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# Co-Teaching International Criminal Law: New Strategies to Meet the Challenges of a New Course

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# CO-TEACHING INTERNATIONAL CRIMINAL LAW: NEW STRATEGIES TO MEET THE CHALLENGES OF A NEW COURSE\*

*Stacy Caplow\*\* and Maryellen Fullerton\*\*\**

## I. INTRODUCTION

International Criminal Law came of age as an academic discipline in the 1990s.<sup>1</sup> When nations around the globe joined to create two new international tribunals to bring high profile human rights violators to trial, the world witnessed the first concerted effort in fifty years to hold accountable individuals who committed crimes against humanity and genocide.<sup>2</sup> The tribunals for Rwanda and the former Yugoslavia have, in turn, generated new codes of procedure and new substantive law decisions concerning criminal culpability. The Rome Statute, which led to the creation of the International Criminal Court in 2003,<sup>3</sup> further solidified the role of international criminal law as a part of the criminal justice system. At the same time, transnational crimes like money laundering, narcotics trafficking, and terrorism were reshaping the world of domestic laws and procedures. Accelerated by legal responses post-September 11, new issues related to both national and international investigation, apprehension, prosecution, defense, and jurisdiction arise with great frequency.<sup>4</sup> International Criminal Law encompasses parts of many other courses—International Law, Criminal Law, Criminal Procedure, Comparative Law, International Human Rights—and is evolving in front of our eyes as both an area of law and a law school course.

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1. *See, e.g.*, Section of Criminal Justice, ABA Section of International Law and Practice, *Report of the ABA Task Force on Teaching International Criminal Law*, 28 INT'L LAW 535, 535 (1994) (noting an increase of International Criminal Law courses in law school curricula in response to the growing importance of international criminal law).

2. In 1993, the United Nations Security Council established the International Criminal Tribunal for the former Yugoslavia pursuant to S.C. Res. 827, U.N. Doc. S/RES/827 (May 25, 1993). In 1994, the International Criminal Tribunal for Rwanda was established pursuant to S.C. Res. 955, U.N. Doc. S/RES/955 (Nov. 8, 1994).

3. Rome Statute of the International Criminal Court, July 17, 1998, U.N. Doc.A/CONF.183/9, 37 I.L.M. 998.

4. *See infra* Part III.E and note 22 (listing some of the post-September 11 issues we examined in our International Criminal Law course at Brooklyn Law School).

For several years, we recommended adding an International Criminal Law course to the Brooklyn Law School curriculum, and we specifically asked to teach it together. We had two principal reasons. First, the course is an amalgam of our separate areas of prior teaching experience. We thought that the combination of our international and criminal law backgrounds would allow us to understand this new field more easily. Second, although joint teaching by full-time faculty is rare,<sup>5</sup> much of law practice is collaborative and we thought our joint efforts would bring a synergy to the endeavor. We also counted on the sum of our parts adding up to a larger whole as our aggregate mastery of the subject would expand our individual contributions. In addition, we saw co-teaching as an opportunity for two friends to collaborate and mutually benefit from working together.

Most educators in other fields report a variety of advantages gained by both teachers and students in team-taught courses. The consensus is that teamwork promotes self-discipline, forces teachers to clarify goals for each class, exposes teachers to new perspectives from observing others teach, improves the quality of teaching by combining teachers' strengths, energizes and improves morale, and encourages creativity and community.<sup>6</sup> At the same time, all concur that team teaching requires considerably more effort and time spent on coordination, planning, and mutual reflection, as well as administrative support and encouragement.<sup>7</sup>

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5. In contrast to the world of lawyers and business, "an honest assessment would show us that law schools have almost no use for teamwork. Law schools do not encourage team teaching . . ." Beverly I. Moran, *Trapped by a Paradox: Speculations on Why Female Law Professors Find It Hard to Fit into Law School Cultures*, 11 S. CAL. REV. L. & WOMEN'S STUD. 283, 294 (2002). Team teaching is even "rarer" than opportunities given to students to work cooperatively. Barbara Glesner Fines, *Competition and the Curve*, 66 UMKC L. REV. 879, 906 (1997). In two comprehensive bibliographies covering teaching methods, Arturo López Torres, *MacCrate Goes to Law School: An Annotated Bibliography of Methods for Teaching Lawyering Skills in the Classroom*, 77 NEB. L. REV. 132 (1998), and Arturo López Torres & Mary Kay Lundwall, *Moving Beyond Langdell II: An Annotated Bibliography of Current Methods for Law Teaching*, 35 GONZ. L. REV. 1 (2000), the authors identify only a handful of articles describing team teaching, and those appear in a limited range of offerings: legal writing, clinical, or skills courses.

6. The team-teaching method increases resources in the classroom through cooperation by instructors. It reflects cooperative learning theories, and its goal is to maximize student learning opportunities. Shlomo Sharan & Hanna Shachar, *Cooperative Learning and School Organization: A Theoretical and Practical Perspective*, in HANDBOOK OF COOPERATIVE LEARNING METHODS 318, 329-31 (Shlomo Sharan ed., 1994). See also FRANCIS J. BUCKLEY, S.J., TEAM TEACHING: WHAT, WHY AND HOW 11-12 (2000).

7. BUCKLEY, *supra* note 6, at 12-15. See also GARY THOMAS, EFFECTIVE CLASSROOM TEAMWORK: SUPPORT OR INTRUSION? 28-29 (1992); MARY SUSAN FISHBAUGH, MODELS OF COLLABORATION 101-15 (1997); GORDON A. DONALDSON, JR. &

After a semester of co-teaching International Criminal Law, a course new to us and to our law school, and one that is taught at relatively few schools nationwide,<sup>8</sup> we are converts both to the subject matter and to collaborative teaching. As we gained a new depth of understanding of the dynamic and multilayered field, we also profited from the joint intellectual journey. We were sustained by the collaboration itself as we were able to tackle new materials while taking a more reflective look at the teaching process. As experienced teachers who have frequently taught the same course year in and year out, we know that manifold non-teaching demands on time and attention often induce us to rely on time-honored materials and methods.<sup>9</sup> Team teaching, however, does not permit inertia, laziness, short cuts, or complacency since it forces articulation of choices and decisions about content and method, coordination, cooperation, compromise, and regular reflection about performance. Indeed, we found that the demands of team teaching multiplied rather than diminished our workload as we spent our semester in perpetual motion. Nonetheless, we found the rewards more abundant and the reinvigoration more robust than we had experienced in the past when we prepared new courses alone. The esprit, and occasional stress, of the collaboration also created new layers to our friendship (both personal and professional) with promising directions for the future.

