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THE UNIVERSITY AND THE AIMS OF PROFESSIONAL EDUCATION

Terrance Sandalow

*The following presentation was introduced by Alfred S. Sussman,
Professor of Botany and Former Dean of the Horace H. Rackham
School of Graduate Studies.*

The graduate schools of elite American universities, Daniel Bell wrote not many years ago (though before "elite" had become a term of opprobrium), stand at the center of their parent institutions, a position from which they dominate not only American higher education but, increasingly, the intellectual life of the nation.¹ Michigan was, of course, high on Bell's list of elite universities, and it is, therefore, fitting that we mark the fiftieth anniversary of the establishment of its graduate school as an occasion worthy of celebration.

The existence of a center implies the existence of a periphery. If Rackham is at the center of the University, it seems fair to ask, who or what inhabits the periphery? Since the periphery is defined by its distance from the center, the most obvious candidates include the University's professional programs, which are generally beyond Rackham's purview. By this measure, the Law School is to be found at the outer edge of the periphery. Alone among the University's schools and colleges, it offers no program leading to a Rackham degree, and its faculty, unless they also hold an appointment in another school or college, are unique in not being recognized as members of the University's graduate faculty.

The outer edge of the periphery is not exactly a place of honor. My colleagues and I must console ourselves with the thought that our situation might be worse. We might be excluded from the University altogether. Thorsten Veblen, to mention but one prominent proponent of that position, once wrote that "a law school belongs in a modern university no more than a school of fencing or dancing."² Veblen's *bon mot* may seem to lack point in a university that awards degrees in dance and, if not in fencing, in football and basketball, but the question he answered, if not necessarily the answer he gave, deserves to be taken more seriously than it customarily has been. Not everything belongs in a university, not even everything that is socially useful. Why, then, should universities house programs for the training of lawyers--or, for that matter, for the training of accountants, nurses, engineers, social workers, pharmacists, and dentists, all of which (and more) Veblen would have excluded from the university?

A prominent academic to whom I recently put that question observed that the inclusion of professional programs in the university serves many ends. A requirement that its practitioners hold a university degree, especially a graduate degree, is generally thought to enhance a profession's prestige. It is also a useful barrier to entry, reducing competition among members of the profession and increasing their incomes. The university also benefits by bringing professional programs within its walls. Its budget is augmented, its influence in the society becomes more pervasive, and--in some circles at least--its prestige is enhanced as it is seen to be training young people for useful occupations. No one familiar with the history of higher education during the past century will doubt the part that each of these considerations has played in the decisions to locate professional education in universities, but however important they may be in explaining the decisions, they are not very satisfying as justifications for them. One searches, rather, for justifications that relate professional education to the university's central role, as a center of intellectual activity.

Veblen's conclusion, that law schools and other professional training programs have no place in the university, rested upon a precise, though narrow, conception of that role. The only proper function of the university, he maintained, is research, an activity that he defined as the search for knowledge that arises out of "idle curiosity" and is not "in the slightest degree" concerned with the practical effects of the knowledge sought. It followed for Veblen that not only professional, but also undergraduate education should be lodged in other institutions. Even graduate education, he argued, should be regarded as secondary to, an incident of, the university's true mission, justified only by the need to train the next generation of researchers.

Veblen's conception of the university is so at odds with the history of American higher education that it would be futile to attempt to breathe life into it. Since the latter part of the nineteenth century, when they began to emerge in a currently recognizable form, American universities have been shaped by competition among a number of rival beliefs about the ends to which they should be directed. In a useful study of the origins of the modern university, Laurence Veysey identified three that were especially significant in the early years.³ The continuing influence of each will be apparent to most observers. The first, stated by Veblen in its most extreme form, is that universities exist to foster research, especially what is now often called "pure research." The distinction between "pure" and "applied" research is, to put the point generously, not altogether clear, but those who believe that universities should devote themselves to the former seem to have two criteria in mind: first, that research should be driven less by perceptions of social utility than by the intrinsic intellectual interest of a subject, and, second, that it should have theoretical significance.

A second objective held out for universities was, to use Veysey's phrase, "a diffusion of the standards of cultivated taste," an objective that today we might more comfortably render--undoubtedly with some change of meaning--as "liberal education." Universities were (and are), on this view, held to have responsibility for cultivating the intellectual virtues and understanding of the world that their presidents presumably have in mind when, on commencement day, they welcome graduates to "the company of educated men and women."

