

# PROFESSIONALISM IN PROFESSIONAL SCHOOLS

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Mark Twain once observed: “To do right is noble. To advise others to do right is also noble and much less trouble to yourself.”<sup>1</sup> This partly explains the distance between the values that the legal profession exalts in principle and rewards in practice. Law schools are no exception. Our official rhetoric celebrates professional ethics and public service. Our institutional priorities marginalize both. Legal ethics are noticeable for their absence in the core curricula. Only 10% of law schools require pro bono service by students and fewer still impose any specific obligations on faculty. Except on ceremonial occasions, we are uncomfortable talking about values. The result is that we too often substitute unimportant questions we can answer for important ones we cannot.

Conferences like this one are occasions for deeper reflection about the professional responsibilities of professional schools. My focus here is the unstated values of our educational culture. This is, I realize, a topic that most of us approach warily, either as authors or audiences, with good reason. The subject invites the kind of pompous platitudes well captured in a *New Yorker* cartoon, where a monk striding through cloisters assures his companions that “I am *too* holier than thou.”

I come to the subject of values with more humility but no less conviction. The point of this essay is to raise concerns on several levels. The first is how we teach, or fail to teach, legal ethics. The second is pro bono service. And the final concern is the ethical values that we implicitly reinforce, or fail to reinforce, throughout the law school culture.

## I. PROFESSIONAL ETHICS AND CURRICULAR PRIORITIES

For most of this century, legal ethics as a substantive field rarely rose above what an early scholar described as “general piffle.”<sup>2</sup> Although the last two decades have witnessed dramatic improvements, our progress has been uneven and incomplete. Most schools relegate the subject to a single required course, typically two units, which principally addresses bar regulatory codes. The result is what William Simon labels “legal eth-

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1. Mark Twain, *quoted in* Jennifer Brown, *Rethinking the Practice of Law*, 41 EMORY L.J. 451, 465 n.61 (1992) (providing several possibilities for the obscure origin of the quotation, which is attributed to Mark Twain).

2. George Costigen, *The Teaching of Legal Ethic*, 4 AM. L. SCH. REV. 290, 295 (1917). For an overview, see Deborah L. Rhode, *Ethics by the Pervasive Method*, 42 J. LEGAL EDUC. 31 (1992).

ics without the ethics."<sup>3</sup> Students learn what disciplinary rules require but lack the foundations for critical analysis.

The inadequacy of this approach is of particular concern in bar regulatory contexts where codes are ambiguous or self-serving. For example, students will learn that the *Model Rules* prohibit unauthorized practice of law by nonlawyers, but not that they are indeterminant and inconsistent in application, or that less restrictive licensing alternatives might better accommodate the public interest.<sup>4</sup>

Moreover, an excessively doctrinal framework leaves out many of the crucial issues facing the American legal profession: inadequate access to justice for low- and moderate-income citizens; disciplinary processes that provide no effective remedies for most complainants; excessively adversarial norms that escalate costs for parties and devalue the interests of non-parties; and practice structures that leave half of surveyed attorneys dissatisfied with their professional lives.<sup>5</sup>

In the American Bar Association's mid-1990s study, less than one-fifth of lawyers surveyed felt that legal practice had met their expectations in contributing to the social good.<sup>6</sup> Yet doctrinally oriented professional responsibility courses fail to address the structural reasons why legal practice so often falls short.

Neither these systemic problems, nor other common ethical dilemmas, receive significant attention outside of professional responsibility courses. Few schools make systematic efforts to integrate legal ethics into the core first-year or upper-level curricula.<sup>7</sup> The coverage that does occur is often superficial or ad hoc, with no assigned reading and no questions on exams. Most students get too little theory and too little practice; classroom discussions are too far removed from real life contexts and too uninformed by insights from allied disciplines such as philosophy, sociology and economics. This minimalist approach to legal ethics marginalizes its significance. Educational priorities are apparent in subtexts as well as texts. What the core curricula leaves unsaid sends a powerful message that no single required course can counteract.

