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# A Core Curriculum for the Transnational Legal Education of JD and LLB Students: Surveying the Approach of the International, Comparative and Transnational Law Program at Osgoode Hall Law School

Craig Scott\*

My task is simple enough: to approach the question whether there is a core JD or LLB curriculum for transnational lawyers by briefly narrating Osgoode Hall Law School's experiment with the International Comparative and Transnational (ICT) Law Program that began four years ago.<sup>1</sup> By way of a preface, I hasten to make two points. The first point to note is that Osgoode's ICT Program is, to date, not mandatory for all our LL.B. students but, rather, an optional specialization; currently, about one-quarter of each year's entering class of around 280 students choose to take enter the program by taking the first-year ICT Program foundations course, *Globalization and the Law*. Secondly, however, the issue of a mandatory ICT curricular package for all LL.B. students is on the table at Osgoode—although not yet at the stage of full discussion—as we are in the middle of our most comprehensive curriculum review in 25 years. This leads to a standard disclaimer, plus a personal hope. The disclaimer is that the views expressed here are my own and not at all intended to represent the direction Osgoode Hall Law School will go. My personal hope is that some version of what I am about to describe will become a required part of the LLB education of all

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1. The LLB in English-speaking Canada, like the JD in the United States, is a first degree in law but admission is generally from a prior Bachelors degree. That said, nothing hinges on the fact the Canadian common-law LLB and the American JD are equivalents as the primary point of the present contribution is to present what any first degree in law should provide in terms of a transnational legal education. This includes the many systems outside North America where students take Law as, or as part of, their first university degree of any kind.

Osgoode students, if only in a more condensed form.

The attached ICT Program diagram (Diagram 1) will be used as a reference point for the narrative that follows. Attached also as Appendix 1 and Appendix 2, respectively, are a calendar description of the ICT Program and excerpts from two different syllabi of the *Globalization and the Law* foundation course. The latter is heavily edited, and meant only to convey the nature of the course at a fairly general level.<sup>2</sup>

In Diagram 1, you will see in the left-hand portion a progression of five courses that are boxed off in bolded black. Do your best to imagine these boxes as five building blocks in keeping with the structural metaphors—foundations, pillars, and capstone—we use to describe these required ICT courses. The first course, the already-mentioned *Globalization and the Law* “foundations” course is done in second term (January-April) of the first year.<sup>3</sup> In the second year, students are expected to take at least two of three “pillar” courses—*Public International Law*, *Conflict of Laws (Private International Law)*, and *Comparative Law*. This approach results in no single one of them being mandatory. That said, we strongly encourage them to take all three in order to be able to claim a comprehensive ICT grounding.<sup>4</sup> Finally, in the third year, there is the *ICT Colloquium*. This “capstone” course is limited to ICT Program students and is intended to pull together the thematic elements of the program by relating the “international,” the “transnational” and the “comparative” strands in a fairly high-powered intellectual way that includes visits from other Osgoode professors apart from the *ICT Colloquium*.

In the right-hand portion of Diagram 1, you will see some circles that are boldly outlined. These are just a few examples of the 25 or so

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2. Appendix 2 contains two versions of the *Globalization and the Law* course, the inaugural version taught by me in 2001-2002 and 2002-2003 and a different version subsequently taught by my colleague Peer Zumbansen (Canada Research Chair in the Transnational and Comparative Law of Corporate Governance) in 2003-2004 and 2004-2005. We are experimenting with the ideal form this foundations course should take, with a view to making a recommendation to Osgoode as to which of the two or what blend of the two appears ideal after four years of experimentation. The version that is part of Diagram 1 is the earlier, 2001-2003 version, with its distinctive feature of five “concrete modules” that tie the *Globalization and the Law* course into the other first-year courses that the students take.

3. While this course is mandatory for students who wish to graduate with an ICT Program specialization, it is one of a number of “Perspectives on Law” options from which first-year students must choose one. Accordingly, some students take *Globalization and the Law* out of interest but do not go on to do the entire ICT Program in the upper years.

