

Bad Reasons to Study Law



Why do people attend law school? Often for things which have little to do with legal study or practice

BY ADAM LIPTAK

People go to law school for a lot of different reasons—and many of these are foolish. I should know. My rationale for entering the study of the law has little to do with why I now consider it worthwhile. Knowing what I know now, and thinking back to what I thought then, I'm moved to help prospective law students make their decisions on a sound basis. In particular I want to clarify the misconceptions which lie behind four very popular and bad reasons for attending law school. While, certainly, these may be valid for some people, to a large extent they represent a willful blindness to the central fact of law school: it is a trade school, and the trade itself can be esoteric, dull and of questionable utility.

Because you got in. The law-school applications process has an inexorable quality, like the gradual escalation of American involvement in Vietnam. You decide to take the LSAT—Law School Aptitude Test—because it can't hurt and, if you do well, it might expand your options. You do well. So, you apply to law schools as a lark, figuring that if you get in you don't have to go and that it might be fun to tell people you turned down Harvard Law. You get in.

And even if you defer and get a job, the job you get is, by definition, entry level. In addition to not making much money compared to your parents, you get little responsibility and less respect. You find yourself daydreaming at your desk about your undergraduate days and, the next thing you know, it's September and you're taking torts.

This ugly sequence can be nipped in the bud by sitting in on torts—or better, civil procedure—while still in college.

No, really, the law is fascinating. What you do in law school is read cases, which are the published decisions of judges. You read hundreds and hundreds of these each semester. You learn that judges write remarkably poorly. In most cases, judges need give little more than a yes or no answer, but they devote thousands of words in each instance trying to sound reasonable and consistent. From all their verbiage, you are supposed to glean a pattern and pretend it constitutes a set of legal rules.

What law professors do is reveal the twisted reasoning employed by all judges, excepting perhaps the one for whom they clerked. This mode of pedagogy does have its appeal: students are invited to feel superior to the nation's jurists, who are made to seem at best ignorant buffoons and at worst heartless manipulators of doctrine.

Surprisingly, you learn a lot about the premises and

methodology of the law by reading and discussing cases, but this is not the kind of truth which sets you free. This is the kind of truth that makes you cynical.

"The Paper Chase" to the contrary, law school is no more demanding than other forms of graduate school, except inasmuch as law students can work themselves into a frenzy of competition. The reasonably diligent student with a modicum of self-confidence and a good memory ought to have no problem. In fact, law school isn't especially challenging or stimulating. Better, if you can afford it, to lie low for seven or eight years getting a Ph.D. in something harmless—with the added benefit that you don't end up a lawyer.

A law degree is a great credential for anything. God knows I hope so, but I think the bitter truth is that if you want to do something else you should do something else. I keep a mental list of writers I admire who got admitted to law school. It's a short list: seven names if you include Bob Woodward, who got in but didn't go. In some cases, I guess, law school may help you write about the law and some aspects of policy. But a list as short as mine doesn't support the proposition that you can do anything with a law degree. It supports the proposition that some people can find gainful employment as writers despite the careful attention of a battery of professionals bent on ruining their prose.

I've run into a number of people in law school who keep similar mental lists of people with law degrees who work in a nonlegal field they'd prefer to work in. This is a bad sign.

The ugly truth is that almost everyone who goes to law school becomes a lawyer. Because law school teaches you a particular trade, you're more likely to practice it. The best ploy, although still a disenchanting one, is to take a legal job in-house at a company in the field you prefer and look on wistfully as people nearby do the sexy stuff.

You can make a lot of money being a lawyer. Now you're talking sense. The latest round of salary increases at the big New York firms has boosted first-year associate salaries to \$65,000. That's a fortune, of course, but the funny thing is that lawyers don't make much compared to investment bankers. And the salaries of associates carry fringe benefits like 100-hour weeks, constant pressure and slim chances of becoming a partner in the firm. The net result may be not having enough time to spend the money you make and being miserable in the process.

Consider also that it's very hard to land such a high-paying job. As everyone knows, there is a glut of lawyers, which means that there are unemployed and underemployed lawyers all over the place, and plenty are making perfectly ordinary salaries. In order to get at the big salary numbers you have to get into a top law school and push your way toward the top of your class while there.

Law school is not for the dilettante. Business school is for the dilettante. If you need somewhere to lie low for a couple of years and get a degree with no content but plenty of "credential," and get a crack at the really big money besides, repeat after me: M.B.A.

Then why did I choose to study law? These same reasons, of course. But, as it happens, and for no good reason, I count myself among the sizable number of people who are relatively content learning the law, even though it's like doing a very large Sunday crossword for three years straight. Even if I begin to hyperventilate at the likely prospect of working at a law firm once I graduate, for the time being I'm not unhappy working through the intricate and decidedly minor charms of a legal education. If I had to do it all over again, I would do it all over again. But I would not lie to myself about the glory days to come.

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