Still a third objective, generally associated with the Morrill Act, but in no way limited to the universities that directly benefited from it, is that of "practical service" to society. The purpose of a university education, it was (and is) widely held, is to fit graduates for the practical affairs of life, especially by preparing them for socially useful occupations. So understood, a university education is responsive both to the economic needs of the nation and to the democratic ideal of "careers open to talents." Applied research, by increasing our mastery of nature and pointing the way toward the amelioration of social ills, offers analogous benefits.

It is tempting to identify each of the three objectives with a different component of the university--liberal education with the undergraduate program, research with the graduate school, and practical service with the professional schools. The reality is, however, more complex. Undergraduate education is not insensitive to the goals of liberal education and doubtless achieves some of them in some measure, but it is nonetheless true that the idea of liberal education is a more vital force in the discussion of undergraduate education than in its practice. A great deal of undergraduate education is explicitly professional, either directed immediately toward the training of professionals--as it is, illustratively, for nurses and engineers--or somewhat less directly aims at that goal--as in premedical programs. Although students in professional and preprofessional programs are commonly required to devote a portion of their undergraduate years to so-called "liberal arts" courses, the

requirements are insufficient to blunt the professional thrust of the programs. The idea of liberal education plays a larger role in undergraduate programs in the liberal arts, but even these do not display a deep commitment to it, for in a significant sense they too have become "professionalized." Typically, a student's program focuses upon a "major," a sequence of courses that, to the extent it achieves any coherence, is aimed primarily at preparation for graduate study in the same field. The consequence is a considerable sacrifice of the breadth of understanding associated with liberal education, an understanding for which that gained by satisfying "distribution requirements" is at best a pallid substitute.

In any event, the structure of the typical liberal arts program is not the only, nor necessarily the most important, reason for concluding that undergraduate education is not significantly informed by the idea of liberal education. The spirit of professionalism enters more pervasively in the way courses are conceived and taught. Since my own credentials might not qualify me to testify in support of that judgment, it seems prudent to call as a witness a scholar who undoubtedly would qualify. In an essay published nearly twenty-five years ago, Jacques Barzun wrote:

The reality is that the best colleges today are being invaded, not to say dispossessed, by the advance agents of the professions [among whom, the context makes clear, Professor Barzun meant to include faculty members in the arts and sciences] . . .

Consider the forces at work. First, it seems desirable to have the great scholar teach undergraduates, and he naturally teaches them as if they were future scholars in his own line, as professionals. . . . An even stronger influence is that of the young teachers, all Ph.D.'s who need to establish themselves. This they can do in only one way: by showing productivity in research. . . . Accordingly, these junior scholars decline to teach anything not related to their own specialties. As one of them said to me, they do not want to teach "secondhand subjects." Firsthand subjects are necessarily narrow, and what is worse, they are treated as if everyone in the class were to become a professional, a duplicate of his own teacher. . . . [The student] is not addressed as a person or a citizen, but only as that dreadful model of our age: the useful member of society who must be clothed in qualifications and armed with licenses to practice.

In short, both teachers and students are responding to the spirit of the times. They are impatient with everything that is not directed at the development of talent into competence.⁴

One need not suppose that Professor Barzun has accurately described all undergraduate teachers, nor indeed share all of his judgments, to appreciate that twenty-four years have not lessened the force of his point.

The temptation to identify research with the graduate school is more justifiable. It is, after all, because of its success in fostering research and because research has become the predominant concern of the nation's major universities that Professor Bell placed the graduate school at the center of those institutions. Nevertheless, Veblen would not be pleased. The research that accounts for this ascendancy is not the so-called "pure research" that arises out of "idle curiosity," but research driven by intensely practical concerns. In this sense, research too has become professionalized.

Differences among the disciplines must, of course, be recognized. Explicit concern with the practical importance of problems probably plays a larger role in determining the research agenda of most professional schools than it does in determining that of most departments in the arts and sciences, a larger role in some sciences than in others, and a

larger role in the sciences taken collectively than in humanities departments. Yet, even the latter, despite the illusions they at times seek to foster, cannot sensibly be regarded as the last redoubt against a rising tide of professionalism within the university. Thus, to the extent that the research of their faculty members is self-consciously political, it too aims less at "knowledge for its own sake" than at a kind of practical service to the community.