4. If a student does take a third of the pillars—as probably half the ICT Program students do—she is able to allocate the four credits from that third course to the 13 credits of ICT options she must do outside the five building-block courses.

courses that students can choose from in any given year to make up a further 13 credits worth of ICT options. However, one important feature of the ICT Program is that ICT optional credits do not have to be chosen only from the list of courses that themselves are designated as “ICT” courses. There is the possibility of students “bridging”—yet another construction metaphor—“regular,” “non-ICT” courses by doing research papers with ICT content. The second set of interlinked circles are examples of the kinds of courses from which students could build bridges to the ICT Program—e.g., Business Associations, Taxation, Environmental Law, Family Law, Jurisprudence, and Criminal Procedure.<sup>5</sup> Adding together the required courses (the foundations course, two of three pillar courses, and the capstone course), ICT Program students will have completed, by the end of their three-year LLB degree, 27 credits out of a total of 90 LLB credits (24 out of a total of 60 upper-year credits). A good number of the ICT Program students end up with more than 27 credits in the ICT field, something that is easy to achieve given the considerable number of ICT-themed courses taught at Osgoode.

The above describes, ever so cursorily, the basic structure of the ICT Program, and hopefully makes Diagram 1 usefully intelligible. I return now to that course that perhaps most represents a freestanding innovation in transnational legal education, both in its content and in the fact it is taught to first-year law students. *Globalization and the Law* is a heavily interdisciplinary and contextualized (a heavily social-science) course. There is a significant contrast between it and what goes on in a lot of the other first-year subjects, even though Osgoode is a very policy-oriented, “law and . . .” sort of law school. In designing the ICT Program, we decided against putting in first year a mini-version of, or a selected set of doctrinal issues from, *Private International Law* and *Public International Law* in the manner of Michigan’s ground-breaking *Transnational Law* course (taught mainly but not exclusively to first years) whereby these two traditional international-law subjects are synergetically packaged into a basic introductory course that allows students to dispense entirely with fuller versions of those two courses in the upper years. We decided we wanted to avoid basic international-law

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5. For example, in *Family Law*, a student paper on transnational child abduction or on the policy dimensions of recognizing foreign marriages, and so on, would be eligible for ICT credit. To take another example, a *Jurisprudence* paper on the philosophy of legal sovereignty or on the nature of transnational law, and so on, would be similarly eligible. Virtually any course in the curriculum has the potential to be bridged to the ICT curriculum; one of the hopes of the ICT Program designers is that students bridging papers will draw in, and interest, more and more colleagues in exploring ICT dimensions as part of their own putatively “domestic” law courses.

doctrine as much as possible *per se*, and to be more oriented to issues raised by a host of transnational material and ideational forces that can all be loosely categorized under the term “globalization” and the relationship of those forces to law generally—including, necessarily, international law.<sup>6</sup> In Appendix 2 can be seen the 10 modules in the version of *Globalization and the Law* taught between 2001 and 2003. The extract describing the course content and objectives outlines the relationship between five “framework modules” and a further five “concrete modules,” and the associated intent to tie the themes of *Globalization and the Law* into each of the other first year courses; also, Diagram 1 seeks to represent this pictorially.

Moving from the first-year foundations course to the upper years, I have indicated that we require the ICT Program students to take two of the three pillar courses in second year (occasionally taking one in second year and the other in the first semester of third year). I also indicated we encourage students to take all three. Two issues come up with respect to potential future reforms of the ICT Program related to the pillars (or the design of pan-LLB mandatory components should the ICT Program serve as one point of reference for LLB curriculum reform at Osgoode). The first issue is whether the three pillars need a fourth—transnational law—and, if so, whether we need a separate “Transnational Law” pillar course that attempts to theorize the nature of law and governance beyond borders. Creating such a fourth pillar course would create a challenge for the role of the pillar courses within the ICT Program. On the one hand, it would create even less structure within the pillars, if we maintained the rule that students need take only two pillar courses. On the other hand, it could increase the credit load of ICT courses in relation to the rest of the LLB curriculum if it meant students now have to take three of four pillar courses. In the end, it may be—and probably is—best

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6. When I say “*per se*,” I mean to indicate that a considerable amount of introductory international law—both public and private—does get taught in *Globalization and the Law*. But it is not taught, and students are not asked to learn it, for its own sake, but only as a way to get a better feel for the nature and challenges involved in regulating—whether resisting or facilitating, or points in between—forces of globalization. Usually this international-law doctrinal material is presented as a short lecture preliminary to discussion of the policy, justice and legal-theoretical questions raised by a given module. For example, the basic issues involved in conflict of laws—e.g. adjudicative jurisdiction, choice of law, recognition and enforcement—as well as a short treetops lecture on the Convention against Torture as a public-international-law treaty are presented in about half an hour as a lead-in to the combined tort law and civil procedure questions raised by attempts at transnational human rights litigation. For the module on Constitutional Law, some survey of the modes of reception of international law by Westminster legal systems helps set up the question of whether and how the Canadian constitution, and not only statutes, should be interpreted as consistently as possible with international law obligations of Canada.