Our failure to make professional responsibility a professional priority has multiple causes, but faculty reluctance is surely one of them. For nonexperts in ethics, a little knowledge feels like a dangerous thing and acquiring more is a time-consuming enterprise. Developing good teaching materials can also be difficult because casebooks outside the field of professional responsibility rarely provide significant coverage.

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3. William Simon, *The Trouble with Legal Ethics*, 41 J. LEGAL EDUC. 65, 66 (1991).

4. See Deborah L. Rhode, *Professionalism in Perspective: Alternative Approaches to Nonlawyer*, 27 N.Y. U. REV. L. & SOC. CHANGE 701, 707-08 (1996) (arguing that the public interest is marginalized by the bias against alternative legal services); see also Stephen Gillers, *The Anxiety of Influence*, 27 FLA. ST. U. L. REV. 123 (1999).

5. See Deborah L. Rhode, *The Professionalism Problem* 39 WM. & MARY L. REV. 283 (1998).

6. AMERICAN BAR ASSOCIATION, YOUNG LAWYERS DIVISION, CAREER SATISFACTION 11 (1995).

7. See Deborah L. Rhode, *Into the Valley of Ethics: Professional Responsibility and Educational Reform*, 58 LAW & CONTEMP. PROBS. 139 (1995). For efforts to promote curriculum integration, see Symposium, *Teaching Legal Ethics*, 58 LAW & CONTEMP. PROBS. 1 (1995).

These difficulties are, however, less imposing than faculty members often assume. An increasing array of curricular integration materials are available, including annotated bibliographies, videos, simulation exercises, and a paperback text of cases, readings, and problems.<sup>8</sup> Most faculty could, with minimal effort, effectively present ethics issues related to their specialty. The real problem is that most prefer not to.

Part of that reluctance reflects skepticism about the value of discussing values in professional school. To many faculty, postgraduate ethics instruction promises too little too late. A common assumption is that moral conduct is primarily a matter of moral character. Students either *have it or they don't*, and postgraduate training is an empty proposition. As Eric Schnapper once put it, legal ethics "like politeness on subways . . . and fidelity in marriage" cannot be acquired through classroom moralizing.<sup>9</sup>

A related concern is that even if legal education can have some effect on students' attitudes, it will have little impact on their later practice. Moral conduct is highly situational, and critics argue that contextual pressures are likely to dwarf the effects of law school coverage.<sup>10</sup>

Such concerns are not without force, but they suggest reasons to avoid overstating our influence, not reasons to abandon our efforts. Skeptics are, of course, correct that values do not of themselves determine conduct. One particularly sobering study found no significant differences between the moral beliefs of Illinois ministers and prison inmates.<sup>11</sup> Ethical conduct reflects both situational pressures and individual capacities: the ability to recognize and analyze moral issues, the motivation to act morally, and the strength to withstand external influence. Not all of these characteristics can be taught in law school.

However, some traits are open to influence. Research on ethics education finds that individuals' moral views and strategies change significantly during early adulthood and that well designed courses can improve capacities for moral reasoning.<sup>12</sup> Moreover, many crucial professional responsibility issues are not matters on which students have strong preexisting convictions. These issues often involve competing values, and professional standards sometimes depart from personal intuitions. Future practitioners need to know where the bar draws the line before they are in positions to cross it. Since some of these individuals eventually will help determine where future lines are drawn, legal education should provide background in the policy considerations at issue.

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8. See Deborah L. Rhode, *Annotated Bibliography of Educational Materials on Legal Ethics*, 4 LAW & CONTEMP. PROBS. 361 (1995).

9. Eric Schnapper, *The Myth of Legal Ethics*, A.B.A. J., Feb. 1978, at 202, 205; see also Terrance Sandelow, *The Moral Responsibility of Law Schools*, 34 J. LEGAL EDUC. 163, 169 (1984).

