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Building the World Community: Challenges to Legal Education and the WCL Experience

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BUILDING THE WORLD COMMUNITY: CHALLENGES TO LEGAL EDUCATION AND THE WCL EXPERIENCE*

CLAUDIO GROSSMAN**

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INTRODUCTION

Today we are witnessing dramatic global transformations that call into question both the content and methodology of legal education. These changing processes are well documented and extensively discussed elsewhere.¹ They include global trade, foreign investment, the breakdown of authoritarian political structures, the emergence of new nations, and the presence of new international actors such as individuals, multinational corporations, and non-governmental organizations (“NGOs”).² Individual states alone cannot solve the crucial problems that challenge humankind. Instead, this growing trend demonstrates a need for international cooperation.³ It is particularly the case for transboundary problems such as proliferation

1. See Alberto Bernable-Reifkohl, *Tomorrow's Law Schools: Globalization and Legal Education*, 32 SAN DIEGO L. REV. 137 (1995) (suggesting that the changing economic and political world order, including major shifts in trade patterns, internationalization of financial markets, and post-Cold War political structures, call for adjustment of legal education); see also W. Michael Reisman, *Designing Law Curricula for a Transnational Industrial and Science-Based Civilization*, 46 J. LEGAL EDUC. 322 (1996) (arguing that legal education must accommodate globalization by implementing the notion of a comprehensive transnational legal system rather than autonomous national systems).

2. See Claudio Grossman & Daniel D. Bradlow, *Are We Being Propelled Towards a People-Centered Transnational Legal Order?*, 9 AM. U. J. INT'L. L. & POL'Y 1 (1993) (positing that new actors include individual voices who implement change through non-governmental organizations and played a monumental role in developing transnational alliances towards securing human rights, consumer protection, social justice, and sustainable environment, thus garnering transnational affiliations and making their voices heard).

3. See Reisman, *supra* note 1, at 323-24 (contending that increasing acts of political violence, transnationalization of crime, and economic monopolization render the individual state unable to protect public order and, therefore, increase the need for intergovernmental cooperation).

of weapons of mass destruction, pervasive poverty, environmental degradation, international terrorism, and war crimes. These developments confirm that a new world reality is emerging and is here to stay. Society must now ask how these phenomena will affect legal education.

For rhetorical purposes, one can identify two main schools of thought that consider the implications of these global changes and their effects on legal education. The first school contends that the transformations taking place are of minimal concern, because lawyers are primarily concerned with domestic issues. This theory maintains the *status quo* in legal education, believing the practice of law primarily deals with domestic interests and issues, which are confined within one nation's borders. Proponents of this viewpoint further allege that the modification of legal education is unnecessary because the global issue is "merely a matter of translation." For example, a real estate lawyer in the American Midwest who engages in the development of agricultural land will simply need a language translator if a foreign party is involved in a transaction, yet need not employ different legal concepts. Accordingly, because the basic concepts underlying the transaction remain the same, the traditional concepts of legal education should remain intact.

The second school of thought goes beyond translation. Indeed, this more innovative theory argues that more is required to prepare lawyers for the seismic changes currently taking place than mere language interpretations. Proponents of this school regard translation alone as an ineffective means of establishing a continuous relationship with a client. They believe knowledge of the client's cultural values is also of great importance when developing a professional relationship. This group takes the position that it should modify legal education by increasing global exposure, which it can achieve by adding courses, hiring more international faculty, sponsoring more international academic programs, opening research centers with global connections, and augmenting the number of formal international linkages. Unfortunately, this group only makes quantitative changes to legal education. The actual law school experience requires no basic transformation.⁴

4. This approach further neglects the fact that crucial international legal dilemmas in recent times concerned "non-Anglo-Saxon" nations. For example,

Standing alone, neither of the above two approaches produces the paradigm shift required to educate lawyers in the new world reality. Both schools of thought appear to underestimate the breadth of the changes that are occurring, as one simply maintains the status quo and the other advocates making only surface changes to legal education. A profoundly different approach is needed, one advocating a qualitative rather than a quantitative change in legal education. The aim of this essay is to push the debate in that direction and explore ways to reconceptualize legal education in accordance with the global transformations currently taking place.

I. THE CASE METHOD, SOVEREIGNTY, AND INTERNATIONAL LAW

Scholars continue to question the belief that Christopher Columbus Langdell's⁵ case method is the only way to teach law in the United States.⁶ Theoretically, opponents view the case method as a way to instill a false ideology, and others criticize only limited aspects of its implementation.⁷ Additionally, those that advocate the

recent dilemmas include international tragedies such as war crimes in the former Yugoslavia and Rwanda, human rights violations in the form of disappearances in Latin America, female genital mutilation in Africa, and the Bhopal environmental disaster in India.

5. Christopher Columbus Langdell became the Dean of Harvard Law School in 1870. See generally ROBERT STEVENS, *LAW SCHOOL: LEGAL EDUCATION IN AMERICA FROM THE 1850S TO THE 1980S* 51-65 (Univ. of N.C. Press 1983) (providing background information on Christopher Columbus Langdell, who was largely responsible for creating and establishing the case method and the Socratic method as the primary methods of teaching law students).

6. See Reisman, *supra* note 1, at 323-24 (emphasizing the necessity of intergovernmental cooperation to assist states in maintaining public order); see also Anita Bernstein, *A Feminist Revisit to the First-Year Curriculum*, 46 J. LEGAL EDUC. 217 (1996) (discussing a seminar at Chicago-Kent law school that offers an alternative method of legal education in which six first-year courses are taught from a feminist perspective such as sexual fraud as a tort, prenuptial agreements as contractual issues, intramarital crime, and exclusion of jurors on the basis of sex); Ann Shalleck, *Feminist Theory & Feminist Method: Transforming the Experience of the Classroom*, 7 AM. U. J. OF GENDER SOC. POL'Y & L. 229 (1999) (describing how feminist theory can be brought into classes through role playing exercises).

7. See Walter Otto Weyrauch, *Fact Consciousness*, 46 J. LEGAL EDUC. 263 (1996) (criticizing the case method as an ineffective means of teaching students and emphasizing the misplaced importance law schools place on doctrinal logic derived from the case study method of teaching law since cases are often heavily

movement towards clinical education and experiential learning allege that the case method teaches neither the values nor the skills that are imperative to the practice of law. Opponents further assert that this method limits students because they are only examining one type of material. This longstanding criticism led to the general acceptance of clinics, although most schools still do not offer all of their students a clinical experience.⁸

The case method is also criticized as being incapable of developing a theoretical understanding of the law, and the historic processes that shape it.⁹ These criticisms, however, have not come from “a world point of view.” Indeed, the criticisms thus far have not examined the extent to which the case method is linked to a focus on domestic law and, thus, outmoded concepts of national sovereignty. Similarly, there is limited, if any, criticism directed at the case method’s relevance to the study and practice of international law.¹⁰ Minimal attention is given to the relative unimportance of the case method in teaching interpersonal and negotiation skills that transcend

edited in the interest of stressing particular doctrinal issues rather than actual facts or observations of events).

8. The American Bar Association does not require law schools to provide experiential learning opportunities to all of their students. See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS § 3.02(d) (“A law school shall offer . . . live or other real life practice experiences. . . . This might be accomplished through clinics or externships A law school need not offer this experience to all students”). Of the one hundred sixty law schools that are members of the Association of American Law Schools (AALS), one hundred forty-four of those schools currently have at least one clinical program. This fact does not guarantee, however, that all students will have the opportunity to take advantage of these programs. This statistic was obtained through an informal survey conducted by the American University Washington College of Law’s (“WCL”) Office of the Dean (hereinafter “WCL Informal Course Survey”). The Office reviewed the course offerings, as posted on schools’ official websites and conducted phone interviews with law school administrators.

9. See STEVENS, *supra* note 5, at 156-57 (discussing the 1930s realist movement that criticized the Langdellian notion that law consists of a series of objective principles, and questioned the case method’s ability to teach law within a political, historical, and cultural context).

10. See *e.g.* ALFRED ZANTZINGER REED, TRAINING FOR THE PUBLIC PROFESSION OF THE LAW 285-87 (1921) (criticizing the case method for its limited relevance and effectiveness as a teaching methodology and its failure to equip law students with the experiential training necessary to practice law within a domestic order).

cross-cultural differences, including the importance of linguistic diversity. It does not illuminate the ways a historical and theoretical understanding of the world should inform the value choices confronting lawyers.

The outmoded value of the case method is most obvious when evaluating the development of international law since the days of Langdell. The case method was born in an era dominated by the principle of national sovereignty. In fact, the Permanent Court of International Justice ("P.C.I.J.") reflected the principles of this era in the 1927 *S.S. Lotus*¹¹ decision. The majority opinion in *S.S. Lotus* held that individual states could extend the application of their laws to persons and acts committed on the high seas, because such undertakings were not prohibited by international law.¹² *S.S. Lotus* appeared to espouse the state-centered view that "if it is not forbidden, you can do it."

S.S. Lotus embodied the prominent theoretical framework of its era, during which many viewed national sovereignty as the fundamental principle from which all international rules were derived.¹³ Limited constraints, if any, were sometimes agreed upon

11. See *S.S. Lotus Case (Fr. v. Turk.)*, 1927 P.C.I.J. (ser. A) No. 10 (Sept. 7, 1927), compiled in 1 DIGEST OF THE DECISIONS OF THE INTERNATIONAL COURT, at 342 (deciding whether international law allowed Turkey to implement Turkish law in criminal proceedings against a French lieutenant, after a French steamboat, the *S.S. Lotus*, collided with a Turkish steamboat, the *Bos-Kourt*).