My purpose, however, is not to deny that intellectual interest accounts for some, perhaps much, research within the university, nor to claim that all university research is directed solely toward the achievement of some tangible benefit for society. "Intellectual interest" and "practical service" are not, after all, mutually exclusive categories. The relationships between the two ideas are complex, and an elucidation of those relationships, which would require a paper of its own, is not central to my point. What is central is an awareness that universities have become the research arm of the society and that their faculty members are as a consequence engaged in the work of the world in much the same way as are the members of other professions. As Daniel Bell put it:

The university today, whether public or private, has come to be a quasi-public institution in which the needs of public service, as defined by the role of the research endeavor (whether initiated by the government or by the faculties), becomes paramount in the activities of the university.⁵

As the importance of research within the university has increased, other indicia of professionalism have also appeared, most significantly the specialization of knowledge and of the means by which it is acquired. The burden of acquiring and maintaining competence becomes increasingly heavy as the volume of research grows and research techniques become increasingly sophisticated. Disciplines thus divide into subdisciplines and subdisciplines into fields. A special language may then develop, perhaps useful for those who work within the field, but reducing its accessibility to others. As work within a field proceeds, adepts may even lose interest in how it is regarded by "outsiders," asserting--as professionals so often do--that only others within the same field are competent to judge their work.⁶

We come round in this way to Professor Barzun's concerns about the professionalization of undergraduate education. Graduate programs, especially those leading to a Ph.D., quite naturally reflect the faculty's understanding of what it means to be competent within a discipline, an understanding that over the years has increasingly emphasized technical proficiency over breadth of intellectual perspective. Quite naturally, too, those who pass through the programs transmute this understanding of competence within the discipline into an understanding of the discipline, and it is that understanding of the discipline which they bring to their undergraduate courses. A decade ago, in the course of another Rackham-sponsored conference, Gregory Vlastos lamented the narrowness of graduate education, especially because of its consequences for undergraduate education. "For the production of specialists who could reproduce their kind," he wrote, "our leading graduate schools are now probably unsurpassed anywhere in the world. But," he went on, "for the production of teachers of undergraduates our graduate instruction is a failure." As Vlastos described the intellectual deficiencies of the students emerging from these programs --"little history, less of political or social sciences, perhaps not even a single substantial course in English or European literature"--one might be forgiven for thinking that he was discussing the education of engineers. What is striking is that his subject was graduate education in the humanities.⁷

My earlier suggestion that professional education is at the periphery of the university may, therefore, require revision. If the entire university has become professionalized, professional education may perhaps claim a place at the center, not necessarily displacing the graduate school but equal to it in dignity and importance because not fundamentally different from it in aim. A conception of the university that places professional education at its center is less novel than some may suppose. Preparation for the professions—at least the learned professions of law, theology, and medicine—was the *raison d'être* of the medieval university. An expansion of the university's program to encompass preparation for other professions is a natural, if not necessarily inevitable, consequence of the increased knowledge and technical sophistication now required to practice those professions.

My objective in emphasizing the professionalization of the university is less to enhance the status of professional education than to lay the foundation for a more important claim: to discuss professional education at the graduate level is also to discuss what are generally called academic programs at the graduate level, not only Ph.D. programs in the professional schools but graduate programs in the arts and sciences as well. At this point in our history, the critical issues confronting academic programs and those confronting professional education are remarkably similar, perhaps—at an appropriate level of generality—identical.

The central issue that each faces is how to define the aims of graduate education. Or, to put what I regard as the same question in quite different terms, how should we think of students as they pass through one or another program. Most people are unlikely to consider the question very difficult or very interesting on either formulation. The common response is likely to be that we should think of our students as future practitioners in their fields. The appropriate objective of graduate education, it seems to follow, is to produce competent—or better yet, outstanding—lawyers, economists, historians, pharmacologists, or whatever. That goal, as I shall argue presently, tells us very little about the desirable content of professional education. The difficult questions are what it means to be a good professional—a term that I now use to include academics—and how universities can best contribute to their students becoming such.

Initially, however, I want to maintain that that goal, however understood, is seriously incomplete. To think of our students solely as future practitioners is to think of them only as instruments to be shaped in accordance with someone's conception of how they can best serve their future patients or clients or someone's conception of social utility. Students are not merely instruments, however. They are themselves an important end of the educational process. The proper object of a graduate education, as of any other education worthy of the name, is to enlarge their capacity to realize their human potential as that is understood in our culture. It should aim not merely to equip students for the eight or ten or twelve hours a day in which they will be performing in professional roles, but to assist them in developing character traits, intellectual skills, and an understanding of the world that will enrich their lives and enhance their capacity to act as moral beings. A good graduate education is in this sense a continuation of a liberal education.