10. A vast array of research documents how moral conduct is influenced by authority, stress, competition, peer influence, financial incentives, time constraints, and similar pressures. See the studies summarized in Rhode, *supra* note 2, at 45-46.

11. See Peter Coles, *On the Teaching of Ethics in a Pluralist Society*, HASTINGS CENTER REP., Oct. 1978, at 32.

12. See James R. Rest, *Can Ethics Be Taught in Professional Schools? Easier Said Than Done*, PSYCHOL. RES., Winter 1988, at 22, 23-24; see also James S. Leming, *Curricular Effectiveness in Moral Values Education: A Review of Research*, 10 J. OF MORAL EDUC. 147 (1981).

So too, despite the importance of situational pressures in practice, psychological research generally finds that moral judgement influences moral conduct.<sup>13</sup> Education can affect the way individuals evaluate the consequences of their decisions and respond to the economic and organizational incentives underlying ethical problems. In fact, most surveyed attorneys believe that the ethics instruction they received in law school has been helpful to them in practice and should be maintained or expanded.<sup>14</sup>

For many faculty, however, the greatest obstacle to covering legal ethics material involves fewer doubts about its effectiveness than about their own. Many are understandably uncomfortable when venturing into value-laden discussion. Most of us prefer questions we can confidently answer and are wary about either pronouncing or withholding judgment on ethical issues. To take a moral position risks turning podiums into pulpits and silencing students with different views. Yet to reserve judgment risks fostering relativism and cynicism. Everyone's view becomes as good as everyone else's, and an atmosphere meant to foster tolerance can undermine commitment. The dilemma is real, but the answer is not to avoid the ethical issues that present it. We cannot be value neutral on matters of value. What we choose to discuss itself conveys a moral message, and silence is a powerful subtext. If we decline to put ethical issues on our agenda, we suggest that professional responsibility is someone else's responsibility. And we encourage future practitioners to do the same.

The alternative is to encourage toleration without endorsing agnosticism. Although many ethical questions yield no objectively valid answers, not all answers are equally valid; some are more consistent, coherent, and respectful of available evidence. So too, the risks of proselytizing are by no means unique to issues of professional responsibility. Professors can abuse their prerogatives by self-righteous or preemptory pronouncements on any subject. We don't avoid the difficulty by avoiding ethics. The answer rather is to educate educators.

To make professional values central in professional schools requires a significant institutional commitment. The conventional approach—add ethics and stir—is inadequate to the task. Professional responsibility issues need to be integrated into the core curriculum, not isolated in a few specialized courses or ceremonial platitudes. Strategies for institutionalizing ethics are not in short supply. Law schools can support curricular integration of professional responsibility through course development stipends, research assistance, release time, and faculty workshops. Legal ethics topics can be included in orientation programs, writing assignments, skills exercises, moot court competitions, and trial advocacy

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13. See Walter Mischel & Harriet N. Mischel, *A Cognitive Social Learning Approach to Morality and Self Regulation*, in *MORAL DEVELOPMENT AND BEHAVIOR: THEORY, RESEARCH, AND SOCIAL ISSUES* 84, 101-07 (Thomas Likona, ed. 1976); see also Albert Bandura, *Social Cognitive Theory of Moral Thought and Action*, in *1 HANDBOOK OF MORAL BEHAVIOR AND DEVELOPMENT* 45, 53 (William Kurtines & Jacob L. Gewirtz eds., 1991).

14. See FRANCES K. ZEMANS & VICTOR ROSENBLUM, *THE MAKING OF A PUBLIC PROFESSION* 176-77 (1981).

projects. Coverage can be monitored by reports to the dean and questions on student evaluations.

In short, our current treatment of professional responsibility reflects a wide and unnecessary distance between our rhetorical commitments and institutional priorities. Students recognize the gap. We should as well.