12. See *id.* at 350 ("International law governs relations between independent States. The rules of law binding upon States therefore emanate from their own free will Restrictions upon the independence of States cannot therefore be presumed. [A state] may not exercise its power in any form in the territory of another State"). In accordance with this belief, States retained absolute freedom of action in the absence of specific allegations. See *id.*; see also Detlev Vagts, et al., *Preparing Students for Practice in International Law: On Teaching the Law of International Transactions*, 80 AM. J. INT'L L. 758-59 (1986) (reviewing GAMAL MOURSİ BADR, *STATE IMMUNITY: AN ANALYTICAL & PROGNOSTIC VIEW* (1984)) ("The principle of absolute sovereign equality is fundamental to international legal theory, in which community consent is the only limit on the absolute sovereign rights, a proposition clearly stated in the *Lotus* case."); Nicholas R. Koberstein, Comment, *Without Justification: Reliance on the Presumption Against Extraterritoriality in Sale v. Haitian Centers Council, Inc.*, 7 GEO. IMMIGR. L.J. 569, 580-81 (1993) (suggesting that the *S.S. Lotus* decision illustrated the relaxation of international law limitations on legislative jurisdiction).

13. See MARK W. JANIS & JOHN NOYES, *CASES & COMMENTARY ON INTERNATIONAL LAW* 87 (West Pub. Co. 1997) (commenting that state sovereignty

by the states.¹⁴ Attuned to these isolationist global conditions and largely dissociated from the context of a “distant” world,¹⁵ U.S. legal scholars of this era shaped the study of law in accordance with domestic concerns. These early legal educators found it unnecessary to look to the outside world to teach U.S. law students.

When Langdell became the Dean of Harvard Law School in 1870, he equated the study of law with the study of science.¹⁶ Langdell believed that law derived from a logical set of objective principles that, in turn, were arrived at through appellate decisions.¹⁷ This scientific approach to the study of law was better suited to a domestic reality that was searching for order, consistency, and certainty. The era in which Langdell lived, however, was far from consistent in its legal interpretations, partially due to the isolationist tendencies of nations in the nineteenth and early twentieth centuries.

Langdell fundamentally tailored the study of law to accommodate a political culture where the practice of law was confined within national borders.¹⁸ The acceptance of this belief amounted to the

used to be the sole principle in formulating international rules during the *S.S. Lotus* era).

14. These restraints could limit a state's freedom to act, resort to war, and assert colonial rule. Moreover, the restraints could also limit a state's refusal to grant minimum standards of treatment for all individuals. Notwithstanding the presence of such restraints, few were ever applied. See IAN BROWNLIE, *PRINCIPLES OF PUBLIC INTERNATIONAL LAW* 291 (4th ed. 1990) (“Matters within the competence of states under general international law are said to be within the reserved domain, the domestic jurisdiction, of states . . . [which] is the domain of state activities where the jurisdiction of the state is not bound by international law . . .”).

15. See STEVENS, *supra* note 5, at 52 (asserting that the Langdell approach assumed that an American law, derived through a scientific approach, should be equally applicable in other nations as well).

16. See *e.g.* LAWRENCE M. FRIEDMAN, *A HISTORY OF AMERICAN LAW* 613 (2d ed., Simon & Schuster, Inc. 1985) (describing that Langdell “considered [law] as a science, consist[ing] of certain principles or doctrines To have such a mastery of [principles] as to be able to apply them with constant facility and certainty to the ever-tangled skein of human affairs, is what constitutes a true lawyer . . .”).

17. See *id.* (“Langdell's approach . . . assumed that the study of appellate cases would lead to remedying the judicial deviations from established principles that had occurred in preceding decades A consistent set of principles that could be . . . applied to each new case as it occurred.”).

18. See STEVENS, *supra* note 5, at 52-53 (noting that Langdell believed that the

acceptance of the then-present notion of absolute sovereignty. Legal educators saw international law as a set of ethical aspirations that would bend to domestic notions of self-preservation and self-aid. The wanton destruction caused by two world wars and the subsequent development of even more lethal means of mass destruction, demonstrated the severe limits of the notion that absolute sovereignty dramatically guarantees the well being and survival of humankind. The absence of restrictions on individual nations and the threat and use of force on international relations could no longer be accepted after the development of weapons of mass destruction.¹⁹ Equally, war crimes and genocide made the development of international norms and procedures imperative to protect individuals from governmental actions. In the aftermath of World War II, various states convened in an effort to regulate the use of force; to develop an international bill of rights; and to create and strengthen international organizations that would foster cooperation, peacefully resolve conflict, and provide states with a universal body of nascent civil administration.²⁰

This process continued since World War II. Nearly all areas of human activity—trade, investment, crime, and the environment—

study of law must be limited to principles discovered in U.S. appellate court opinions in order to remedy judicial deviations and create a system of law that was self-contained, unitary, and, thus, capable of erecting principles that could then be applied to each new case).

19. The use of force by a state was, in itself, a traditionally acceptable use of a sovereign state's power. See 2 CHARLES CHENEY HYDE, *INTERNATIONAL LAW CHIEFLY AS INTERPRETED AND APPLIED BY THE UNITED STATES* § 597 (1922) (affirming that “[i]t always lies within the power of a state to endeavor to obtain redress for wrongs, or to gain political or other advantages over another, not merely by the employment of force, but also by direct recourse to war”). After the devastation of World War I, however, states agreed that war in an advanced technological age was too costly, both in terms of dollars and lives. See e.g. *Treaty-Renunciation of War (The Kellogg-Briand Pact)*, Aug. 27, 1928, 46 Stat. 2343 (documenting that the United States, along with fourteen other countries, agreed to avoid war as a solution to international conflict or “as an instrument of national policy”). Again, states pooled their interest in avoiding war in the *Covenant of the League of Nations*. Of course, these agreements did not prevent the start of World War II and the Holocaust.

20. The devastation of World War II led to the creation of the United Nations. See U.N. *CHARTER* art. 2, para. 4 (declaring that U.N. members agreed that “[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations”).

abandoned the strict realm of purely domestic jurisdiction, further strengthening the notion that no state, by itself, can solve the complex issues it confronts. The walls and curtains built during the Cold War to secure domination certainly limited the unfolding of this process. Even the Cold War, however, did not destroy the need for cooperation, even if this cooperation was used mostly to avoid the use and proliferation of atomic weapons. The end of the Cold War and the fall of the Soviet Union further fueled a process where human rights and governmental structures were no longer seen as purely domestic matters. The change from the bipolar world power structure of the Cold War to the present structure—where multiple nations wield influence—necessitates the cooperation of states in order to accomplish global changes.

If *S.S. Lotus* represented the era of absolute sovereignty, the *North Sea Continental Shelf*²¹ cases presented a new paradigm. Through the *North Sea* cases, the International Court of Justice (“I.C.J.”) rejected the principle that “if it is not forbidden, you can do it” and introduced the possibility of “obligation without acceptance” upon states.²² In doing so, the I.C.J. challenged the notion of absolute national sovereignty.²³ Indeed, the I.C.J. conceptualized new legal approaches more suited for an increasingly independent world order.²⁴ Specifically, the court held:

21. 1969 I.C.J. 3 (Feb. 20, 1969), *compiled in* DIGEST OF THE DECISIONS OF THE INTERNATIONAL COURT, at 864 [hereinafter *North Sea Continental Shelf Cases*].

22. *See id.* (addressing the principles and rules of international law that were applicable to the removal of limitations between the Parties regarding the continental shelf areas that belonged to each of them, located beyond the partial boundary determined by the Continental Shelf Convention). Although the specific factual background of these cases is beyond the scope of this article, it is important to delineate the norms and ideological principles that emerged from the *North Sea Continental Shelf* cases. In pursuance of the decision requested by the I.C.J., the governments of the Kingdom of Denmark, the Federal Republic of Germany, and the Netherlands delimited the continental shelf in the North Sea by agreement. *See id.*

23. *See* Jonathan I. Charney, *Universal International Law*, 87 AM. J. INT’L L. 529, 530 (1993) (identifying sovereignty and autonomy as prevalent themes in international law and surmising that such themes would retard efforts to create a single set of rules that would be applicable to all states).

24. *See id.* (arguing that complete autonomy is not only undesirable today, but could be potentially disastrous).

[The Geneva Convention] has constituted the foundation of, or has generated a rule which, while only conventional or contractual in its origin, has since passed into the general *corpus* of international law, and is now accepted as such by the *opinio juris*, so as to have become binding even for countries which have never, and do not become parties of the Convention . . . [I]n the case of general or customary law rules and obligations which, by their very nature, must have equal force for all members of the international community, and cannot therefore be the subject of any right of unilateral exclusion exercisable at will by any one of [the states] in its own favor . . . [P]arties are under an *obligation* to act in such a way that, . . . *equitable* principles are applied.²⁵

By recognizing a general norm of customary international law over the treaty regime, the I.C.J. generated rules of obligation that became binding even for countries that were not parties to the Geneva Convention.²⁶ Through the *North Sea* cases, the I.C.J. abandoned early international law, which dealt mainly with bilateral relations between sovereign states, and encouraged the governing regimes to embrace a new coherent system of world order focused on interdependence and accountability.²⁷ This new system espouses the belief that global governance, economic development, and human existence must be approached from an international perspective.²⁸

II. LEGAL EDUCATION IN AN INTERCONNECTED WORLD

Despite the past century's numerous philosophical changes in international law, the curricula of law schools continue to focus on a domestic agenda. A study conducted by the American Society of

25. *North Sea Continental Shelf Cases*, *supra* note 21, at 884.

26. *See id.* (noting the I.C.J.'s position that it "is unacceptable in this instance [that] a State should enjoy continental shelf rights considerably different from those of its neighbors merely because in one case the coastline is roughly convex in form and in the other it is markedly concave, although those coastlines are comparable in length").

27. *See id.* (emphasizing that, to achieve global stability, a collaborative effort by all states is essential).

28. *See, e.g.*, Grossman & Bradlow, *supra* note 2, at 4 (declaring that the "establishment of the United Nations and the Bretton Woods Institutions constituted a movement away from an international legal order based solely upon absolute sovereignty").

