

FASPE Law
2016 Schedule and Syllabus
May 20 – June 2

Background Reading:

Doris L. Bergen, *War & Genocide*

Primo Levi, *Survival in Auschwitz* (1958 in English)

Friday, May 20

Students in America depart U.S.

Saturday, May 21

9:15 Board bus at Tegel Airport
10:15 Drop luggage and have breakfast at Hotel Gat (81/82 Mauerstrasse)
10:45 General introduction to Berlin at Hotel
11:00 Walking introduction to city
12:00-3:00 Free-time to explore Berlin
3:00 Check in at Hotel
4:45 Meet in hotel lobby for dinner at Valmontone (Friedrichstrasse 50) at 5:00 PM

Sunday, May 22 (Berlin)

9:00-10:30 Breakfast and welcome (Zimmerstr. 79-80, Room 9) with David Goldman and Thorin Tritter
10:30-11:30 Session 1 (Room 9): **Nazi Ethics**, by Thorsten Wagner
11:30-1:00 Session 2 (Room 8): **Introduction to FASPE Law**, by David Luban and Judith Lichtenberg
1:00-2:00 Lunch (Room 9)
2:00-3:30 Session 3 (Room 8): **Channel Islands Exercise & the Impact of Positivism**
Readings:
-Excerpt from Richard Weisberg, “The Hermeneutic of Acceptance and the Discourse of the Grotesque, with a Classroom Exercise on Vichy Law,” *17 Cardozo Law Review* 1875 (1996)
-Gustav Radbruch “Legalized Lawlessness and Extralegal Law” (1946)
3:30-6:00 Group A – Walking Tour of Berlin
4:30-6:00 Group B – Walk to and visit underground exhibition at Memorial
6:00-7:00 Dinner at Bombay Spice (Wilhelmstrasse 79)
7:30-9:30 Group B – Walking Tour of Berlin

Monday, May 23 (Berlin)

- 7:30-9:15 Breakfast at hotel
- 9:30 Depart for Topography of Terror
- 9:45-10:45 Guided introduction to Topography of Terror
- 10:45-12:15 Session 4 (Topography): **The Philosophy of Legal Ethics, led by Judith Lichtenberg**
Reading: “The ‘Neutral Partisanship’ Conception of the Lawyer’s Role” in Deborah Rhode, David Luban, et. al., editors, *Legal Ethics*
- 12:15 Depart for Lunch (12:15) at Restaurant Gropius (Niederkirchnerstraße 7)
- 2:00-3:00 Session 5 (Topography): **The Role of the Lawyer under National Socialism** (by Thorsten)
Reading: Hannah Arendt, “Personal Responsibility under Dictatorship,” from *Responsibility and Judgment*
- 3:00-4:30 Session 6 (Topography): **Honest Lawyer, Crooked Client**, includes viewing of *Anonymous, Inc.* by 60 Minutes
Readings:
- letter from William Simon & John Leubsdorf
- letter from Stephen Gillers
- 4:30-5:00 Additional time at Topography of Terror
- 5:00-6:30 Session 7 (Topography): **Screening of Stanley Milgram’s Obedience** (Interdisciplinary)
- 7:00 Dinner at Yasmin (Wilhelmstraße 15)
- 9:30 Optional – visit to Fernsehturm (Panoramastraße 1A)

Tuesday, May 24 (Berlin)

- 7:30-9:00 Breakfast
- 9:00-1:45 Morning free. Lunch on your own [€13/\$15]
- 1:45 Meet at the Memorial for the Murdered Jews of Europe
- 2:00-4:00 Session 8 (Memorial): **Meet with Holocaust survivor**
- 4:00-5:15 Coffee/Snack break
- 5:15-7:45 Session 9 (Memorial): **Screen and discuss the film Conspiracy**
- 8:15 Dinner at Samadhi (Wilhelmstraße 77)

Wednesday, May 25 (Berlin)

- 7:00-9:30 Breakfast at hotel
- 10:15 Visit to the Deportation Memorial “Track 17” (Grunewald Rampe) (interdisciplinary)
- 10:45 Depart for the House of the Wannsee Conference
- 11:00-12:00 Introduction and guided visit through exhibition at Wannsee
- 12:00-1:30 Lunch at Wannsee and self-guided visit
- 1:30-4:00 Session 10: **Workshop with Wannsee Staff**
Reading: Wannsee Protocols
- 4:15 Depart Wannsee
- 6:30 Dinner at Avan Restaurant (Mauerstraße 81-82)

Thursday, May 26 (Berlin)

- 8:00-9:15 Breakfast at hotel
- 10:00-12:00 Session 11 (Memorial): **Spotlight: The Role of Lawyers and Journalists in Responding to Sex Abuse in the Catholic Church in Boston** (Joint Law/Journalism)
 -Watch "Spotlight" before coming on trip
 -(optional) "Reporting an Explosive Truth," Columbia Journalism Case
- 12:00 Depart for Lunch (12:30) at Relexa (Anhalter Strasse 8-9, Restaurant)
- 1:30-3:30 Session 12: (Relexa - Stuttgart): **Conscientious Disobedience**
 Reading: David Luban, "When a Good Prosecutor Throws a Case," *Balkanization Weblog*, June 24, 2008, <http://balkin.blogspot.com/2008/06/when-good-prosecutor-throws-case.html>.
- 3:30- Free afternoon. Dinner on your own [€20/\$22]