## II. EMBARKING ON A NEW CHALLENGE

### *A. Our Initial Decision to Co-teach International Criminal Law*

Several years ago, we approached the administration with the proposal that the law school offer a new course in International Criminal Law, and that we co-teach it. Our reasons ranged from the desire for serious pro-

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DAVID R. SANDERSON, *WORKING TOGETHER IN SCHOOLS: A GUIDE FOR EDUCATORS AND AUTHORS* 111–12 (1996).

8. Although we realize that faculty members may prepare their own materials, we attempted to do a rough survey of how many law schools offer a course in International Criminal Law by examining the adoption of the two major texts. According to information supplied by the publishers, we concluded that fewer than fifty-five law schools have offered International Criminal Law in any one academic term during the past four years. See e-mail from Diana Bell, Carolina Academic Press, to authors (July 7, 2004, 15:16 EST) (on file with authors); e-mail from Lisa A. Hughes, Sales Operations Manager, LexisNexis Law School Publishing, to Violeta Petrova, *Brooklyn Journal of International Law* (Aug. 29, 2005, 13:39 EST) (on file with the *Brooklyn Journal of International Law*). A sizeable proportion of the courses seem to be taught by adjunct or visiting law professors.

9. Since both of us have been teaching for more than twenty years, we have taught several courses repeatedly during that time.

fessional growth to just plain wanting to have fun. We thought that the students might also appreciate the variety of learning from two people and would benefit from seeing a model of teaching collaboration that is usually absent in the law school classroom outside of clinics.<sup>10</sup> We made the case for offering the new course and persisted in our request to co-teach it.<sup>11</sup> After two years, our administration agreed.

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10. Adherents of cooperative learning praise collaborative learning experiences for students because they import a greater variety of different experiences into the creative lawyering process, foster communication skills, encourage listening to others, and reduce competitiveness. *See, e.g.*, GERALD F. HESS & STEVEN FRIEDLAND, *TECHNIQUES FOR TEACHING LAW* 131–36 (1999); Susan Bryant, *Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession*, 17 VT. L. REV. 459, 460 (1993); David F. Chavkin, *Matchmaker, Matchmaker: Student Collaboration in Clinical Programs*, 1 CLINICAL L. REV. 199 (1994) (discussing advantages and disadvantages of group work in a clinic setting); Stephanie M. Wildman, *The Question of Silence: Techniques to Ensure Full Class Participation*, 38 J. LEGAL EDUC. 147, 152–54 (1988); Mark Tushnet, *Evaluating Students as Preparation for the Practice of Law*, 8 GEO. J. LEGAL ETHICS 313 (1995) (an experiment in joint grading). But, the acknowledged advantages of student collaboration rarely seem to replicate in the traditional classroom, although at least according to one optimistic law school dean, “[s]eminars, clinical courses, team teaching, and courses in drafting legal instruments have begun to dominate the method of instruction in upper level classes.” Frank J. Macchiarola, *Teaching in Law School: What Are We Doing and What More Has to Be Done?*, 71 U. DET. MERCY L. REV. 531, 535 (1994).

11. Team teaching is a luxury both for the law school and the collaborating teachers, as the members of the teaching team offer fewer courses than when they are teaching solo. Perhaps this is why most reported team-teaching efforts have paired a doctrinal teacher with an adjunct practitioner or skills teacher. *See, e.g.*, ABA COORDINATING COMMITTEE ON LEGAL EDUCATION, *TEAM-TEACHING OF SUBSTANTIVE LAW AND PRACTICE SKILLS IN SUBSTANTIVE LAW CONTEXTS* (1996); Hon. Robert R. Mehri, Jr., *Legal Education: Observations and Perceptions from the Bench*, 30 WAKE FOREST L. REV. 369, 376 (1995) (courses team-taught by law professors and practitioners add “exciting real-life dimension to law school curriculum”). *See also* Barbara J. Busharis & Suzanne E. Rowe, *The Gordian Knot: Uniting Skills and Substance in Employment Discrimination and Federal Taxation Courses*, 33 J. MARSHALL L. REV. 303, 344–45 (2000) (advocating for a practicum model administered by a practicum professor in close cooperation with a doctrinal professor); Carol Chomsky & Maury Landsman, *Using Contracts to Teach Practical Skills: Introducing Negotiation and Drafting into the Contracts Classroom*, 44 ST. LOUIS L.J. 1545, 1546 (2000) (pairing a Contracts and a Negotiation professor); Robert P. Burns, *The Purposes of Legal Ethics and the Primacy of Practice*, 39 WM. & MARY L. REV. 327, 353–54 (1998) (Professional Responsibility taught with practitioners and/or skills teachers). Other courses pair a legal academic with an academic from another field in an interdisciplinary course. *See, e.g.*, Symposium, *Promoting Justice Through Interdisciplinary Teaching, Practice, and Scholarship*, 11 WASH. U. J.L. & POL’Y 1 (2003); V. Pualani Enos & Lois H. Kanter, *Who’s Listening? Introducing Students to Client-Centered, Client Empowering, and Multidisciplinary Problem-Solving in a Clinical Setting*, 9 CLINICAL L. REV. 83, 99–103 (2002) (discussing a multi-disciplinary approach to advocacy on behalf of victims of domestic violence, spanning across legal

Individually, we were both extremely enthusiastic about introducing International Criminal Law, with its “ripped from the headlines” subject matter, to the curriculum. Although the scope is vast and daunting, requiring the mastery of an extensive and unwieldy body of international and national law, with legislation, judicial opinions, and treaties affecting many countries and institutions, we thought a joint effort would combine our resources and strengths and result in a more effective presentation. We each relished the prospect of learning more about the other’s field and about the burgeoning field of international criminal law.

We also wanted to work together because we like and respect each other. Although we have been colleagues and friends for more than twenty years and had spent a semester together in our immigration clinic,<sup>12</sup> we knew that co-teaching a new, wide-ranging course would be an even closer collaboration. We saw this as an opportunity to advance our professional lives not only by adding another course to our repertoire but also by tackling another kind of teaching experience. Working as co-teachers would require us to dedicate more energy and reflection to exactly what we were doing in that classroom and give us each permission to engage, reflect upon, and mutually improve our teaching.