In saying this, I do not mean to suggest that medical and engineering schools or departments of biology and classics must seek to develop their students' appreciation of art and music, important as that may be to the full development of the human spirit. Nor need physics students be required to acquire an understanding of legal institutions or law students an understanding of cosmology or quantum mechanics, however desirable it may be for educated men and women to have some comprehension of both. Education at the graduate level is, appropriately, specialized. But each of the fields of graduate specialization—at least each that belongs in a university—offers opportunities for cultivating intellectual

skills and virtues whose importance is not confined to professional activity, skills and virtues that are integral to our idea of what it means to be not merely a sociologist or teacher or chemist but an educated person. And each also offers, to employ a phrase that Francis Allen once used to describe the intellectual opportunities offered by the study of law, "a path to the world."⁸ Graduate education must, of course, equip students to traverse the path, but in doing so it must take care to remember that the world, not the path, is the object of their studies.

To flesh out these very general ideas, I propose, by way of illustration, to consider briefly the ways in which legal education, properly conceived, can contribute to liberal education. The discussion will, I hope, also serve as a response to the question that I posed early on, why legal education should take place in universities. Although one would not discuss other professional programs or academic disciplines, especially in the natural sciences, in precisely the same terms, I think that something very much like what I shall have to say about legal education can be said of other graduate programs and that justification for their being lodged in a university must occur along similar lines.

Laymen, including beginning law students, often suppose that the object of legal education is to acquaint prospective lawyers with a body of rules that constitute "the law." Students are quickly disabused of that notion, if for no other reason than that, as they learn, there are too many rules and the rules change too rapidly to make the effort worthwhile. Alumni can often be heard to say, therefore, that legal education makes its most important contribution in teaching students to "think like lawyers." Rightly understood, however, the skills that they identify with "thinking like a lawyer" are not merely professional techniques useful in the office or courtroom, but intellectual capacities that are of pervasive importance in life. Thus, the ability to identify and articulate the premises of an argument, to reason in an orderly fashion from those premises, and to form and test suitable hypotheses for synthesis are not only craft tools, but capacities of mind essential to understanding the world around us and to undertaking intelligent activity within that world. Similarly, the ability to draw meaning from the printed word and to understand the possibilities and uses of fixity, vagueness, ambiguity, and change in language is not simply a professional necessity. It is indispensable to participation in a community of thought that extends beyond very narrow boundaries of space and time.

Let me pause for a moment on the last point. Determining how a text should be understood is a central problem of the law, so central that a legal education that fails to grapple with the issues it poses is quite inconceivable. Interpretation is not, however, a problem that lawyers alone confront. It has long been recognized as presenting issues of similar importance in other disciplines--e.g., theology, history, music, and literature--and more recently has come to be regarded as a central problem of social life. In studying the interpretive problems and traditions of the law, law students thus open a door onto a much wider world. The obverse is equally true. An appreciation of the interpretive problems and traditions of other disciplines deepens understanding of law. As my colleague James Boyd White has for some years been demonstrating in discussing law and literature, the point is not that the interpretive traditions of other disciplines offer a technology that will somehow unlock the meaning of legal texts, but that in attending to those traditions "we can come to see and understand more fully what we do when we read and speak in the law . . . in part by drawing our attention to the activity of language use itself, of which law and literature are related versions."⁹

Several years ago, a prominent lawyer responded to somewhat similar remarks by one of my colleagues by saying that "the Law School ought not to admit students who don't know how to read." That comment reflects a serious misconception. The ability to read,

like the other skills I have mentioned, is not a competence that we either have or do not have, in the way that we either have or do not have a baccalaureate. Abilities such as these are the product of a continuous struggle to wrest meaning from disorder. They are developed and maintained only by continually undertaking activities that require their use. Skill in reading and in analysis and synthesis is broadened and deepened as it comes into contact with new subject matter. Similarly, knowledge of a subject, except at a very superficial level, depends upon its having been acquired through these tools of critical inquiry.