International Lawyers (“ASIL”) found that during the Langdellian era (1870-1895) there were only twenty-three educational institutions that offered international law in the United States.²⁹ Surprisingly, the contemporary law student is only slightly more likely to take an international law course than her counterpart in 1912.³⁰ Moreover, although international law is offered on a wider basis in today’s law schools,³¹ the full incorporation of the subject into legal training remains marginal. For example, there are still no questions on any bar exam concerning international law, no mandatory international law courses, and generally no first-year exposure to the study of international law.³² This disregard of international law is particularly disheartening with regard to the teaching of international human rights law. In 1979, only fifteen law schools offered a course or seminar on the subject, and only twenty schools offered such a course in 1990.³³ Despite strides made to disseminate information and prosecute the perpetrators of human rights violations—events such as state connivance with terrorism, ethnic genocide, and war crimes such as rape, torture, and the conscription of child soldiers—the subject has yet to become an accepted elective in the traditional law school curriculum.³⁴ The failure of the modern American law school to update its curriculum to encompass international law, and

29. See REED, *supra* note 10, at 301 (indicating that only twenty-three law schools in the United States offered a course in international law in 1891).

30. See Valerie Epps, Book Review and Note, 87 AM. J. INT’L L. 686, 688 (1993) (reviewing JOHN KING GAMBLE, *TEACHING INTERNATIONAL LAW IN THE 1990s* (1992)) (asserting that the percentage of students who take international law courses in today’s law schools has risen only slightly).

31. See WCL Informal Course Survey, *supra* note 8 (showing that out of one hundred sixty AALS schools, one hundred fifty-two offer a general international law course).

32. See *id.* (indicating that law schools generally do not require students to take an international law course).

33. See Richard B. Lillich, *The Teaching of International Human Rights Law in U.S. Law Schools*, 77 AM. J. INT’L L. 855, 856 (1993) (illustrating that international human rights courses are frequently left out of law school curricula).

34. Despite the increase in institutions offering a course or seminar on international human rights law in the 1980s, no more than twelve percent of the one hundred sixty-eight schools then listed by AALS offered courses in human rights law. As of March 2000, over half of American law schools offer a course that studies human rights law, but fewer than twenty percent of schools offer more than one course on the topic. See WCL Informal Course Survey, *supra* note 8.

thus recognize it as a subject highly applicable to the practice of law, constitutes a profound anomaly in legal training.

The first-year curriculum in most law schools consists of the standard “core courses,” including torts, contracts, property, civil procedure, criminal law, and constitutional law. Furthermore, many professors continue to rely on the traditional case method for instruction. A brief look at Langdell’s curriculum at Harvard indicates that changes to the first-year legal training have been moderate at best. At the end of the nineteenth century, the primary first-year course of study consisted of: 1) The Law of Merchants, Contracts; 2) Equity; 3) Pleading, Practice, and Evidence; 4) Criminal Law; and 5) Real Property.³⁵

The continued focus on standard courses, which remain inextricably attached to domestic concerns, is inadequate to prepare lawyers for a new world reality. Lawyers practicing within this new reality are challenged by rapidly developing international economic and political links. Rising global technologies, such as satellite communications, establish greater transparency between global actors. The Internet and high-tech computer networks now connect the world with the click of a mouse. Authoritarian political systems are being dismantled and societies are becoming more open.

These changes simultaneously altered the role of a law school, calling for a fundamental reconceptualization of legal training. Exclusive reliance on the Langdellian ideology, which treats law as a science in which legal principles are derived by studying selected cases, will not adequately prepare law students for the contemporary world.³⁶ New forms of communication—electronic mail, the Internet, and teleconferencing—exploded onto the scene, enlarging the scope of dialogue and questioning the integrity of legal training. The classical ingredients of legal training—consisting of faculty, students, appellate decisions, and research centers—underestimate the scope of legal training that is demanded by the new world paradigm. The world is now immersed in multiple networks with

35. REED, *supra* note 10, at 454 (illustrating the focus of U.S. legal education in the nineteenth century).

36. See Weyrauch, *supra* note 7, at 263 (emphasizing that although the Langdellian teaching method is still largely adhered to, it nonetheless precludes students from observing facts and understanding social norms).

ever-growing interconnectedness, redefining the needs of legal education.³⁷

Inasmuch as individual states can no longer isolate themselves from the international community, legal training should no longer be enveloped within the four walls of a law school. Instead, law schools must connect themselves with the outside world and reconstruct their academic agendas to work with actors in the international community, such as NGOs, multinational corporations, governments, and legal systems of other countries. In addition, while the study of case law continues to provide an indispensable vehicle for legal training, we now know the importance of expanding legal training beyond this one-dimensional approach.

Today, new skills are required in legal education as exemplified by the development of practical and experiential training methodologies. Clinical programs, moot court competitions, study-abroad courses, debate clubs, and an increased reliance on non-legal disciplines—economics, psychology, political science, anthropology, and sociology—all make the study of law based exclusively on case analysis obsolete. Today's law school graduates must acquire the skills to function as facilitators and problem solvers in international transactions. They must also be able to act as liaisons for communications between and among formally organized legal systems with differing national histories, customs, and experiences. Put simply, the philosophical foundation of Langdell's case theory is insufficient to prepare law students for the world they will encounter.

37. See Grossman & Bradlow, *supra* note 2, at 10 (asserting that “[i]t is becoming less tenable to classify . . . between domestic and international issues”).

III. AN INNOVATIVE MODEL: AMERICAN UNIVERSITY, WASHINGTON COLLEGE OF LAW³⁸

What can be done with regard to the disconnect between domestic-oriented legal training and an ever more intertwined global-oriented system? One approach may be simply to make quantitative changes by sponsoring more research programs, stressing the importance of linguistic diversity, and augmenting the number of international students, faculty, and courses. This additive approach, however, does not necessarily provide the typical law student with the diverse interaction needed to operate in the new world. In addition to updating its curriculum through the quantitative measures described above, American University, Washington College of Law (“WCL”) adopted a qualitative, process-oriented approach that sets into motion the dynamics necessary to transform the traditional, domestically-oriented legal education into training that is interconnected with the ever expanding international nature of law. The building blocks of this approach consist of the following: 1) establishing links between the study of domestic and international law; 2) focusing on different legal systems; 3) including cultural issues in the academic agenda; 4) incorporating the perspectives of other academic disciplines into the study of law; and 5) promoting social change and international awareness through purpose-oriented programs outside the curriculum.

38. The Washington College of Law was founded by Ellen Spencer Mussey and Emma Gillett 104 years ago. In 1895, Delia Sheldon Jackson approached Ellen Spencer Mussey and expressed a desire to practice law. Mussey herself had undergone legal training at her husband’s law practice but, because of her gender, was later denied admission at the law schools of National University and Columbian College (now The George Washington University). Realizing the importance of Jackson’s endeavor, Mussey contacted her colleague, Emma Gillett. Under Mussey and Gillett’s tutelage, the first Women’s Law class was held on February 1, 1896, attended by Jackson and two other women. By 1898, six women had completed all but their final year of law school. Not having incorporated their classes as a law school, Mussey and Gillett asked Columbian College to enroll the women for their final year. Columbian College refused on the ground that “women did not have the mentality for law.” Mussey and Gillett founded WCL out of commitment to their students. Upon its incorporation by the District of Columbia in 1898, WCL became the first law school in the world founded by women. Since its creation, WCL has been dedicated to expanding the “traditional” notions of legal education.

A. ESTABLISHING LINKS BETWEEN THE STUDY OF DOMESTIC AND INTERNATIONAL LAW

Realizing that virtually every lawyer practicing in the twenty-first century, regardless of his or her practice area, will encounter issues of international law, WCL modified its curriculum to incorporate international law concepts from the very beginning of the law school experience. International law concepts are woven into courses that are traditionally considered “domestic.”³⁹ For example, international legal research is part of the Legal Rhetoric and Writing Program, a yearlong introductory course covering the fundamentals of legal research and writing for first-year students. Additionally, in the fall 1999 semester, faculty began expanding the scope of their first-year civil procedure, property, constitutional, criminal, contracts, and torts law courses to include components of the international legal system.

Following a problem-solving approach, students are exposed simultaneously to issues that traditionally were classified as either “domestic” or “international.” For instance, the first-year torts curriculum addresses “international” components of tort law, such as liability for international crimes. The interplay between the “international” and “domestic” spheres is presented to the class in a historical perspective with the aim of showing that their interconnection permeates the law. Students in this first-year class are introduced to the *Paquete Habana* case, a U.S. Supreme Court case decided on the basis of customary international law.⁴⁰ The students also study cases brought by foreign nationals in U.S. courts

39. This process also purports to avoid possible conflict between the “domestic” and “international” law school faculty by asserting that this academic division is increasingly untenable. One such measure taken at WCL is to encourage collaboration among faculty members on research projects. Faculty are exposed to each other’s scholarly pursuits through monthly internal speakers sessions, where a faculty member presents current research to the review of peers.

40. *The Paquete Habana*, 175 U.S. 667 (1900). The *Paquete Habana* was a boat owned by a Cuban fisherman who was a subject of the Spanish crown. During the Spanish-American War, the ship was stopped by an American blockade, condemned as a war prize, and eventually sold at auction despite the protests of the owner that customary international law forbade nations from capturing fishing vessels as prizes of war. The U.S. Supreme Court recognized the binding nature of customary international law, even though the U.S. Constitution fails to mention what authority international law should have in the United States.

under the Alien Tort Claims Act.⁴¹ These cases help students understand the outer limits of the application of U.S. law abroad, as well as the application of treaty law and customary international law within the United States.

WCL also adapted some traditional law school teaching methodologies to incorporate this global perspective. For example, WCL created the annual Inter-American Human Rights Moot Court Competition.⁴² The moot court competition, based on the jurisprudence of the Inter-American System for the Promotion and Protection of Human Rights, is the only English-Spanish moot court competition in the world. In May 2000, law students from twenty-two law schools in thirteen countries participated. Many of the countries represented at the competition do not have an oral legal tradition, and their law schools have no history of teaching human rights. As such, this competition provides a crucial opportunity for foreign students to develop oral argumentation skills and a knowledge base of human rights issues.⁴³ The competition is also an innovative way for all students to gain first-hand exposure to international jurisprudence.⁴⁴ It challenges the students' command of research techniques by allowing them to learn to work with cross-cultural legal teams and enabling them to develop friendships with law students from other parts of the hemisphere. Students involved in the competition are also afforded the opportunity to meet current leaders in the field of human rights who serve as judges for the competition.⁴⁵ In addition to those students participating in the

41. See Alien Tort Claims Act, 28 U.S.C. § 1350 (1994) ("The district courts shall have original jurisdiction of any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States.").

