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People, times, Law School leadership join to launch South Africa program

By David I. Chambers



Professor Emeritus David Chambers launched Michigan Law's South Africa externship program 10 years ago just as that country was emerging from apartheid and beginning to function under its new constitution, adopted in 1996. Here Chambers recalls how the externship program began. Now the Wade H. McCree Jr. Collegiate Professor Emeritus of Law, Chambers directed the program until his retirement from active teaching in 2003.

How did the South African externship program start? Through a fortuitous coming together of people, the times, and Law School leadership.

In February 1996, a young AIDS activist from South Africa named Zackie Achmat came to the United States for several weeks and spent some time in Ann Arbor. Zackie was then working with the AIDS Law Project at the Centre for Applied Legal Studies at the University of the Witwatersrand (Wits) and went on to found the Treatment Action Campaign that successfully pressured the South African government to begin supplying antiviral medications to people with HIV.

I was then teaching a seminar on the public policy response to HIV in the United States, and chatted with Zackie several times. In one of our conversations, we talked about the possibility that a Michigan law student might be interested in coming over to South Africa and working with his organization.

Within a few days, a law student named Ben Cohen, who had also talked to Zackie, approached me about sponsoring him for a one-term externship. I knew Ben as a fine student and said sure, forgetting that for a law student to receive credit for a term away from the Law School, Law School regulations

(and the ABA) required that a professor from the Law School visit the site of the externship during the term. When I remembered the rule, I told Ben that it would be unaffordable for the Law School to send me to South Africa just to oversee one student. Ben's quick and determined, and he immediately suggested that we see whether additional South African organizations might want students and whether additional Michigan students might want to go. I agreed that dividing the costs of sending me over to see 10 students might be easier for the dean to swallow than bearing it for one.

The short of it is that Ben was right. I flew to South Africa during spring break of 1996, and with guidance from Heinz Klug, a former African National Congress (ANC) activist and at the time a lecturer at Wits (now a professor of law at the University of Wisconsin), I located several private human rights groups that were eager for help and willing to try our students. Returning to Ann Arbor, I found, with Ben's help, nine other students equally eager for the opportunity. And the dean said yes.

The first year had some bumps (two students found, for example, that the job I'd lined up for them had fallen through by the time they arrived and scrambled,



successfully, to find other placements), but every student returned enthusiastic about the term. Indeed, one returned for a second stint in South Africa after graduation. Another was so moved by her human rights work in South Africa that she asked the American law firm where she was planning to work after graduation to release her from her acceptance and took a job with a Neighborhood Legal Services program in Chicago instead.

In fact, many externs have found that participation in the South African program has proved to be a watershed experience: Some, like the woman who went to Chicago, found that the experience caused her to re-think—and re-direct—her legal career; others, like Cohen, found that it strengthened their initial desire to work in public service, human rights, or international law.

I decided to try it again the next year, and the next, gradually shaping an increasingly organized program. I visited South Africa for two or three weeks each fall both to visit the sites where the students were working and to hold a three-day workshop with them at which they each directed an hour's conversation and presentation on the work they were doing or some aspect of their experience of living in South Africa that had especially intrigued or influenced them. During the same three weeks, I talked with new groups about sending students the next year.

Then, during the following winter, I held information sessions with students interested in applying and nailed down

the available placements with the South African organizations. In most years, more students applied than there were placements available.

In a precedent that remains an important part of the program, I never picked the students who went. Rather, students prepared resumes and one-page cover letters for the organizations for which they wanted to work, I faxed the resumes and letters to the organizations, and they picked the students they wanted. In that way, I could remain the coach and cheerleader for all the applicants. So could my assistant, Trudy Feldkamp, who came to know the students nearly as well as I did.

After the second year of the program, I decided that students might be well served by having a formal introduction to the new South Africa legal system before beginning their externships. So in the winter semester I offered a course on the new South Africa constitution and the new Constitutional Court that had been created to interpret it and was industriously beginning to do so. Since then, nearly all students who have gone over (and a large number of others who were simply interested in the subject) have taken the course. I taught the course jointly with my wonderful friend, Karthy Govender, LL.M. '88, Professor of Law, University of Natal, Durban, and Member of the South Africa Human Rights Commission. Professor Govender has continued to teach the course since my retirement three years ago.

Externships

Externships, the semester-long assignments at human rights, government, and other agencies for which law students receive Law School credit after fulfilling academic requirements associated with the assignments, become an enriching part of many students' legal education. Michigan Law has ongoing externship programs with the Aire Center, a legal aid center based in London, England, that works throughout the European Union, and in South Africa. In addition, many students fashion their own externships to serve in the United States and overseas at agencies like the U.S. Department of State, Office of the U.S. Trade Representatives, U.S. Department of Commerce, Overseas Private Investment Corporation, and others.

In these essays, South African externship program founder David I. Chambers describes the early days of the program, and former extern Barbara Hou, '06, reflects on her experiences in South Africa. Hou's essay is based on the final report that she filed with her supervising professor and appears here with permission. Participants in the program file biweekly reports during the course of the 13-week externship and then summarize their experiences and conclusions in their final reports.