

CHRISTOPHER LANGDELL: THE CASE OF AN ‘ABOMINATION’ IN TEACHING PRACTICE

by Bruce A. Kimball



When he died, almost a century ago, Christopher Columbus Langdell was proclaimed in the public press as “the greatest teacher...that this country has ever produced”¹ and “one of the most widely known instructors and authors of...text-books in the English-speaking world.”² Indeed, Langdell (1826-1906) is arguably the most influential teacher in the history of professional education in the United States.

While serving as dean of Harvard Law School (HLS) from 1870 to 1895, Langdell introduced significant reforms that have become the central characteristics of university professional schools in the United States. In the 1870s, when admission to any school of law, medicine, or any profession required, at most, a high school diploma, he introduced the requirement of a bachelor’s degree. At a time when the curriculum of all these professional schools consisted of a yearlong cycle of introductory level courses, he established the tiered, multi-year curriculum with sequences of introductory courses followed by advanced courses. It was Langdell who initiated written examinations for continuation and graduation in professional education. And it was Langdell who established the

Bruce A. Kimball studied rhetoric at Dartmouth College and earned an M.Div. and Ed.D. from Harvard University, specializing in history and higher education. He has held teaching and decanal appointments at Dartmouth, Harvard, University of Houston, Yale University, and the University of Rochester, where he is now a professor in the higher education program. His research addresses the history of undergraduate education, professions, and professional education.

professoriate as a full-time, salaried career in professional education, displacing the arrangement whereby professional school faculties comprised practitioners who taught part-time and supplemented their income by collecting fees directly from the students. In addition, Langdell pioneered the transformation of the professional school library from a textbook repository into a scholarly resource for students and faculty.

These innovations alone would put Langdell in the front rank of reformers of professional education in the United States. But the innova-

tion for which Langdell is best known concerns his teaching. He was the originator of case method: the inductive method of teaching by asking students questions about specific cases.

In his course on contracts in the fall of 1870, Langdell introduced both the case method and the first casebook.

In his course on contracts in the fall of 1870, Langdell introduced both the method and the first casebook.³ Initially regarded as an “abomination” by his students, his faculty colleagues, and the alumni,⁴ the case method was gradually

adopted over the next two decades by the rest of the HLS faculty. Despite intense opposition, this inductive teaching method began to spread to other law schools in the 1890s. By 1920 it prevailed at nearly all university law schools in the United States and subsequently proliferated throughout the rest of legal education.⁵

Meanwhile, case method teaching was borrowed by the fledgling Harvard Business School during the 1910s, when the new Harvard president, A.L. Lowell, and the new business school dean, Wallace Donham—both HLS graduates who had studied under Langdell—decided that adopting case method teaching from the law school was the best way to legitimate the suspect field of teaching business.⁶ During the 1920s, Harvard Business School modified the method to suit a less rule-bound field but preserved the essential inductive and interlocutory characteristics of Langdell’s case method.

From Harvard Business School, case method teaching proliferated throughout much of business education, as well as many other professional fields, over the next six decades. By the end of the 20th century, case method teaching had been extended so far and borrowed so frequently that its roots were often forgotten. Harvard Medical School attributed the origins to Harvard Business School, when it began to champion the derivative problem method of teaching.⁷ Stanford Law School did the same on its Web site in the 1990s, perhaps reluctant to credit a compet-

ing institution. But the inductive method of teaching by asking students questions about their inferences from specific cases—in law, business, medicine, and other fields—begins with Langdell. No biography of Langdell has been written, and this essay briefly recounts the story of how this professor overcame daunting obstacles and determined opposition to establish a new way of teaching that inspired students by requiring them to take responsibility for their learning.