to assume the function of exploring the nature, including the very existence, of “transnational law” should continue to fall to the final ICT Program course, the capstone *ICT Colloquium*. The second issue is whether we should create an integrated “International Law (Public and Private)” course that could allow us to create a more coherent mandatory curriculum within the pillars. On such an approach, the new “International Law (Public and Private)” course would be four credits (like each of the existing *Public International Law* and *Conflict of Laws* courses, which would continue to exist as well) or perhaps somewhat more (such as five or six credits). We could then require ICT Program students to choose between taking either that conjoined “International Law (Public and Private)” course and Comparative Law—thereby leaving no gap in the pillars in terms of basic coverage—or to do all three of the existing pillars: *Public International Law*, *Conflict of Laws*, and *Comparative Law*. If we were to create such an “International Law (Public and Private)” course, the idea would for it to serve double duty: as one of two pillar courses for ICT Program students choosing to go that route, *and* to serve as either a mandatory or strongly encouraged course for all LLB students should Osgoode decide that no LLB student should be able to graduate without core knowledge of both public and private international law.<sup>7</sup>

As for the final building block, the capstone *ICT Colloquium*, I would add only that we are doing our best to make it the send-off experience for the ICT Program students, who get to interact with each other in a way that we hope creates serious opportunities for mutual learning. However, we have left open the possibility that a few students each year may not be at Osgoode in the second semester of third year, but rather abroad for a term—especially since we require an “experiential” dimension to each student’s ICT Program and exchanges are one amongst several possibilities to this end. For students who are away on exchange or letter-of-permission studies abroad in that final semester, they can tap into the course through web-casting and archived video links. While this is not a fully ideal way to interact with their colleagues back at Osgoode, it does add its own special learning dimension for the student in question.

By way of some closing comments, I will be encroaching on what Frans Vanistendael is about to say, although I hope not. In any event,

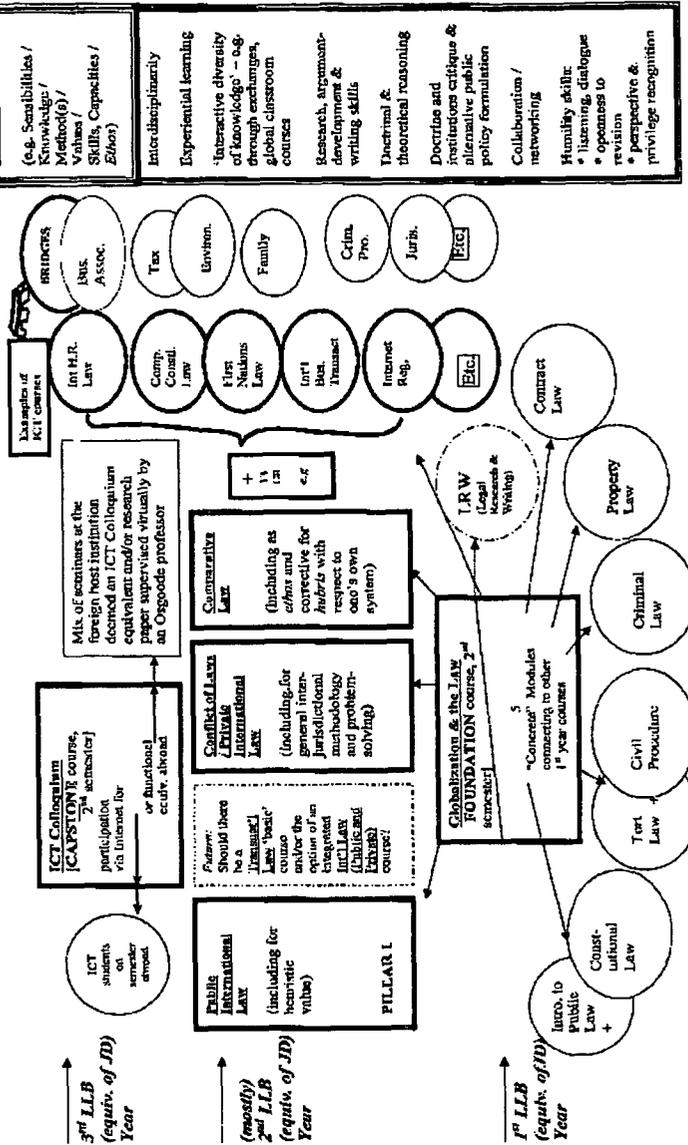
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7. As with the ICT Program students, I would envisage that students who choose not to specialize in the ICT Program would be able to choose between a fewer-credits option, the conjoined “International Law (Public and Private)” (4 to 6 credits), and more-credits option of doing each of *Public International Law* and *Private International Law* (a total of 8 credits).

