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An Open Letter Proposing a School of Cultural Legal Studies

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Dear Colleague:

This letter is addressed to scholars seriously interested in the wider aspects of legal studies, and especially to those scholars in law, the humanities, and the social sciences who are sufficiently interested in the cultural study of law to be willing to spend a good deal of time and effort to promote that objective.

The plan to be described shortly was suggested by the recent transfer of The School of Letters from Kenyon College to Indiana University. The School of Letters, founded four years ago on receipt of a grant from the Rockefeller Foundation, is composed of three Senior Fellows, a Director, and twenty-two Fellows, representing different universities and colleges. Among them are many of the most distinguished literary critics in the country. They were brought together partly by a common dissatisfaction with the prevalent state of literary studies in the colleges and universities; and their cooperation was probably facilitated, despite sharp differences among them, by their sharing the view that literary criticism should be rescued from formalism and enlivened through the vivid recreation of the artists' thought. The School functioned during past summers in six-week sessions, at each of which about one third of the Fellows taught. Students are, with some exceptions, graduates who obtain advanced credit, auditors, and various others.

The proposal is to organize along somewhat similar lines a School of Cultural Legal Studies. Among those of you who have devoted years to the cultural study of law, whether you are "primarily" a historian, political scientist, philosopher, law teacher, anthropologist, or work in some other convenient classification, there will be many views regarding such a School. The following remarks represent my present thoughts on the subject. They are stated somewhat categorically in order to save space—the important thing now is to get relevant ideas discussed. Obviously, the major premise of this letter is that the proposed project requires much consultation and wide cooperation of every sort.

Accordingly, as I see it at the present time and without the benefit of the many suggestions I hope will be forthcoming—

(1). The School of Cultural Legal Studies (or whatever it may finally be named) will have as its objective the humanistic, social-scientific study of law. It would have no vocational objectives other than the incidental training of younger or future teachers of law, social science, or the humanities (and of any new disciplines that may emerge).

(2). The faculty (Fellows and Executive Committee) of the School would consist of scholars from all the disciplines, who have contributed significantly to cultural legal studies. They will represent all important viewpoints, being united in the common objective and in a willingness to collaborate, by teaching and conferences, with other scholars, some of whom will
have different perspectives or philosophies, while sharing the same objective.

(3). In addition to the regular faculty, various other scholars, some of them foreign ones, would be invited to teach or lecture in the sessions of the School.

(4). The School would conduct summer sessions of 6–9 weeks, initially, at least, at a different university each summer. The host university would provide a physical plant and library, and it might receive a portion of the fees derived from tuition.

(5). It would be necessary to explore: (a) a subsidy by one of the Foundations; (b) admission of students, auditors, and foreign students; (c) tuition fees; (d) fellowships; (e) faculty questions, including salaries; (f) university credit for work done and courses passed.

(6). Students would be recruited from all the social sciences and humanities and from the law schools. This, I think, is essential because no one group can supply a sufficient number of students to make the effort worthwhile. Moreover, there are many advantages, which need not be emphasized here, in having serious students from the various disciplines work together.

(7). Many possible curricula, stimulating and delightful, have stirred my imagination. With some intentional arbitrariness, I submit the following as a vehicle of the programs offered each summer session:

(a) three general courses;

(b) three courses on a specific subject matter;

(c) a seminar of and by the faculty, each of whom would hold forth for one week. Selected students would be invited to participate in this seminar and others permitted to attend it.

I refrain from describing the contents of the above courses and seminars so that you may feel entirely free in your thinking on this subject.

(8). The Executive Committee, in charge of the School, should represent various viewpoints, universities, and disciplines, and its membership should be rotated. An essential need will be to assure by its constituency that every qualified scholar and every scholarly viewpoint will receive fair and equal treatment. This will not be easy; but it can be done!

(9). A test period of at least three years would be required. If, at the end of that experimental period, the School is continued on a secure basis, certain other matters should be explored, especially concerning (a) publication, e.g., of faculty seminar reports and teaching materials, (b) the organization of cooperative research units, (c) the carry-over of projects beyond the summer session, and (d) perhaps eventually the organization of a national research institute.

(10). What is the next step to be taken at this time? This is the question regarding which I am particularly in need of help. I am willing, without any additional commitment, to serve as a temporary post office and conduit to transmit suggestions to interested persons.

Accordingly, I invite you to write me regarding the above proposals, setting forth your views and especially your suggestions regarding organiza-
tion. What changes and additions to the above proposals do you suggest? Do you think the proposal is feasible? Are you willing to participate in the project? Have you any suggestions regarding the financing of the School? Do you think I should ask a few persons representing different universities and disciplines to meet as a temporary organizing committee? Whom do you suggest should be invited to serve in that capacity? What other suggestions do you have to offer?

Finally, I should like to say that in this letter I have tried to avoid even the suggestion of exhortation or salesmanship. Interested scholars will, I am confident, understand the needs and opportunities adverted to, without embellishment of any kind. I should have preferred to write a personal letter to you regarding the above matters but there are obvious advantages in the method used, not least of which is that no one who is not greatly interested in the cultural study of law will feel under any obligation to reply. I hope I have made the proposal sufficiently clear to those who are much interested in the indicated objectives.

Sincerely,

Indiana University.

Jerome Hall.