## II. PRO BONO OPPORTUNITIES

A similar gap persists in law school pro bono policies. In 1996, the American Bar Association amended its accreditation standards to call on schools to "encourage students to participate in pro bono activities and to provide opportunities for them to do so."<sup>15</sup> The revised ABA standards also encourage schools to address the obligations of faculty to the public, including participation in pro bono activities. Although a growing number of schools have made efforts to increase pro bono involvement, substantial challenges remain. Only about ten percent of schools require any service by students and fewer still impose specific requirements on faculty.<sup>16</sup> At some of these schools, the amounts demanded are quite minimal: less than twenty hours by the time of graduation.<sup>17</sup> Over ninety percent of institutions offer voluntary programs, but their scope and quality varies considerably. About one-third of schools have no law-related pro bono projects or projects involving less than fifty participants per year. At other schools, only a small percentage of the class is involved. As a consequence, most law students graduate without legal pro bono work as part of their educational experience.<sup>18</sup>

That lack of involvement is reflected among practitioners. Bar ethical codes have long proclaimed that all lawyers have obligations to assist individuals who cannot afford counsel. And lawyers who have assumed those obligations have made enormous contributions to the public interest. Yet the proportion of lawyers who contribute has remained unfortunately small. Few lawyers come close to satisfying the American Bar Association's *Model Rules*, which provide that "a lawyer should aspire to render at least 50 hours of pro bono publico legal services per year," primarily to "persons of limited means or to organizations assisting such persons."<sup>19</sup> Recent estimates indicate that most attorneys do not perform significant pro bono work, and that most of their assistance does not go to low-income clients. The average for the profession as a whole is less than half an hour per week.<sup>20</sup>

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15. ABA, RECODIFICATION OF ACCREDITATION STANDARDS 302, 414 (1996).

16. See WILLIAM POWERS, ABA, REPORT ON LAW SCHOOL PRO BONO ACTIVITIES 2, 5 (1994) (reporting pro bono requirements for students in 17 of 172 responding schools and requirements for faculty in 3 of 105 responding schools).

17. The lowest minimum required appears to be eight hours. See *id.* at 3.

18. See *id.*; see also ASSOCIATION OF AMERICAN LAW SCHOOLS, COMMISSION ON PRO BONO AND PUBLIC SERVICE OPPORTUNITIES IN LAW SCHOOLS, LEARNING TO SERVE A SUMMARY OF THE FINDINGS AND RECOMMENDATIONS OF THE AALS COMMISSION ON PRO BONO AND PUBLIC SERVICE OPPORTUNITIES 4 (1998).

19. MODEL RULES OF PROFESSIONAL CONDUCT, Rule 6.1 (1998).

20. See Tigran W. Elred & Thomas W. Schoenherr, *The Lawyer's Duty of Public Service: More than Charity?*, 96 W. VIRG. L. REV. 367, 384 (1994); see also Rhode, *supra* note 5, at 291.

What legal education could or should do to expand such public service commitments is subject to increasing debate. To encourage a more informed analysis of these issues, the Association of American Law Schools appointed a Commission on Public Service and Pro Bono Opportunities in Law Schools, which has just issued a preliminary report. The central conclusion of that report, as well as my own prior work, is that law schools could and should do more.<sup>21</sup>

The rationale for pro bono service by law students depends partly on the rationale for pro bono service by lawyers. Such assistance rests on two premises: First, that access to legal services is a fundamental need, and second, that lawyers have a responsibility to help make those services available. As courts and commentators have often recognized, the right to sue and defend is a right that protects all other rights.<sup>22</sup> Moreover, in a democratic social order, equality before the law is central to the rule of law and to the legitimacy of the state. In most circumstances, access to justice is meaningless without access to legal assistance. Our legal processes are designed by and for lawyers, and lay participants who attempt to navigate without counsel are generally at a disadvantage. Those disadvantages are particularly great among the poor, who lack lawyers for over three quarters of their legal needs and who also typically lack the education and experience necessary for effective self-representation.<sup>23</sup> Inequalities in legal representation compound other social inequalities and undermine our commitments to procedural fairness and social justice.