perhaps it cannot hurt to have the point made by two of us. I think it is worthwhile for us all to reflect a bit on whether or not we from the common-law world—most of us the people in this room—do not have a serious, serious problem of parochialism in legal education. What do I mean by that? It is almost inconceivable that we would be discussing a lot of what we are talking about on this panel in terms of reform (and surmounting obstacles to such reforms) if we were a panel of legal academics and lawyers from continental Europe or other civil law countries. Virtually no school on the continent would think of graduating a student from their first degree in law without that student having had at least a basic exposure to private international law and public international law. It is just inconceivable. I acknowledge that there may be more scope for these courses as part of the mandatory curriculum in these countries in that most of these legal systems have a first degree in law of something like five years, plus there is a much greater positivist, black-letter-law cast to legal thinking (and thus legal education) in many civil law countries that leads to a tradition of a curriculum that makes a wide range of courses mandatory and not simply core international law subjects. Yet, discussions I have had with members of the administration at several continental European law schools in at least three countries suggests to me that these schools already have moved, or will move, to a curriculum with more choice for their students but will not sacrifice public or private international law as mandatory subjects. On this continent, in Canada, one just has to hop over to Quebec and see this contrast between the common-law world and Europe replicated, at least with respect to public international law as a mandatory subject in Quebec's civil-law schools.

Contrast this state of affairs to how it remains such a big deal in common-law Canada and the U.S. to make international law a required part of every student's education, even in the rapidly transnationalizing world in which we find ourselves in 2005. By closing with these observations, my hope is that to some extent the sheer contrast should at least give us pause and also prompt some reflection in the various curriculum-reform discussions going on across North America. In the result, some people will say the conclusion is that the continental tradition has got it wrong. The burden of the above discussion has been to suggest, albeit indirectly, that the burden of proof should be firmly on those putting forward such a conclusion.

**DIAGRAM 1**  
**International, Comparative and Transnational (ICT) Law Program -**  
**Osgoode Hall Law School of York University (Toronto, Canada)**



## Appendix 1

### **Calendar Description of the International, Comparative and Transnational Law Program (“ICT Program”) at Osgoode Hall Law School**

The world is changing rapidly and, with it, the nature of governance and the practice of law. Osgoode is well positioned to respond to these changes, both through curriculum offerings available to all students and through the specialized study represented by the ICT Program. There is a large range of courses taught in the international, comparative and transnational field in any given year at Osgoode, both by regular faculty and by visitors. Well over half of Osgoode’s full-time faculty members are currently working on some aspect of international, comparative and transnational law, including the interaction of various forces of globalization with the development of domestic law.

**Students registered in the ICT Program must complete the following requirements over the course of the LL.B. program:**

- in the first year, enroll in Globalization and the Law as their perspective option;
- in second year take two of three ICT pillar courses: Public International Law, Conflict of Laws (also known as Private International Law), and/or Comparative Law;
- in third year, take the ICT Program’s capstone course, The ICT Colloquium; and
- over the course of the two upper years, complete 13 further ICT-designated course credits (“optional” credits).

