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Book Reviews: One L.

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BOOK REVIEWS

ONE L. By Scott Turow.* G.P. Putnam's Sons, New York, New York. 1977. Pp. 300. \$8.95.

And thus it is during the first year that many law students come to feel, sometimes with deep regret, that they are becoming persons strangely different from the ones who arrived at law school in the fall.¹

From the many horror stories that law students relate, one might be led to believe that the Inquisition is alive and well in today's law schools. Though not quite as terrifying as the rack and the screw, law school is, for many persons, the most trying period of their lives. And yet, somehow, law students usually still manage to find a way to laugh at it all. Scott Turow captures both the humor and the turmoil of the law school experience in his intriguing book *One L*. *One L* is an account of Turow's life as a first year law student (a 1L) at the Harvard Law School. It is written in the form of a journal, and, while nonfiction, names and personalities have been altered in certain cases to preserve privacy.

At age twenty-six, married, and armed with a 749 LSAT score, Turow leaves his position as a lecturer in creative writing at Stanford and enters the Harvard Law School in the fall of 1975. His reasons for going to law school are not well-defined. He simply finds himself fascinated by the extent to which the law influences our daily lives, and does not want this interest in the law to go unfulfilled. Turow selects Harvard primarily for its prestige, mystery and to "meet his enemy." Meeting one's "enemy" means coming to grips with one's own fears, anxieties and shortcomings. As Turow and most law students find, law school has a peculiar way of bringing out the worst in people. Throughout his first year, Turow continuously meets his enemy and is disturbed with what he finds.

Turow encounters a variety of professors in his first year. His nemesis, however, is Rudolph Perini, the renowned Contracts professor who runs his classroom like the Star Chamber. Perini is reminiscent of the ominous Professor Kingsfield in *The Paper Chase*.² Students from a number of impressive backgrounds are quickly humbled into submission by Perini, who grills them relentlessly on the intricacies of contract law. Being caught unprepared when called on is the ultimate transgression in Perini's classroom. Anyone who has been through law school remembers those random invasions of his privacy. A scene in *One L* in which a student is found unprepared shows, however, that Perini does have a human side. Another humorous touch is the admirable Harvard tradition of the class hissing the professor when he mistreats a student. This weapon, though, is used only sparingly against Perini.

* A 3L, Harvard Law School.

1. S. TUROW, *ONE L* 10 (1977).

2. J. OSBORN, *THE PAPER CHASE* (1971).

Learning to think like a lawyer is a painful process for Turow and his fellow 1Ls. Turow finds that reading his first case is "something like stirring concrete with my eyelashes."³ At first, he shuns *Gilbert's* and other study aids, considering their use as bordering on plagiarism. After his first Contracts class, however, Turow buys a hornbook, which is soon followed by various *Gilbert's* and canned briefs. No longer is he concerned about "intellectual integrity;" he now wants to understand. He even becomes known as the "Rainbow Kid" for taking class notes in different-colored inks.

The law begins to permeate Turow's personal life. Law school strains his marriage as he finds little time to spend with his wife and as he talks of little else but law. At social gatherings with other law students, law school dominates the conversation. Turow and his fellow classmates find their vocabularies changing as little bits of legalese enter their conversations. "*Quaere* if that position can be supported?" and "Let me add a caveat."⁴ After ordering a hamburger in a restaurant, Turow asks himself whether a contract has been formed and what damages, if any, the restaurant would be entitled to if he reneges before eating the hamburger. In short, Turow and the other 1Ls quickly find their lives consumed in learning to love the law.

Turow becomes dismayed at the increasingly competitive atmosphere in the classroom. Students who volunteer to speak too often are frequently regarded with jealous disdain by their classmates. Turow limits the number of times he speaks in class to avoid being looked down upon. Then the 1Ls begin more and more to raise their hands in class, seemingly trying to outdo one another. Turow blames this on the Socratic method, which he believes encourages pitting one student against another, as classroom performance is the only indicium by which first semester students can measure how they stand. As all Harvard law students have superior academic backgrounds, the competition heightens as the first semester progresses. Turow pokes fun at the "brownosers," "shouters," and "people who resolved not to miss a single faculty word when uttered," who would engage in a "cattle show" around the professors after class.⁵ And yet, Turow himself gets caught up in trying to outdo his fellow classmates. He, too, feels the need to shine when called upon and also desperately wants good grades.