While most lawyers acknowledge that access to legal assistance is a fundamental interest, they are divided over whether the profession has any special responsibility to provide that assistance, and, if so, whether the responsibility should be mandatory. According to some attorneys, if equal justice under law is a societal value, society as a whole should bear its cost.<sup>24</sup> The poor have fundamental needs for food and medical care, but we do not require grocers or physicians to donate their help in meeting those needs. Why should lawyers' responsibilities be greater?

One answer is that the legal profession has a monopoly on the provision of essential services. The American bar has guarded those privileges and its success in restricting lay competition has helped to price services out of the reach of many consumers.<sup>25</sup> Under these circumstances, it is not unreasonable to expect lawyers to make some pro bono contributions in return for their protected status. Nor would it be inappropriate

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21. See AALS COMMISSION, *supra* note 15; see also Deborah L. Rhode, *Cultures of Commitment: Pro Bono For Lawyers and Law Schools*, *FORDHAM L. REV.* (forthcoming).

22. See DAVID LUBAN, *LAWYERS AND JUSTICE: AN ETHICAL STUDY* 257-66 (1988); see also Frank Michelman, *The Supreme Court and Litigation Access Fees: The Right to Protect One's Rights*, 1973 *DUKE L. REV.* 1153, 1172.

23. See COMMITTEE TO IMPROVE THE AVAILABILITY OF LEGAL SERVICES, *FINAL REPORT TO THE CHIEF JUDGE OF THE STATE OF NEW YORK*, reprinted in 19 *HOFSTRA LAW REV.* 755, 773 (1991); ACCESS TO JUSTICE WORKING GROUP, *STATE BAR OF CALIFORNIA, AND JUSTICE FOR ALL: FULFILLING THE PROMISE OF ACCESS TO CIVIL JUSTICE IN CALIFORNIA* 33-34 (1996).

24. See Marvin E. Frankel, *Proposal: A National Legal Service*, 45 *S.C. L. REV.* 887, 890 (1994); see also *FINAL REPORT TO NEW YORK*, *supra* note 23, at 782.

25. See Rhode, *supra* note 4.

to expect comparable contributions from other professionals who have similar monopolies over provision of critical services.

A second objection to pro bono responsibilities, particularly those that are mandatory, is that many attorneys will be unable or unwilling to provide cost-effective services. Having corporate attorneys dabble in poverty law is an inefficient way of assisting the poor. Yet we lack adequate experience and research concerning various types of pro bono programs to provide an accurate assessment of that objection. Many bar and law school pro bono programs have developed training and placement strategies designed to minimize quality problems and many mandatory proposals would allow practitioners to substitute financial support for direct service.<sup>26</sup> In any event, the question is always: "Compared to what?" For most indigent clients, some access to legal assistance is preferable to none, which is their current alternative.

There are, moreover, other benefits from pro bono programs that critics fail to acknowledge, and those benefits extend to law students as well as lawyers. For example, these programs provide many participants with their only direct knowledge of how the system functions, or fails to function, for the "have-nots." To give broad segments of the bar some experience with what passes for justice among the poor may lay foundations for constructive social change.