**Within the 13 optional credits, students must satisfy each of the following two requirements:**

- pursue at least one of the opportunities designated by the Program as having an “experiential” dimension (*see below for a list*), up to a maximum of 10 of the 13 ICT credits; and
- do research work worth at least 3 credits of the 13 credits in an ICT course or on an ICT subject

**Course offerings currently designated as ICT courses for the 2004-2005 year are (with credit allocations):**

Advanced Public International Law (3), Aerospace Law (3),

Comparative Law (4), Comparative Law: Islamic Law—Contemporary Theory and Practice (3), Comparative Law: The Rule of Law and Terrorism (3), Comparative Law: Political Economies and Comparative Corporate Governance (3), Conflict of Laws (4), Directed Research Program (10 of the possible 15-30; see section 17.1 of this Syllabus), Human Rights in Africa (3), Immigration Law (4), International Banking: Global Financial and Payment Transactions (3), International Business Transactions (3), International Criminal Law (3), International Courts and Tribunals (3), International Dispute Resolution (3), International Environmental Law (3), International Human Rights [2 sections] (4), International Research and Placements including Collaborative Research Teams (3), International Trade Regulation (4), Intensive Program in Lands, Resources, First Nations Government, Intensive Program in Poverty Law at Parkdale Community Legal Services—Immigration Group (10 of 15; see section 16.8), Jewish Law (3), Institutions of the European Union (3), Law and International Development (3), Law of War (3), Mooting (e.g. Jessup; Niagara; Aboriginal) (4-5), Native Rights (4), Public International Law (4), Refugee Law (3), Supervised Research Papers on ICT subjects (variable credit; see section 17.2), U.S. Constitutional Law (3), and U.S. Securities Regulation in Comparative Perspective (3).

Note that the three pillar courses—Comparative Law, Public International Law and Conflict of Laws—appear on this list of ICT options because of the possibility for a student to take all three pillars, in which case one of them contributes 4 credits beyond the required courses (Globalization and the Law; 2 of the 3 pillar courses; and the ICT Colloquium). This possibility is in fact something ICT Program students are very much encouraged to consider.

**The following is a non-exhaustive list of ‘experiential’ opportunities, from which students must do at least one.** This list is general and applies to opportunities that may be available during a student’s three years at Osgoode, and not necessarily in any given year such as 2004-05: study abroad or in Québec on exchange or on a letter-of-permission basis; ICT-designated intensive programs (e.g. Aboriginal Lands, Resources and Governments; Immigration and Refugee; Osgoode/Bologna Exchange Program in Italian Law and Legal System; and the Immigration section of the Parkdale Program); do ICT-related work in what is otherwise a “non-ICT” intensive (e.g. the groups in the Parkdale Program in Poverty Law other than the Immigration Group, the Intensive Program in Business Law); take a “global classroom” course (there are currently two—Law, the Individual and the Community, and

Internet Regulation and the Free Flow of Information—but neither are on offer in 2004-05); summer study program in the ICT field (look out, in particular, for currently planned Osgoode summer schools in partnership with Monash University in Prato/Florence, Italy, and in International Business Law in Bologna, Italy, in May and June of the summer of 2005; consider also summer study opportunities arranged through the University of Montreal to study Chinese Law in Beijing in the summer of 2005); summer internship abroad or in Canada on ICT theme, whether or not followed up by supervised research paper for credit in the following academic year; a term-time work-study practicum or internship such as may be made available or such as arranged within a Directed Research Program rubric in consultation with the Assistant Dean of Student Services; participating in a Collaborative Research Team (CRT) under the auspices of the International Research and Placements course; international, comparative or transnational (including Aboriginal) moots; and such other experiences (beyond the regular classroom experience) as proposed to and approved by the ICT Convenor.

**Please note the following aspects of the Program (some of which simply illustrate general rules stated above):**

1. It is possible to build bridges across courses designated as ICT and those not so designated, by receiving partial (or even full) credit for research papers or other written work done in “non-ICT” courses where the content is significantly ICT in nature. For example, a paper worth 50% of a four-credit Family Law course on transnational adoptions would count for two ICT credits or a 100% paper in a Jurisprudence class on international law theory would count for three credits. Such counting of ICT work in non-ICT courses must be specifically approved by the ICT Convenor. Students fill out a Bridging Form, have it approved by the Convenor and then have it signed by the course instructor who must confirm the written paper was as proposed in the Bridging Form.
2. Because of the conceptual challenges that are being pushed by changes to law and lawyering presented by globalization and the evolution of the fields of “international,” “comparative” and “transnational law,” students are asked to give special consideration to taking either Jurisprudence (offered fall term 2004-05) or Legal Theory (offered winter term 2004-05), and doing their paper as a bridging paper (see point 1, above) on an ICT theme.
3. The general principle is no more than 10 ICT credits for any given

course or program. Thus, the Intensives indicated as ICT courses (Immigration and Refugee, Aboriginal Lands, Bologna, and Parkdale-Immigration) have their ICT credits capped at 10. The same principle applies where a student has constructed an individualized Directed Research Program.

