The so-called "tidelands" in fact constitute a three-mile strip of the sea bed below the low water mark.[9] The interests involved thus spring from relations between sovereign nations as sanctioned by international law. Mr. Bartley deals with the whole affair as a purely domestic problem in federalism.[10] Thus he bypasses a line of decisions, beginning at least as early as *Ware v. Hylton*,[11] to the effect that federalism ends where our international relations begin. Boldly assuming that this "external sovereignty" is free, not only of federalistic restraints, but of all other constitutional limitations as well, Mr. Bartley makes quite a parade of horribles.[12] But his assumption is not shared by the Court.[13]

Mr. Bartley stands on States' Rights with his head in the clouds. Indeed he is so far in the clouds that he can see as the economic interest at stake only "a few thousand barrels of petroleum."[14] Few will find hyperbole in this remark. Many may find the voice of a special pleader for the interests of a few states.

WALLACE MENDELSON†

LEGAL EDUCATION IN THE UNITED STATES. By Albert J. Harno. San Francisco: Bancroft-Whitney Co., 1953. Pp. v, 211. $3.50.

Legal Education in the United States is a survey history of the subject. Its opening chapter deals with our English legal heritage with particular reference to the common law and Blackstone in the field of substantive law, and to the Inns of Court and the apprenticeship system in the matter of legal instruction. This little book then passes on to the establishment of law professorships and the founding of the first law school, the Litchfield School, with its substitution of the lecture-textbook for the apprenticeship method of preparing for the practice of law. It concludes with the beneficial impact of the American Bar Association, the Association of American Law Schools, and the American Law Institute on legal education.

Much of the book is devoted to an appraisal of the case method of teaching law, innovated in 1870 by Christopher Columbus Langdell at the Harvard Law School, which has since become the prevailing method in our law schools. In connection therewith, it concerns itself with such problems as the quantity and quality of students, the financing of schools, large classes, prelegal education, the overcrowded curriculum, the inadequacy of preparation

9. P. 5.
10. Pp. 3, 281.
11. 3 Dall. 199 (U.S. 1796).
12. Pp. 275-6.
13. *See, e.g.*, United States v. Pink, 315 U.S. 203, 228 (1942).
14. P. 275.

†Professor of Political Science, University of Tennessee.

for the practice of law, part-time schools, practising law professors, legal research, law reviews, and professional ethics.

This book is a special pleading in defense of the case method. It needs it. The author believes he is persuasive because he cites law teachers who praise the case method. Such teachers would be great teachers no matter what technique they employed, even if we admit *arguendo* that their methodology is the conventional case method. Most of us are not great teachers, nor are our students embryonic great lawyers. For such mortals we require a teaching device which will effect the greatest good for the greatest number. There is no denying that the Langdellian case method has made a significant contribution, as compared with the earlier text-lecture method, to legal education. It is, however, inadequate for the practice of law. The authority for this declaration is the articulate voice of the many protesting practitioners.

The case method does not approximate the thinking of the practising lawyer when he is confronted by his client with a problem. It does not sufficiently encourage bibliographic research for comparative or contrasting cases. The student may never get to know the pertinent law of the jurisdiction where he intends to practice. The student is not afforded sufficient opportunity to integrate his prelegal social, moral, philosophical, and scientific training with that of the law. The case method makes us precedent worshippers, whereas reason and righteousness should be put at a premium. It is a wasteful process with the result that the student is deprived of time for the preparation of standard legal instruments, for the examination of a complete trial record, and for visits to actual trials in the courts. The reviewer believes that the self-explanatory problem method with appropriate bibliographies would serve the legal profession better in these respects and others than the case method.[1]

J. H. LANDMAN†

1. See LANDMAN, THE CASE METHOD OF STUDYING LAW—A CRITIQUE (1930); Landman, *The Problem Method of Studying Law*, 5 J. LEGAL EDUC. 500 (1953); Landman, *Anent the Case Method of Studying Law*, 4 N.Y.U.L. REV. 139 (1927).

†Professor of Tax Law, New York Law School.