

International colloquium

The Foundations of a Cosmopolitan Legal Education in Europe and in North America

September 27 and 28, 2007

Faculty of Law, McGill University, 3660 Peel Street, Montreal

Many law faculties Europe and in North America are faced with the need to reinvent the teaching of law, driven in large measure by the notion – be it real or imagined – that social, economic and political globalization is transforming ideas of law. In Europe, in particular, networks are developing to address the new transnational configuration of European legal practice. Study programs offering education in civil law and common law are emerging everywhere in Europe and in Canada. At McGill University, the thirty-year old National Program has now taken the shape of integrated, trans-systemic legal studies. More and more legal scholars are intrigued by the idea that learning the law must be pursued by integrating multiple traditions and representations of law from the very beginning of a jurist's university education. Legal education moves into a world of ideas, no longer constrained by political geography or state normativity.

Programme

First Theme: *The Object of a Cosmopolitan Legal Education*: How can the idea of a core of concepts, methodologies and institutions that transcend legal geography be reflected in the choice of topics for discussion in class? How does one assemble pedagogical documents appropriate for a cosmopolitan legal education?

Part 1 (Thursday September 27, 9h15-11:00): What is the appropriate balance of the local, the sub-national, the national, the trans-national and the international in a cosmopolitan legal education? What weight should be given to trans-national norms and practices in a cosmopolitan legal education?

Interveniers: Michele Graziadei (Torino), Jan Smits (Maastricht), Catherine Walsh (McGill) and Frédéric Bachand (McGill) – **CHAIR:** Geneviève Saumier (McGill)

Part 2 (Thursday, September 27, 11h30-13h00): Is the idea of a cosmopolitan legal education necessarily tied to the classical sources and forms of Western law such as authoritative texts, Codes and judicial precedents? On the one hand, how does a cosmopolitan legal education account for the contemporary shape of the law, in statutes, administrative interventions, co-regulation practices, etc? On the other hand, how does a cosmopolitan legal education account for the shape of law in chthonic or aboriginal traditions?

Interveniers: Kirsten Anker (McGill), Adelle Blackett (McGill) and Peter Strauss (Columbia) – **CHAIR:** Steven A. Smith (McGill)

Lunch (13h00-14h30)

Second Theme (Thursday, September 27, 14h30-16h00): *The Language of a Cosmopolitan Legal Education*: How does one confront the challenge of language in a cosmopolitan legal education? Does it lead to the dominance of a single language of expression which might fail to convey the nuance of ideas within each tradition? Does it lead to language requirements that exclude some categories of students? Is

there a distinctive language and vocabulary of cosmopolitan law? Does cosmopolitan law bridge the gap between formal legal discourse and plain language?

Interveners: Gianmaria Ajani (Torino), Vivian Curran (Pittsburgh), Evan Fox Decent (McGill) and Roderick Macdonald (McGill) – **CHAIR:** David Lametti (McGill)

Third Theme (Friday, September 28, 8h30-10h00): ***The Politics of a Cosmopolitan Legal Education:*** Is the idea of a cosmopolitan or “trans-systemic” legal education necessarily tied to a market-driven, liberal conception of law? Does a “de-territorialized” program for legal education inevitably serve the interests of “elite” trans-national firms? How does a cosmopolitan legal education account for the different views that compete within our political space at the national and trans-national levels?

Interveners : Fabrizio Cafaggi (EUI, Trento) Richard Janda (McGill), Kirk Shannon (student, McGill) and Ewa Krajewska (student, McGill). – **CHAIR:** Shauna Van Praagh (McGill)

There will be an opportunity to attend a transsystemic class in the law of contracts (Friday, September 28, 10h00-11h30). The Round Table will end with a **Wrap-up lunch**, at which overall impressions of the colloquium will be presented by Kenneth Reid (Edinburgh) and Ugo Mattei (Torino, U.C. Hastings), (Friday, September 28, 11h30-13h00). **Other special guests:** Gerhard Dannemann (Humboldt), Elisabetta Grande (Piemonte Orientale), Ruth Sefton-Green (Paris II), and Franz Werro (Fribourg).