Langdell was not considered “a Gentleman” by most of his Harvard colleagues or the leaders of the bench and bar.⁸ He was born in March, 1826, on a hardscrabble farm in the hilly town of New Boston, New Hampshire, 10 miles west of Manchester. When he was about eight-years-old, the farm failed and his mother and two brothers died. Apparently defeated by these tragedies, his father became a recluse and sent Christopher and his two sisters to live with neighbors

Langdell established a new way of teaching that inspired students by requiring them to take responsibility for their learning.

and relatives. Nevertheless, the boy conceived the idea to get a college education and become a lawyer, so he attended the local common schools and, to save money, worked in the mills of Manchester and taught school. At the relatively late age of 18, he was admitted to Phillips Exeter Academy to prepare for college. But, due to his deficient schooling, the Academy denied him a scholarship. Holding the letter from Exeter, he sat on the steps of the church in the center of the town and wept.⁹

Fortunately, his older sister offered to help, and by combining her aid with work as a janitor and living like a pauper, Christopher paid tuition, made it through the first year, and then received a scholarship. In 1848, at the advanced age of twenty-one, he completed Exeter with honors and matriculated at Harvard College. Despite a great effort to stitch together enough financial support, his funds ran out after a year and, though at the top of his class academically, he had to drop out in November 1849.

For two years, he taught school, did odd jobs, and helped out in a lawyer’s office. By 1851, time was running out to begin his career, so Langdell entered Harvard Law School, which admitted any young man with a high school diploma and a letter attesting to his character. Having only 20 dollars in his pocket when he arrived, Langdell slept on a friend’s couch, scrimped on food, and studied until late at night, on weekends, and on holidays.¹⁰ His deprivations and single-mindedness were well known to all at HLS and to others in Harvard College, such as his young

acquaintance, Charles W. Eliot. Only the award of the first research assistantship given at the law school allowed him to continue.

In theory, the law course was 18 months; but nearly everyone was accorded some advanced standing and earned the degree in two, 20-week terms. "Earned" is misleading here. There were no exams, and attendance was neither taken nor required. The two standard methods of teaching at HLS, as at professional schools and liberal arts colleges throughout the country, were the lecture and the text-book or recitation method. The former was, of course, a verbal exposition transmitting a subject to the students. The latter consisted of a "catechetical analysis" in which the professor quizzed the students on their acquisition of material that had been assigned and read in a textbook before coming to class.¹¹ More important than the formal classes to Langdell were the moot courts and discussions with fellow students about legal questions and hypothetical cases. One of his classmates later recalled:

There were about a dozen of us who took our hash together at a boarding house on Brighton Street, and of these Langdell was the presiding genius. At table, nothing was talked but shop. Cases were put and discussed, and I have sometimes thought that from these table discussions Langdell got the germ of the idea that he later developed into the case system of instruction which has made his name famous both here and abroad.¹²



In December, 1854, after three-and-a-half years, Langdell left HLS with an LL.B. and an honorary M.A. from Harvard College. For the next 15 years, he practiced law in New York City and earned a reputation as an extremely erudite, hardworking, and thorough attorney, who successfully handled some prominent cases. But he was neither famous nor considered a leader in the profession. When the new president of Harvard, Charles W. Eliot, chose him in 1870 to be one of the three professors and then dean of HLS, the appointment was a surprise to all.

The personal qualities for which Langdell was known throughout his career as a professor shed light on the attributes of one kind of great and influential teacher. It is sometimes thought that such teachers must be spellbinders, who attract students by their magnetic personality, their wit, or their insight into students' lives. But this was not Langdell. He was regarded from his youth as being "slow in speech," shy, and reticent, even

"hesitant in manner."¹³ He did not seek or enjoy attention. When asked to supply references be considered for the professorship on the HLS faculty, Langdell refused to do so, and Eliot had to gather the references himself. When asked to meet and have dinner with members of the Harvard governing boards who were to vote on his appointment, Langdell again refused. During his tenure at Harvard, he did virtually nothing to promote or defend case method or any other innovation.¹⁴ He simply let his actions and reforms speak for themselves.

Nevertheless, he was highly approachable, partly due to his "rustic manners" that evidently never improved after his untutored youth.¹⁵ He was not "a gentleman" and cared not who was. He seemed largely oblivious to social status or embarrassment. His iconoclastic nature likely contributed to resistance by students, faculty, and alumni to his innovations and reforms. The unconventional pedagogy seemed to extend from his lack of social graces. But, ultimately, this characteristic allowed Langdell to persist in his innovations when others might have yielded to social pressure or stigma.

