

Learning from Each Other: Enriching the Law School Curriculum in an Interrelated World

The Journey Begins

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By

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We are an association of the world's law schools, formed to improve legal education on a global scale so that our students and their societies receive the benefits of an open, stable and just environment which results from the rule of law. We do this by fostering a better understanding of each other. Up to now, most of our energies have been devoted to conferences highlighting either a general approach to challenges facing law schools in globalizing or specific doctrinal subjects. The first conference was held at my law school, Kenneth Wang School of Law, in Suzhou, China. It was entitled "Learning from Each Other: Enriching the Law School Curriculum in an Interrelated World. It took place in October of 2007.

The conference was designed to give law school faculty members and administrators an opportunity to discuss how the law school curriculum could be better designed to teach students about concepts from legal systems other than their own. The program was premised on the belief that ordinary legal problems have many solutions, which may be equally functional and, in context, culturally appropriate. Our students need to understand that the particular solution they are taught as applicable in their own legal system may well not be the solution which lies in the minds of the lawyers around the world. Therefore, they will constantly need to – and, we as teachers of the law also need to – learn from each other. The focus of the conference was a discussion on different approaches to help our students attain the open-minded, inquisitive skill sets needed to navigate an ever interrelated world. The China conference, in many ways, set the template for future conferences. Many of the traditions established at that conference can be seen in subsequent IALS meetings.

Our conferences have always been preceded with a request for a **short 3-5 page paper** by each attendee. It is a discipline, at times onerous to schedule, and often delivered late. It is, however, a worthwhile exercise. It helps engage the participant ahead of the event. The discipline is to express it in a limited space. We may all remember the old refrain "Sorry for writing such a long letter, I didn't have time to write a short one." The necessity of crystallizing one's thoughts without sounding glib or superficial is indeed challenging especially to an audience of one's peers. The benefits of this exercise extend well beyond the individual participant. Our colleagues benefit from focused, distilled expositions which greatly inform the discourse at each conference.

The Suzhou conference began with a plenary session entitled "**Different Modes of Legal Education and Legal Thinking**". This topic flowed from discussions in the planning committee as to how to explore differences and approaches. As law is the carrier of the values of a culture, it was important to see if we could put legal education and legal thinking into a cultural context. This truism of law being the carrier of cultural values, raises a variety of profound implications for our perception of law and the

way to teach it. Assuming the obvious, that cultures and cultural manifestations differ, are we all talking about the same “law” or “rule of law”? We assume that we all impart the same significance to the phrase “Rule of Law”. And yet, even if the phrase has universal application, how do manifest cultural differences inform how we teach law to students in different societies?

Let us take the acknowledged divergence of perspectives between the West and traditional China. As philosopher Angus Graham observed:

“The West with its tradition of debate characterizes a people who ask the question, “What is the Truth?” Whereas, those in classical China would ask, “Where is the Way?”¹

This difference may be best expressed by two contrasting quotes:

“...The most striking difference between the traditions at the two ends of the civilized world is in the destiny of logic. For the West, logic has been central and the thread of transmission has never snapped ...”. - Philosopher Angus Graham.²

“...It is precisely because the Chinese mind is so rational that it refuses to become rationalistic and ... to separate form from content.” - Philosopher Shu-Hsien Liu.³

Scholars from a variety of different traditions discussed their varying perspectives on the topic. This was the central theme of the conference. Papers may be found on our website.⁴

Another “tradition” we have followed at our conferences has been the **small group discussion**. It was felt that no one wants to be just “talked to”. As an association of legal scholars we want to discuss and explore with our colleagues. So the small discussion group following a plenary was established. The discussions were informed by the short papers as well as the plenary presentations. Another benefit is to have an opportunity to meet some of our fellow law teachers from other jurisdictions in an intellectually engaging format. Many collaborative relations have grown from these exchanges.

Our conferences usually offer a “How To” component. We have a commitment of going beyond the theoretical to make sure we also engage the practical. The first “How To” session focused on **“How to Introduce Similarities and Differences and Discuss Common Problems in the Classroom”**. Presentations, once again, represented a variety of approaches employed by law

¹ Angus C. Graham, *Disputers of the Tao*, 3 (1989). Also see, Roger T. Ames, “Thinking through Comparisons: Analytical and Narrative Methods for Cultural Understanding” in *Early China/Ancient Greece*, S. Shankman et al, ed. (2002).

² Id, Graham p. 6.

³ Shu hsien Liu, “The use of analogy and symbolism in traditional Chinese philosophy,” 1 *Journal of Chinese Philosophy* 314 (1974).

⁴ See <http://www.ialsnet.org/meetings/enriching/papers.html>.

schools from different cultures and jurisdictions as to how they broaden their students' perspectives. Please see the papers on the IALS website.⁵

Another aspect of “How To” – **How Can Technology Enrich the Experience of Law Students?** - was a demonstration of a virtual classroom exercise which connected a class being simultaneously taught with students and faculty located in Canada, New Zealand and Australia. Candidly, this was a more troubled presentation as the technology (as usual) did not cooperate as well as one would wish. Regardless, it was extremely informative, and represented an innovative approach which will be used more frequently as the technology improves. Even in the brief time (less than 4 years) since the Suzhou conference, the technology has vastly improved and has become much more accessible.

Faculty attend these conferences to meet each other, exchange ideas, look for opportunities for collaboration, and also to be introduced to the latest thinking and techniques to help them and their students in their research and teaching. The next session - **How Can Technology Enrich the Experience of Law Students Searching Information Globally?** – developed strategies and framed emerging technologies employed by educational institutions to utilize technology to encourage and assist their students' global reach.

Rounding out the “How To” sessions was the last one - **Working With Each Other: Exchanges, Joint Programs, Other Forms of Collaboration.** Schools from jurisdictions as diverse as Australia and China discussed their approaches in providing their faculty with opportunities to collaborate with their peers from around the world.

Finally, another “tradition” emphasized by the IALS in its conferences is to afford as many opportunities for faculty to engage. Lunch tables at the conference were organized along topics so faculty with specific interests could meet and discuss with each other. We concluded the conference with a humorous and entertaining exercise, once again, meant to foster interaction. Entitled - **Serendipitous Networking** - it was the legal world's equivalent of “speed dating”. It created more interaction and exchanges than what one normally would experience at a conference of academics.

So from “speed dating” to an exploration of varying culturally bound perspectives of the rule of law, the template which began in Suzhou, China has slowly evolved. The “traditions” have been honored by ever more sophisticated expressions of them. The core remains the same – to stimulate faculty participation by intellectually and socially engaging them with their colleagues from around the world.

⁵ Id