDLINE." You can then proceed by using standard WestLaw commands.

Many books on teaching and learning in medical school are classified as W 18 in health care libraries. (Many health care libraries use the National Library of Medical Classification System, *not* the Library of Congress system. Thus, books on the W 18 shelves of most health care libraries will not be the same as books on comparably numbered shelves in general libraries.)

Law school teachers might wish to include in their "alternative" bookshelves a few individual works on medical education. The journal, *Academic Medicine*, for example, should almost certainly appear. Other medical education journals to consider are *The Medical Teacher*, *Medical Education*, or *Teaching and Learning in Medicine*. In addition, law teachers might consider including *Evaluation in the Health Professions*, a journal that regularly publishes very provocative articles on the evaluation of medical students' work. Also, several books should probably sit on the alternative bookshelf. *A Handbook for Medical Teachers*,<sup>26</sup> for example, contains many basic ideas about teaching and testing. Likewise, *The Physician as Teacher*<sup>27</sup> and the *The Medical Teacher*<sup>28</sup> provide many practical tips regarding classroom teaching and testing.

One additional medical education book should be mentioned. In *Innovative Processes in Medical Education*,<sup>29</sup> the authors describe and analyze several attempts by medical schools to establish innovative

---

26. DAVID NEWBLE AND ROBERT CANNON, *A HANDBOOK FOR MEDICAL TEACHERS* (2d ed. 1987).

27. THOMAS L. SCHWENK AND NEAL A. WHITMAN, *THE PHYSICIAN AS TEACHER* (1987).

28. KENNETH R. COX AND CHRISTINE E. EWAN, *THE MEDICAL TEACHER* (2d ed. 1987).

29. MARGARET N. BUSSIGEL, ET AL., *INNOVATIVE PROCESSES IN MEDICAL EDUCATION* (1988).



curriculums. This book tells fascinating stories about displays of courage and cowardice by individual teachers, general faculty politics, institutional resistance, and the application of pressure by powerful groups of *practicing* professionals, such as the American Medical Association. Surprisingly, this book ends on a somewhat upbeat note. Although innovation is difficult to achieve in educational institutions, its authors nevertheless suggest that it is possible.

Law teachers arranging this bookshelf might also wish to create several pairs of books. For example, teachers might pair *The Paper Chase* with Reilly's *To Do No Harm*, a book that describes medical education from a student's perspective. This pair of books reveals great similarities between students' reactions to medical school and law school. Or, teachers might pair Steven's history of legal education (an "old reliable" mentioned earlier) with Ludmerer's *Learning to Heal: The Development of American Medical Education*. Finally, Bellow and Morton's classic book on clinical legal education, *The Lawyering Process: Materials for Clinical Instruction*, or some other more current book on that topic, could be paired nicely with one of several books on clinical education in medical schools—Westberg and Jason's *Collaborative Clinical Education*, for example, or Neufeld and Norman's *Assessing Clinical Competence*. It is somewhat surprising that issues which arise in clinical legal education are strikingly similar to issues which arise in clinical medical education.

Anyone who has participated in attempts to bring innovative teaching or curriculums to law schools knows stories of individual teachers' courage or cowardice, faculty politics generally, institutional resistance, and pressure from powerful groups of practicing professionals, such as the American Bar Association. Not all of the ideas in *Innovative Processes in Medical Education* apply to legal education, but some ideas clearly do transfer.

### C. *Teaching and Learning in Higher Education Generally*

A substantial amount of material on teaching and learning in higher education can be accessed with the tools described above. Two research tools not mentioned above, however, deserve inclusion on the alternative bookshelf. The first is *Higher Education Abstracts*, a hybrid journal which publishes short but comprehensive descriptions of articles on higher education topics that appear in other journals. People who read this journal regularly can easily keep abreast of a whole body of journal literature. The second research tool is also a bibliographic work. In *Key Resources in Teaching, Learning and Faculty Development*, Menges and Mathis describe the most important books and articles on various aspects of teaching and learning in higher education. For example, the book describes the most important works

on classroom teaching and testing and can save newcomers an enormous amount of research time.

Several other general works on higher education merit serious consideration for an alternative bookshelf. Any of several higher education journals might be included. Consider, for example, the *Journal of Higher Education*, which recently contained articles on the influence of gender on faculty members' perceptions of good teaching,<sup>30</sup> faculty morale in times of austerity and retrenchment,<sup>31</sup> and work satisfaction and stress among new teachers.<sup>32</sup> Or consider *Research in Higher Education*, which recently published an article describing an "early warning" system that allows schools to quickly identify students likely to fail.<sup>33</sup> Or, *Higher Education*, which just published an entire volume addressing a particularly hot topic in higher education circles, namely, "total quality management."<sup>34</sup> Or consider the *Journal of College Student Development*, which recently published a lengthy article on the provision of services to disabled students<sup>35</sup> and another article addressing the problems of Native American students in higher education institutions.<sup>36</sup> An "alternative" bookshelf could include any of these journals, or comparable journals like *Higher Education Policy* and *College Student Journal*.

There is, however, one potential drawback. Just as experts in the law often write in a jargon that is difficult for outsiders to understand, experts in education often use a language all their own. Therefore, some of these articles, particularly ones that appear in *Research in Higher Education*, may be difficult reading for many law teachers.