The same might be said of a number of intellectual qualities that we normally refer to as virtues rather than as skills. A traditional aim of education is to strengthen the abilities of students to avoid common hazards to clear thought, such hazards as self-interest, provincialism of time and place, sentimentality, the inability to tolerate uncertainty, and overdependence on familiar categories of thought. The development of these virtues is commonly associated with liberal education, but it is not for that reason a less appropriate goal of graduate education, however specialized the latter may be. To understand a discipline is to have a command of its subject matter and its methods that can be achieved only through the practice of the intellectual virtues. And the latter, in turn, can be acquired and maintained only by engaging in activities that call for their use.

Understanding a discipline, to put the point a bit differently, entails not only the ability to work with its regnant concepts, but also the ability to work free of them.¹⁰ Students are more likely to acquire that understanding if they know something about theories of knowledge, about how, for example, concepts organize and influence the selection of data and about how the conceptual lens through which we apprehend the world may affect perception. Some attention to epistemology is, therefore, an important element of graduate education. Of at least equal importance is an appreciation of alternative ways of conceptualizing that fragment of the world with which a discipline is concerned. Just how that appreciation is to be developed will differ somewhat from discipline to discipline. Even within a single discipline, many avenues are available. In law, the comparative study of legal systems offers an obvious means of acquainting students with alternatives to familiar concepts. The study of legal history affords similar opportunities for standing outside the familiar and thereby gaining a perspective on it. So too does an exploration of the increasingly powerful critique that, in law as in other disciplines, has been mounted by feminist theorists. I do not mean to suggest that any one of these areas of inquiry is an indispensable element of legal education, though each doubtless contributes to an enlarged understanding of law and that part of life touched by law. For my present purpose, their importance lies elsewhere, not in their particulars but in the opportunities they offer to acquaint students with the many ways in which life and law can be understood and in their tendency to enhance the capacity of students to think seriously about those possibilities. To the extent that legal education avails itself of these opportunities, it not only deepens the students' understanding of law, but assists them in developing virtues whose significance extends well beyond the performance of professional tasks.

Although graduate programs thus share responsibility with undergraduate education for cultivating intellectual skills and virtues that are the common property of educated men and women, they also have distinctive obligations. Graduate education is disciplinary education. It seeks to acquaint students with a subject matter and methods that will enable them to undertake independent work within their disciplines. But specialized education need not be narrowly professional. It may also address students at a more fundamental level. The difference between addressing students only as professionals and addressing them at that more fundamental level lies in the questions they are led to consider, whether

the questions are those of a discipline that has turned inward upon itself or whether they reach outward toward an understanding of the world.

Law, for example, can be studied solely with a view to learning how to perform the tasks that engage lawyers professionally. Presumably that is how it was studied during most of our history, when lawyers qualified by serving an apprenticeship, and how it is still studied in some law schools. But law is not only a professional activity. It is also a central feature of the social order, one that touches large areas of life directly and that in some respects may be said to affect all. The issues with which it deals and the ways in which it deals with them are expressions of the ideas, values, and tensions that are to be found in the society that law helps to order. One may study law, therefore, for the same reason that one studies poetry or anthropology, as a means of acquiring a better understanding of the human condition.

From this perspective, legal arguments are to be seen not merely as moves in a game, as they may come to be viewed if the study of law is regarded solely as preparation for professional activity. Alternative and opposing arguments are to be seen, rather, as ways of exposing the full complexity of the issues they address, drawing attention to the varying ways in which human behavior can be understood and to the full range of values relevant to a judgment about the manner in which law should address the issues.

To see the study of law from this perspective is also to recognize why it cannot be carried on in isolation from other areas of academic inquiry. Many of the issues that law confronts have been investigated by scholars in other disciplines. If the object of a legal education is to enlarge understanding of law--both of its internal operations and of the ways that it can, does, and should influence life--students of law will necessarily look to those disciplines for whatever help they may offer. If economics generates plausible hypotheses about the inner dynamics of law or the competitive consequences of vertical integration, learning about them is appropriately part of an education in law. If techniques of empirical investigation employed by social scientists may be used to shed light on the efficacy of legal sanctions or the consequences of racially segregated schools, it is difficult to see how they can be ignored in the study of law. My point is not that law is reducible to the concepts of other disciplines, nor that other disciplines furnish answers that law may simply import. It is, rather, that in law, as in other areas of inquiry, the search for understanding ought not to be impeded by disciplinary boundaries. What is required is a conversation among disciplines, a conversation in which students must learn to participate if their education aims at knowledge and not merely at equipping them to perform the familiar tasks of the profession.