42. The Inter-American Moot Court Competition began in 1996. Since then, more than five hundred students and faculty have participated in these annual competitions. The next competition will be held May 20-25, 2002.

43. According to the competition's rules, only one team can represent each law school. Teams consist of two law students who may be accompanied by a professor or an individual who has assisted in the development of the team.

44. Each year, competing teams grapple with a hypothetical problem that explores human rights issues, such as women's rights, freedom of expression, states of emergency, amnesty laws, due process guarantees, torture, exhaustion of domestic remedies, and the legality of detention.

45. The final round of the competition has been judged by such distinguished jurists as Carlos Reina, President of Honduras; Stephen G. Breyer, Associate

competition, approximately sixty WCL students are involved in planning the conference each year, including drafting the problem and organizing seminars for participants.

WCL students also participate in the annual René Cassin Human Rights Moot Court Competition in Strasbourg, France.⁴⁶ WCL, the only U.S. school represented in this competition, has participated every year since 1994. The competition is based on the European Convention for the Protection of Human Rights and Fundamental Freedoms. Written pleadings and oral arguments are conducted entirely in French. The oral phase of the competition takes place in the official Council of Europe courtrooms in front of judges from the European Court of Human Rights.⁴⁷ This competition teaches students to communicate in a second language and work with legal concepts and procedures outside the traditional U.S. system. Four WCL students take part in the Cassin competition each year. Former participants return to coach the current WCL students. Together with WCL's semester abroad program in Paris and the WCL summer program in Europe, these French language activities involve over thirty WCL students each year.

WCL also stresses the convergence of perceived domestic and international law for attorneys enrolled in our LL.M. degree programs. The International Legal Studies Program at WCL offers a Master of Laws specializing in aspects of international law, with the understanding that all law has an international perspective in today's fast-paced world. The program's flexible structure offers students the opportunity to organize their international legal studies to meet their own needs and is designed to meet the growing demand for lawyers trained in global legal issues. The program offers five areas of

Justice of the U.S. Supreme Court; ambassadors from the Organization of American States; and members of the Inter-American Commission on Human Rights.

46. The René Cassin Moot Court Competition is one of the most prestigious competitions in Europe. Each year, over sixty teams from all over the world compete, debating human rights law issues. Teams must submit written legal memoranda before beginning the oral argument phase of the competition. The competition is named after René Cassin, the 1968 Nobel Peace Prize Award winner who helped found UNESCO and was the president of the U.N. Commission on the Rights of Man.

47. Prior to 1999, judges from the European Commission heard the final oral arguments for the René Cassin competition.

specialization: 1) International Business Law;⁴⁸ 2) International Organizations;⁴⁹ 3) International Protection of Human Rights;⁵⁰ 4)

48. See AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW 2000-2001 CATALOG 23 (2000) [hereinafter WCL CATALOG] (explaining that the Master of Laws degree allows graduate students to perform advanced research while gaining practical experience from domestic and foreign businesses and institutions). The current trend for companies to expand into markets beyond their domestic borders creates an ever-growing need for attorneys who specialize in the practice of international business law. The LL.M. specialization in international business assists WCL students in acquiring the technical skills and knowledge required of international business lawyers in today's complex global market. Fifteen courses per semester are offered on international business, including International and Comparative Antitrust, International Commercial Arbitration, Legal Aspects of Foreign Direct Investment, and Space Law and Satellite Communications. Students in this specialization may also supplement their classroom learning with outside internships at multinational corporations such as GTE or at international organizations such as the World Bank and the International Center for Settlement of Investment Disputes ("ICSID"). See International Legal Studies Program: LL.M. Specializations: International Business, at <http://www.wcl.american.edu/ilsp/specialization.htm#business> (last visited Feb. 10, 2002).

49. See WCL CATALOG, *supra* note 48, at 23. The LL.M. concentration in international organizations offers students the opportunity to study the legal and practical aspects of international organizations. Students evaluate the international processes, lawmaking functions, and general activities of selected regional and international organizations such as the United Nations, the Organization of American States ("OAS"), the World Bank, the European Union ("EU"), and the Council of Europe. WCL's location in Washington, D.C., the world headquarters for numerous international organizations, allows LL.M. students in this specialization to intern at a wide variety of government agencies, international organizations, and NGOs. Such agencies and organizations include the U.S. Agency for International Development ("USAID"), the Inter-American Development Bank ("IDB"), the OAS, the World Bank, and the Pan-American Health Organization ("PAHO"). See International Legal Studies Program: LL.M. Specializations: International Organizations, at <http://www.wcl.american.edu/ilsp/specialization.htm#intorg> (last visited Feb. 10, 2002).

50. See WCL CATALOG, *supra* note 48, at 23. The LL.M. specialization in international protection of human rights offers WCL students the opportunity to study international human rights and humanitarian law. Addressing the international principles and rules regulating the evolution of human rights around the world, this specialization covers topics ranging from asylum and refugee law to the roles of international businesses and organizations in the development and enforcement of human rights. Additionally, students in this program may perform internships in one of the many organizations and government offices dealing with human rights, such as the Inter-American Commission on Human Rights ("IACHR"), Human Rights Watch, the U.N. High Commissioner for Refugees ("UNHCR"), or Ayuda, Inc., a nonprofit based in Washington, D.C. that represents

International Environmental Law;⁵¹ and 5) Gender and the Law.⁵² All of these areas of specialization focus heavily on both the importance of utilizing domestic regimes in order to implement international standards, and on the decreasing barriers to these two legal realms.

immigrants in immigration and domestic violence cases. *See* International Legal Studies Program: LLM Specializations: International Protection of Human Rights, at <http://www.wcl.american.edu/ilsp/specialization.htm#humright> (last visited Feb. 10, 2002).

51. *See* WCL CATALOG, *supra* note 48, at 51-77 (providing descriptions of the courses offered for the LL.M. specialization in international environmental law). Worldwide economic integration brings many benefits, but it also exacts a toll on the environment. One of the challenges of the next century is ensuring that the forces behind economic development respect the limitations on our natural resources and recognize the damage done by pollution. This is the challenge of sustainable development. The study of international environmental law is critical to meeting this challenge and to solving the problems of climate change, ozone depletion, the loss of biodiversity, and the extinction of species. These topics and others are covered in the series of eleven courses offered in the LL.M. specialization in international environmental law, which include: International Environmental Law; Trade and the Environment; Human Rights and the Environment; International Institutions and Environmental Protection; and International Wildlife and Biodiversity. WCL LL.M. students also have the opportunity to arrange fieldwork through a variety of international organizations and government agencies that focus on international environmental law, such as the International Division of the U.S. Environmental Protection Agency, the World Wildlife Fund, and the Center for International Environmental Law ("CIEL"). *See* International Legal Studies Program: LLM Specializations: International Environmental Law, at <http://www.wcl.american.edu/ilsp/specialization.htm#envlaw> (last visited Feb. 10, 2002).

52. *See* WCL CATALOG, *supra* note 48, at 51-77 (describing the courses relative to the gender specialization). Established in 1997, the LL.M. specialization in gender and the law is the most recent addition to the International Legal Studies Program. This unique specialization was created in response to emerging theories on gender that explore for the first time the effect that gender has on the relationships among states, societies, and individuals. The program aims to enhance legal education by incorporating the experiences of women, contributing to research and advocacy concerning women and the law, and creating further awareness of the ways that the law affects women's lives. It offers courses incorporating international, comparative, and domestic law approaches to women's issues. Courses in the gender specialization include: Women's Legal History; Comparative Family Law; Battered Women and the Law; Gender, Cultural Differences, and International Human Rights; Work and Parenting; Feminist Jurisprudence; and Economic, Social, and Cultural Rights. *See* International Legal Studies Program: LLM Specializations: Gender and the Law, at <http://www.wcl.american.edu/ilsp/specialization.htm#genlaw> (last visited Feb. 10, 2002).

The Washington College of Law also offers an LL.M. in Law and Government. Initiated in January 1998, this program offers students the opportunity to specialize in administrative and regulatory law and policy in the United States. The program capitalizes on the school's location in Washington, D.C., the center of U.S. federal regulation, and is of primary interest to law graduates who seek advanced study of U.S. public law and legal institutions.⁵³ The program also focuses on the effects of globalization on key American regulatory areas—such as immigration and information law—which serves to bridge the artificial barriers between the domestic and international sphere. Graduates of this degree program are prepared to guide the corporations and government agencies of tomorrow into a global marketplace.

B. FOCUSING ON THE DIFFERENT TYPES OF LEGAL SYSTEMS THAT EXIST AROUND THE WORLD

Lawyers practicing in a global environment must understand legal traditions that influence other countries, an understanding that goes beyond international laws and norms regulating the conduct of nation states.⁵⁴ This knowledge includes an understanding of the legal culture, whether it is common law, civil law, religious law, or customary law.⁵⁵ WCL fosters learning about other legal systems through courses, which examine these various traditions, either

53. See WCL CATALOG, *supra* note 48, at 24 (describing the Law and Government LL.M. program and stating that it is also open to practicing attorneys, for whom a certificate program is currently being developed). There are eight main areas of concentration in the Law and Government LL.M. Program: administrative law and regulatory policy; business and financial regulation; civil and constitutional rights; environmental law and policy; health law and policy; immigration law and policy; information law and policy; and labor and employment law and policy. See LL.M. in Law and Government: Areas of Study (providing greater detail on the areas of study and which courses are available for this program), at <http://www.wcl.american.edu/lawandgov/areas.html> (last visited Feb. 10, 2002).

54. See Bernable-Reifkohl, *supra* note 1, at 152-55 (discussing the need for greater emphasis on culture in a legal education that should begin as early as high school).

