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International Law and the Legal Curriculum

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REMARKS BY JEFFREY LEHMAN*

Dean Lehman focused on the history that led the University of Michigan to establish a Transnational Law requirement starting in fall 2001 with the graduating class of 2004. The two-credit Transnational Law course may be taken as a first year-elective. Many students have chosen to take the class in their first year rather than later in their law school careers.

Dean Lehman singled out three elements that led to the adoption of this course requirement.

Faculty Composition

Starting in the mid-1990s a cultural shift took place within the school as faculty with substantial transnational and international interests were added, among them James Hathaway, Robert Howse, and Mark West. The school also created an Overseas Affiliated Faculty Program that brought to Ann Arbor on a regular basis four senior faculty from overseas; these have included Christine Chinkin, Christopher McCrudden, and Bruno Simma. The mixing of new and old faculty with shared interests energized the entire faculty towards more international and global thinking.

Administrative Support

The presence of Assistant Dean Virginia Gordon was important to provide coherence and infrastructure to the growing number of programs with an international focus. The Law School created a Center for International Legal Studies as an umbrella for the international programs that had sprung up and it soon became an important presence in the law school. The Law School also formed an advisory board of distinguished alumni and in September 1999 took up the issue of creating an international law graduation requirement. Initiated by Professor Mathias Reimann, this discussion led to the conclusion that there was little reason not to consider such a possibility. A committee appointed to study the matter further prepared a report that discussed the need for a course that would be a general introduction to international and foreign law, thus preparing the nonspecialist for an increasingly global practice. Two key concerns were the content of the course and the nature of the requirement.

The course would not have traditional international law content but rather would cross the boundaries of public and private international and transnational law. Its purpose was to raise the awareness of students to the existence and effects of law that originates beyond national borders. Although the course could be taken as a first-year elective, it would not be a first-year requirement in order to avoid crowding out other first-year electives. However, most first-year students did take the Transnational Law course as soon as the requirement was introduced.

Staff/Alumni Leadership

Both faculty and the alumni supported the initiative. Faculty, however, remained crucial, with the strongest leadership coming from Mathias Reimann, who with a few others took the initiative to create the course. Leadership was also required to get general faculty acceptance for the Transnational Law graduation requirement. Steps were taken to ensure that the course would fit well into the existing curriculum. The new course was not adopted on a trial basis but was accepted immediately as a new requirement.

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