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and non-legal disciplines); David J. Herring, *Clinical Legal Education: Energy and Transformation*, 31 U. TOL. L. REV. 621, 626–27 (2000) (discussing inter-disciplinary benefits in clinical work); Harry T. Edwards, *The Growing Disjunction Between Legal Education and the Legal Profession: A Postscript*, 91 MICH. L. REV. 2191, 2196 (1993) (co-teaching with psychiatrists). Occasionally, two or more legal academics combine or blend two or more courses. See, e.g., Richard H. Seamon & Stephen A. Spitz, *Joint Teaching with a Colleague, For Just a Week or Two*, 52 J. LEGAL EDUC. 258 (2002) (describing the structure of separate and blended classes in Property and Constitutional Law); Jay Feinman & Marc Feldman, *Pedagogy and Politics*, 73 GEO. L.J. 875 (1985) (describing Contorts, a course that combines Contracts, Torts, and Legal research and Writing); Alan D. Hornstein & Jerome E. Deise, *Greater Than the Sum of Its Parts: Integrating Trial Evidence & Advocacy*, 77 CLINICAL L. REV. 77 (2001) (combining courses in Evidence and Trial Advocacy). A final example is a short-term megacourse taught by a large number of faculty members. See, e.g., Christine A. Corcos, Melvyn R. Durchslag, Andrew P. Morriss & Wendy E. Wagner, *Teaching a Megacourse: Adventures in Environmental Policy, Team Teaching, and Group Grading*, 47 J. LEGAL EDUC. 224 (1997) (four teachers teaching a twelve-credit, two-semester course that included a summer internship); Ken Myers, *Megateam to Teach Single Course on NAFTA at Kansas’ Washburn*, NAT’L L.J., Dec. 20, 1993, at 4, 4 (one-credit class taught by team of as many as thirteen professors to about forty students and local practitioners).

12. Brooklyn Law School occasionally allows non-clinicians to spend a semester doing clinical teaching. In Spring 1999, Maryellen taught in the Safe Harbor Project which Stacy has directed since 1997.

MEF: As I look back on my desire to co-teach this course, I'd say that I've really enjoyed classroom teaching for two decades: the give-and-take with the students, the feeling of success when a student's face shows understanding, the sense of communicating important perspectives about our society. I think I'm good at demystifying, initiating thinking, and challenging students to be inquisitive and analytical.

What I haven't liked is the sense of intellectual solitude that I often feel—in the classroom, in the halls, in my office. I have warm relations with my colleagues and with many students, but intellectually speaking, I experience teaching as something I do ALONE. The students are there, of course, and I consult colleagues about teaching materials, perspectives, and so on, but I rarely have the opportunity to share the classroom with a peer whose responses to the classroom dynamic are likely to be attuned to the same issues as mine.

SC: I've always enjoyed taking on new courses and challenges. Over the years, I have taught six different clinics, often learning new subjects. I've also taken leaves of absence to work, again often in new areas of law or unfamiliar professional contexts. I'm accustomed to the anxiety of the unknown but also have learned how valuable the benefits of stretching and changing can be.

As a clinician, I don't experience isolation. Many of my clinic classes are co-taught, usually around a table, so that the atmosphere is more relaxed. Quite the opposite; I feel pulled in many directions all the time—by students, by clients, by the outside world. This course would open up whole new bodies of law to me, even a new language and method of seeing the world and approaching the law. It also would allow me to cross the international law border. Working with Maryellen would reduce the risks and stress of a new course. And, because she is such a talented teacher, I knew I'd learn a lot from the joint venture.

From the moment that our proposal was approved, we were joined at the hip, spending hours together in our offices, on the phone, or e-mailing. It helped that neither of us began with a definite vision of the course that had to yield to a competing view. We often wondered, both aloud

and silently, if continuous efforts to accommodate, negotiate, and compromise would make us regret our decision.

### *B. Preparation*

Like any teacher of a new course we went into planning mode. What are the objectives of the course? Which topics should we include? We needed to develop our syllabus, but to do even that, we had to decide how to conduct this team-teaching enterprise. Some decisions were easier than others, and it was not always predictable which issues would be harder to resolve. Many decisions were interdependent.

We agreed readily not to limit class size and to teach a three-credit survey course rather than a specialized seminar. We also established no prerequisites, although we expected to draw primarily from the fairly large pool of students at our law school interested in international law and, secondarily, from the students eager to take any course in the criminal law field.<sup>13</sup> As a result, as we planned the overall curriculum and the individual classes, we had no idea how many students would enroll in the class or what their baseline knowledge would be. We assumed, however, that, with a few exceptions such as those students who might have selected the course because it met at a convenient time, most students would be as excited about the subject matter as we were and would be receptive to an innovative course. Indeed, throughout the semester, many students mentioned that they were glad to be part of a unique, somewhat experimental, and creative venture.

We wanted to bring as much life as possible to the course since many things that we would be studying might seem both far away and hard to imagine, and yet be contemporary and vital. We knew we would have to provide substantial background for many discussions because we have learned over the years that world events that seem recent to us are faint historical references for our students.<sup>14</sup> To provide context and to emphasize contemporaneous developments, we planned for three guest-speaker

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13. With regard to the prerequisites, we knew that all students would have taken Criminal Law in their first year. We also knew that many of the student members of the *Brooklyn Journal of International Law* would have taken the basic public International Law course in the previous fall semester, so we thought that at least some of the students likely to enroll would have been exposed to fundamental concepts of the international legal system.

14. During the semester, we encountered many examples of this truism. For example, most of our students did not know details of the 1972 Munich Olympics hostage-taking, the 1985 Achille Lauro hijacking, the 1988 Lockerbie airline bombing, or the *desaparecidos* in Pinochet's Chile.



class sessions at intervals during the semester.<sup>15</sup> We also agreed to show parts or all of several commercially available films in connection with particular topics,<sup>16</sup> and we devoted a lot of energy to posting current news articles on the course web page in order to increase the students' sense of connection to outside events that unfolded almost daily. We hoped that the students who chose to enroll would respond to this barrage of information.

Our two most important decisions were the choice of texts and how we would structure our co-teaching. Selecting our teaching materials was difficult. We did an exhaustive search of various texts available in English, spending some time looking at volumes written by non-U.S. authors, and we fleetingly considered putting together our own materials. Rather quickly, though, we both agreed on the pragmatic approach of adopting one of the current U.S. casebooks.

MEF: Stacy took the lead here and enthusiastically investigated the alternatives. I was happy to follow her instincts, because I had adopted the more prosaic (lazy?) approach: "We'll present an interesting course no matter what materials we use."

Neither of the two available casebooks meshed with my vision of the course. In my view, one was vastly over-inclusive and the other significantly under-inclusive. We selected the smaller text. Then we decided to choose the more expansive one. Then we flip-flopped several more times before we settled back on our original choice. Although I had initially said that I didn't care which we adopted, I ended up arguing strongly to stick with our original choice.