55. See Grossman & Bradlow, *supra* note 2, at 23-25 (noting the developments in international law and the importance of understanding different legal cultures in practice).

singly or in comparison, and by providing study abroad opportunities in countries with differing legal traditions. Courses that focus on legal cultures include: 1) Comparative Law; 2) International Criminal Law; 3) International and Comparative Copyright; 4) International and Comparative Antitrust; 5) Law of the European Union; 6) National Security Law; 7) International and National Issues; and 8) Worker Rights in the Global Economy.⁵⁶ These courses provide a foundation for knowledge of multiple international legal traditions, while an additional set of courses is designed to examine the ways in which legal issues may be resolved between parties from countries with dissimilar legal systems. Such courses consist of: 1) International Conflict of Laws; 2) Judicial Assistance in Transnational Litigation; 3) State Responsibility for the Protection of Foreign Investment; and 4) International Litigation and Arbitration.⁵⁷

WCL's study abroad programs provide added opportunities for students to study and work in countries with unique legal traditions. WCL currently offers programs in France,⁵⁸ Switzerland,⁵⁹ Hong

56. See WCL CATALOG, *supra* note 48, at 49-67 (listing courses that focus on the differences between legal cultures). In addition to these annual courses, WCL also offers seminars that incorporate international traditions, including Human Rights in Comparative Criminal Procedure; International and Comparative Law Regarding Indigenous Peoples; Comparative Environmental Law; Global Public Interest Practice; and *Temas Especiales en Derecho Internacional* (a Spanish-language course on public international law that provides an introduction to civil law systems). *Id.* at 67-83.

57. See *id.* at 49-67 (providing the descriptions of these courses).

58. See University of Paris X-Nanterre ABA Cooperative Program (describing the University atmosphere and faculty for the program which is in its seventh year), at <http://www.wcl.american.edu/parisx/> (last visited Feb. 10, 2002). The semester in Paris program, conducted in French at the University of Paris X, Nanterre, exposes students to the European legal culture and the development of the European Union. At the University of Paris X, faculty specialize in international trade law, human rights law, and labor law. French law professors participate actively in their private law practices, which brings a contemporary and practical approach to the students' instruction. WCL students take introductory courses in French law, European Union law, and legal translation (English-French, French-English). Students may choose additional classes from any of the courses offered in the University's legal department. Information on all of WCL's study abroad programs is available at the school website, at <http://www.wcl.american.edu/current.cfm>.

59. See Comparative Law Summer Program in Europe (specifying the

Kong,⁶⁰ Chile,⁶¹ Mexico, Canada,⁶² and Israel.⁶³ Students focus on

requirements and objectives of the program), at <http://www.wcl.american.edu/parisgeneva/> (last visited Feb. 10, 2002). Each June, WCL offers the Comparative Law Summer Program in Europe. This program is cosponsored by the CIEL. The European Union, the Council of Europe, the World Trade Organization, and the United Nations are the “hosts” of classes in Paris and Geneva, with visits to Brussels, Luxembourg, and Strasbourg. Students in this program take two three-credit courses. Students are required to take International Business Law: the New European Legal Order. For their second course, students may choose either International Institutions and Sustainable Development or International Human Rights law. Courses are taught in English by WCL professors. In addition to offering students a comparative perspective, the program is designed to give students a greater understanding of the important links between business, the environment, and human rights. *See id.*

60. *See* City University of Hong Kong ABA Cooperative Program (displaying information concerning the program, the city, and the faculty), at <http://www.wcl.american.edu/hongkong/> (last visited Feb. 10, 2002). The WCL-City University of Hong Kong Cooperative Exchange Program allows students to experience Hong Kong during a time of dramatic social, legal, and political change. Students are exposed to the ongoing transformation of one the most important banking and financial centers in Asia, in the wake of the transfer of Hong Kong from Great Britain to China. WCL students attend classes at the City University of Hong Kong located in Kowloon, about twenty minutes from Hong Kong by rapid transit. The curriculum focuses on international trade, commercial law, and comparative law. All courses are taught in English, and classroom instruction is supplemented by opportunities for externships with local law firms and visits to the Legislative Council, the Supreme Court, the International Arbitration Center, and the Stock Exchange. *See id.*

61. *See* 13th Annual Summer Law Program in Chile (describing the host schools and activities offered during the program), at <http://www.wcl.american.edu/chile/> (last visited Feb. 10, 2002). WCL's Chile Program is an intensive introduction to the evolving legal structure in Chile and Latin America as a whole. During this six-week summer program, students complete classes on the legal aspects of trade and investment in Latin America and comparative legal perspectives of social problems. The courses are taught in English by Chilean law professors from the Diego Portales Law School and the Institute of International Studies of the University of Chile in Santiago, leading Chilean practitioners and policy makers, and two WCL faculty members with expertise in human rights and international law. *See id.*

62. *See* NAFTAlex: Law School Cooperation and North American Integration (providing information on the program), at <http://www.wcl.american.edu/naftalex/> (last visited Feb. 10, 2002). In 1995, WCL became a partner in the North American Free Trade Agreement (“NAFTA”) Exchange Program, one of the first of its kind in the legal field. The program is a consortium of nine law schools in Mexico, Canada, and the United States which have joined together to provide academic opportunities and promote professional development. The consortium members are WCL, Case Western Reserve University, the University of New Mexico, the

such subjects as international trade, international human rights, international environmental law, and comparative law. Students are also afforded a variety of choices of the legal systems they wish to study.⁶⁴ Many students are able to further develop their study of these foreign legal systems with externship experiences in host country law firms or NGOs.⁶⁵ Moreover, through WCL's International Human Rights Law Clinic, Center for Human Rights and Humanitarian Law, and the numerous WCL-sponsored conferences and symposia, students have supplementary opportunities to acquire knowledge of different legal traditions. Finally, the annual presence of almost 200 foreign lawyers in the law school—LL.M. candidates, as well as foreign faculty and scholars—creates additional exposure to a variety of legal cultures.

University of Ottawa, the Université de Montréal, the University of Western Ontario, the Universidad Nacional Autonoma de Mexico, the Universidad Autonoma de Baja California, and the Universidad de Guanajuato. Through the consortium, students from WCL may spend a semester at any one of the six schools in Mexico or Canada. WCL students are fully integrated into the student body of their host law school, taking regularly scheduled courses and seminars in the host institution's language of instruction. *See id.*

63. *See* Summer Law Program in Haifa, Israel (stating that Haifa is an exciting place to study because of the city's diversity and great location), at <http://www.wcl.american.edu/haifa/> (last visited Feb. 10, 2002). The Summer Law Program in Haifa, Israel provides an extraordinary opportunity to learn about trade and investment law (including e-commerce and computer law) in one of the world's centers of technology. This program consists of two courses: Trade and Investment Law in Israel; and Selected Topics in Israeli Law. In addition, students visit the Knesset and Supreme Court in Jerusalem, the Israeli Stock Exchange in Tel Aviv, a Haifa court, the Dead Sea, Massada, Nazareth, and the Sea of Galilee. There are also opportunities for a program participant to extend their stay through an internship. This program is a joint offering of WCL, Nova Southeastern School of Law, and the University of Haifa, Faculty of Law. *See id.*

64. Most of the host countries have civil law traditions, including France, Switzerland, Chile, and Mexico. Hong Kong has a common law system and Canada has a mixed common and civil law system. Israel's system combines aspects of civil law, common law, and Jewish religious law.

65. *See* Washington College of Law's Supervised Externship Programs (describing the externship as unpaid legal work under the supervision of an attorney and participation in an externship seminar), at <http://www.wcl.american.edu/pub/externship/index.html> (last visited Feb. 10, 2002). International externships are supervised through the International Externship Program. *See id.*

C. INCLUDING CULTURAL ISSUES IN THE ACADEMIC AGENDA

Lawyers practicing in today's interconnected world must have an understanding of how culture affects the actions of individuals and their relationship with a legal system. The above-mentioned study-abroad programs are one of the means of exposing students to these cultural issues by affording them the experience of living, working, and studying in a different culture. WCL also offers many opportunities to gain such cultural perspective through its regular curriculum.

WCL's International Human Rights Law Clinic ("IHRLC") offers an unprecedented opportunity for students to represent individuals, families, or organizations alleging violations of recognized or developing human rights norms.⁶⁶ Casework involves international human rights claims before international and domestic tribunals, including those of the Organization of American States ("OAS"), the United Nations, and the United States.⁶⁷ Clinic students represent clients in domestic asylum cases before the U.S. Immigration and Naturalization Service, the Executive Office for Immigration Review, the Board of Immigration Appeals, and federal courts. IHRLC student attorneys are challenged by the language and cultural barriers involved in representing clients from foreign countries. Thus, IHRLC students not only learn the skills necessary for the practice of law, but they also learn to apply these skills in a diverse multicultural setting. IHRLC students have a remarkable rate of success in obtaining asylum, in the United States, for clients from Togo, Sierra Leone, Chad, the Democratic Republic of Congo,

66. See WCL CATALOG, *supra* note 48, at 84 (stating that the clinic focuses intensely on the issue of client representation in a cross-cultural situation).

67. See International Human Rights Law Clinic (explaining that students also work on projects that influence or create U.S. policy on international human rights), at <http://www.wcl.american.edu/clinical/inter.html> (last visited Feb. 10, 2002). In 1998, IHRLC student attorneys assisted both the Spanish court and the British Crown prosecutors in preparing the case against former Chilean dictator General Augusto Pinochet. WCL clinic students drafted legal memoranda on the interaction of international human rights law and domestic legal issues in national courts. During the initial hearing on whether Pinochet should be entitled to immunity as a former head of state, two WCL students traveled to London to assist barristers in the Crown Prosecutor's Office with their legal arguments. See *id.* (mentioning the students' involvement in the prosecution of Pinochet).

Nigeria, and Rwanda during the past year.

The IHRLC is just one of WCL's eight clinical programs, all of which offer students the opportunity to interact with clients and develop a client-centered theory of advocacy while taking into account cultural diversity.⁶⁸ Clinics are currently offered in the areas of criminal justice, tax, civil practice, domestic violence prevention and related gender issues, community and economic development, landlord-tenant disputes, and intellectual property. Although the IHRLC provides student attorneys with the most international exposure, all of WCL's clinics teach students the influence that culture and diverse legal systems have on legal and personal decision-making.

WCL also offers students opportunities to work with clients in a multicultural setting through its Supervised Externship Program.⁶⁹ This program combines faculty-supervised fieldwork in conjunction with student reflection and feedback in a weekly seminar.⁷⁰ Frequently covered topics in all externship seminars include conducting legal research, interviewing and counseling clients, and managing personal emotions and expectations in a professional manner. The classroom reflection on workplace experience allows the student to develop a critical understanding of today's multicultural legal arena and gain insight as to how the law works in practice.