Coupled with that iconoclasm was remarkable tenacity and forthrightness. Time and again, he faced hurdles that seemed insurmountable: the death of his mother and brothers; the break up of his family; the lack of funds at Exeter, at college, and at law school; and the ridicule of his academic innovations. But with remarkable determination and hard

During his tenure at Harvard, Langdell did virtually nothing to promote or defend case method or any other innovation.

work, he persevered. This personal characteristic evident in his own life was carried over into his teaching and his academic reforms. One of the students in his early case method classes later observed,

His mind recoiled from temporizing or avoiding the real issue. He sought only the true solution, and when he had arrived at a conclusion, he adhered to it tenaciously, even in the face of apparent pecuniary loss to the School or severe condemnation for himself....Any error on his part he

was always quick to acknowledge, for...his earnest endeavor was to lead his pupils to be as unerring as possible in their search for the truth...“That man never deceives himself. He cannot. His mind is absolutely honest,” was a comment made during 1870-71. It was these qualities which in a large way led to his success.¹⁶

‘His earnest endeavor was to lead his pupils to be as unerring as possible in their search for truth.’

Similarly, his leading student and successor as dean, James Barr Ames, wrote, “He was extremely modest, but extremely tenacious of his convictions. This not from any pride of

opinion, but because any one who would change his convictions, formed after painstaking examination and much reflection, must plough deeper than he had gone, and, by a wider generalization, expose the error of these convictions. Once convinced of error, no one was readier to admit it.”¹⁷

Above all, Langdell was known for his single-minded devotion to his subject. During his brief time at college, when a municipal event in Boston led Harvard to cancel classes for the day and thousands to gather on the Boston Common to celebrate, Langdell did not join the festivities. Later asked why, he said simply, “I preferred to study.” At Law School, he was known for sleeping in a room above the library so he could study night and day.¹⁸ This disposition naturally made him the object of jokes, particularly during an age when “scholastic rank...carried no prestige.”¹⁹ But the jokes never led to ridicule. In fact, his academic interest even earned him admiration, apparently because the devotion was so genuine and because he was willing to share his knowledge and to help anyone who needed it.

Over the course of the 20th century, it became increasingly popular to depreciate Langdell’s introduction of case method teaching. This impetus was due to a revisionist desire to detract from the “heroes” of the past and to a neglect of the original sources concerning Langdell’s work in the

1870s and 1880s.²⁰ Recent research into previously unexamined archives is now substantiating the accounts of his teaching by his early students, such as the following:

[Langdell] ascended the platform...and opened the course with a brief statement of the nature of a contract. Then he called upon some student to state...the first case in his collection of cases...His dominant purpose seemed to be to bring out not only the decision of each case, but the reason for the decision. Students soon learned that any position they might advance was pretty soon to be followed by the question, "Could you suggest a reason?"...Although he had collected a number of volumes of cases, he...seemed to take up each case in the class as if he had never seen it before...His method was a daily object lesson to students in thoroughness and accuracy. Under his guidance discussions which would otherwise have been listless and unprofitable became stimulating and fruitful...He was very hospitable to suggestions, but independent in his conclusions. The greatest names compelled no allegiance from him, unless their opinions were based upon sound reason.²¹

Langdell's case method entailed a strong commitment to investigating the original sources in order to make an informed judgment.

Langdell's case method entailed, first, an extraordinarily strong commitment to investigating the original sources in order to make an informed judgment about the question at hand. He became renowned for this commitment as a research assistant and as an attorney. His surviving papers, recently studied for the first time, include thousands of sheets of handwritten briefs of cases concerning the topics he was studying or teaching. Even among lawyers and legal scholars accustomed to checking their sources, Langdell was distinguished for his refusal to take shortcuts in examining original sources. This commitment naturally carried over to his teaching, and at the front of his first casebook he quoted this maxim: "It is better to go up to the sources than to follow the rivulets downhill."²²

Second, believing that knowledge was acquired only by examining the original sources, Langdell held that judgments about the sources were exactly that—judgments—and, therefore, derivative. He cared not about the status or prestige of the one who pronounced the judgment. He freely dismissed distinguished authorities if he felt that their opinion did not

square with the original sources. But he was equally skeptical about his own judgments, and wrote this reminder to himself in one opening lecture: "Warn students that I entertain heretical opinions, which they are not to take as law."²³

Commensurately, Langdell maintained that students should form their own judgments and that their opinions deserve no less scrutiny than distinguished authorities. In this way, he cultivated the intellectual autonomy of his students. This third tenet might have been served by having students write an essay at the end of a course of lectures. But Langdell's case method used the pedagogical technique of questioning students to develop their capacity to form considered judgments. This purpose was wholly different from the quizzing of the conventional recitation, which tested whether students could restate facts, definitions, or rules imparted by a textbook or a lecture. Langdell's

Langdell's practice of questioning students about the meaning of cases was intended to lead them to formulate and challenge their own inferences.

practice of questioning students about the meaning of cases was intended to lead them to formulate and challenge their own inferences. This approach to conducting a class was revolutionary.