The 1Ls object to their being indoctrinated into thinking like lawyers. Many feel that their personal beliefs and feelings are being ridiculed and scuttled in the process. Turow complains that thinking like a lawyer involves a suspicious and distrustful view of the world. As a law student, you are taught never to take a statement at face

3. S. TUROW, ONE L 31 (1977).

4. *Id.* at 66.

5. *Id.* at 136.

value. You question everything. Turow and the 1Ls begin wondering what part, if any, morals and personal values play in the law.

Turow also discusses the scramble at Harvard for jobs. Most of the 1Ls, upon entering Harvard, claim that they want to work for public interest law firms and would not work for the big corporate law firms. Then the temptations set in. One Harvard student splits his summer after his second year by working six weeks in a Legal Aid office on an Indian reservation, and then working six weeks with a corporate firm. Legal Aid pays him \$80 a week; the firm pays him \$325 a week. With lucrative Wall Street jobs being offered to the best and the brightest in the class, Turow admits that he, too, might succumb to the temptations dangled in front of Harvard students.

Turow finds that law school has a strange way of turning the idealistic and altruistic person into one pragmatic and materialistic. Rarely, if ever, does one see the reverse occur. Is it that those three long and trying years simply wear down and harden many law students? Perhaps after working so hard and sacrificing so much, many law school graduates feel that it is time to reap some of the rewards for their work. Can one fault them for such an attitude?

Another incentive for good grades is the prestige of getting on the *Harvard Law Review*. Being a member of the Law Review at Harvard is regarded as akin to sainthood, and many professors and students speak of the Law Review in hushed, reverential tones. As membership is based almost exclusively on the top grades in each section, the competition for the select few positions is intense. When Turow hints at his desire to be part of the mystique of the *Harvard Law Review*, the reader cannot help but be anxious for Turow and wonder whether he will make it. Yet, after one sees what the fierce and tension-filled competition for these positions does to the candidates, one has to wonder whether the *Harvard Law Review* staff is made up of neurotic, high-strung masochists.

An aura of fear and desperation surrounds the 1Ls as preparations for their first semester examinations whip them into a studying frenzy. The endless search for answers sends Turow and his classmates into a spending spree on study aids (business was so good that one enterprising person set up a sales counter outside the dining hall). As one student logically explains, "After three thousand for tuition, how can you worry about six bucks for the Criminal Procedure *Nutshell*?"⁶

Turow criticizes the decisive importance of grades in determining which students get on the Law Review and which get the better clerkships, teaching positions, and other jobs. As he points out, the majority of grades in law school only reflect the test-taking ability of students under pressure. Examinations to Turow are "intellectual quick-draw contests" which place no emphasis on "sustained insight

6. *Id.* at 180.

and imagination.”⁷ He argues that the correlation between a good test-taker and a good lawyer is only speculative at best. Asserting that law school grades today are a “narrow and arbitrary” method of selecting lawyers, Turow contends that this “is a peculiar state of affairs for a profession and an education which claim to concern themselves with rationality, with fairness.”⁸ Yet, at the same time, Turow also throws himself into the furious scramble for grades.

Though many former and present law students would agree with all of this, Turow does not offer any concrete alternatives. What other indicia of a person’s legal ability are there which are any less arbitrary and more reliable? Law firms cannot be expected to run psychological evaluations or examine the work of every job applicant. Grades give them the starting point from which they can then explore the other qualifications and attributes of a job applicant.