Pro bono work also offers lawyers and law students a range of practical benefits, such as training, trial experience, and professional contacts. Involvement in community groups, charitable organizations, and public interest activities is a way for individuals to expand their perspectives, enhance their reputations, explore alternative work options, and build problem solving skills. Pro bono work benefits participants collectively as well as individually. According to public opinion polls, provision of free legal services is one of the best ways to improve the public standing of lawyers.<sup>27</sup> And according to AALS survey data, law school pro bono activity is a similarly valuable way of generating good will with alumni and with the broader community.<sup>28</sup>

In addition to these educational and practical benefits, law school pro bono programs serve a final, equally significant objective; they encourage public service by practitioners. As former Tulane dean John Kramer has noted, the hope is that pro bono experience in law school will inspire long-term commitments that will "trickle up" to the profession generally.<sup>29</sup> That hope is widely shared. Ninety-five percent of deans responding to the AALS survey agreed that it is an important goal of law

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26. For training, see John Greenya, *Partners in Justice: Mentoring in the Pro Bono Program*, WASH. LAW., May-June 1997, at 26-28. See also Eileen J. Williams, *PSAC in Action*, WASH. LAW., May-June 1996, at 36-38. For mandatory proposals, see David Luban, J. OF LEGAL EDUC. (forthcoming, 1999); Marc Galanter & Thomas Palay, *Let Firms Buy and Sell Credit for Pro Bono*, NAT'L L.J., Sept. 6, 1993, at 17.

27. See Gary Henstler, *Vox Populi*, A.B.A. J., Sept. 1993, at 61.

28. AALS COMMISSION, *supra* note 18.

29. John Kramer, *Law Schools and the Delivery of Legal Services: First, Do No Harm, in CIVIL JUSTICE: AN AGENDA FOR THE 1990S* 47, 55 (Esther F. Lardent ed., 1989).

schools to instill in students a sense of obligation to perform pro bono service.<sup>30</sup>

Although we lack systematic studies about the effectiveness of law school programs in accomplishing that goal, the limited available data points in positive directions. Surveys at several schools with pro bono requirements indicate that most students report that public service experience has increased their willingness to contribute pro bono services after graduation. Other research on American volunteer activity similarly suggests that youthful involvement in public service increases the likelihood of adult participation.<sup>31</sup>

Given this range of benefits, it is hard to find anyone who opposes law school pro bono programs, at least in principle. But, in practice, there is considerably less consensus about the form these programs should take and the priority they should assume in a world of scarce institutional resources.

Law schools vary considerably in their approach to pro bono service. Student involvement ranges from highly structured mandatory service requirements of up to seventy hours in law-related work to occasional contributions involving soup kitchens, food drives, and similar charitable programs.<sup>32</sup> This public service activity serves multiple goals that have different educational and resource implications. To identify an appropriate pro bono strategy, schools need to determine which goals have priority and how they fit with other institutional capacities and constraints.

For most law schools, the primary objectives of pro bono programs are to encourage future public service and to provide an effective educational experience for students. The difficulties in designing programs arise from the absence of consensus on how to achieve the first of these objectives and on the conflicts involved in trying to achieve both.

According to some educators, if the principal goal of law school pro bono programs is to maximize future contributions by lawyers, then we should maximize contributions by students through required service. Such requirements send the message that pro bono work is a professional obligation, and often convert individuals who would not voluntarily participate. Yet, we lack sufficient research to determine whether mandatory programs in fact yield greater long-term pro bono contributions than well-supported optional alternatives. Some law school administrators also are concerned that required participation fails to insure quality services by unmotivated students, and undermines the voluntary ethic that is necessary to sustain commitment after graduation.<sup>33</sup> Further difficulties arise in some communities, where current public interest legal opportunities cannot adequately accommodate all graduating students' skills, schedules, and time constraints.

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30. See AALS COMMISSION, *supra* note 18.

31. See VIRGINIA A. HODGKINSON ET AL., GIVING AND VOLUNTEERING IN THE UNITED STATES: FINDINGS FROM A NATIONAL SURVEY, 12-13, 87-88 (1996); see also E. Gil Clary & Jude Miller, *Socialization and Situational Influences on Sustained Altruism*, 57 CHILD DEV. 1359, 1365-66 (1986).