Fortunately, easy reading on higher education does exist. Journals such as *Change: The Magazine of Higher Learning*; *Liberal Education*; *Academe*; *College and University*; *College Teaching*; *The Teaching Professor*; and the *Bulletin of the American Association of Higher Education* publish light and easy-to-read articles on higher education issues. The *Bulletin* recently published a piece entitled: "A Teacher's Dozen: Fourteen General, Research-

---

30. See Laura D. Goodwin and Ellen A. Stevens, *The Influence of Gender on University Faculty Members' Perceptions of "Good" Teaching*, 64 J. HIGHER EDUC. 166 (1993).

31. See Scott P. Kerlin and Diane M. Dunlap, *For Richer, For Poorer: Faculty Morale in Periods of Austerity and Retrenchment*, 64 J. HIGHER EDUC. 348 (1993).

32. See Deborah Olsen, *Work Satisfaction and Stress in the First and Third Year of Academic Appointment*, 64 J. HIGHER EDUC. 453 (1993).

33. Dowaliby, Garrison and Day, *The Student Integration Survey*, 34 RES. IN HIGHER EDUC. 513 (1993).

34. *Total Quality Management in Higher Education*, 25 HIGHER EDUC. (1993).

35. Keith Frank and Pat Wade, *Disabled Student Services in Postsecondary Education: Who's Responsible for What?*, 34 J. C. STUDENT DEV. 26 (1993).

36. Robbie J. Steward, *Two Faces of Academic Success: Case Studies of American Indians on a Predominantly Anglo University Campus*, 34 J. C. STUDENT DEV. 191 (1993).

*Based Principles for Improving Higher Learning in Our Classrooms.*<sup>37</sup> In a recent issue of *College Teaching*, an article on ways to improve teaching in higher education described the use of “one-minute papers,” a teaching technique that a study at Harvard University determined to be the single most successful teaching innovation.<sup>38</sup> And a recent issue of *The Teaching Professor* contained a very short but provocative piece called *Seven Principles of Teaching Seldom Taught in Grad School*.<sup>39</sup>

Several individual books on higher education also deserve consideration for an “alternative” bookshelf.<sup>40</sup> Perhaps the most important of these is *Higher Education: Handbook of Theory and Research*, a multi-volume set that contains comprehensive and cutting-edge essays by leading experts on numerous higher education topics. (Examples: *A Critique of Intensive Courses and an Agenda for Research*;<sup>41</sup> *Remediation in American Higher Education*.<sup>42</sup>) Although people with no formal training in educational research may find some of these essays difficult to read, the extra work is generally worthwhile. There are also some easy-to-read books. For example, in *On Teaching and Learning in College*, Dressel and Marcus present a series of very readable discussions of various “fundamental” teaching issues. Similar books are those by Ebel, *The Craft of Teaching*; Katz and Henry, *Turning Professors into Teachers: A New Approach to Faculty Development*; Lowman, *Mastering the Technique of Teaching*; Milton, *On College Teaching*; and Weimer, *Improving College Teaching: Strategies for Developing Institutional Effectiveness*.

#### D. Conclusion

The set now seems complete. The “alternative” bookshelf contains materials on teaching and learning in law schools, medical schools, and in higher education generally. Is anything more needed?

---

37. Thomas Angelo, *A Teacher's Dozen: Fourteen General, Research-Based Principles for Improving Higher Learning in Our Classrooms*, 45(8) AM. HIGHER EDUC. ASS'N BULL. 3 (1993).

38. Robert J. Kloss, *Stay in Touch, Won't You? Using the One-Minute Paper*, 41 C. TEACHING 60 (1993).

39. Linc. Fisch, *Seven Principles of Teaching Seldom Taught in Grad School*, TEACHING PROFESSOR, Apr. 1993, at 1.

40. Many of these books are classified under LB 2331 in the Library of Congress system and many are included in the “Higher and Adult Education” series of the education publisher, Jossey-Bass.

41. Patricia A. Scott and Clifton F. Conrad, *A Critique of Intensive Courses and an Agenda for Research*, 8 HIGHER EDUCATION: HANDBOOK OF THEORY AND RESEARCH 411 (1992).

42. Darrel A. Clowes, *Remediation in American Higher Education*, 8 HIGHER EDUCATION: HANDBOOK OF THEORY AND RESEARCH 460 (1992).

Well, frankly, yes. One last book.

This essay earlier quoted a private letter from a famous law school teacher. That teacher suggested that since the processes of teaching and learning could not be quantified, no real point is served in studying them. In effect, this teacher was noting his agreement with the time-worn notion that great teachers are born, not raised. Thomas Axelrod's book, *The University Teacher as Artist*, seems to agree with this notion. Axelrod describes four university professors, all considered great classroom teachers. Each of these four teachers, however, used wildly different classroom techniques. One did nothing but lecture. Another used only group discussion. One kept a substantial amount of social distance between himself and his students while another interacted with students as if they were friends. At first glance, Axelrod's point seems obvious. Since greatness in teaching transcends technique—and perhaps even flies in the face of technique—what point is served by studying research on technique? After all, great teachers are born, not raised.

Axelrod's ideas are much more sophisticated than that. One does not write a lengthy book about teaching if one believes there is no value in the study of teaching. Teachers who are interested in filling an “alternative” bookshelf with materials on teaching and learning must begin their collection with *something*. There is no better *something* than Axelrod's book.