J.D. and LL.M. students alike are encouraged to take advantage of

68. See WCL CATALOG, *supra* note 48, at 84 (describing the other seven clinical programs).

69. See *id.* at 85-89 (explaining the program and requirements for participation).

70. See Susan Carle, et al., *Experience As Text: The History of Externship Pedagogy at the Washington College of Law*, 5 CLINICAL L. REV. 403 (1999). WCL offers subject-specific externship seminars, specializing in areas such as administrative law, public interest law, international human rights, and public international law. If a student does not wish to concentrate their externship in one of these fields, WCL also holds general externship seminars, addressing issues such as the role of lawyers in society or the relationship of feminism to legal practice. In addition to performing their fieldwork assignments and attending seminar classes, externship students are required to keep a daily journal of their work activities and write a paper relating to their externship area. Students are also required to meet frequently in small groups or individually with the faculty member to discuss the progress of their externships.

their proximity to numerous national and international institutions, as well as NGOs, located in Washington, D.C. Many of these organizations allow for direct client representation of foreign nationals and members of various ethnic groups. Others allow for a more policy-based approach. The Supervised Externship Program recently made international law placements at the Arab League, numerous foreign embassies (including those of Mexico, Poland, and Guatemala), the Environmental Defense Fund, the International Monetary Fund ("IMF"), the OAS, the U.S. International Trade Commission ("ITC"), the U.S. Agency for International Development ("USAID"), the U.S. Department of Justice, and the U.N. High Commissioner for Refugees ("UNHCR").⁷¹ In order to assist students in obtaining placement with these international law-focused organizations, WCL's staff includes an international law career counselor who works with both J.D. and LL.M. students to pursue these opportunities. During the 1999-2000 academic year, over two hundred students took part in the Supervised Externship Program; over one hundred twenty students participated in the program during the summer of 2000.⁷²

New technology allows WCL students to work in externships abroad. WCL initiated its unique International Externship Program in the summer of 2000.⁷³ This program takes advantage of WCL's many alumni contacts throughout the world, creating opportunities for international placements. International Externship Program faculty use the Internet to offer externship supervision for students wishing to experience externships in countries anywhere in the world. Thus far, students have externed with the International Center for Trade and Development in Geneva, Switzerland, the United

71. Additional externship placements include: Ayuda Legal Aid, the CIEL, the Environmental Law Institute, Human Rights Watch, IDB, the Tahirih Justice Center, the U.S. Senate, and the World Bank.

72. See Washington College of Law Supervised Externship Program Brochure (stating that while much knowledge is gained from hands-on experience, the bulk of the educational experience is the professor's responsibility to convey through the classroom component of the externship), at <http://www.wcl.american.edu/pub/externship/wclexternship.pdf> (last visited Feb. 10, 2002).

73. See *supra* note 65 and accompanying text (discussing the supervised externship possibilities); see also WCL CATALOG, *supra* note 48, at 85-88. This is the first ABA approved international externship program in the United States.

Nations High Commission on Human Rights in Cambodia, the Center for Women's Rights in Poland, and the Asia Foundation in Taiwan, among others.⁷⁴

WCL also incorporates cultural issues—including issues of gender, race, and class—into its standard curriculum. Some courses that touch on these themes include: 1) Gender; 2) Cultural Difference and International Human Rights; 3) Ethnic Identity and International Law; 4) Asylum and Refugee Law; and 5) Lawyers and Clients: Interviewing and Counseling.⁷⁵ Other courses utilize cross-cultural methodologies to introduce students to operating within the global society. For example, Professor Daniel Bradlow teaches Selected Issues in International Business Law in conjunction with Professor Thomas Walde, Director of the Center for Energy, Mineral, and Petroleum Law and Policy at the University of Dundee, Scotland. The course is based on a simulated exercise that involves the negotiation of a joint venture agreement, with students at WCL and Dundee acting as the two parties to the negotiation. The negotiations are conducted over an eight-week period, and involve communications between the parties via the Internet and a final teleconference.

Finally, students are exposed to cultural issues through their interactions with faculty and students in the diverse WCL community. The International Legal Studies Program currently has one hundred seventy-three LL.M. students from sixty-two countries, spread fairly evenly over six continents.⁷⁶ This balanced diversity

74. In summer 2000, WCL student Saori Ishida externed with the Cambodian Center for the Protection of Children's Rights ("CCPCR"), a local non-governmental organization. Piecing together the puzzle that remains from Cambodia's dark past, Ms. Ishida interviewed victims of the civil war and trafficking offenses. Ms. Ishida's research helped her to understand the legal and judicial reform problems that Cambodia faces. She also worked on a land law reform project, which furthered her knowledge and interest in the indigenous people's communal ownership right to the land, socio-economic and legal issues surrounding forced evictions, Cambodian law-making process, and the complexity of legal and judicial reform in general.

75. See WCL CATALOG, *supra* note 48, at 49-83 (providing descriptions of these courses).

76. Number of WCL International Legal Studies LL.M. students enrolled in the fall semester of 2000, by region: Africa (19), North America (16), Latin America and the Caribbean (42), Europe (26), the Middle East (11), and Asia (59).

assures that WCL is not achieving a Western European internationalism, but instead one that is truly global and represents a wide variety of perspectives. While the J.D. student population comes primarily from the U.S., J.D. students are fully integrated with LL.M. students in upper-level classes, ensuring that the multicultural aspect of the school is present in both the J.D. and LL.M. programs. The students also benefit from a faculty with a strong international background.⁷⁷

D. INCORPORATING THE PERSPECTIVES OF OTHER ACADEMIC DISCIPLINES IN THE EDUCATION OF ATTORNEYS

WCL offers a valuable interdisciplinary approach to training for an international legal career through several joint degree programs that culminate in a J.D. from WCL and a master's degree from another department at American University ("AU"). WCL students are able to market themselves more effectively to future employers and expand the horizons of their legal knowledge, should they choose to complement their J.D. degree with an additional degree.

The J.D./M.A. in International Affairs Program teams the J.D. from WCL with a master's degree in international affairs from American University's School of International Service ("SIS").⁷⁸ The joint program complements the international law coursework of the J.D. program with master's classes emphasizing the political, historical, and economic dynamics of transnational interactions. Graduates of the program are uniquely prepared to analyze international relations issues with a multifaceted approach, making them ideally suited to careers that influence international policy.

77. For example, Professor Daniel Bradlow is South African; Professor Padideh Ala'i is from Iran; Professor Egon Guttman is from the Netherlands; Professor Penelope Pether, Director of Legal Writing and Rhetoric, is from Australia; and I was raised in Chile and educated in Chile and the Netherlands. Emilio Viano, who teaches in the Comparative Law Summer Program in Europe, is Italian. We are joined by numerous WCL adjunct professors, visiting professors, and practitioners-in-residence who add to the school's diversity with their background from other countries.

78. See J.D./M.A. International Studies (stating that the overall intent of the program is to make the student unusually well equipped for a career in government, the private sector, international corporations, or humanitarian law), at <http://www.wcl.american.edu/programs/jdmair.html> (last visited Feb. 10, 2002).

Students in the J.D./M.A. program may specialize their master's degree in any of the following areas: comparative and regional studies,⁷⁹ international communication, international development, international economic policy, international politics, peace and conflict resolution, and U.S. foreign policy.

J.D. students may also obtain a master's degree in law and justice through AU's Department of Justice, Law, and Society.⁸⁰ This program cross-trains students in the philosophical and moral foundation underlying various legal systems. Students who complete this J.D./M.S. combined degree program are prepared to deal with comparative criminal justice policy and assist countries in developing management and legal reforms for criminal justice systems.⁸¹

The J.D./M.B.A. combined degree program combines legal training at WCL with the business program at AU's Kogod School of Business.⁸² Students may elect a concentration in accounting, business law, economic development management, finance, international business, or management of global information technology. Graduates of this program are particularly well prepared for the complexities of international business, given their understanding of international and domestic transactions, markets, and business.⁸³

79. *See id.* (listing the following regional areas of focus for the program: Asia, Europe, Russia and Central Eurasia, sub-Saharan Africa, the Americas, the Middle East, and North Africa).

80. *See* J.D./M.S. in Justice, Law, and Society (explaining that the Justice, Law, and Society Program has been rated among the nation's top three justice-related programs in the area of scholarly faculty publications), *at* <http://www.wcl.american.edu/programs/jdms.html> (last visited Feb. 10, 2002).

81. *See id.* (stating that this degree would be particularly beneficial to those seeking a career in criminal justice, court management and administration, or teaching law or justice at the college level).

82. *See* J.D./M.B.A. (realizing that the J.D./M.B.A. program gives students access to the many educational resources in the Washington, D.C. metropolitan area, including the consortium of universities' libraries, federal agencies, trade associations, and embassies), *at* <http://www.wcl.american.edu/programs/jdmba.html> (last visited Feb. 10, 2002).

83. *See id.* (explaining that graduates of this program are well-prepared for careers as an in-house counsel or outside legal advisor in government or the private sector, or as a member of a business management team).

More than one hundred fifty WCL students take advantage of the dual degree programs each year. Students in these programs are able to complete two degrees while only adding an additional year of study to the J.D. program. This makes these programs a time and cost efficient way to gain additional skills in preparation for practice in today's international marketplace.

E. PROMOTING SOCIAL CHANGE AND INTERNATIONAL AWARENESS THROUGH PURPOSE-ORIENTED PROGRAMS OUTSIDE OF THE CURRICULUM

WCL recognizes that not all learning occurs in the classroom, or even in a clinical or externship environment. Therefore, the institution has sought ways to provide opportunities for students to expand their legal knowledge while simultaneously providing services to the world community. It established various purpose-oriented programs within the law school, such as the Center for Human Rights and Humanitarian Law; the Women and International Law Program; Joint Research Projects with the Center for International Environmental Law ("CIEL") and the World Commission on Dams; and the Israeli Civil Rights Program. These programs not only serve an educational purpose, but are also helping international policy-makers and practitioners to promote human dignity and environmentally and socially sustainable development.