Fourth, and even more surprising, Langdell invited and expected students to challenge him. "If, as rarely happened, he ventured a statement of his own, he welcomed and encouraged inquiry and tests by the men with a pleasure they knew was sincere," wrote a student from the first class in case method.²⁴

Finally, given that the class was devoted to forming, understanding, and challenging the opinions of established authorities, of himself, and of the students themselves, Langdell expected and encouraged students to revise their views. Most surprising, he freely announced revisions in his own views prompted by class discussion. Another early student recalled: "Professor Langdell was always willing to reconsider a conclusion in the light of new suggestions. Not infrequently...he would recant propositions which he had advanced as sound. A student recently informed me of a course in which Professor Langdell changed his opinion in regard to a case three times in the course of one week, each time advancing with positiveness a new doctrine."²⁵

This remarkable behavior of a 19th century professor freely and repeatedly acknowledging in class that he had been wrong and, moreover, that his students had led him to see his error is evidenced by the margin-

al annotations of students in their casebooks from the 1870s. Such comments appear as: “L. changes his ground...”²⁶ or “Langd. now says opposite.”²⁷

These central characteristics of Langdell’s case method may seem familiar and uncontroversial today. To recognize his originality and influence as a teacher, we must appreciate “the hostility with which this innovation was received.”²⁸ In the early 1870s Langdell’s case method classes were

...met with the open hostility, if not of the other instructors, certainly of the bulk of the students. His first lectures were followed by impromptu indignation meetings—“What do we care whether [this student] agrees with the case, or what [that student] thinks of the dissenting opinion? What we want to know is: What is the Law?”...Most of the class could see nothing in his system but mental confusion and social humiliation....Then came the new and dreadful ordeal of the examinations.

‘Langdell had the rare gift of making remarks in a way which would indicate the real question, without discouraging pertinent inquiry.’

The older professors called wholly for definitions and rules—“When and by what statute were lands made alienable in England after the conquest?”...[Langdell] presented actual problems for solution....If a debtor tended to a creditor the amount of the debt on the day it becomes due, and the creditor refuses to receive it, and afterwards sues the debtor, how should the latter defend himself?²⁹

Enrollments in the school, and especially in Langdell’s courses, declined rapidly. It is important to note that students were not fleeing the humiliating method portrayed in the movie *The Paper Chase*.³⁰ That perversion of Langdell’s approach seems to have resulted from a transformation in case method wrought by law professors in the course of the 20th century. In contrast, “Langdell had the rare gift of making remarks in a way which would indicate the real question, without discouraging pertinent inquiry.”³¹ He “was gentle in his address to the point of diffidence.”³² Students fled his classes because they were unaccustomed to taking responsibility for their own learning, which is what Langdell required.

A small group of students, “the ablest men of the class,” remained in Langdell’s classes. These seven were called derisively “Kit’s freshmen”; a name that they, however, treated as an honorific title.³³ Nevertheless, the

criticism from other law professors and alumni and the sharp decline in student enrollments prompted Eliot to wonder whether he had made a mistake in appointing Langdell. The president decided to make some unprecedented inquiries among "Kit's freshmen," including Franklin G. Fessenden, a future justice of the state supreme court in Massachusetts. The substance of Eliot's interview is reported in a previously unpublished archival account:

'When I go to Professor Langdell's lectures, I get something that I cannot find in any book.'