The devastating effect of grades on the Harvard 1Ls is dramatically portrayed when first semester grades come out. Many 1Ls act as though their entire futures rest on the two grades that they receive. One woman who received two B-pluses “wept wildly and swore to leave law school.”⁹ The class, to an extent, divides into the haves and have-nots, depending on who received high grades. Many of those with high grades engage in a furious race during the second semester to get on the Law Review. Others with lower grades simply resign themselves to what they consider as mediocre futures. Some students even lie about their grades to avoid embarrassment. Perini emphasizes the importance of grades when he uses the classroom as a forum to interrogate the students with the highest grades who have applied for positions as his summer research assistants. Perini grills the applicants during class, leaving the other 1Ls to feel impotent over their lack of high grades.

The madness over grades heightens again in the spring when examinations approach. When Turow’s study group is rumored to have the “perfect” Civil Procedure outline, the group becomes the source of envy and hatred by other students. Study groups divide into warring camps. Long lines form at the library duplicating machines to copy old exams, law review articles and outlines. Students engage in clandestine exchanges of outlines in brown paper bags. Turow finds himself caught up in all the panic, fear and suspicion. And he finally meets his enemy face-to-face.

Though he emphasizes the negative, there are many times when Turow experiences incredible highs in law school. Examples are when he wins his Moot Court argument, or after many Civil Procedure classes when he feels “nearly sucked dry by excitement.”¹⁰

7. *Id.* at 197.

8. *Id.* at 199.

9. *Id.* at 237.

10. *Id.* at 222. The poor fellow was obviously demented at this point.

Turow, however, finds himself drinking more than usual, starts smoking after years of abstinence, and even makes an appointment with the Harvard Law School psychiatrist (Is it any surprise that the Law School has a full-time, resident psychiatrist?). Turow starts law school with the usual promises of not allowing his life to get caught up in work and the degrading race for grades. The reader finds himself wondering how much of Turow's former self will survive the year.

While Turow praises Harvard in many respects and commends the changes which have occurred, he levels a number of criticisms at Harvard and law schools in general. Although recognizing the value of the Socratic method as a teaching tool, Turow condemns its use as "an instrument of terror."¹¹ He also criticizes law schools for attempting to eliminate the human element from the law and for engaging in what this reviewer would term as intellectual masturbation.¹² Finally, Turow urges a de-emphasis in the casebook method of law school training, which he and many others argue turn out ill-prepared lawyers. He suggests, instead, increased reliance on clinical programs which teach students the practical and human sides to practicing law.

When one reads *One L* one must remember, as Turow himself states, that not every 1L reacts to Harvard Law School as Turow does. One must also remember that while any law school has its share of pressures, few are as intensely competitive as Harvard. Your reviewer found the anxieties and pressures of his first year in law school to be largely self-imposed. Professors such as Kingsfield in *The Paper Chase* or Perini in *One L* are few and far between, and can be dealt with once one refuses to be intimidated. As Turow discovers, the worst enemy of 1Ls is the beast lurking within themselves.

One L is extremely well-written and easily understandable by anyone from a seasoned attorney to a person who has never set foot in a law school. It is an absorbing book that quickly captures and sustains the reader's interest. Turow does an excellent job in translating complex emotions and experiences into simple sentences, a result, perhaps, of his brief career as a lecturer in creative writing. While his experiences are believable, one has to marvel at how Turow found the time during his first year to take the time to record his experiences and to express his feelings as to what was going on. It is our good fortune that he found the time. The result is a thought-provoking book.

One L makes for fascinating reading and is heartily recommended to anyone who has experienced law school or to anyone who

11. *Id.* at 296.

12. Intellectual masturbation is the practice of arguing for the sake of argument without regard to the argument's relevance to reality.

wonders what law school is all about. For those who have been through law school, it will bring back both pleasant and unpleasant memories. For those in law school, it will articulate some unexpressed concerns. For those desiring to go to law school, it is a warning of what one might encounter. And for law professors, *One L* is a student's perspective of the madness you insist upon inflicting on legal neophytes for three long years.

John B. Sinclair