

Global Legal Education Forum

*Harvard Law School
March 23-24, 2012*

Conference Organizers: Harvard Law S.J.D. Students Association,
Marking the 100th Anniversary of the Harvard Law School S.J.D. Program

Tentative schedule: Friday, March 23, 2012

10:00am-4:45pm	Global Legal Education Doctoral Students Workshop
5:00-7:00pm	<u>Opening panel</u>
7:00-8:30pm	Reception & Registration

Tentative Schedule: Saturday, March 24, 2012

* Dean Minow of Harvard Law School to make remarks sometime on Mar. 24, 2012

8:15-9:00am	Breakfast & Registration
9:00-9:15am	<u>Opening Addresses</u> - SJD Students Association and Conference Organizers - Graduate Program (Prof. William Alford; Jeanne Tai, Assistant Dean for the Graduate Program)
9:15-10:30am	<u>Plenary Session: What is a “Global Law School” and Who is the “Global Lawyer”?</u> What makes a law school a “global law school?” Put another way, are “global law schools” actually new phenomena, as is often stated, or do they reflect merely a new register in a long history of globalizations of legal thought and legal consciousness?

	<p>Global Legal Education arguably produces global lawyers – but where do global lawyers practice? What is the content of a possibly emerging global law? How might it be conceptualized as distinct from the inter-regional, transnational, and international? In addition, we must also ask questions about the future of jurisdiction. How will such a law interact with the patchwork of national laws and jurisdictions – and how will the lawyers who administer it work in or alongside local bar associations and entrance requirements?</p> <p>Legal academics, practitioners and activists working “locally” are increasingly drawing upon comparative law insights and understandings of global governance (economic, trade, security, and migration). How are law schools contributing to knowledge around how certain processes and interactions are figured as both “global” and “local” in different moments and for different purposes?</p>
10:30-10:45am	Coffee break
10:45am - 12:00pm	<p><u>Plenary Session: Agenda-Setting: What is the purpose of “legal education”?</u></p> <p>What are the purposes of legal education, in particular a “global legal education”? Are law schools tools or sites of domination that produce an elite monopoly on legal knowledge? How might reformers enhance the dissemination of legal knowledge to “non-professionals” – workers, the poor, family members – to better empower themselves socially, economically, and politically?</p> <p>As more law faculties undertake reform projects that require resources, including technological updates, recruitment of foreign faculty, building in-person relationships with other law schools, and initiating clinical programs, questions of independence, funding, and educational purpose become critical. How are different funding and oversight arrangements affecting academic freedom for both law faculty and law students in various contexts? How do funding, oversight arrangements, and market relationships influence the perceived purpose of a law school?</p>
12:15-1:30pm	<u>Breakout lunches: Teaching across Systems and Borders</u>

	<p>Legal courses and approaches to law that have traditionally been taught as discrete <i>domestic</i> subjects are, to varying extents, increasingly being taught comparatively, transsystemically, or globally.</p> <p>During lunch, forum participants will have the opportunity to hear and discuss how some scholars are teaching across systems and borders. From family law to law and economics to constitutional law, sharp distinctions between the formal and informal, religious and secular, civil law and common law, national and international are being revisited through comparative and transnational approaches.</p> <p>There will be three umbrella groups during which speakers may narrow in on their particular areas of teaching and research:</p> <ul style="list-style-type: none"> • Comparative and Transnational Business Law (ex. tax, corporate governance, law and economics) • Comparative and Transnational Public Law (ex. constitutional law, criminal law, municipal law, environmental law) • Comparative and Transnational Private Law (ex. family law, torts, contract) • Cross-disciplinary comparison
1:30 – 2:45pm	<p><u>Simultaneous Panels:</u></p> <p><u>Methods of Learning and Engagement: Technology, Language and Clinical Legal Education</u></p>