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15. Our first speaker, David N. Kelley, former United States Attorney for the Southern District of New York, has been one of the most experienced prosecutors of terrorism cases nationally. Our next speaker was Benjamin B. Ferencz, a well known veteran prosecutor at the Nuremberg Trials and a captivating orator, who has also been an ardent activist on behalf of the International Criminal Court. *See* Benjamin B. Ferencz, <http://www.benferencz.org> (last visited Aug. 5, 2005). Our last speakers shared a single session. They were Maxine I. Marcus, a former student who was then working in the Office of the Prosecutor of the Special Court for Sierra Leone, and Justice Gustin L. Reichbach, New York Supreme Court (Kings County), who recently spent six months as an international judge on the tribunal established by the United Nations Mission in Kosovo.

16. We showed the award-winning *ONE DAY IN SEPTEMBER* (SONY Pictures Classics 2001), and three films in the Court TV series *LANDMARK WAR CRIMES TRIALS: THE NUREMBERG TRIAL, THE TRIAL OF ADOLPH EICHMANN, AND THE BOSNIA WAR CRIMES TRIAL* (Choices 2000).

I found this process excruciating. I didn't want to keep revisiting the decision. It was the first strong signal to me of the extra time and emotional energy that team teaching might demand. Incidentally, I ended up thinking that we had made the wrong decision, and I felt guilty about it for much of the semester.

SC: I wanted to be pragmatic. I thought there were two viable options. I liked the approach of the casebook that selected more U.S. case law because I thought the students would be more comfortable dealing with new concepts if they were set in familiar sources. And, incidentally, so would I.

I also liked the mundane fact that one was in paperback and would cost the students less money. Plus, I thought the one we chose would not require the purchase of a documentary supplement. During the semester I regretted the choice because we needed to supplement the casebook so heavily. This was a burden on us and on our students.

Once we had decided on the casebook,<sup>17</sup> we selected the topics and their sequence and began to develop a basic syllabus (a work-in-progress throughout the entire semester, by the way). We considered how to deploy ourselves and how to define our joint teaching concretely. Quickly, and without controversy, we agreed that we would divide up the classes/topics evenly. Several of our colleagues who had jointly taught seminars had advocated a point-counterpoint approach, with the two faculty members disagreeing and debating each other frequently during the class. We were reluctant to adopt that method in a large survey course because we thought that having two faculty voices contradicting each other ran a serious risk of suppressing student participation. We also worried that the students would feel more confused than we wanted in a course that might be a leap into uncharted waters for many of them. And, we felt tentative enough in this new venture that we did not want to undermine our authority. Accordingly, we agreed that when one of us was leading the class, the other would sit in the back and resist participating.<sup>18</sup>

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17. We decided to adopt EDWARD M. WISE & ELLEN S. PODGOR, *INTERNATIONAL CRIMINAL LAW: CASES & MATERIALS* (2000 & Supp. 2003). In 2004, a second edition was published.

18. Although we realized that the observer might occasionally have an insight or clarification that might be helpful to the class discussion, we decided to forgo that poten-

SC: I strongly advocated that we should each take responsibility for particular classes or topics. First, there were the reasons I was willing to articulate: I thought the students might be thrown off balance unless one of us was "in charge" of the class. I suspected that, unless we carefully scripted our presentation, the point-counterpoint method would be more confusing than helpful. I was skeptical of the argument that students benefit from hearing diverse viewpoints because they learn that "there are no answers." Two "expert opinions" might preempt student discussion. I also knew that I would learn more about teaching from Maryellen if I simply could observe her rather than be expected to join the discussion.

My less defensible reasons for wanting to divide classes completely were efficiency and insecurity. Obviously, if each of us took the lead for designated classes, a difficult enough task for me given the unfamiliarity of international law materials, the workload would be less onerous. Also, in most classes in which the teachers engage in debate, they are legitimate experts with well-defined opinions. As a newcomer to this field, I hesitated to hold myself out as such.

MEF: I saw the advantages of bifurcating teaching, but I leaned more toward designing an approach that enabled both of us to participate in the discussions and debates within a class. In large part, I wanted more collegial debate in class because I wanted to redress the intellectual isolation I find dissatisfying in solo teaching. I suspect I also felt less insecure because I was comfortable with the "foreign" elements—the international law concepts, vocabulary, and sources of law.

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tial benefit and instead rely on the techniques we had developed for occasions in the classroom when we did not know the correct or complete answer to a student question. We thought that any misinformation could be fixed in the next class, as each of us would have done if teaching the course alone, and decided not to risk disrupting the pace of the class by having the non-leader inject amplification or correction. We violated this resolution a few times during the semester, each time with the tacit permission of the person up front, usually in the form of a plaintive glance or a raised eyebrow.

From past experience in sharing the podium during the same class period, though, I knew I found it difficult to relinquish control over the class and to wait my turn so I agreed that it would be wiser and more manageable if we took turns designing the classes and leading the discussion.

Once we decided to alternate primary responsibility for topics and created a rough roadmap for our syllabus, dividing the topics was simple. Some were natural fits. With regard to the rest of the topics, we were both so interested in the ideas of the course and so eager to accommodate the other that we basically volunteered for particular subjects with an eye toward giving the other a break. We wanted the students to get used to both of us as teachers from the beginning of the semester, so we alternated as much as possible, with each teaching no more than three classes in a row.

Dividing the classes this way also made our lives easier. Only one of us had to wrestle with the materials and develop a lesson plan for any particular class, although we each faithfully read all of the assignments and attended all of the classes. Alternating topics had the added benefit of providing each of us a little breathing room during the semester when the other took charge for a week or so. On occasion, the alternating structure created problems, and one of us would have to finish a unit at the beginning of a class the other was scheduled to teach. Our timing improved over the semester. We also remained flexible. Sometimes, to avoid confusion, we delegated to the other the job of wrapping up the previous class's materials.

Selecting the classroom format for our joint teaching effort had an impact on how we came to describe our experience. Although we have variously called it "team teaching," "joint teaching," and "collaborative teaching," we have come to think that the term "co-teaching" more accurately reflects our feeling about this venture. To many, team teaching implies that both teachers are active in the classroom at the same time. To some, it suggests that one teacher is the master, the other the apprentice. To others, it brings to mind a sports analogy, with images of elaborate game plans, split-second coordination, and multiple people on the field at the same time. For us, co-teaching implies a more equal sharing of authority. It also emphasizes the coordination aspect that accompanies alternating primary responsibility by course topic. Finally, it reflects the compromises and cooperation that follow a decision to share responsibility and cede a certain amount of the absolute control a law teacher typically exercises.

