

As a French national teaching International Law in the United States, and as a contributor to the Maine Law Review Edition in question, I welcome the opportunity to continue this very interesting debate on why and how we teach what we teach. I have read again the relevant articles of the Maine Law Review and realized that all of us tend to focus on what is our perception of what is international law, what are our theories of law, whether these are influenced by our own training and education or whether they are a product of fundamental national or cultural differences. I think we somehow miss the point. Our teaching is not solely about the subject we are teaching and how we understand it. Quite the opposite, it is much more about whom we are teaching.

I have taught international law, only in the United States, but in two different settings: to undergraduate, or on occasion to graduate, students in International Relations, with no legal background at San Francisco State University and, to LLM or third year JD students, in a private law school (Golden Gate University School of Law).

The first category of students embodies what has been recognized as one of the most diverse student populations in the nation. Students at SFSU are ethnically diverse; several of them do not speak English at home. All religions tend to be present in every classroom. They come from different socio-economic backgrounds, some work full time, some don't. Many have families; some are young, some are much older. Some reside on campus, some commute. Even more striking is the wide range of their academic skills. Several of them lack basic writing skills, have very little knowledge of geography or history or of how the American government works. (To deplore the California public high school education system would take me much too long and would go beyond this short piece- suffices to say since we are talking about Franco-American differences, that I send my children to French schools in the city.) Others, on the other hand, are brilliant and could have been successful in many top universities and colleges, had they been able to afford them. My students are international relations majors. Within this major, I teach International Law, International Organizations, International Criminal Law, and Comparative Criminal Law. Do I teach from a (French) positivist point of view with a respect for formalism, or from an American perspective, which according to Judge Guillaume indeed incorporates other considerations such as effectiveness or social justice? Honestly, both and I don't believe they are incompatible. My students have had no legal background. It is therefore important to teach them some formalism and to introduce them to the rigor of a legal argument. It is important to alert them to the value of using exact words. It is equally important to convey that law is a distinctive field of study, one with its language and with its methodology. But I don't think I would serve them well if once I gave them those tools I did not show them the political context where law is developed and where it gets implemented. Then of course, like most International Law professors in the United States I have to look at the relationship between the United States and International Law. I don't see how, even in classrooms outside of the United States, one can ignore the relationship between the United States and International Law. When we study Human Rights can we not talk about the western philosophy of rights and the American constitution? When we talk about the regulation of the use of force, regardless of where we teach, should not we talk about the Iraqi conflict or the global war on terror? Accordingly, my syllabi, I think rather effectively according to students'

evaluations, combine an understanding of the formalism needed to appreciate what international law but also the context of its development and of its application. My syllabi indeed cover first the fundamentals of international law, and then explore how international law permeates various domains of international relations. In this aspect indeed I tailor my teaching to my audience and I try to fill gaps in their education. I use International Law to teach them both rigor and a greater understanding of the world where they live.

The other quite different categories of students I have taught are law students at Golden Gate Law School. The students' education level is more uniform and they all have a legal background. This presents another set of teaching difficulties. I indeed I have to challenge their American perspective on law. The first challenge is probably to explain that international law is not an extra territorial dimension of American law. Several students tend to believe that if only the international system could copy the American system, the world would be a much better place. They tend to get quite frustrated at the thought of a horizontal system, which lacks the strength of the separation of powers. For these students, my approach tends to be different than for the first category. They have acquired the conceptual understanding of law, but they need to accept for example that international judges do not make law, or that the American model may not be acceptable everywhere. As a result, they, as much as my undergraduate students, need to be introduced to the broader context of International Law. Consequently while my syllabi will be more oriented toward case law, my lectures will also attempt to bring a mix a legal concepts and contextual understandings of these concepts. Once again, the goal is for them to not only better understand the world around them but in their case, to consider the fact that law is seldom neutral.

As a conclusion, I can say that the study of divergent Franco American perspectives on International Law is a fascinating academic debate, and I was very glad to bring my modest contribution to it in the Maine Law Review Symposium. However in the classroom the debate is not as relevant. Our background of course influences our teaching but we also need to adapt our methods to our audience. Whether I am French or American, whether I think of International Law as separate from economic considerations or as a malleable tool of power politics, is not as important as the fact that I have to adapt my material to my audience. Our students in the United States come from multiple perspectives; they need to be taught from multiple perspectives.

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