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Chapter 1 : Perfectionism and Fundamentalism in the Application of the German Abortion Laws - CORE

FIU Law Review Volume 11|Number 1 Article 11 Fall Perfectionism and Fundamentalism in the Application of the German Abortion Laws Mary Anne Case.

Transatlantic Legal Pedagogy Today is the day. Brandenburg surrounds the capital city Berlin in a green, rural, bike-friendly embrace. The Sans Souci palace at Potsdam was the summer residence of the Prussian kings and it is not hard to see why they picked that bucolic spot. Travelling from downtown Berlin to the Griebnitz campus in Potsdam is a 35 minute train ride from gritty urban Berlin. It is a moving history lesson. On the way, the train stops at Grunewald with its infamous Platform 17 and at Wannsee, the place of the Wannsee conference. Griebnitzsee itself is the first stop outside of the old territory of West Berlin. The practical effect of this is that the bus zones still track the old borders, so going to Griebnitzsee requires an ABC bus pass rather than the cheaper AB pass that takes you through Berlin. The Potsdam Faculty of Law is bustling with over students. It is housed in a historical building that looks a bit like a garrison and an ultra-modern annex with huge, cavernous lecture halls. There are also Privatdozenten, who seem to share in the plight of North-American post-doctoral fellows. I am still learning who of these people draws a salary and how the overall funding works. Yesterday, I had the opportunity of observing a lecture. In a lecture hall, students are taking introductory constitutional law. The lecture is first rate, but it is not clear to me that the students know this. Just like in Canada, the lecturer who is a Privatdozent is now competing with Facebook, games loaded onto tablets and good old first-day-of-classes gossip. But there seems to be very little hand-wringing over this fact. The lecturer has done his job, and if they students fail to do theirs, well, whose problem is that? My sister-in-law, a law graduate and now privacy officer of the Technical University in Berlin, tells me later in the day that most students do not learn law by going to lectures even though they do go, one has to sit down somewhere to check email after all, but by attending working groups a kind of tutorial and, most importantly, by going to Repetitorium, a kind of review tutorial that teaches to the test and claims to prepare you for practice. Where does all of this leave me? Well, for one, I have no idea what to expect today. My class is scheduled to be held in one of these enormous lecture theatres, seating ! But the dean told me yesterday that I should not expect more than 10 students. That would make for a jolly atmosphere for sure, especially if they all choose to sit in the back row, as they would if we were to meet at Ludlow Hall. The woman who runs that office is courteous and efficient and willing to help, but assures me that classes offered in English are very popular and to expect a crowd. My money is on the dean, but who knows. Trouble is, for my way of teaching it kind of matters whether there are two, ten or students in the room. Those advocating a view of teaching that says that the teacher should go into class expecting to learn have my support today. I sure expect to find out something.

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Mary Anne Case, "Perfectionism and Fundamentalism in the Application of the German Abortion Laws," in Constituting Equality: Gender Equality and Comparative Constitutional Law, Susan Williams eds. (Cambridge University Press,).

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), *Perfectionism and Fundamentalism in the Application of the German Abortion Laws in C ONSTITUTING E QUALITY*
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(Michele Goodwin ed.,), *Perfectionism and Fundamentalism in the Application of the German Abortion Laws*, in
CONSTITUTING EQUALITY (Susan Williams ed.,). Portions of this paper, and of the broader project, were presented
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