Co-teaching, at least as we did it, unquestionably increased the amount of time each of us spent on class preparation during the semester. We almost always consulted in detail about the materials and the best approach for each class. This was in addition to our individual preparation for the class. Also, even before we reached the stage of developing a lesson plan, we frequently found that the materials raised complicated and puzzling issues which we turned to each other to discuss. We *always* debriefed and reviewed class afterwards, time we rarely spent when teaching solo.<sup>19</sup>

### III. ADJUSTMENTS, COMPROMISES, ADAPTATIONS, AND SOME OF THE NITTY-GRITTY DETAILS

#### *A. The First Class*

The first day of the semester found us in a large classroom with sixty students enrolled in International Criminal Law. In addition to the usual first class housekeeping details and a discussion of a hypothetical scenario that introduced the main themes of the course, topics typical for any first class, we explicitly addressed the challenges of team teaching and our hopes for its impact on the students' learning. We advised them how we planned to organize the semester and how we planned to evaluate their performance. We wanted to let them know how we thought our different areas of expertise would enrich the course and allay any concerns that alternating the principal teaching role would be confusing. Saying all of this aloud helped convince us also that we could succeed in our experiment.

#### *B. Cooperation*

To co-teach democratically also required a substantial divestiture of the unilateral decision making that typically occurs, and is basically privileged, in law schools, and probably in most educational settings. We had to consider and reconsider every step in mutually respectful, time consuming, and conciliatory consultation. We adjusted or surrendered some of our usual habits. For example, we took attendance although that had been a ritual for only one of us. To reconcile our differences about whether to call on students by their first or last names, one of us acceded.

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19. To encourage professional development growth in teaching, Brooklyn Law School has adopted a policy that each full-time tenured faculty member visits the classes of two colleagues each year in order to learn from observing. Ideally, the visitor and the teacher talk about the class afterwards. The program is, however, voluntary, and the visits tend to be sporadic and unevenly distributed.

We briefly considered sticking with our respective habits but decided that would be too confusing. With regard to student participation, one of us routinely relies on volunteers while the other moves through the class randomly calling on many students. As the semester wore on, we both seemed to move to a middle, more mixed ground. Similarly, after we decided to offer students a paper option instead of an exam, we had to negotiate our different approaches about deadlines and expectations, and then communicate this clearly to the students.

On the other hand, we actively encouraged each other to try new strategies and techniques in the classroom. For example, we devised word games to demystify some of the vocabulary, scavenger hunts to encourage the students to penetrate the complex Rome Statute defining the International Criminal Court, and, for the first time, created Power Point presentations. None of these tasks required two teachers, and some were more effective than others, but the constant presence and encouragement of another teacher dedicated to the same course created an environment that made both of us want to be more creative and invest more energy in our teaching.

Not only did we try new teaching techniques, but we each undertook classes or units on topics more natural to the other.<sup>20</sup> For example, Maryellen, the jurisdiction maven, taught the class about the Nuremberg precedents while Stacy worked the students through the jurisdictional limitations of the international criminal courts in the Hague and Tanzania. Stacy, the criminal law expert, covered extradition procedures while Maryellen focused on enemy combatants and the Guantanamo detainees. These choices are another reflection of the many different ways that the presence of a co-teacher energized us to push ourselves in new directions.

### *C. Teaching Styles*

In the classroom, we had dissimilar styles. At least that is what the students told us. Many of them had taken classes from both of us before and knew what to expect. Indeed, after the first class, one said, "We knew more than you did about how different you are in the classroom." Other students were new to both of us. Each of us had close relations to a few students who had been our teaching assistants, clinic students, or advisees. In general, the students in the class had great enthusiasm for the course, and in many cases loyalty to us. The spirit was high throughout the semester, despite some adjustments to our different approaches in the classroom.

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20. See *infra* Part III.E (detailing the range of topics we covered in the course).

Having now spent twenty-eight classes together, we are mystified by the students' anecdotal responses that our classroom methods are different. We think our teaching styles are fundamentally the same. We both teach standing up from the front of the classroom, in a modified Socratic (or question-and-answer) approach. We rarely lecture except to introduce a topic, to sum up, or to provide a quick review. We both generally open a topic by establishing the analytical framework and policy choices before moving to a closer analysis of the legal issues. We both ask questions to force the students to read statutes closely and judicial opinions narrowly, although we are not equally persistent in our questioning of individual students.

It is true that one of us tends to walk up and down the aisles, and the other tends to stick closer to the podium, but both of us spend a portion of the class behind the podium, and both of us are out in front of it in each class. We both use the blackboard to generate quick outlines and to create visual images to reinforce the topic. We both used Power Point presentations at several junctures and both were apologetic about our lack of technological savvy. One of us tends to speak in a louder voice and in a somewhat more formal manner, but we both talk with our hands and use self-deprecating humor. We have thought about the differing student perceptions a lot, and they remain a puzzle.

In contrast, our reactions to the students' behavior in class were fundamentally the same. Independently, we thought the same student comments were insightful, whereas student questions and comments that confused one of us usually also confused the other. One of our responses to the students that was identical utterly surprised us: we each thought that a greater number of students had participated more energetically in the other's classes! This caused us to observe student participation more carefully and, by the end of the semester, we were beginning to notice that different students seemed to respond more actively depending on who was leading the class.

#### *D. Coordination and Pacing*

We found that we had to be flexible about scheduling and timing. We, of course, needed to communicate our plans clearly to the students so they could prepare the appropriate assignment. In this respect, the web course (more about the web course later) was a substantial asset because it allowed us to respond to changes and instantaneously inform the students of the revisions. Adjusting our pacing on the spot during the class was more complicated. Spending more time than planned on exploring a topic is one of the mixed pleasures of teaching; generally, it signals that student interest has been stimulated, but it exacts costs in coverage. This

issue is not unique to team teaching, but co-teaching, especially in the alternating topic format we adopted, can exacerbate the problem. Sometimes we had not finished a topic as planned when the class ended. What to do? On occasion, in order to avoid compounding the problem, we decided to omit the materials we had not reached. Other times we decided to carry over a topic into the next class and figure out who should perform the wrap-up. It was definitely more difficult to make timing adjustments when each had to take into account the other's lesson plans but often could not assess the impact her imperfect timing would have on the other.

Another problem that occasionally arose as a result of our division of topics was the student hand in the air wanting to go back to an earlier class taught by the person no longer at the podium. Although we each had devised strategies in our individual classes for coping with questions to which we did not have an immediate answer, we worried that they might not be transferable to this situation and that the teacher in charge of that particular class might appear weak or ignorant if she did not respond. We both felt that the dilemma was aggravated by our relative unfamiliarity with the total range of materials in this new course and by the fact that each of us had had a relatively small exposure to the subjects generally taught by the other. To a great extent, we tried to deflect student expectations of omniscience by expressly portraying ourselves as having greater command of different components of the course, international law versus criminal law and procedure, so that our individual authority in the classroom would not be undermined if the other provided answers. On the occasions when we were stumped, usually we signaled each other for help.