[Fessenden] received a notice to call at President Eliot's office. He could not imagine what it was about, but, of course, he went. President Eliot said, "I want to know what you think of Prof. Langdell's lectures." Fessenden, a first-year student of about three months, was flabbergasted, but he swallowed his astonishment and said, "Well, Mr. President, I can go to Professor Washburn's lectures and hear him read a chapter from his book on real property. I can go to Professor Parson's lectures and hear him read a chapter from his

book. But I learned to read before I came down here. When I go to Prof. Langdell's lectures I get something that I cannot find in any book." "Thank you," said President Eliot. Later Fessenden...always wondered whether that conversation had not been a substantial support during a storm that raged about Eliot's head.³⁴

Langdell's inductive method of questioning students about their interpretation of original sources came close to being extinguished as a pedagogical heresy. To be sure, it worked, in as much as "[t]he result of the method of Langdell was active search and inquiry; that of the other professors was passive absorption."³⁵ But the storm raged about Langdell even more than Eliot, and the professor could have easily abandoned his innovation. Yet, Langdell persevered, sustained by the same personal qualities that drew to him a coterie of serious students inspired by his example.

Those qualities include his disarming iconoclasm, his personal tenacity in overcoming rejection, his forthrightness and honesty in encountering objections, and, above all, his inspiring devotion to the subject matter. Coupled with those attributes were the characteristics of case method itself: to investigate the original sources; to examine all opinions about the sources on an equal footing; to develop students'

autonomy and capacity to formulate interpretations through a process of questioning; to allow one's own views to be criticized on a par with those of the students; and to expect and encourage students to revise their views, while freely acknowledging how one's own views are being revised as a result of the classroom interaction.

In Langdell's case method classroom, the small group of students who remained "were finding out how the law was made, and the reasons for it, and how it applied in actual practice. [Langdell] was working it out for himself with them. Every step of that reasoning was scrutinized and tested and re-examined til it proved right or wrong. The law was being taught as a science, not a rag-bag of rules and exceptions."³⁶

Langdell's abomination gradually gained acceptance. Eliot remained supportive, and the leading opponents on the faculty left HLS or retired. The stronger students continued to be won over to the unusual teaching. During his

studies at HLS, future U.S. Supreme Court Justice Louis D. Brandeis observed in 1877:

Some of our professors are trying to inculcate in us a great distrust of textbooks, and to prove to us the truth of the maxim "It is better to go up to the sources than to follow the rivulets downhill." When one sees how loosely most textbooks are written and how many startling propositions are unsupported by the authorities cited to sustain them, the temptation to become a convert...is very great.³⁷

By the early 1880s, enrollments were increasing as more and more students were attracted by the higher academic standards at HLS. In 1886 Oliver Wendell Holmes, Jr., another future U.S. Supreme Court Justice, publicly declared his success in teaching by case method:

With some misgivings, I plunged a class of beginners into [a] collection of cases, and we began to discuss them together in Mr. Langdell's method. The result was better than I even hoped it would be. After a week or two, when the first confusing novelty was over, I found that my class examined the questions proposed, with an accuracy of view which they never could have learned from text books, and which often exceeded that to be found in the text books. I at least, if no one else, gained a good deal from our daily encounters.³⁸

The small group of students who remained 'were finding out how the law was made, and the reasons for it, and how it applied in actual practice.'

By 1890 several of Langdell's own students had been appointed to the HLS faculty, and the two senior professors who had remained skeptical of case method were producing casebooks of their own. At the same time, Langdell's case method began to move outside of HLS.

In the late 1880s, an exchange among four articles initiated the professional debate in the press regarding the new pedagogy.³⁹ In 1888 the president of the Imperial University in Tokyo wrote to President Eliot requesting him to nominate a professor to teach Anglo-American

jurisprudence by case method. Eliot complied, and an HLS graduate was duly sent to Tokyo to begin teaching early in 1889.⁴⁰ In 1891 the editors of the Harvard Law Review observed "The Increasing Influence of the Langdell Case System of Instruction" and noted its adoption or praise by English law professors. It soon migrated to Australia, as well.⁴¹

'He simply talked, slowly and quietly, stating, explaining, enforcing and reinforcing the principles.'

In the United States, the first wholehearted adoption of case method occurred at Columbia University law

school in 1891, followed by the law schools at Northwestern University and Western Reserve University in 1892. Then, in the mid-1890s, came Cornell, Cincinnati, Stanford, Illinois, Hastings, and New York University. Professors of the undergraduates at Dartmouth College, University of Kansas, Knox College, and Massachusetts Institute of Technology also adopted the new pedagogy.⁴² From there the movement grew with increasing speed.

