

From the Editors

In this issue of the *Journal of Legal Education*, we present articles and a symposium which bravely confront questions that, despite their importance, can make many legal educators uneasy, from graduates who never pass the bar to depression and anxiety in law students. We also hear about a very innovative experiment in teaching through dramatic performance at the Chinese University in Hong Kong in our “At the Lectern” series, and we inaugurate a new occasional feature, “Dialogue.” Finally, we hear from four reviewers of interesting new texts with broad appeal.

The issue begins with an intensive exploration by Jane Yakowitz into a very large group of U.S. law graduates—she estimates about 150,000—about whom almost nothing is known. *Marooned: An Empirical Investigation of Law School Graduates Who Fail the Bar Exam* inquires into what happens to these graduates, what their lives are like, and whether they would have been better off not going to law school at all. The story she tells is more complex and nuanced than what most legal educators assume.

Next, Eric Johnson’s *A Populist Manifesto for Learning the Law* challenges readers with a view that, in the U.S. legal academy, is quite unorthodox: that learning the law should be easier, even if the law-school experience as a whole should remain very challenging. Among other provocative suggestions, he makes a strong case for embracing commercial outlines. Joan Magat, in *Bottom-Heavy: Legal Footnotes* proposes measures for improving and simplifying citation practices in legal scholarship, even where those measures would interfere with writers’ attempts to use their scholarship to display diligence and expertise.

Both Johnson and Magat’s articles can themselves be considered prescriptions for bringing more balance to legal education, the questions considered in the symposium that follows. Magat can be thought of as aiming to achieve more balance in the way legal scholarship is written, edited (often by students), and even read. Johnson proposes more balance between learning how to extract doctrinal rules from case materials and the other many skills that law students should acquire.

In a symposium on *Balance in Legal Education*, we hear from Bruce Winick, Edward Rubin, William Rich, Daisy Hurst Floyd, Lawrence Raful, and Ben Gibson. This symposium grows out of the fact that the American Association of Law Schools granted provisional status to a section on Balance in Legal Education in 2007. Readers will learn in the symposium what the section is all about, receiving a variety of views and proposals on bringing more balance to legal education, from ways to improve the mental health of students to ways to avoid alienation of students and faculty. The authors provide the perspectives of deans, former and current, other faculty members, and a student. While

most of our symposium authors agree with the need for a section on this issue, Dean Lawrence Raful provides a dissenting view, of sorts. The mental and social well-being of students is a topic that many in legal education may feel uncomfortable addressing, but the authors, including Dean Raful, do a courageous job of considering how legal educators might accept some portion of responsibility for that well-being.

The issue next turns to another of our “At the Lectern” pieces. *In Beyond Role Playing: Using Drama in Legal Education*, Anne Scully-Hill, Paul Lam, and Helen Yu provide a fascinating account of students staging and performing in dramatic productions as a means of legal education at the Chinese University of Hong Kong. Interviews with students after the fact help provide insight into the potential benefits and pitfalls of this innovative teaching method, which embraces rather than shy away from art.

With Jerome Organ’s *Missing Missions: Further Reflections on Institutional Pluralism (or its Absence)*, we inaugurate a new occasional feature, “Dialogue.” This feature gives scholars the opportunity to respond to research published in a recent issue of the *Journal of Legal Education*. Here, Organ discusses the fact that, at least by public appearances, many law schools appear to lack an articulated mission or vision whatsoever.

The issue finally concludes with four reviews of fascinating books. Ann Southworth’s *Lawyers of the Right: Professionalizing the Conservative Coalition* is reviewed by Laura Beth Nielsen and Jill Weinberg, and Steven Teles’s *The Rise of the Conservative Legal Movement: The Battle for the Control of the Law* is reviewed by Jacob Heilbrunn. These books are of interest not only to those who study social and legal movements, but to anyone curious about the role that prominent groups such as the Federalist Society have played in the politics of the federal judiciary. Next, Lucy Salyer reviews Ariela Gross’s *What Blood Won’t Tell: A History of Race on Trial in America*, an award-winning account of constructions of race in the United States through trials. Finally, Emily Kadens reviews James Brundage’s *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts*, highlighting the contributions of the book for all readers, not just historians.

As always, we hope that readers will find the issue both enjoyable and useful, and look forward to hearing your thoughts.

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