Friday, May 27 (Berlin-Krakow)

- 7:15 Board Bus for airport
- 7:55 Arrive at airport to catch AirBerlin flight departing at 8:55 AM, arriving Krakow 10:20 AM.
- 10:40 Meet bus to drop bags at Campanile Hotel (ul. Św. Tomasza 34, +48 12 424 26 00)
- 11:00-12:00 Walking tour introduction to Krakow, Part I
- 12:00-1:30 Lunch at Morskie Oko (plac Szczepański 8)
- 1:45-4:15 Walking tour introduction to Krakow, Part II
- 4:30 Check-in at hotel
- 6:30 Dinner on your own [45 PLN/\$16]. For those interested there is a community dinner at the Jewish Community Center of Krakow that follows Jewish Friday night services at one of two synagogues. If you are interested in attending, contact Thorin as reservations are required.

Saturday, May 28 (Krakow)

- 7:30-9:00 Breakfast at hotel
- 10:00-11:30 Session 13 (Hotel): **Polish Identity in the 20th Century** – guest lecture by Prof. Zdzislaw Mach, Rector's Proxy for International Relations, Jagiellonian University
- 11:30 Depart for classrooms
- 11:45-1:30 Session 14 (Collegium Maius/ul. Jagiellońska 15): **Ethical Issues and the Practice of Law**, by David Goldman
 Reading: The Case of Eric Charell vs. UFI, 1936 (excerpt of translation)
- 1:30-3:00 Lunch at Chimera (św. Anny 3)
- 3:15-5:15 Session 15 (Collegium Maius/ul. Jagiellońska 15): **Loyalty to Client and Supervisors vs. Professional Independence**
 Readings:
 -Excerpt from Karl Schleunes, editor, *Legislating the Holocaust: The Bernhard Lösener Memoirs and Supporting Documents* (2001)
 -Steven Brill, "When a Lawyer Lies," *Esquire* (1979).
- 5:15- Dinner on your own. [45 PLN/\$16]

Sunday, May 29 (Krakow/Oświęcim)

- 7:00-7:30 Breakfast at hotel
 7:30 Board bus for Oświęcim
 9:00-12:00 Guided tour of Auschwitz I (Anna Sommer/Pawel Sawicki)
 12:30-1:30 Lunch at Center for Dialogue and Prayer
 1:30-2:30 Reflection
 2:30 Board bus to AJC parking lot
 3:00-4:30 Walk through Oswiecim
 4:30 Check-in at Hotel Galicja (119 Generała Jarosława Dąbrowskiego)
 5:30-6:30 Dinner at hotel

Monday, May 30 (Oświęcim)

- 7:00-9:15 Breakfast at hotel
 9:15 Board bus for Auschwitz-Birkenau
 9:30-12:30 Guided tour of Auschwitz-Birkenau
 1:00 Board Bus to Center for Dialogue and Prayer
 1:15-2:15 Lunch at Center for Dialogue and Prayer
 2:15-3:45 Session 16 (Center for Dialogue and Prayer): **Emotions and Lawyering**
 3:45 Board bus for optional time at Auschwitz I or Birkenau
 4:00-7:00 Optional time at Auschwitz I or Birkenau
 7:00 Board bus to hotel
 7:30-8:30 Dinner at Hotel Galicja
 9:00-10:00 Optional outdoor drinks

Tuesday, May 31 (Oświęcim/Krakow)

- 7:30-8:30 Breakfast at hotel
 9:00-10:30 Session 17 (Hotel): **Looking for Loopholes**
 Readings:
 -Richard Zitrin et. al, *Legal Ethics in the Practice of Law*, chapter 9, pp. 707-715;
 -Supplemental materials on the torture memos, excerpted from Rhode, Luban, Cummings, and Engstrom, *Legal Ethics* (7th ed. Forthcoming)
 10:30-12:00 Session 18 (Hotel): **Legal Ethics Tactics**, with David Goldman and Mary Gentile
 12:00 Check-out and store bags in lobby
 12:00-1:30 Lunch at Hotel Galicja
 1:30 Board bus for Krakow
 2:30 Check into Campanile Hotel (ul. Św. Tomasza 34; +48 12 424 26 00)
 3:00-4:30 Session 19 (Collegium Maius, Belki): **Joint session with Business Fellows**
 Reading: "Vakulas Report" on GM Ignition Switch Recalls, May 29, 2014
 4:30 Free time. Dinner on your own [45 PLN/\$16]

Wednesday, June 1 (Krakow)

- 8:00-9:00 Breakfast at hotel
- 9:00-12:30 Free morning. Lunch on your own [30 PLN/\$10]
- 12:30 Leave from Campanile Hotel for seminar rooms
- 1:00-3:00 Session 20 (Collegium Maius/ul. Jagiellońska 15): **The Challenges of Accountability**
Readings:
-Elizabeth Kolbert, "The Last Trial," *The New Yorker* (Feb. 16, 2015)
-Excerpt from Deborah Rhode, *The Trouble with Lawyers* (2015), Chapter 5
- 3:00-5:00 Session 21 (Collegium Maius/ul. Jagiellońska 15): **Looking Forward to Professional Life**
Reading: Excerpt from David Luban, *Integrity: Its Causes and Cures*
- 6:15 Depart hotel for final dinner

Thursday, June 2 (Krakow/NYC)

- 7:00-8:00 Breakfast at hotel
- 8:30 Bus to airport