Langdell never wrote or spoke on behalf of extending case method. Certainly, this was due, in part, to his personal reluctance to engage in any efforts at self-promotion. But another factor was that Langdell began to go blind just as his case method started to receive acceptance, and this forced him to change his mode of teaching. One student observed, "Professor Langdell's sight was somewhat defective as early as 1880. This defect increased with advancing age, and as it increased he gradually changed his method of instruction. He finally abandoned the Socratic method and stated and analyzed the cases himself."⁴³ Another student who matriculated in 1884 explained the interrelated pedagogical, intellectual and emotional impact of this "defect" upon Langdell:

In our time, as a result of his failing sight, he never used the Socratic method in his teaching. He simply talked, slowly and quietly, stating, explaining, enforcing and reinforcing the principles which he found in the case under discussion....Only now and then, when some subtle point was

raised by [a student]...his face would light up, and he would begin to think aloud, to the vast delight of those members of his class who could follow him.⁴⁴

In the gathering darkness, Langdell nevertheless stayed the course tenaciously through his retirement as a professor in 1900, after 30 years. As President Eliot recalled,

A striking characteristic of Professor Langdell was courage...illustrated by his going about alone on foot by day and by night in the streets of Cambridge, when he could hardly see anything, especially in the glare of bright sunshine. His daily walks between Austin Hall and his house were terrifying to onlookers, particularly after the advent of the automobile....Then he had to trust that the chauffeurs would see that a blind man was crossing the broad street. For several years he was quite unable to go alone on an unfamiliar path. This helplessness was a great trial to a man who had always been self-reliant in high degree; but he bore the calamity with unflinching patience.⁴⁵

In this fashion, Langdell remained an inspiration to the end. He tried to find his own way for as long as he could. Similarly, the essence of the case method that he bequeathed to higher education was to teach students to examine the evidence directly and to rely on their own powers of perception and judgment, rather than outside authorities, regardless of their prestige or repute. His students surely embraced these maxims because they saw that Professor Langdell followed them in his own life.

nea

ENDNOTES

- ¹ "Dean Langdell," *Boston Daily Advertiser* (7 July 1906): 4.
- ² "Professor Langdell is Dead," *Boston Evening Record* (6 July 1906): 1.
- ³ C.C. Langdell, *A Selection of Cases on the Law of Contracts* (Boston: Little Brown, 1870).
- ⁴ *The Centennial History of the Harvard Law School, 1817-1917* (Cambridge, MA: Harvard Law School Assn., 1918): 35.
- ⁵ Bruce A. Kimball, "The Proliferation of the Case Method Teaching in Legal Education, 1890-1915," forthcoming in *History of Education Quarterly*. Robert Stevens, *Law School: Legal Education in America from the 1850s to the 1980s*. (Chapel Hill: University of North Carolina Press, 1983): 117.
- ⁶ Copeland, "The Genesis of the Case Method in Business Instruction," 25.
- ⁷ Tosteson et al, eds., *New Pathways to Medical Education*, 88, 160-162.
- ⁸ Batchelder, "C.C. Langdell, Iconoclast," 312n. The following material is drawn from "Young Christopher Langdell, 189-239.
- ⁹ Langdell, *A Journey through the Years*, 56.
- ¹⁰ Letter from Charles C. Grafton to Charles Warren (28 Oct. 1907) in Charles Warren Papers.
- ¹¹ George Washington University, *Bulletin of the School of Law, 1890-1891*, 4-5.