#### *E. Connections Between the Classroom and the World*

We managed to create an open atmosphere in the classroom by not only being available to the students for questions after class, but also by arriving in class about a half hour early to engage the students informally.<sup>21</sup> Since the topics were so current, the majority of our students were eager both to master the materials presented and to relate them to the pressing events of the day. We tried to include as much news-breaking material as possible. Among other subjects, we discussed the Guantanamo Bay detentions, the designation of U.S. citizens as enemy combatants, aspects of the USA PATRIOT Act, the ongoing Milosevic

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21. Many students arrived a half hour early to get settled and probably to do some last-minute reading. One or both of us would arrive early and talk with the group of ten to fifteen students who showed up early just to chat.



prosecution, the tenth anniversary of the Rwandan genocide, the newly established international criminal tribunals in Sierra Leone and Cambodia, and the impending trial of Saddam Hussein.<sup>22</sup>

One of our explicit missions was to make strong connections between the classroom and the world so that the students would leave the course with a new or sharper sense of the relevance of international criminal law in its own right and its role in both national and transnational prosecutions. To achieve this, we exposed the students to an almost daily barrage of postings and announcements about the endless variety of relevant legal and extra-legal developments. We became so committed to highlighting the links between our course and current events that we even maintained our web course over the summer with steady reminders about cases and events.

#### *F. Difficulties*

The development of the course web page, onto which we posted the syllabus, course documents, teaching hypotheticals, and links to internet sources, as well as current events articles and news reports, was rocky.<sup>23</sup> We relied heavily on it to supplement the casebook. The students quickly complained that it was cumbersome. They wanted us to replace it with a photocopied course packet containing all of the supplementary readings, edited to highlight the most salient points, and presented in the order in which they should be read.<sup>24</sup> Instead, they had to sign onto the web

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22. We discussed many current controversies, including the legal challenges to the Guantanamo Bay detentions, *Rasul v. Bush*, 542 U.S. 466 (2004); the designation of a U.S. citizen as an enemy combatant, *Hamdi v. Rumsfeld*, 542 U.S. 507 (2004); the arrest and detention of a U.S. citizen as a material witness, *Rumsfeld v. Padilla*, 542 U.S. 426 (2004); aspects of the USA PATRIOT Act, Uniting and Strengthening America by Providing Appropriate Tools to Intercept and Obstruct Terrorism Act of 2001, Pub. L. No. 107-56, 115 Stat. 272 (codified as amended in scattered titles of U.S.C.); the ongoing prosecution of Slobodan Milosevic at the International Criminal Tribunal for the Former Yugoslavia, <http://www.un.org/icty> (last visited Aug. 25, 2005); the prosecutions for genocide and crimes against humanity currently proceeding at the International Criminal Tribunal for Rwanda, <http://www.un.org/icttr> (last visited Aug. 25, 2005); the recently established joint United Nations–Sierra Leone Court, <http://www.sc-sl.org> (last visited Aug. 5, 2005); the efforts to create an internationalized court, the Special Tribunal for Cambodia, <http://www.globalpolicy.org/intljustice/camindx.htm> (last visited Aug. 5, 2005); and the various options for prosecution of Saddam Hussein, *see, e.g.*, <http://hrw.org/english/docs/2003/12/19/iraq6770.htm> (last visited Aug. 5, 2005).

23. We developed our web page using the online “web courses” facility on LexisNexis, <http://www.lexisnexis.com/lawschool> (last visited Aug. 25, 2005).

24. Their request was not unreasonable, but it was not doable. At least during our first semester teaching the course, we could not plan sufficiently in advance to allow time for

course,<sup>25</sup> go to the appropriate page in the syllabus, click onto the document, and either read it online or print it. Sometimes we posted an entire document, such as a treaty, but only asked them to read a part of it.

We turned to the students for assistance in making the web course more user-friendly. Based on their feedback, largely received via the discussion board feature of the web page, we streamlined the web course as much as possible so that it required a minimum number of clicks, posted excerpts as well as full documents, and made our roadmap for the course clearer. Their comments made us realize that we had been carried away by our enthusiasm for assembling information for them and had been seduced by the speed of our school internet connections and printers. We had not realized that many of the students—though technologically very capable—faced hardware-imposed problems that we did not.

Although the course web page exponentially complicated the course by requiring a lot of advance planning, editing, and posting, it definitely facilitated *our* organization. We used the folder and sub-folder function in posting course materials to indicate the ways in which various concepts are related to each other. We also used the syllabus function to post questions to guide their readings. As mentioned earlier, we used the ability to communicate with students instantaneously to let them know of breaking news, changes in assignments, or glitches in accessing materials that had been brought to our attention. Nevertheless, although we used the web course as a tool to impose an organization on the readings and assignments, the students never adjusted fully to its benefits. Thus, it may have been a hindrance rather than a help.<sup>26</sup>

International Criminal Law was not an easy course for the students. Much of the material and vocabulary was difficult and alien. Dealing with civil law legal systems and international conventions was sometimes perplexing. International judicial opinions, in particular, were extremely long and complex, consisting of multiple opinions written without clear holdings, dicta, and other familiar structures students of com-

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photocopying and distribution at the prior class of all the sources we wanted them to read and digest for every classroom discussion.

25. Our class met at 2:30 p.m. on Tuesdays and Thursdays. We often heard from students around 11:00 a.m. on those days that they were having trouble accessing LexisNexis, meaning, of course, that they were getting around to the reading shortly before class. We knew, since we also had been on the web page regularly, that there had not been any problems the day or the evening before!

26. How much of the student reaction to the course web page was a function of their resistance to unfamiliar and wide-ranging sources of international law or to their discomfort with assignments in a new and evolving course remains unclear. One of us has used course web pages extensively in the past, and they have not triggered negative student reaction.

mon law are trained to identify. They are frustratingly indeterminate for many U.S. law students. Although more than half of the students already had taken a course in international law, most of the students found it difficult to move between international and municipal law, to correlate treaties, statutes, and cases, to understand the political and foreign relations underpinnings of many legal developments, and to begin to express themselves in a new language.