	<p><u>Information and Internet Technology</u></p> <p>How is information technology being deployed in global legal education reforms? How are concerns about superficiality and “information overload” being addressed in comparative legal work? How have technological developments impacted the prescribed form of legal scholarship (extensive citations, citation competitions, etc.)? Finally, are other professions innovating in meeting the “digital divide” in ways that law schools can learn from?</p>	<p><u>Language</u></p> <p>Applying ideas from foreign law to local situation is often the case in developing countries. Language is key in the process. How should legal education deal with legal terms/concepts from a foreign language? Are legal education reformers adequately addressing questions of language? Should language training be incorporated into or at least credited by law faculties? Are requirements of fluency in multiple languages for studying abroad, particularly English, creating further divides within the legal profession of “sending” countries?</p>	<p><u>Clinical Education</u></p> <p>To what extent are issues of global (in)justice part of the phenomenon of global legal education reform (see ex. the Global Alliance for Justice Education)? Given the role of clinical legal education in providing access to justice for the poor and teaching of practice-based skills, does clinical legal education merit an elevated position in the academy? How are some legal education reforms enhancing empowerment of the vulnerable in different contexts? Should the institutional distinction between theory and practice be abandoned altogether?</p>
3:00 – 4:15	<p><u>Simultaneous Panels:</u></p> <p><u>Methodologies for Global Legal Thought</u></p>		
	<p><u>Legal Education and the Circulation of Critique</u></p> <p>As Edward Said has observed, whereas theory travels, critique is often left at home. How are legal education reformers promoting the</p>	<p><u>Plenary Session: Innovation in the North and South</u></p> <p>Scholars from the “Global North” and “Global South” offer contesting narratives about globalization and the role of legal education in</p>	<p><u>Globalizations, Crisis, and Legal Education</u></p> <p>What is the role of law in producing, managing, and responding to crisis? The recent global financial crisis, the Arab Spring, and growing</p>

	<p>global circulation of critique with the travel of theory? In particular, how are scholars and advocates critically intervening in the global travels of liberalism, feminist legal theory, human rights discourse, and constitutionalism?</p>	<p>pursuing a new, more “just” global socioeconomic order. What theories, including new universalisms, undergird these proposals? How do political ideas about global justice interact with and influence legal education design? How do these alternative ideas about economic development and growth rely on both <i>global</i> and <i>local</i> models of legal education? How is expertise framed in this context, and from what perspectives can it be critiqued?</p>	<p>concerns about ecological and environmental degradation have cast in sharp relief the growing need for creative lawyering in influencing and responding to rapidly changing global conditions. How can legal training foster greater creativity and flexibility? What insights can law schools draw from the pedagogical approaches of other disciplines, including the arts, humanities, and sciences?</p>
4:30-6:00	<p><u>The Future of Doctoral Studies in Law</u></p> <p>Inter-disciplinary approaches to law have flourished in recent decades. Increasingly, legal academics in some jurisdictions, particularly the United states, are pursuing doctoral studies in disciplines other than law. What is the future of doctoral study in law? Is law increasingly becoming a passive borrower of theory and methods from other disciplines? Are doctoral programs in law a necessary part of continuing legal theoretical and methodological development? What is the substance of law as a discipline?</p>		
6:00-6:30	<p><u>The Next Revolution in Legal Education?</u></p> <p>With: Roberto Unger</p>		
7:00-9:30	<p>Saturday Dinner</p> <p>Comments by global law firms on “Global Lawyering”</p>		

8:15-9:00	Breakfast
9:00-10:30	<p><u>Panel on the Legal Profession</u></p> <p>Despite being heralded as "handmaidens of globalization", lawyers have remained quite parochial, as far as regulation of their own practice is concerned. Do genuine "global law firms" exist, or are they merely networks of locally trained and licensed lawyers? While barriers to international trade and services are generally dissipating, barriers in legal practice have only been marginally lowered. How have the financial crisis and the continued course of globalization wrought changes in the structure of legal practice, and the regulatory and educational requirements for practice?</p>
10:30-10:45	Coffee Break
10:45-12:30	<p><u>New York Times Panel: The New York Times Editorial and its Discontents</u></p> <p>Although much discontent has been voiced in the media recently about the current state of the American "law school model", there is little agreement on what the most important elements of the crisis are. Senators have pressured the Department of Education to improve law school transparency, the regulatory capacity of the ABA has been questioned, recent changes to the global legal market are said to be out of step with the increasing numbers of law school graduates and law school pedagogical methods, effectively exacerbating access to justice problem, and the massive debt load born by graduates places an unjustifiable burden on the economy. In response to David Segal's New York Times Editorial, this panel will unpack the "crisis" with a view proposing concrete initiatives to respond to identified issues.</p>
12:30-2:00	Closing Lunch