Of the three categories, librarians have existed in law schools the longest. The American Bar Association considers librarians to be administrators and does not count them as faculty, even if they hold tenured or tenure-track status in a law school, teach law school courses, and participate fully in faculty governance.

In 1998, there were 930 librarians in law schools in the US, 65.3 percent women and 34.7 percent men. Of the 930, 235 were higher-status teaching librarians and 695 were lower-status non-teaching librarians. Men disproportionately held 46 percent of the higher-status teaching librarian positions. Of the 323 total male librarians, 33.4 percent were teaching librarians; of the 607 total female librarians, only 20.9 percent were teaching librarians. Within the teaching librarian category, men had a majority of the most coveted jobs - tenured or tenure-track positions within a law school.

After librarians, clinicians are the longest-established recognised group in law schools. The ABA's statistics show that in 1998 a slim majority - 50.4 percent - were women. As with librarians, men disproportionately occupied the coveted higher-status tenured and tenure-track positions.

Legal writing teachers are the newest category of teachers in law schools. In the old days legal research and writing was taught by the librarian, usually a woman. Then schools moved to have legal research and writing taught by graduate law students, adjuncts, or upper-level law students. Now they have discovered they can get women with excellent credentials to teach legal research and writing full time in non-tenure-track positions. The ABA's statistics show that in 1998 there were 508 full-time legal writing teachers in American law schools, 69.7 percent of them women. In this overwhelmingly female field, men disproportionately occupied almost half (46.5 percent) of the coveted tenured positions.

Statistics from both the ABA and the AALS document the swift movement away from tenured and tenure-track positions and toward contract positions that are overwhelmingly filled by women. Women make up 69.7 percent of all legal writing teachers and 50.4 percent of all clinicians. According to the ABA's statistics, the percentage of women full-time teachers has been stuck below 30 percent, ranging from 23.8 percent in 1988 to 29.3 percent in 1998. The slight increase in the percentage of women full-time teachers during this ten-year time period can be attributed to the increased hiring of clinicians and legal writing teachers, who are overwhelmingly women.

The AALS statistics are more detailed and are broken down by rank and title. In 1997-98 women were 19.7 percent of all full professors, 44.2 percent of associate professors, and 51.1 percent of assistant professors. Although the number of women in associate and assistant professor positions would seem to bode well for the future, women fare worse than men in achieving tenure. Woman again predominated in the lowest-status category: they were 66.9 percent of a combined category of lecturers and instructors.

Women make up over 40 percent of law school graduates and over 40 percent of those awarded research doctorates. But just as women have begun to amass the credentials necessary to enter the professoriate, colleges and universities are changing the way they operate. Both white women and women of colour will be allowed to teach but in non-tenure-track contract positions that pay less, carry less status and do not guarantee academic freedom. The same will be true for the minority males just beginning to break into higher education. If the trends toward more non-tenure-track positions and more part-time positions continue, women and minority males will find themselves welcome in academia but relegated to the lowest levels of college and university hierarchies. Such a result would be bad for those persons from traditionally discriminated-against groups and also bad for American higher education.

The combination of a labour shortage and increased demand means that working conditions and wages have to improve, not deteriorate. Colleges and universities, including law schools, will have to compete not only with each other but also with private industry to hire highly educated and highly skilled people. Few highly qualified thirty-somethings will accept the low pay and low status of a non-tenure-track contract position, with its lack of security and academic freedom. Women will seek other options, especially now that the Internet can neutralise the lack of mobility that may currently disadvantage some of them.

INDIVIDUAL SUBJECTS/ AREAS OF LAW

Globalisation, international law and the academy

P Spiro

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As globalisation emerges to become the new organising principle of society at large, international law appears to be a primary beneficiary. International legal academics should benefit in turn. Change itself tends to magnify the possible contribution of social scientists (including legal academics) to the extent they are trained to detect patterns across time and context. To the extent that the importance of international law increases on the ground, so too will the importance of international legal scholars, within and outside the academy.

That would reverse a long decline in the prestige attached to the subject. Reflecting its inconsequence on the ground, international law has been held in something approaching contempt in both the law schools and other disciplines.