- 12 Letter from Charles E. Phelps to Charles Warren (29 Sept. 1907) in Charles Warren Papers.
- 13 Atwood, *Old Folks' Day*, 18.
- 14 Ames, "Christopher Columbus Langdell, 1826-1906," 475, 484.
- 15 Eliot, "Some Cambridge Pundits and Pedagogues," 29.
- 16 Fessenden, "Rebirth of the Harvard Law School," 505, 513.
- 17 Ames, "Christopher Columbus Langdell, 1826-1906," 488.
- 18 Batchelder, "Christopher C. Langdell," 438.
- 19 Horowitz, *Campus Life*, 33.
- 20 See "The Langdell Problem," 97.
- 21 Schofield, "Christopher Columbus Langdell," 273-277.
- 22 Quoted in Latin, this maxim came from the famous English jurist, Sir Edward Coke (1552-1631).
- 23 Langdell, "Notebooks of Lectures on Partnership," v. 2, leaf 56.
- 24 Fessenden, "Rebirth of the Harvard Law School," 513.
- 25 Schofield, "Christopher Columbus Langdell," 277.
- 26 Ames, Annotated copy of Langdell, *Cases in Equity Pleading*, 32.
- 27 Whitney, Annotated copy of Langdell, *Cases in Equity Pleading*, 32.
- 28 Ames, "Christopher Columbus Langdell, 1826-1906," 484.
- 29 Batchelder, "Christopher C. Langdell," 440-441.
- 30 Kalman, "To Hell with Langdell!" 771-773; *Guinier, Becoming Gentlemen*.
- 31 Fessenden, "Rebirth of the Harvard Law School," 508.
- 32 Gloag, "Christopher Columbus Langdell," 231.
- 33 Batchelder, "Christopher C. Langdell," 440-441; Fox, "Professor Langdell," 7-8.
- 34 Grinnell, "An Unpublished Conversation with President Eliot."
- 35 Fessenden, "Rebirth of the Harvard Law School," 500.
- 36 Batchelder, "Christopher C. Langdell," 441.
- 37 Letter from Louis D. Brandeis to Otto A. Wehle (12 March 1876).
- 38 Holmes, "Oration," 39.
- 39 Fisher, "The Teaching of Law by the Case System," 416-421; Bishop, "The Common Law as a System of Reasoning," 1-29; Gray, "Cases and Treatises" 756; Schouler, "Cases without Treatises," 1-10. See the bibliography on case method teaching in *The Centennial History of the Harvard Law School*, 365-71.
- 40 Letter from President Hiromato Watanabe to Charles W. Eliot (28 August 1888); Letter from Alexander Tison to Charles W. Eliot (10 March 10 1889), in Charles W. Eliot Papers, Harvard University Archives.
- 41 "The Increasing Influence of the Langdell Case System of Instruction." *Harvard Law Review* 5 (1891-1892): 89-90. See Notes, *Harvard Law Review* 1 (1887-8), 251, 298; Letter from Boston Book Co. to James B. Thayer (18 April 1901) in James B. Thayer Papers, Special Collections, Harvard Law School Library, box 17, folder 2.
- 42 Letter from James F. Colby to James B. Thayer (31 March 1894), Letter from Charles F. A. Currier to James B. Thayer (20 March 1895), Letter from Frank Heywood Hodder to James B. Thayer (6 April 1898) in James B. Thayer Papers.
- 43 Schofield, "Christopher Columbus Langdell," 277.
- 44 Beale, "Professor Langdell—His Later Teaching Days," 9-10.
- 45 Eliot, "Langdell and the Law School," 525.