32. See AALS COMMISSION, *supra* note 18.

33. See AALS COMMISSION, FOCUS GROUP INTERVIEWS, *supra* note 18.

Mandatory pro bono programs for students also raise awkward issues for professors, who generally resist required service for themselves. Of course, as they argue, these programs serve educational values apart from reinforcing a service ethic and such values provide some basis for including only students. But if law schools' primary goal is to create a culture of commitment to public service, then exempting faculty role models is counterproductive. As research on giving behavior makes clear, individuals learn more by example than exhortation.<sup>34</sup> Unless and until faculty are willing to include themselves in any mandatory program, a voluntary alternative has certain obvious advantages.

But it has obvious limitations as well. At most schools, voluntary programs attract relatively small numbers of participants, modest institutional resources, and few efforts at quality control. Unless and until more institutions make support for volunteer work a priority, a culture of commitment will be impossible to sustain.

In short, the single most important insight from law school pro bono efforts is that no single model is clearly preferable. Different approaches create different tradeoffs, which vary at different institutions. But certain strategies are likely to prove beneficial, no matter what kind of program is in place. At a minimum, as the AALS Commission has recommended, law schools should "seek to make available for every law student at least one well supervised law related pro bono opportunity and either require student participation or find ways to attract the great majority of students to volunteer."<sup>35</sup> To that end, schools need to provide adequate resources, recognition, and rewards for public service. For example, schools can note students' public service on transcripts, diplomas, or honor rolls. Outstanding pro bono contributions by students, faculty, and alumni can be showcased in school publications, awards, and ceremonial events. Faculty public service could be encouraged by appropriate policies and incentive structures, such as those requiring professors to report on their annual pro bono activity and ensuring that they receive adequate institutional credit for their involvement. Law school pro bono programs also can develop more extensive pro bono partnerships with bar, alumni, and community networks. Also, organizations like the ABA and AALS could insist that schools provide concrete information about the effectiveness of public service initiatives.

### III. EDUCATIONAL CULTURE AND PROFESSIONAL VALUES

Finally, and most important, pro bono strategies need to be part of broader efforts to encourage a sense of professional responsibility for the public interest. As research on legal education has long noted, the "latent curriculum" at most law schools works against that sense of responsibility. Traditional teaching methods offer a steady succession of hard cases and doctrinal ambiguities that leave many students skeptical at best and

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34. See ALFIE KOHN, *THE BRIGHTER SIDE OF HUMAN NATURE: ALTRUISM AND EMPATHY IN EVERYDAY LIFE* 91 (1990); see also James H. Bryan et al., *Words and Deeds About Altruism and Subsequent Reinforcement Power of the Model*, 42 *CHILD DEV.*, 1501, 1505-07 (1971); Joan E. Grusec, *The Socialization of Altruism*, in *PROSOCIAL BEHAV.* 9, 13 (Margaret S. Clark ed., 1991).

35. AALS COMMISSION, *supra* note 18.

cynical at worst: There is “always an argument the other way and the devil often has a very good case.”<sup>36</sup> Too often legal coursework seems largely a matter of technical craft, divorced from the broader concerns of social justice that led many students to law schools. The shortage of public interest fellowships and limitations of loan forgiveness programs further undermines those concerns.

Countering these forces will require a substantial commitment. But there is much to gain and little to lose from the effort. Enlarging students’ sense of professional responsibility while in law school reinforces their best instincts and aspirations. By making professionalism a priority, legal educators can reinforce the same aspirations in themselves.

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36. Stewart Macaulay, *Law School and the World Outside the Doors*, 25 (Madison, Wisconsin: University of Wisconsin Working Paper, 1982); see also Jay Feinman and Marc Feldman, *Pedagogy and Politics*, 73 GEO L.J. 875, 878 (1985). For the erosion of public interest commitments, generally, see ROBERT V. STOVER, *MAKING IT AND BREAKING IT: THE FATE OF PUBLIC INTEREST COMMITMENT DURING LAW SCHOOL* (1989) and ROBERT GRANFIELD, *THE MAKING OF ELITE LAWYERS* (1992).