There is yet another reason to draw upon other disciplines in the study of law. Burke's aphorism, that "the study of law sharpens the mind by narrowing it," is also true, as the modern university seems intent upon demonstrating, of every other discipline. As John Stuart Mill wrote more than a century ago,

Experience proves that there is no one study or pursuit which, practiced to the exclusion of all others, does not narrow and pervert the mind; breeding in it a class of prejudice special to that pursuit, besides a general prejudice, common to all narrow specialties, against large views, from an incapacity to take in and appreciate the grounds of them.¹¹

The obvious safeguard against this narrowing of mind is to acquaint students with the perspectives of other disciplines, so that they may acquire an enlarged view of their field of specialization and of the world of which it is a part.

I have been considering ways in which legal education--and, by implication, other areas of graduate study--might address students not merely as future professionals but as men and women, individuals whose education is itself a valuable end. Graduate education is, however, also concerned with preparing its graduates to undertake the work of the world, i.e., to be professionals. We need classicists who can extend our knowledge of the ancient world, clinical psychologists who can address the pathologies of the mind, and perhaps even lawyers. In many, perhaps most, programs the burden of bringing students to a level of professional competence within the time available presses heavily even now. If graduate study is to be contained within any reasonable period, which probably means that it may not be lengthened at all, how is room to be made in the programs for intellectual perspectives that are now omitted? Very likely, there is no general answer to that question, but a number of issues common to all programs can be identified, and I want to touch briefly upon them in closing.

If the experience of law schools is a guide, those who doubt the wisdom of expanding the intellectual content of graduate education beyond its traditional disciplinary base may be expected to contend that liberal education is the task of the undergraduate years. So far as a grounding in other disciplines is important to a student's field of graduate specialization, the argument continues, it should be acquired in college so that graduate study may concentrate on the task of developing disciplinary or professional competence. It is, perhaps, a sufficient response that students generally do not acquire that grounding in the course of their undergraduate education, but the argument fails, in my view, for another and more central reason.

The intellectual skills and virtues at which education aims are not, as I suggested earlier, merely brought to graduate study. They are developed as it proceeds, through a process that is intrinsic to acquiring an understanding of a discipline. Similarly, the knowledge of other disciplines that graduate students require is not merely knowledge that can be brought to their field of specialization, but knowledge that enters into their understanding of that field, informing both the questions that they ask and the way in which they go about addressing those questions. The understanding of economics that law students require, to take but one example, is not the knowledge acquired in intermediate or even advanced courses in price theory. It is an understanding of the uses and limits of economic analysis in thinking about legal issues, an understanding that deepens as their understanding of law increases. An understanding of that kind can be developed only by exploring, in a variety of settings, the ways in which the methods and concepts of economics may be used in thinking about law.

Of course, students who have been broadly educated as undergraduates, who have acquired some understanding of the different ways of knowing characteristic of different disciplines and who have some knowledge of the concepts employed in different disciplines, will be better equipped than those more narrowly educated to pursue a graduate education informed by liberal values. Broadening the intellectual content of graduate education is, therefore, likely to exert pressure for a similar reform of undergraduate education, a nice bonus for those of us who think that such a reform would be independently desirable. The implications of the reform for graduate education, however, would not be to relieve the latter from the "burden" of considering the uses and limits of other disciplines, but to enable students to address those issues at a more sophisticated level.

Doubts about the wisdom of broadening the intellectual content of graduate education center upon the question whether it is consistent with bringing students to a level of professional competence within the discipline.¹² Beneath the doubts, however, lie two premises that are rarely articulated, one that concerns the meaning of competence and a

second that concerns the relationship of graduate study to the achievement of professional competence. Practicing members of the professions typically have in mind a notion of competence that equates it with the ability to perform the tasks that they are most immediately conscious of performing. The second premise, that graduate education should aim at professional competence, then quickly leads them to the conclusion that professional programs should train students to perform those tasks. It would be gratifying to suppose that academics have a more sophisticated understanding of competence and of the role of graduate study in producing it, but before congratulating ourselves we might first ponder the implications of Gregory Vlastos's judgment, quoted earlier, that the leading graduate schools mainly succeed in the "production of specialists who could reproduce their kind."