4. Students are strongly encouraged to consider taking all three pillar courses, counting the third towards the 13 credit requirement for non-mandatory ICT courses. Taking all three pillar courses increases the comprehensiveness of the student's ICT specialization.

5. ICT Program students are strongly encouraged to consider doing a Collaborative Research Team (CRT) within the course International Research and Placements in one of their two upper years.

6. The ICT Convenor, in consultation with the Assistant Dean (Student Services) and the Associate Dean, has authority to modify the rules stated above as appears necessary to her/him to facilitate a student's participation in the ICT Program, while maintaining the integrity of the Program. For example, the Convenor may, exceptionally, allow for a student to do one of the pillar courses in third year instead of in second year.

7. Courses in other faculties at York with an ICT content are eligible to be accorded ICT credits. For example, a student who takes a York graduate course in, for example, Colonial Literature (English Department) or Nuclear Deterrence Policy (Political Science Department) can bring that course selection to the ICT Convenor for approval as an ICT course. This would also apply, for example, to international business courses taken as part of the joint LLB/MBA. Note that students are permitted to take up to nine upper-year credits elsewhere at York, subject to approval by the Law School.

8. Note that Osgoode International has developed a list of institutional internships (e.g. with the International Tribunal for the Former Yugoslavia in The Hague, or the UN Law of the Sea Tribunal in Hamburg), with linkages to web sites containing information on how students can go about applying. Beyond such internships, Osgoode encourages students to create their own internship possibilities, relying on the advice and help of relevant faculty members. The ICT Convenor can assist with letters of support and by serving as a sounding board to help students think of possible internship opportunities they may wish to try to create. Many of the best internship experiences are those primarily

created by the imagination and initiative of the intern. Students are encouraged to use ideas and actual research and writing done as part of summer internships as the basis for Supervised Research Papers—or, at its most ambitious, a Directed Research Program—in the academic year following the internship.

9. ICT Program students are asked to do their best not to go away on exchange in the second term of third year, which is intended to be the term when the ICT Colloquium pulls the strands of the Program together for each ICT student. The Program will be experimenting with ways to provide for virtual participation in the ICT Colloquium for those students who are studying abroad, but this is unlikely to fulfill exactly the purposes of the Colloquium.

## Appendix 2

### Extracts showing course structure for Osgoode Hall Law School's *Globalization and the Law*

#### 1. EXTRACT FROM 2002-2003 VERSION (INSTRUCTOR: CRAIG SCOTT)

##### Overview of the Course

The main objective of this course is to provide a contextual treatment of the ways in which law, and our thinking about law, *are* being affected by various forces that are labelled as “globalization” as well as how ‘we’ in the field of law *should* respond to globalization(s). The course focuses on the structures and processes of “globalization” as a pervasive context affecting all areas of law. Not only are the impacts of the phenomenon increasingly evident in the law of the state, but also there is growing awareness of the importance of law beyond the state, including not only public international law but also foreign law invoked for comparative purposes or brought into ‘domestic’ law through what is known as private international law. There is a similar awareness of non-state, ‘unofficial’ law generated by international organizations and agencies, corporations and business networks, consulting and law firms, sectoral organizations, non-governmental organizations, and expert communities—and by the interactions of some or all of these actors. The central premise of the course is that a grasp of the evolving global political economy and communications revolution is key to understanding the evolution of ‘domestic’ law and legal practice. At a conceptual level, students will be asked to consider whether the notion of transnational law helps make sense of the web of legal norms and law-making processes that make up law beyond the state. The course is structured around 10 modules, each covered in a given classroom session of approximately 2 1/2 hours: 5 “framework modules” (Modules 1-5) and 5 “concrete” (or issue-area) modules (Modules A-E) organized with linkages to the rest of the first-year curriculum primarily in mind. Two other modules may be prepared on topics that will not be covered in class as part of the course, but which students doing the 3-paper evaluation option may wish to use in writing one or more of their papers.

##### Objectives of the Course in Relation to the ICT Program

*Globalization and the Law* is a perspectives course in the first-year curriculum, open to all first-year students interested in the course’s themes,

as well as to exchange and visiting letter-of-permission students. It is also the foundation course for the International, Comparative and Transnational (ICT) Law Curricular Stream; for students who wish to graduate with an LLB concentration/major in this ICT curricular stream, the course is mandatory. Absent a compelling reason, students are required to take this course in First Year as their Perspectives Option selection.