1. *The Center for Human Rights and Humanitarian Law*

The Center for Human Rights and Humanitarian law ("Center"), established in 1990, coordinates many of WCL's human rights efforts. These efforts include the International War Crimes Tribunal Research Office, the *Inter-American Human Rights Digest*, the *Human Rights Brief*, the Inter-American Moot Court Competition, and the Human Rights Training Program.⁸⁴ All of these projects—as one of their many goals—generate public awareness to the plight of those whose rights have been systematically exploited and who often lack formal representation. Such persons include refugees,

84. See The Center for Human Rights and Humanitarian Law (providing access to materials on all of these programs), at <http://www.wcl.american.edu/pub/humright/home.html> (last visited Feb. 10, 2002).

immigrants, migrant workers, political prisoners, and victims of religious persecution, genocide, and other war crimes.

a. The International War Crimes Tribunal Research Office

The International War Crimes Tribunal Research Office is the only institutionalized academic research office for the International War Crimes Tribunals for Rwanda and the former Yugoslavia.⁸⁵ The Research Office—funded with a grant from the Open Society Institute and other awards—provides legal support and technical assistance to the Tribunal's Office of the Prosecutor. Since its creation, the Research Office conducts substantive legal research on questions of international humanitarian law and comparative criminal law. For these purposes, the Research Office utilizes the assistance of WCL students, who work under the supervision of faculty and staff. The Project's director, Professor Diane Orentlicher, also designed a seminar to instruct students about the law of the War Crimes Tribunals, which provides students with a basis for undertaking research and analysis. The Research Office is currently establishing a worldwide network of expert international humanitarian and comparative criminal law consultants in order to seek their input on how to most effectively prosecute war crimes.

b. The Inter-American Human Rights Digest

The Center also publishes the *Inter-American Human Rights Digest: Inter-American Court of Human Rights (1980-97)* ("Digest"), with funding support from the Ministry of Foreign Affairs of the Netherlands. The *Digest* contains excerpts from decisions, reports, and resolutions of the Inter-American Commission. These documents are indexed and analyzed according to the terms of the American Convention on Human Rights⁸⁶ and the

85. See War Crimes Research Office (listing future projects, which include the creation of a comparative law database to accumulate and examine national laws and jurisprudential authorities that incorporate international humanitarian norms), at <http://www.wcl.american.edu/pub/humright/wcrimes/warcrimes.htm> (last visited Feb. 10, 2002).

86. American Convention on Human Rights, Nov. 22, 1969, 9 I.L.M. 673 (1970).

American Declaration of the Rights and Duties of Man.⁸⁷ The *Digest*, available on diskette or through WCL's website, is printed in both Spanish and English.⁸⁸ This format allows practitioners free access to timely and important research.

The *Digest* is an important resource for the Inter-American System on the Protection and Promotion of Human Rights, improving the consistency, efficiency, and accessibility of the Inter-American System's jurisprudence. It is also instrumental in creating awareness of the Inter-American System among state governments, law firms, judges, NGOs, practitioners, scholars, and the Inter-American Commission and Court; improving compliance; and upholding human rights more consistently. Before the creation of the *Digest*, an organized research system did not exist for the decisions and resolutions of the Inter-American Commission.

The *Digest* is a proven, invaluable research tool for practitioners throughout the hemisphere, producing clear case analyses and reducing cumbersome research time.⁸⁹ The *Digest's* advisory board, comprised of scholars, lawyers, and human rights activists from Latin America, Europe, and North America, provides guidance on editorial content, quality, and outreach efforts. Contributors include leaders in the NGO community, experts in the Inter-American System, and varied government officials. WCL students also play an active role in the publication of the *Digest*. They assist the directors in performing research, compiling documents, editing text, and reviewing translations from Spanish to English.

87. American Declaration of the Rights and Duties of Man, May 2, 1948, O.A.S. Official Rec., res. XXX, adopted by the Ninth International Conference of American States, Bogota (1948), OEA/Ser.L/V/II.4 Rev. (1965).

88. See Inter-American Human Rights Digest Project (providing information on the Digest, its European counterparts, its audience, and the electronic database), available at <http://www.wcl.american.edu/pub/humright/iadigest.html> (last visited Feb. 10, 2002).

89. See *id.* (acknowledging that the format of the Digest is borrowed from the Digest of Strasbourg Case-Law, established by the Netherlands Institute of Human Rights ("SIM") in cooperation with the Directorate of Human Rights of the Council of Europe). Since the project is analyzed according to the text of the European Convention on Human Rights and its Protocols, the project saves time for researchers. *Id.*

c. The Human Rights Brief

The Center also publishes the *Human Rights Brief* ("Brief"), a comprehensive research compendium of ongoing human rights problems, issues, and initiatives throughout the world. Along with the *Digest*, the *Brief* is one of the few human rights publications available on the Internet.⁹⁰ Global accessibility has made the *Human Rights Brief* a valuable tool for attorneys who need to stay abreast of current developments in the field. Most importantly, the *Brief* is student-produced and highlights articles written by both students and practitioners. The *Brief* is published three times per year, and presents several concise articles on issues of human rights and humanitarian law, in addition to a Legislative Watch column, which reports on pending U.S. legislation relevant to these legal areas. The publication also highlights summaries of decisions released by the Inter-American Court of Human Rights.

d. The Human Rights Training Program

The Center sponsors a number of training programs on human rights issues. For example, begun in the summer of 1999, the Center, the WCL International Legal Studies Program, and the Netherlands Institute of Human Rights (SIM) of Utrecht University inaugurated the Academy on Human Rights and Humanitarian Law. The Academy offers intensive three-week courses designed to provide high-quality legal education in comparative and international human rights and humanitarian law, with an emphasis on practical application in the field.⁹¹ Participants may choose one or two courses from the following: European Human Rights Law; Inter-American Human Rights Law; Humanitarian Law and International Tribunals; Skills, Values, and Ethics in Human Rights Advocacy; and Women and International Human Rights Law. Coursework is complemented

90. See Human Rights Brief (permitting access to back issues of the Brief), available at <http://www.wcl.american.edu/pub/humright/brief/index.html> (last visited Feb. 10, 2002).

91. See Academy on Human Rights and Humanitarian Law (listing course and application information), available at <http://www.wcl.american.edu/humright/hracademy/index.htm> (last visited Feb. 10, 2002). The first Academy on Human Rights and Humanitarian Law was held May 29-June 15, 2001, and the next is scheduled for May 28-June 14, 2002.

by a series of visits to important institutions in Washington, D.C., including intergovernmental organizations such as the OAS and the World Bank, and other governmental and non-governmental organizations.

Participants are also encouraged to seek externship opportunities at institutions based in Washington, D.C. Perhaps the most valuable aspect of this program is the opportunity it provides for practitioners and students, American and foreign, to share their experiences and cultural views. Courses may be taken either for ABA-approved credit or for a certificate of participation. Academy participants include judges, magistrates, members of U.N. missions, human rights advocates, professors, officers of international aid and lending institutions, and WCL students. These individuals came from South Africa, Peru, Guatemala, Japan, Argentina, Italy, Brazil, and the United States. The Academy integrates students and practitioners in the same classes and provides a valuable opportunity for professional interaction and international exchange.

WCL and the Center—in cooperation with the American Red Cross and the International Committee of the Red Cross (“ICRC”)—regularly host seminars for diplomats focusing on international humanitarian law standards and human rights issues in diplomacy. These seminars are made possible by a grant from Raymond I. Geraldson, a prominent attorney and advocate for international human rights and humanitarian law. Attended by more than one hundred thirty-five area scholars, diplomats, and legal consultants, the most recent “Geraldson Seminar”—held in the fall of 1998—addressed issues such as the role of armed conflict in the disintegration of state structures, and the applicability of international humanitarian law and U.N. peacekeeping. Conference chairman Geraldson also discussed a proposal for a third protocol to the Geneva Convention on the Use of Nuclear Weapons.

Another training program the Center developed is “Judicial Administration: The U.S. Model.” This program was developed in response to the Argentine government’s request for assistance in instituting judicial reforms. This model program, which took place in November 1998, was designed to provide members of the Argentine judiciary with extensive background knowledge on the administration of the U.S. judiciary, as well as a practical basis for

understanding the system. The Argentine participants sought this knowledge in order to improve management and enhance judicial independence in Argentine courts. The program described the American federal judicial system and focused on the issues of judicial independence and the administration of justice. In addition, it provided the participants with the history and purpose of the administrative offices of the federal judiciary, the Judicial Conference of the United States, Judicial Councils, and the Federal Judicial Center. Sessions featured visits to the several administrative institutions, allowing participants an opportunity to interact with functionaries and hold informal discussions.

In the fall of 1997, the Center joined with the Inter-American Development Bank ("IDB") to provide a training session for forty-five judges, prosecutors, and public defenders from eighteen Central and South American countries. Lawyers and other experts from across the Western hemisphere provided instruction on incorporating international human rights standards into domestic civil, criminal, and judicial procedures. The training sessions familiarized participants with international human rights law concepts and with methods for incorporating international human rights law into domestic court decisions. The Center published a training manual, and used role-playing and other interactive methods to maximize participation in various subject areas. The subjects included access to justice; judicial remedies; due process; economic, social, and cultural rights; freedom of the press and expression; and the independence of the judiciary. The manual is available on the WCL website.⁹²

While these programs are primarily designed to reach academics, policy-makers, and practitioners, they also provide tangible benefits for students in that they have access to all of the programs taking place at the law school. In addition, they frequently have the opportunity to work with program faculty to develop curricula, write and edit student-run publications, organize events, and conduct research. Finally, these programs create contacts with legal practitioners and officials from countries around the world, which

92. Diego Rodriguez-Pinzon, et al., LA DIMENSION INTERNACIONAL DE LOS DERECHOS HUMANOS, GUIA PARA LA APLICACION DE NORMAS INTERNACIONALES EN EL DERECHO INTERNO, *available at* <http://www.wcl.american.edu/pub/humright/guide.html> (last visited Feb. 10, 2002).

allow students a chance to network with prominent international actors.