In the face of these developments, the first formidable task for international legal academics is a mapping exercise. Much valuable work has already been undertaken by both political scientists and legal academics, to describe the dynamics of popular decision-making contexts subject to the new influence of non-state actors. What remains necessary are cross-sectoral and cross-institutional analyses

of these processes. That is, it is necessary to examine how the equation of state and non-state actors is shaking out in different field of standard setting, as well as across different institutions. It is only with such analyses that we will garner an understanding of what models are now available in the construction of new international institutions, of which the era promises many, as well as the re-construction of old ones.

International law has long been a stepchild within the American legal academy, and has enjoyed little favour among political and other social scientists. At least since the end of World War II, international law has been treated at best as an anomaly, at worst as a quantity not deserving the label of 'law'. Within the law schools, disfavour of international law was compounded by the conventional positivistic approaches to domestic law subjects. This disrespect in large part corresponded to a historical context in which the aspirations of international law far exceeded results. This will change in years to come, reflecting the new importance of international law on the ground and there are some signs that the reversal is already on the way.

The reintegration of international law into the legal academy should be facilitated by a trend toward less court-centric analysis in other areas of legal scholarship. The reintegration of international law scholars into the legal academy will be facilitated also by the application to international law problems of methodologies established in other areas.

International law is now positioned to be a first-mover in both the law and social sciences. Within the law, it is not difficult to imagine the development of international legal decision-making models that might cross the divide to apply to domestic law subjects. As such areas as environmental and intellectual property law become increasingly internationalised, it is likely that the international structures for addressing them will have, or should have, much in common.

LEGAL EDUCATION GENERALLY

Principle 5: good practice emphasises time on task

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Good practice emphasises time on task. Time plus energy equals learning. Efficient time-management skills are critical for students and professors alike. Allocating realistic amounts of time means effective learning for students and effective teaching for faculty. How an institution defines time expectations for students, faculty, administrators and other professional staff can establish the basis for high performance for all.

A superficial consideration of this principle may cause one to conclude that time on task is an essential element of legal education and that law schools do a good job of requiring their students to spend time on tasks. Students typically have heavy course-hour requirements and it is expected – particularly in the first year – that a tremendous amount of work be done outside class in preparation for each class hour.

While students spend a great amount of time on their studies, are there areas in which student learning opportunities are not being maximised because of a failure to insure time-on-task behaviour? From the first day of law schools, there are ways to help students to use their time more efficiently. Now they find themselves in many courses with a single examination at the end of the semester. They many not learn whether their study and preparation time has been sufficient, and sufficiently efficient, until the semester has ended and midcourse corrections are no longer possible.

There are many ways in which faculty can facilitate efficient class preparation and plan writing exercises to make the best use of student time. Some have employed mastery learning concepts, structuring their classes so that all students can successfully pass an examination demonstrating mastery of the subject in question. Teachers also should ask their students just how much time they spend on out-of-class preparation and assignments. If teachers underestimate the time necessary to complete assignments, or fail to coordinate significant assignments with other faculty, students may be unable to devote the time necessary to complete particular assignments successfully.

If students see the time they spend on their legal education as an investment in their long-term professional success, they will be more willing to devote time to their courses. Unfortunately, the perception persists among at least some students that, in addition to being paid for their efforts, they can learn 'real' law better from legal employers than from law school faculty.

Ensuring that individual teachers themselves commit sufficient time to the institutional task at hand is crucial to the total teaching and learning environment. Law teachers also should never forget that they represent a window on the legal profession for students and that they are powerful role models for their students.

In addition, faculty have a responsibility to insure the optimal use of student time during a course. Unfortunately, student course evaluations may be of little immediate help if teachers receive them only after the semester is over. Although questions of student confidentially must be addressed, teachers might consider asking their students for a midterm evaluation, soliciting student views about use of time and other aspects of their courses. Faculty advisers and administrators also may be helpful in identifying students who are having problems more generally in applying themselves to their legal studies.

Even within the constraints of a typical law school schedule, faculty have great discretion as to course pacing and the use of time within the semester. To make most effective use of time, they must think of their courses as semester-long endeavours. Will the semester be a series of separate sketches, as in a course in which ten different guest lecturers address ten disparate topics; or will it be like a framed