Both premises oversimplify very difficult problems. Professional competence is a more protean concept than is customarily assumed by those who invoke it. Competence is the ability to perform a task, not a definition of the tasks to be performed. Until the tasks are specified, the idea of professional competence is empty. It is, in part, for that reason, as I suggested earlier, that a conception of graduate education that emphasizes the objective of professional competence tells us very little about the desirable content of graduate education. Even if one assumes that conception, the appropriate content of the educational program depends upon what it means to be a good professional. Most physicians, I suspect, would define professional competence in terms of the diagnosis and treatment of disease, a conception of professional responsibility that has important implications for medical education. If the professional responsibility of physicians were thought to include the prevention of disease, medical education would, presumably, have a content very different from that which it would have under the former conception. I have no view about which conception of the physician's role is preferable, but I do want to insist that a choice between the two must be defended. It cannot simply rest upon assumptions grounded in nothing more than conventional practice.

In this light, doubts about whether time constraints permit a broadening of the intellectual content of graduate education may be seen to rest upon a generally undefended assumption about professional competence, specifically, that it consists of the skills and knowledge associated with the discipline as it is now understood. The tasks of the professions and the subject matter of the disciplines are, however, more fluid than such an assumption recognizes. Within my own professional lifetime, to take but one example, the subject matter of even so ancient a discipline as history has significantly expanded. One reason for broadening the intellectual content of graduate study is, precisely, to permit a continuing examination of the disciplines that makes such changes possible. Thus, it is at least possible to imagine that economists might take a quite different view of their field--and, accordingly, of what it means to be competent within that field--if they spent some time examining it from the perspectives suggested by other disciplines.

Most graduate students will, of course, not be engaged in producing seismic changes. Their work will consist of what Thomas Kuhn called "ordinary science."¹³ But as I attempted to convey in discussing the ways in which the study of law might be approached as a continuation of a liberal education, the skills and knowledge that such a program aims to develop are not merely an intellectual adornment. Their object is a deeper understanding of the discipline and, therefore, a more competent performance of professional tasks. The point I wish to make is suggested by the comment of a wag who said that history should be studied so that one can refute false historical analogies. The point of that witticism, as I understand it, is that all of us have an accumulated fund of ideas, many of them false. False or not, they are likely to enter into our work. Lawyers will develop arguments that, whether they know it or not, rest on economic models. Historians will write history that, consciously

or not, embodies theories of social behavior. Sociologists will develop theories of social control that, knowingly or ignorantly, rest upon assumptions about the legal system. If I am right in suggesting that work in a discipline, if not inevitably, at least often, rests upon ideas about the subject matter of other disciplines, we had best do what we can to increase the likelihood that our students will have access to better rather than worse ideas.

Fashioning educational programs that are responsive to these goals is a formidable task, so formidable that we may be deterred from even making the effort. It may help to acknowledge that, as goals, they are unlikely ever to be reached by any graduate program. We are all aware that it is the work of a lifetime to achieve a level of professional competence equal to our aspirations, let alone to become an educated person. The question, then, is how we can best assist our students to move toward those goals. That question poses a classic economic problem, how a limited resource--in this case, the time of our students--can most efficiently be employed. Since the problem is an economic one, I want to suggest that there are two economic concepts that are useful in thinking about it.

The first is the concept of comparative advantage, which I think needs to be taken more seriously than it has been in professional programs. The tendency of professional programs to accept the premise that they should equip their students for the professions has led them to devote time to developing skills that are currently understood to be professionally important. Law schools, for example, have in recent years devoted a not inconsiderable portion of their resources to training students in the arts of trial advocacy and negotiation, both of which we may assume to be important in the practice of law. Yet neither the importance of a skill in practice nor even the judgment that the skill can be better acquired in an academic institution than in practice justifies a conclusion that professional programs should expend limited resources on its development. Because resources are limited, they should be directed toward educational objectives with respect to which universities have a comparative advantage. One needs to know whether, taking account of the other settings in which a particular skill might be developed (e.g., in practice or in continuing education programs), student time might better be devoted to gaining knowledge and capacities, also important to professionals, that are less likely to be acquired outside an academic setting. It seems plausible to suppose that the comparative advantage of university-based professional programs generally lies in their ability to educate students broadly, not in assisting them to acquire the practical arts of a profession.