2. *The Women and International Law Program*

Despite some of the legal advances made by and for women, significant problems of gender bias and gender-based violence remain in many countries. The Women in International Law Program⁹³ at WCL recognized particular problems women in Latin America faced with respect to these issues, and started the Transforming Women's Legal Status in Latin America Project.⁹⁴ Professor Ann Shalleck directs the project, which seeks to address the problems of gender bias inherent in Latin American legal systems and legal education traditions through fostering and supporting the work of Latin American legal scholars and women's rights advocates. The program hopes to integrate women's human rights into legal education and doctrine in encouraging the work of these experts.

In November 1997, WCL hosted the "Pan-American Conference on Transforming Women's Legal Status"⁹⁵ in conjunction with the Pan-American Health Organization ("PAHO"). This meeting was more than just a conference; it was an opportunity for academics, women's advocates, and university officials from around the Americas to share their experiences with integrating human rights and gender perspectives into legal doctrine and law school curricula. Participants exchanged course materials and lesson plans that

93. See Global Partnership on Gender and the Law (stating that the project supports and advocates the work of activists and scholars throughout the world to fully assimilate women's human rights into legal education, practice, and doctrine), at <http://www.wcl.american.edu/gender/global/> (last visited Feb. 10, 2002).

94. See Latin America Project (acknowledging that the goals and objectives of the project are rooted in the findings that the traditional model of Latin American legal education is a great obstacle to achieving women's rights), at <http://www.wcl.american.edu/gender/global/latin.html> (last visited Feb. 10, 2002).

95. International Conferences (describing the conference bringing together over seventy academics, advocates, and university officials from Latin America and the United States to examine Latin American legal systems), at <http://www.wcl.american.edu/gender/global/panamerican.html> (last visited Mar. 6, 2002).

incorporated gender perspectives into traditional law school curricula. Since the conference, many of the participants worked to put the ideas they developed into practice in law school settings throughout the Americas.

For phase two of the project, the Transforming Women's Legal Status Project received grants from the Ford Foundation⁹⁶ and USAID to award several Teaching, Research, and Advocacy Fellowships. The first year of this fellowship is spent earning an LL.M. in International Law specializing in Gender and International Law at WCL. In the second year, students teach courses from a gender perspective in their home countries. In addition to the regular course work, the fellows work with faculty on developing new pedagogues, particularly in clinical legal education. Clinical training, which provides students with a means to put legal theory into practice, is not traditionally a substantial component of legal education in Latin America. Teaching, Research, and Advocacy Fellows can use WCL's well-regarded clinical program as a model to develop clinics in their home countries.

USAID and the Ford Foundation also funded a number of "Regional Fellows."⁹⁷ These fellows do not spend time in residence at WCL; rather, they receive funds to teach courses from a gender perspective in their home country, with the goal that the course will be institutionalized once the fellowship year has ended. WCL's role in this aspect of the program has been to choose the fellows and to offer them support in the form of advice, ideas, consultation, materials, and networking. Currently, regional fellows are teaching in Argentina, Brazil, Chile, Costa Rica, Guatemala, and Peru.

Finally, program fellows, Latin American legal scholars, and women's rights advocates, along with WCL faculty members, succeeded in publishing the first Latin American legal textbook on gender and the law.⁹⁸ This Spanish-language text includes chapters on various substantive areas of the law—criminal law and procedure,

96. See Ford Foundation Online (providing information on the international fellowship positions), at <http://www.fordfound.org/> (last visited Feb. 25, 2002).

97. See *id.* (describing the qualifications and the application process).

98. Joan Williams, *Igualdad sin Discriminacion*, in *GENERO Y DERECHO* (Santiago, Chile: Lom Ediciones, 1999).

family law, constitutional law—as well as general legal theory, all from a gender perspective. The text is expected to become the basis for new courses on gender and the law in law schools all over Latin America. Plans are also underway to translate this text into Portuguese for use in Brazilian law schools.

In addition to the students in the Gender and the Law LL.M. Specialization, other WCL students constantly participate in programs to further their understanding of the interplay between gender and international law. For example, the student-produced *Journal of Gender, Social Policy, and Law* produced an entire issue on gender and international law in 1999.⁹⁹

The Transforming Women's Legal Status Project provided a strong foundation for transforming Latin American legal education and doctrine in an effort to realize the longer-term goals of a more equitable and responsive justice sector. It facilitated a meaningful and necessary exchange among legal academics and advocates working in the field of women's human rights, providing them with unique opportunities to contribute to reforms of both legal education and legal doctrine in ways that reflect the needs and priorities of women.¹⁰⁰

3. Joint Research Projects with the Center for International Environmental Law and the World Commission on Dams

WCL is taking concrete measures to protect the environmental through its partnership with the CIEL, establishing the Joint Research Program in International and Comparative Environmental Law. CIEL is a nonprofit environmental law firm that helps the environmental movement strengthen international and comparative environmental law, policy, and management throughout the world.¹⁰¹

99. See Pan American Conference on Transforming Women's Legal Status: Overcoming the Barriers in Legal Doctrine and Legal Education, 7 AM. U. J. GENDER, SOC. POL'Y & L. 219 (1999) (devoting the entire issue to this topic).

100. See Global Partnership on Gender and the Law (acknowledging the activities and efforts of the project that have been successful in promoting women's rights), at <http://www.wcl.american.edu/gender/global/> (last visited Mar. 6, 2002).

101. See The Center for International Environmental Law (providing information on the group's activities and research), at <http://www.ciel.org/> (last

CIEL's twelve attorneys in the United States, Russia, and Switzerland provide legal assistance, policy research, and capacity building, as well as legal education and training. The goal of the WCL/CIEL Joint Research Program is to prepare second and third year J.D. students and LL.M. students to work as effective and conscientious advocates for the environment. Further, the program trains law students to negotiate international agreements that promote sustainable economic development while protecting the environment. Students are actively involved in the Joint Research Program as volunteers, dean's fellows, research assistants, and event coordinators.¹⁰²

A second joint research project WCL engages in is a study on international water law and regulatory issues that arise in the planing, creation, and operation of dams for the World Commission on Dams.¹⁰³ International Legal Studies Program Director Professor Daniel Bradlow and WCL alumnus Gabriel Eckstein head up this study consisting of a comparison of applicable law in the order of ten countries and of pertinent international legal doctrine. An expert in the legal system of each country is undertaking the country studies. Many of these "country experts" are alumni of WCL's International Law LL.M. program. Additionally, LL.M. students and faculty worked or are now working as researchers on the project. The study includes recommendations on the legal principles to be followed in sustainable dam projects. This project is an exciting opportunity for students, faculty, and alumni of the WCL International Legal Studies

visited Mar. 6, 2002); *see also* A Unique Partnership with the Center for International Environmental Law (describing the relationship between WCL and CIEL, which began in 1990, as "a cooperative effort that provides students with a dynamic learning environment, scholars with a stimulating atmosphere for conducting practical research and young lawyers with exciting opportunities for beginning their environmental law careers"), *at* <http://www.wcl.american.edu/environment/research.html> (last visited Mar. 6, 2002).

102. *See id.* (stating that a number of the joint programs students have proceeded to found their own environmental law groups in other countries, such as recent graduates Romina Picoloti '99, who started the Center for Human Rights and the Environment in Argentina, and Nuno Lacasta '97, who established Euronatura in Portugal).

103. *See* International Legal Studies Program: Joint Research, *at* <http://www.wcl.american.edu/ilsp/research.html> (last visited Feb. 25, 2002).

Program to impact the development of international law involving sustainable development. In addition, Professor Bradlow advised the *American University International Law Review* on an issue devoted entirely to reactions to the Report of the World Commission on Dams.¹⁰⁴

4. *The Israeli Civil Rights Program*

In the spirit of furthering the legacy of the Universal Declaration of Human Rights, WCL established an innovative multinational approach to improving human rights and individual liberties in one of the most historically volatile areas of the world, the Middle East. The idea and the impetus for the Israeli Civil Rights Program came from WCL Professor Herman Schwartz. In 1983, Professor Schwartz established a two-year fellowship program for Israeli lawyers at WCL. The program provides fellows with the practical skills and legal theory necessary for strengthening civil liberties in Israel. During the first year, participants pursue an LL.M. at WCL and work closely with American public interest groups, such as the American Civil Liberties Union and the Children's Defense Fund. The fellowship's second year, funded by the New Israel Fund, is spent in Israel working with Israeli public interest organizations. WCL attempts to choose men and women equally from the Jewish and Palestinian communities in Israel to take part in this fellowship program.

Fifteen years after its inception, the Israeli Civil Rights Program has an impressive ongoing impact on Israel's legal community. It produced over thirty graduates who collectively became the backbone of Israel's civil liberties bar. They created advocacy organizations within existing institutions, as well as new institutions, such as B'Zchut, the first Israeli organization dedicated exclusively to advocacy for people with disabilities, and Adalah, the first legal defense organization operated exclusively by and for Palestinian Israelis. The program has been so successful that it was expanded to include lawyers from Central and Eastern Europe during the 1998-99 academic year.

104. See 16 AM. U. INT'L. L. REV. 1411 (2001).

CONCLUSION

WCL is deeply involved in a process of changing legal education to adapt to a new global reality. WCL is developing pedagogies that reflect the global nature of today's legal reality, rejecting the traditional focus on an autonomous domestic system. In this new educational theory, new skills are identified, social change and awareness are emphasized, and a cross-cultural perspective is sought. Through experimentation with new and innovative forms of education, the curriculum focuses on breaking down barriers between LL.M. and J.D. students; faculty and students; domestic and international law; men and women; and racial and ethnic groups. Students are taught in a problem-solving environment that deals with issues such as environmental degradation, human rights violations, and the unequal treatment of women. The consistent hands-on interaction with faculty, and exposure to students from all over the world, creates possibilities for students to be sensitive to different cultural realities, and increases their understanding of the problems confronting the world. This approach seeks to create an environment that is not restricted to only one view of the world. WCL also seeks to be profoundly ethical in preparing students to think of legal issues in terms of fairness, taking into account students' own cultural perspectives. WCL's curriculum represents a multi-dimensional academic approach embodying scholarship, service, experiential learning, policy development, and a movement toward the creation of a law school that truly engages the world.