Like our students, each of us had to master a lot of new material and vocabulary in the other's field. Both of us had to learn a substantial amount about the hybrid topic of international criminal law. To do this, we began by teaching each other the basics of our specialties where we could, and shared our growing competence in new areas. As co-teachers, we may have appeared to the students to be running on parallel tracks, dividing the subjects according to our specialties and preparing classes separately. In reality, though, our paths generally converged as we jointly unraveled difficult material in hours of conversation and assisted each other to become familiar with new concepts, theories, principles of law, and even entire legal systems. Basically, we taught each other as well as our students. This was both rewarding and sustaining. Ironically, this is the very learning strategy our students employ regularly in study groups. They have been co-learners far longer, and certainly more recently, than we have.

One aspect of the experience made us laugh. After a few weeks of classes, we realized that we had fallen into an unconscious behavior pattern. The one who had taught the class left the classroom awash in self-criticism. ("I was disorganized." "It didn't go according to plan." "I omitted too much." "I couldn't generate student discussion." "What went wrong?#!") Meanwhile, during the class, the observer had watched in admiration. ("The pacing was perfect." "So many students really were active." "The organizational overview was so useful." "The discussion really forced the students to develop great points.") We had become a mutual self-deprecation/mutual admiration society. Of course, we pointed out flaws gently, and our routine yielded much helpful commentary about our teaching skills, lesson plans, and interactions in the classroom.

MEF: Having a colleague in the classroom during every single class was a substantial change and made me feel vulnerable. She would see every one of my mistakes. She would know when I handled a student question or response ineptly. She would know when I flubbed some basic principle about criminal law.

She would see when I didn't understand a point a student was making.

But, I always had someone to talk to about the substance of the course. It was enormously enriching to have an informed and eager colleague available for discussion to explore and analyze the interrelationship between several complex bodies of law, as well as pedagogical choices. This was totally positive.

SC: I've never been that confident about my public presentations, so having a regular observer who would be a sensitive and friendly critic was a great asset. I also was really nervous about the exposure of my flaws and insecurities (Can I ask a provocative question? Do I know the material well enough? Has my methodology been productive?), and that never really subsided even though my critic was almost always supportive and never ever harsh. But, I learned so much from just watching Maryellen motivate the students into responsiveness with humor, tact, and gentle pressure. She is a demanding teacher, whereas I let them off the hook easily. She uses the board really effectively. And, when I was unsure about the law, she was there to pull apart a complicated case or statute.

#### IV. EVALUATION OF THEM, OF US, OF THE EXPERIMENT

##### *A. Our Evaluations*

To evaluate the students' mastery of the course material, we administered a traditional essay exam. In this aspect, co-teaching was a dream come true. We met together to sketch the issues we thought should be included, to brainstorm about fact patterns, and to choose portions of the course for each of us to develop. Ultimately, we each created one question, which the other read and adjusted, that comprised fifty percent of the exam. This division of labor and support system enabled us to craft the exam even more quickly than in our other courses. More importantly, having the input of a colleague who had been an integral part of the class led us to feel more confident about the validity of the exam questions.

We then separately graded our respective question. We did not compare criteria for assessing an answer, nor did we read the answers to the other's question except in one extreme case where the student had performed at a close to failing level so we wanted to double-check the scoring. We then worked together to fit our grades into the law school's

mandatory curve, and then together completed the final step of raising some grades based on class participation. In this last step, we had to come to some agreement about which students deserved adjustments and why, an easily reached consensus since we concurred in almost every instance about how much and how valuable their class participation had been.

Ten students opted to write term papers, most for upper-class writing credit. We divided the supervision of the papers, for which we insisted on deadlines for topic selection, an outline, a first and a final draft. As noted earlier, we had somewhat different ideas about how to administer this and met with these students to revise our rules on several occasions during the term. We separately read our respective students' papers, but met to discuss each paper and coordinate the assignment of a final grade so that the evaluations would be consistent.

SC: With all of the pressures of just staying a few steps ahead during the semester, we decided early on that mastery of the materials and the effort of co-teaching were demanding enough that we would not depart radically from the traditional testing model or experiment with ingenious classroom activities—no treaty negotiations, mock trials, or legislative debates.

MEF: I disagree with that assessment of our classroom activities. It's true that we did not undertake a semester-long simulation or other comprehensive project. But, we did invest a fair amount of time in creating non-traditional classroom strategies. We used film, composed image-packed Power Point presentations, created word games, and constructed scavenger hunts. We orchestrated classroom debates with students assessing the wisdom and lawfulness of three different scenarios for trying Saddam Hussein. Faced with lengthy multiple opinions in landmark cases decided by the International Court of Justice or by the Law Lords in the United Kingdom, we assigned the students to articulate particular judges' views of the disputes before them and of other related legal issues. This wasn't revolutionary in terms of pedagogy, but it was much more than goes on in the traditional law school classroom with sixty students.

As I think about it, it occurs to me that our differing evaluations of the activities in our classroom reflect

a bigger point: Stacy is an experienced clinician and I'm not. Her clinical training encourages her to assess teaching methods in a different way—and to impose higher standards. This added an important element to our class throughout the entire semester, and it was visible in multiple ways. For example, she had a keen sense of when requiring students to assume a role would advance their grasp of the materials, and she was very effective at giving students written feedback on their papers that helped them deepen and improve their work without taking it over and putting it into her own voice. For me, this was an unexpected bonus of our co-teaching.

Throughout the semester, the students gave us largely positive feedback. Most frequently, their unsolicited encouraging comments were about the content of the course more than the teaching method. Some mentioned that co-teaching generated more vitality in the classroom. Others told us they sometimes felt off-kilter, unsure where to focus, and confused by our switching. As we bounced back and forth, they continually had to adjust their expectations. The classroom rhythms that usually evolve fairly quickly in a course were thrown off by alternating teachers.

In our view, the students were simultaneously impressed and disconcerted by two people in authority in the classroom. By modeling collaboration and respect, we hoped to foster the reality of most legal environments where teamwork and cooperation are valued. We understood that we were departing to some extent from the typically atomistic law school setting, and we ended up thinking it is so unusual for students to be exposed to professors who share authority in the classroom that they may simply have been unsettled by the unfamiliar.

### *B. Student Evaluations*

Our student evaluations arrived just as we had finished revising the rest of this essay, and we eagerly opened them to see whether the student views concurred with our assessment of our performance and their reactions. Our school-wide course evaluations, which the students are required to fill out anonymously in every course each semester, ask questions about the organization, teaching methods, reading materials, and overall execution of the course, as well as the effectiveness of the instructor. For purposes of this essay, we focused on our students' reac-

tions to the co-teaching structure of the course.<sup>27</sup> The particular questions that seemed to elicit responses relevant to an assessment of our teaching structure (as opposed to the presentation of particular classes) follow:

- Overall, what were the professor's strengths and weaknesses as a teacher?
- What did you get out of this course?
- In what ways did the professor's teaching methods help (or hinder) your ability to achieve the goals for the course?