The other principle to which greater attention might usefully be given is that in deciding among the uses to which a limited resource should be devoted, inquiry should be directed toward a comparison of gains at the margin. The marginal gain associated with the study of even the most central elements of a discipline may well be less than the increment produced by devoting some part of a student's program to intellectual perspectives that bear upon, but are not central to, the discipline. In the study of classical literature, for example, knowledge of Latin and Greek is presumably of central importance. It does not follow, however, that all of a student's time should be directed to perfecting a knowledge of those difficult languages. Once a certain level of proficiency has been reached, the gain from devoting time to enhanced mastery of language--even if measured only by the student's ability to think intelligently about classical texts--will be less than that which would flow devoting that time to, say, modern critical theory or the interpretive traditions associated with English literature.

Of course, efficiency principles alone cannot determine whether graduate programs should be reformed along the lines I have suggested. My purpose in invoking them is only to suggest that possibilities exist for breaking free of the perceived constraints that now play so important a role in shaping the programs. In the end, however, the question is whether

we wish to break free of those constraints. One way to answer that question is to ask a slightly different version of the one that I asked at the outset. If the aims of graduate education are not those that I have suggested--if they are, rather, only to equip students to perform the familiar tasks of a profession--why should lawyers, dentists, and social workers --or, for that matter, chemists and classicists--be trained in a university rather than in separate technical institutes, each directed toward its own area of specialization?

NOTES

1. Daniel Bell, *The Reforming of General Education* (New York, 1966), 88-110.
2. Thorstein Veblen, *The Higher Learning in America* (New York, 1918), 155.
3. Laurence R. Veyssey, *The Emergence of the American University* (Chicago, 1965).
4. Jacques Barzun, "College to University--and After," *The American Scholar*, 33, No. 2 (Spring 1964): 212-20.
5. Bell, *The Reforming of General Education*, 89.
6. A personal experience usefully illustrates the point. Some years ago, as a member of the executive committee of the Institute for Social Research, I participated in a discussion of the means by which the quality of its programs might be assessed. I suggested that any panel conducting an assessment include a number of persons from related disciplines who might, from varying perspectives, be able to comment upon the significance of a research program as well as the technical proficiency of the research. A program director, a man of considerable scholarly reputation earned in a narrow corner of one of the social sciences, responded that he didn't care what people from other disciplines thought of his research; indeed, he did not even care what those in other subspecialties in his own discipline thought of it. Only those engaged in research similar to his were fully competent to judge what he was doing.
7. Gregory Vlastos, "Graduate Education in the Humanities," *The Philosophy and Future of Graduate Education*, ed. W. K. Frankena (Ann Arbor, 1978), 64, 73 ff.
8. Francis Allen, "The Law as a Path to the World," *Michigan Law Review*, 77 (1978): 157.
9. James Boyd White, "Law and Literature: No Manifesto," *Mercer Law Review*, 39 (1988): 739, 741.
10. Some years ago, as a new dean struggling to understand the Law School's system of accounts, I asked the school's bookkeeper why some expenditures were charged to an account labelled "special activities" and not to our general fund current account. She patiently explained that the former account was for activities that are special and then began to show me the previous year's receipts, saying--as she turned each one over--"See, this was for a special activity." No doubt, this is an extreme example, but it nicely underscores my point. Although her allocation of charges may faithfully have followed a longstanding practice, the bookkeeper plainly lacked an understanding of the activity in which she was engaged. At the most elementary level, she had no theory to explain why expenses were to be charged to one or another account. Nor, surely, did she understand that accounts might be organized in a variety of different ways, depending upon the purpose to be served. The accounting categories with which she was familiar were, for her, rooted in the nature of the universe. Perhaps for that reason, shortly after I reorganized the accounts to provide information that was inaccessible under the old system, she announced her decision to take early retirement.
11. John Stuart Mill, *Inaugural Address, Delivered to the University of St. Andrews* (Boston, 1867), 7.
12. The risk of dilettantism is also likely to be cited. The nature of that risk and ways in which it can be mitigated deserve fuller exploration than I can undertake here. It seems worth noting, however, that the fear of dilettantism reveals a good deal about contemporary attitudes toward the appropriate ends of graduate study. A "dilettante" is an "amateur," both words that we have come to associate with superficiality. But "amateur" is rooted in the Latin word *amare*, to love, and "dilettante" is etymologically related to our word "delight," suggesting that the mildly pejorative connotation that those words have acquired has come at a cost.
13. Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago, 1962).