In relation to the ICT Program, the expectation is that students who have taken *Globalization and the Law* will, in second year, be in a position to approach the three “pillar” courses (*Comparative Law*, *Public International Law* and *Conflict of Laws*—of which ICT students must take at least two) with a greater sophistication and depth of understanding than would be possible coming out of a first-year curriculum dominantly ‘domestic’ in orientation. Do note that the foregoing does not mean that *Globalization and the Law* is an introduction, far less a digested survey, of the three pillar courses, although some condensed introductions to certain features of these three subjects will be necessary in order to properly get into some of the course’s issue areas.

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[Course structure through Module headings and sub-headings; readings removed]

MODULE 1: Globalization(s) in Context I: Perspectives from History and Economics

- *General*
- *Historical Structures and Echoes*
- *Economic Liberty and Human Freedom*

MODULE 2: Globalization(s) in Context II: Capital, Power and Civil Society

- *Hegemony and Resistance*
- *Case Study: Transnational Trade in and Transfer of Hazardous Wastes*

**MODULE 3:** Globalization(s) and “Law” in the Perspectives of Legal Pluralism

- *Ideas About Legal Pluralism*
- *The Shape of Legal Pluralism in the Sway of Globalizations*
- *A Jurisprudential Take on the Multiple Function(s) of Law*

**MODULE 4:** In Search of “Transnational” Law

- *Transnational Relations, Actors and Situations → Transnational Law?*
- *‘The’ Common Law as Transnational Law?*

**MODULE 5:** The Interaction of Private Authority and Public Legitimacy in Global Regulatory Processes and Networks

- *Theorizing Governance of Globalization*
- *The Dual Task of Establishing and Governing the Communications Infrastructure of Globalization*
- The global domain: some cyber-fun to end the framework module (a selection of ICANN arbitral decisions)

**MODULE A:** Contracting Globalization: Law and the Legal Profession in Global Commerce

**MODULE B:** Health, Property and Human Rights

**ALT. FRAMEWORK MODULE 6:** Global Governance and Transnational Civil Society

**MODULE C:** Borderless Justice through Transnational Tort Law?

**MODULE D:** Universal Criminal-Law Jurisdiction: Decentralized Prosecutions and Cooperative Enforcement

**MODULE E:** Cosmopolitanism and the Canadian Constitution: Reception, Interaction and Transformation in Encounters With Legal Others

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## **2. EXTRACT FROM 2004-2005 VERSION (INSTRUCTOR: PEER ZUMBANSEN)**

**MODULE A:** Disciplinary and Interdisciplinary Approaches to “Globalization”

**MODULE B:** “War”: The New Nature of Conflicts, Public International Law, Terrorism and the Challenges to the State-Centred Order Rules on Use of Force

- *Introduction to the Law of War and the Case of Humanitarian Intervention*
- *Exploring the Impact of the ‘War on Terror’ on National Civil Liberties—comparative perspectives*

**MODULE C:** Post-conflict Justice—Emerging Regimes of State-building, Societal Reconciliation and Memory

**MODULE D:** International Institutions, Economic Policy, International Finance and New Economic Actors

- *Law Making I: Introducing the Main Actors on the International Institutional Scene*
- *Law Making II: Global Regulation of Business? Global Regulation v Self-Regulation: The (false?) Promise of Private Ordering and the case of Corporate Social Responsibility*
- *Who’s Law? Belonging, Membership, Global Cities, International Division of Labor, Disenfranchised Migrants and Workers*

**MODULE E:** Non-governmental Organizations and Corporate Networks as Answers to Changing Structures of “States and Markets”

- *NGOs I: Issues of Identification and Definition in the Transnational Arena*
- *NGOs II: Regulatory (Administrative) Law in the Global Era*

**MODULE F:** Private vs. Public Ordering, Transnational Law and Litigation, and the Legal Nature of Societal Self-regulation

- *Of Borders, Distinctions and Translations: Transnational Human Rights Litigation—Introducing Conflict of Laws*
- *Transnational Human Rights Litigation (cont'd): Forum and Enforcement Issues in Corporate Crime*

**MODULE G:** Comparisons, Transformations and 'Legal Transplants'

- *Exporting the Rule of Law: The Challenge and Problem of 'Legal Transplants'*
- *What Good is (Comparative) Law?*