WORKS CITED

- Ames, James Barr. Annotated copy of *Langdell, Cases in Equity Pleading, Selected with Special Reference to the Subject of Discovery...Prepared for Use as a Text-Book in Harvard Law School [Part I]*. Cambridge: Printed for the Author, 1875.
- _____. "Christopher Columbus Langdell, 1826-1906," in *Great American Lawyers*, vol. 8, edited by William D. Lewis. Philadelphia: John C. Wilson, 1909.
- Atwood, F.A.D. *Old Folks' Day, New Boston, N.H., June 13, 1907, Thirteenth Reunion*. Manchester, N.H.: John B. Clarke, 1908.
- Batchelder, Samuel F. "C.C. Langdell, Iconoclast," in *Bits of Harvard History*. Cambridge, MA: Harvard University Press, 1924.
- _____. "Christopher C. Langdell," *Green Bag* 18 (1906).
- Beale, Joseph H., Jr. "Professor Langdell—His Later Teaching Days," *Harvard Law Review* 20 (1906).
- Bishop, Joel B. "The Common Law as a System of Reasoning," *American Law Review* 22 (1888).
- Letter from Louis D. Brandeis to Otto A. Wehle (12 March 1876) in *The Family Letters of Louis D. Brandeis*, edited by Melvin I. Urofsky and David W. Levy, 4. Norman, Oklahoma: University of Oklahoma Press, 2002.
- The Centennial History of the Harvard Law School, 1817-1917*. Cambridge, MA: Harvard Law School Assn., 1918.
- Copeland, Melvin T. "The Genesis of the Case Method in Business Instruction," in *The Case Method at the Harvard Business School*, edited by Malcolm P. McNair. New York: McGraw-Hill, 1954.
- "Dean Langdell," *Boston Daily Advertiser* (7 July 1906): 4.
- Eliot, Charles W. "Langdell and the Law School," *Harvard Law Review* 33 (1920).
- _____. Papers, *Harvard University Archives*, box 76, folder 1888-1889.
- Eliot, Samuel A. "Some Cambridge Pundits and Pedagogues," *Proceedings of the Cambridge Historical Society* 26 (1940).
- Fessenden, Franklin G. "Rebirth of the Harvard Law School," *Harvard Law Review* 33 (1920).
- Fisher, Sydney G. "The Teaching of Law by the Case System," *American Law Register*, n.s. 27 (1888).
- Fox, Austen G. "Professor Langdell—His Personal Influence," *Harvard Law Review* 20 (1906).
- George Washington University, *Bulletin of the School of Law, 1890-1891* (Washington, D.C., 1890).
- Gloag, Ralph W. "Christopher Columbus Langdell," *Albany Law Journal* 68 (1906).
- Gray, James C. "Cases and Treatises," *American Law Register*, n.s. 22 (1888).
- Grinnell, Frank W. "An Unpublished Conversation with President Eliot at the Beginning of Langdell's Teaching," ([c.1929]; typescript, 1 page), Biographical File of Christopher Columbus Langdell, *Harvard University Archives*.
- Guinier, Lani. *Becoming Gentlemen: Women, Law School, and Institutional Change*. Boston: Beacon Press, 1997.
- Holmes, Oliver Wendell, Jr. "Oration," in *Report of the Organization and of the First General Meeting, 1886*. Boston: Harvard Law School Association, 1887.
- Horowitz, Helen F. *Campus Life: Undergraduate Cultures from the End of the Eighteenth Century to the Present*. New York: A. A. Knopf, 1987.
- "The Increasing Influence of the Langdell Case System of Instruction." *Harvard Law Review* 5 (1891-1892).
- Kalman, Laura. "To Hell with Langdell!" *Law & Social Inquiry* 20 (1995).

- Kimball, Bruce A. "The Langdell Problem: A Century of Historiography in Light of the Sources, 1906-2000s," in *Law & History Review* 22 (2004): 277-227.
- _____. "Young Christopher Langdell: The Formation of an Educational Reformer, 1826-1854." *Journal of Legal Education* 52 (2002): 189-239.
- Langdell, C.C. *A Selection of Cases on the Law of Contracts with References and Citations...Prepared for Use as a Text-Book in Harvard Law School*. Boston: Little Brown, 1870.
- _____, The Papers of, Special Collections, *Harvard Law School Library*, boxes 2-12.
- _____, "Notebooks of Lectures on Partnership and Commercial Paper [1870-71]," 2 vols. Bound Manuscript Collection, *Harvard Law School Library*.
- _____, "The Proliferation of the Case Method Teaching in Legal Education, 1890-1915," forthcoming in *History of Education Quarterly*.
- Langdell, Marion E. *A Journey through the Years*. Cudahy, WI: privately printed, 1978.
- "Professor Langdell is Dead," *Boston Evening Record* (6 July 1906): 1.
- Schofield, William. "Christopher Columbus Langdell," *American Law Register* 55 o.s., 46 n.s. (1907).
- Schouler, James. "Cases without Treatises," *American Law Review* 23 (1889).
- Stevens, Robert. *Law School: Legal Education in America from the 1850s to the 1980s*. Chapel Hill: University of North Carolina Press, 1983.
- Tosteson, Daniel C. et al, eds. *New Pathways to Medical Education: Learning to Learn at Harvard Medical School*. Cambridge: Harvard University Press, 1994.
- Thayer, James B. Papers, Special Collections, *Harvard Law School Library*, box 17, folders 1-2.
- Warren, Charles. Papers, Special Collections, *Harvard Law School Library*, box 37.
- Whitney, Charles L.B. Annotated copy of Langdell, *Cases in Equity Pleading, Selected with Special Reference to the Subject of Discovery...Prepared for Use as a Text-Book in Harvard Law School [Part I]* Cambridge: Printed for the Author, 1875.