The School of Law of the Catholic University of America

By John McDill Fox, Dean of the School of Law

The purpose of this short article is an attempt to answer two questions which are being constantly put to the questioners in our office. "Why a School of Law at the Catholic University when there are already very good schools of law in Washington and elsewhere conducted under Catholic auspices?" and the other question really involves the same essential query though usually phrased, "In what way, if at all, is the School of Law at the Catholic University different from any other law school?"

Before proceeding to the real heart of the inquiry I feel that certain general observations are in order.

"Every law school takes its charter from the State." It takes part of its curriculum from the State, to the extent that its graduates are subject to a bar examination by various authorities requiring certain courses of study at that institution and training in specified subjects as pre-standard prerequisites. "Every law school must train the legal aspirant in the fundamentals of common and statutory law, as well as the method or procedure by which the rights of future clients may be protected or secured."

This is true of the School of Law of the Catholic University of America for it is of every other "approved" school.

Every first class law school either is a member of the Association of American Law Schools or is approved by the Section on Legal Education and Admissions to the Bar of the American Bar Association. The School of Law is not only a member of the Association of American Law Schools and a school approved by the Section on Legal Education and Admissions to the Bar, but in addition it has the highest entrance requirements. It now requires a baccalaureate degree for entrance from students other than its own, while for students of the College of Arts and Letters it provides a six-year Arts and Law course. In addition to its high entrance requirements, it offers the only full-time day law school in Washington, D.C.

Obviously, unless a school of law adequately trains its students, particularly in the practice of the law, the number of graduate schools of law in competition with other schools of law, fails to be effective in the development of the number of new law schools in this country, which have been content to present merely elementary courses in Jurisprudence, without attempting to teach a distinctively Catholic conception of Jurisprudence. We are not trying to teach a distinctively Catholic conception of Jurisprudence, but we are trying to teach the religion of our Church, which is the basis of all law. We are not trying to teach the religion of our Church, but we are trying to teach the religion of our Church, which is the basis of all law.

There are various schools of thought in jurisprudential fields today. The materialistic or agnostic school, the utilitarian or experimental school, the sociological school Dean Pound has contributed tremendously to jurisprudence. Many names come to us, such as Jerome Frank, Noel N. Levine of Columbia, Walter Wheeler Cook, and a newcomer in jurisprudence who is doing very fine work, Walter B. Kennedy. In our school of thought we try to teach the student the importance of the study of jurisprudence, and we try to teach the student how to think about law. The study of jurisprudence is not just a study of the law, but a study of the philosophy of law. We try to teach the student how to think about the law, and how to think about the law of the future, and how to think about the law of the past.

At present the First Year students are required to have Logic or Ethics and a special course in Legal Ethics is given to the Seniors. The latter course aims to give the student a consciousness of his duties and privileges as an attorney in a society which has definitely seemed a new social outlook. It further aims to awaken and to sustain the future lawyer's interest in controversial questions. In this connection, the development of the law, the control of judicial agencies, and the legal problems in general are taught. The study of the law of the future is intended to stimulate the inquiring student and to develop a reliable conception of the lawyer's peculiar status arising from the importance of his profession in the ordering of society.

The courses in Jurisprudence, while primarily postgraduate, are open to the senior law students. We intend further to promote such studies by breaking down the general topics so as to introduce in the various undergraduate courses, such as Contracts, Torts, Constitution Law, Domestic Relations, various jurisprudential aspects of such courses wherein Catholic Philosophy has other solutions than those usually blindly accepted. Thus our course has a deeper purpose and a wider scope than mere utilitarianism.

The student, while he is taught for the practical purposes of his bar examination, is also led to consider the nature and purposes of law in the light of Catholic philosophy. Thus he is being properly prepared with a solid background of juridical training for any later legislative or judicial or executive career.

If a School of Law exists in the Catholic University of America it must be Catholic to justify its existence. The Catholic Church is supporting the School. While the intention is always to keep it a small school, it is much smaller than it should be, and it should be made larger. It is a school that is successfully preparing the student for his profession and is respected men in their communities. We are not content to be another law school just because it is a Catholic school in an American approach to jurisprudence and the proper development of the student in an understanding of the true function of law.

(Quotations from an editorial by Rev. Edward Lodge Curran, Ph.D., in "Truth," March, 1933.)