The student evaluations contained two surprises. First, although we received generally positive evaluations, the numerical rankings (1-5) were somewhat lower than those we usually saw in our individual classes. Although there might be other reasons for this, we have to concede that our students may not have been as enthusiastic about the benefits of co-teaching as we were.

Second, only a few students commented specifically on our co-teaching. Of these, only two were explicitly negative about the teaching structure we chose:

"Just have one professor. It was an interesting class, just all over the place."

"I would recommend the course to other students, but it might be better if just one person taught it instead of two."

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27. Our school's form is quite long—two pages containing fourteen questions, some multiple-choice, others calling for written comments. It usually takes fifteen to twenty minutes of class time to complete because students generally take the opportunity to give detailed feedback quite seriously. Because most of the form asks for information about the course itself rather than the instructor, we decided that we would ask each student to complete only one form. Although we expressly told them that they were welcome to address comments to us individually, few did. As a result, the composite answers to questions such as "Overall effectiveness" and "Would you take another course from this professor?" are at best ambiguous and definitely unreliable. We purposely have omitted the students' comments about other aspects of the course unless they related directly or inferentially to the team-teaching aspect of the course structure. For example, as we already knew, they vocally disliked the web course, complaining about the burden of finding, reading, and printing the correct assignments. They universally loved the guest speakers and appreciated the opportunity to hear from people directly connected with the historical and legal events they were studying. Many complained that there was too much reading, and they had mixed reactions to the textbook. At least one also had mixed reactions to the professors and said so bluntly. While any set of student evaluations may contain strong criticism of the teacher, a negative comment related to only one co-teacher carries an additional sting because it is both comparative and, since the other also reads it, impossible to ignore.

We looked for commentary indirectly critical of co-teaching, too. Some students said the course was disorganized because the subject matter was diffuse. Others commented that they thought it was disorganized because it was being taught for the first time. We thought that both of these criticisms, while not linked specifically to co-teaching, may have related to our decision to alternate principal teaching responsibility. Indeed, upon reflection, we have concluded that co-teaching a course for the first time makes a demanding undertaking more intense and more rewarding, but not necessarily easier, than teaching a new course alone. Co-teaching, with its tendency to encourage ambitious and more creative teaching strategies, as well as its need to reach compromises between two individual teachers, may increase the number of first-time choices that, in hindsight, the professors will rethink, modify, or even abandon.

Furthermore, we thought that student remarks about disjointed pacing may have been a critique of our division of labor. Though these students seemed to be positive about the joint teaching in general, they had reservations about the course seeming somewhat disconnected. For example: "I liked that the class was team-taught, but it did make for a more disjointed learning experience."

The majority of student comments about our co-teaching were fairly positive. Here are a few examples of their reactions:

"I liked the fact that this was taught by two prof[essor]s. They were very effective in splitting the topics according to their expertise."

"The fact that the teaching was divided was okay. It was a really nice break."

"Lecture was effective, especially given the two-professor method in this case where the two professors complemented each other well."

"The dynamic teaching duo made the class interesting and fun."

"The team teaching was well divided."

"The lecture component was good. The guest speakers were a fabulous component of the class . . . I liked the team teaching."

Some students expressed greater ambivalence:

"[The] [p]rofessors wanted to be good teachers, and their methods were interesting, but [they] could not answer in-depth questions critically."

"I found the biggest weakness was the team situation because of the extreme differences in teaching styles. However, since both



professors are extremely knowledgeable and excellent, it worked out all right.”

And others had some suggestions:

“[The] [p]rofessors did a great job engaging students—[it] would have been nice to see [the] teachers engaging each other—taking different sides of an issue, debates, etc. [Having] [t]wo teachers is a great opportunity to get two view points.”

“Class itself was sometimes too dry, and class pacing was poor. It might have been better if you taught classes together, rather than taking turns.”

And the most gratifying review of all:

“I love these two! What a great team! Such opposites, such a pleasure to attend their lectures.”

## V. THE FUTURE

Without doubt, we want to teach International Criminal Law together again. Many times during our co-teaching, we made plans for how to improve things the next time around. Now that the class preparation, the papers, and the exam are behind us, we have tried to reflect on a second run.

SC:            So what should we do differently? Junk our course web page?

MEF:           No, I think the students’ negative reactions to that were more about their sense that we were disorganized because it was the first time we had taught the course. We’ve got to be careful to separate out the reactions to a new course from the reactions to co-teachers.

There are obvious logistical adjustments we’ll want to make the next time, like deleting some topics, winnowing down assigned materials, and so on. But I’d really like to work on constructing more classroom situations in which the professors disagree with and question each other—and on occasion both engage and press the students. I don’t want to encourage the students to be passive spectators as two law professors show off, but I do want to have more intellectual debate in the classroom.

SC:            I was disappointed that we didn’t get as far in developing strategies for getting students to grapple with

the concepts and the nitty-gritty legislative and treaty provisions. I'd like us to invest a significant amount of time in creating more interactive classroom scenarios.

MEF: That would be great. In addition, we need to think about how we could have made more effective use of some of the assignments we already created. My sense is that we let the students off the hook too easily whenever they resisted the roles we assigned them. We probably sent mixed messages about how seriously they should take the interactive exercises. That was all exacerbated by our sense of needing to move on in order to cover all the topics we had sketched out. Now that we've seen how long various subjects took, we can delete some, and that will let us allot more time for student participation in complex problems and role plays.

SC: Another thing I'd really like to work on the next time around is creating different evaluation devices. We all criticize the law school model of grades depending on how the student writes in three hours on one day. One of the reasons we feel stuck with this approach is the burden that grading multiple assignments imposes on the teacher. If there are two of us and if we can be creative, we ought to be able to use our co-teaching to bring improvements here.

## VI. CONCLUSION

The success of our first offering of International Criminal Law and the continuing high profile developments in this field have assured a continuing place for this course in the law school curriculum. Having begun to master the concepts and materials of International Criminal Law during our first run, each of us could, of course, teach the course again on our own. That would be a major letdown, however, now that we have experienced the inspiration, exuberance, and reward of working as collaborators both inside and outside the classroom. It is clear to us that one semester of co-teaching has not begun to exhaust the benefits of preparing and presenting a course together. We do think that this intensive co-teaching experience has generated its own rewards—it has solidified a relationship where we can depend on each other for ideas, support, and honest criticism. But it has done more than that: it has opened a window into our future development as classroom teachers.

