

Preface

Law schools have begun to recognize the need to provide global perspectives in so-called domestic law courses. *See, e.g.*, Mathias Reimann, *From the Law of Nations to Transnational Law*, 22 Penn. St. Intl.L.R. 397 (2004) and *Making Transnational Law Mandatory: Requirements, Costs, Benefits*, 23 Penn. St. Intl.L.R. 787 (2005); Franklin A. Gevurtz, et al., *Report Regarding the Pacific McGeorge Workshop on Globalizing the Law School Curriculum*, 19 Pac. McGeorge Global Bus. & Dev. L.J. 267 (2006). This recognition extends to Constitutional Law. *See, e.g.*, Neil S. Siegel, *Some Modest Uses of Transnational Legal Perspectives in First-Year Constitutional Law*, 56 J. Legal Ed. 201 (2006); Mark Tushnet, *How (And How Not) to Use Comparative Constitutional Law in Basic Constitutional Law Courses*, 49 St. Louis U.L.J. 671 (2005). Nonetheless, the case books commonly used to teach Constitutional Law in law schools contain almost no comparative or international materials. *But see*, Donald Kommers, *American Constitutional Law: Cases, Essays and Comparative Notes* (2d ed. 2004). The most obvious reason is that the case books already have more pages than a conscientious professor can cover in the time allotted. Faculty must almost always make hard choices as to which material to cover and which material to skip.

So we are torn between the need for coverage of basic domestic concepts and our felt need to also introduce global perspectives. The latter, we feel, can be invaluable in illuminating the U.S. Constitution. In addition, of course, international law is a direct source of constitutional law. Moreover, exposure to foreign constitutional law helps prepare students for practice in a globalized society. Limited exposure will not lead to understanding of other constitutions, but will both whet the interest and create awareness that more study is needed if one engages in a global law practice. Deeper understanding can be fostered in courses in International Law and in the newer discipline of Comparative Constitutional Law. (For very fine case books, *see, e.g.*, Norman Dorsen, Michel Rosenfeld, Andrés Sajó, and Susanne Baer, *Comparative Constitutionalism: Cases and Materials* (2003) and Vicki C. Jackson and Mark Tushnet, *Comparative Constitutional Law* (2d ed. 2006)). Finally, exposure to foreign constitutional cases can help students understand the debate over the use of foreign law as persuasive authority in American constitutional cases.

This book is designed to help constitutional law professors who wish to provide some exposure to global perspectives but are concerned about detracting unduly from core coverage. The amount of comparative and international law material available is overwhelming. Our object was not to write a comprehensive book but to give faculty a modest menu of comparative and international materials from which to choose. We have kept it short, in an effort to minimize the need to cut domestic coverage in order to add comparative and international coverage. The materials are keyed to the major themes of most constitutional law courses. Some professors may feel comfortable assigning the entire book, while others will wish to pick and choose.

We have test run some of the material. In addition, Brannon Denning of Cumberland Law School used some material in his class. Overall student reactions have been positive, even though use of the material may have lengthened some reading assignments. Many students recognize the growing force of globalization in the law and are hungry to learn more.

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