

Nourishment for the Spirit: The 20th Tulane-Humboldt Summer School on Alternative Dispute Resolution

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In the centre of Berlin opposite the State Opera House, there is a large building in Baroque style that was originally built as the Prussian Royal Library in the late eighteenth century, and came to be called the Old Library once the new Prussian State Library was established in the early twentieth century. The words "Nutrimentus Spiritus" stand proudly above the entrance of the Old Library; I assume alluding to its original purpose. This rather oblong building was also once known as the commode, or chest of drawers, by way of allusion to its shape. Today it houses the law faculty of the Humboldt University, and therein surely many different drawers with many different forms of nourishment for the spirit.

One of these celebrated its twentieth anniversary and edition this year: The Tulane University Law School and Humboldt University Law School Summer School on Alternative Dispute Resolution, where students from each institution and other parts of the world have gathered each summer for the past twenty years to learn negotiation and mediation skills. The anniversary T-shirt proudly stated that the event has seen "20 years of negotiation and mediation training for over 2000 students from 87 countries." This summer school focused strongly on principled negotiation and on mediation right from its first year, and was pretty unique and innovative back then – in the days before law schools in Germany began to add mediation and ADR to their curricula. It is still going strong.

On the last day of the 2018 edition, I asked a few participants to sum up their impressions:

Carli Marcello (Tulane University law student): I thought that mediation would be about someone making decisions for me, but now I have learned that mediation is a bridge and about facilitating agreements but not making them for people. I would love to do mediation in future, and I will practice with my friends.

Zachary LaMachio (Tulane University law student): I have gained a different perception of mediation, feel able to look at underlying interests, to listen actively and to think outside the box, not just focusing on monetary issues. I expected to learn all about compromise in negotiation, but mediation is much more than that.

Mary Frances Martin (Tulane University law student): I did not know much about mediation, and now I have learned how relevant it can be. This has been so interesting and I feel it suits my personality, as I believe that finding agreement makes sense.

Laura Reichen (graduate in the LL.M. in International Dispute Resolution from Humboldt University): I have gained a better perspective on ADR. My whole training so far has been more guided toward adjudicating, in arbitration, but in mediation you have to listen much more. It can be hard, but it is very interesting to see the results. I was surprised about how mediation can work. There seems to be some prejudice towards it in society.

Paul Aubrecht (junior faculty, participated as a student in 2014 and has returned as junior faculty each year since): I really appreciate being in an environment where people from different backgrounds can work together to further their education. Also the intercultural exchange we have here facilitates understanding and appreciation of different cultures. When I first attended the programme there were many Australians here, and I learned a lot about what it is like to live in Australia and gained friends. I hope to be back next year.

Lela Love (senior faculty): The Tulane-Humboldt Summer School on Negotiation and Mediation is a joyful meeting of young law students, enjoying the beautiful and history-packed city of Berlin, while they become familiar with principles of consensual dispute resolution. Beer fests, night clubs, volleyball, biking and swimming – all are interspersed with serious and energetic simulated negotiations and mediations. The energy of the students is galvanising, and the great teaching staff makes the programme memorable all around.

Jörg Fedtke (director of the Summer School for Tulane University): Negotiation and mediation skills are important for law students in the USA, perhaps more so than in Germany. We need to give our law students this kind of exposure, training and experiential learning. Doing it internationally is important, as our students also need international experience. Bringing them out of the USA helps them see how others think and work. And working with international faculty here is very enriching for me.

Karl-Michael Schmidt (founder of the Summer School, director of the Summer School for Humboldt University for the past twenty years): When we started the idea was to introduce mediation to law students, at the time this was cutting edge. It made sense to do this as an international Summer School – I also personally really appreciate working cross-culturally. Twenty years on it sometimes feels a little bit like Groundhog Day, but mediation is still far from being widely accepted in lawyering practice here in Germany, and we still need programmes like this.

I second all of the above.