

TEACHING ABROAD INDEPENDENTLY: AN ESSAY

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By late March 2020, the COVID-19 pandemic had disrupted in-person, international teaching. Flights were grounded, borders closed, and lockdowns imposed. Teaching switched from in-person to remote. But this will change when the pandemic wanes. Then, law professors who want to teach abroad in-person independently will have that opportunity. This essay offers strategies and advice for them.

“Teaching abroad independently,” means teaching abroad unsponsored; that is, teaching pro bono as a “freelancer.” However, this is uncommon. Law professors ordinarily teach abroad through governmental or non-governmental international educational exchange programs; their home institution’s study abroad programs; or guest lectureships funded by domestic, foreign, or international institutions. Under these arrangements, the sponsoring organizations provide the infrastructural, logistical, and financial support that freelancers must provide for themselves.

That difference aside, those who teach abroad—sponsored or not—often face common challenges. This essay will address some of these challenges by drawing on my sixteen years of in-person and remote international teaching. I began in 2005 as U.S. Fulbright Scholar in Ukraine before turning to a mixture of sponsored and freelance teaching in Ukraine and other former Soviet republics.

Getting started is the hardest part, especially for freelancers. This essay, therefore, will begin and conclude with strategies for getting started. But the challenges do not end there. Even without a pandemic, circumstances change. For example, a key faculty contact abroad can move to another university or leave teaching altogether, thus requiring relationships with that university to be rebuilt or replaced by a relationship with another university. Getting started, therefore, can be an ongoing process, not simply a one-time occurrence.

Getting started requires creating and fostering new relationships or building on preexisting ones. Although this takes time and effort, this is where some of the greatest rewards of teaching abroad lie. Investing in these relationships can return new friends, experiences, and skills—any one of which can be life-changing in positive ways. That said, let us begin.

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I began teaching abroad in September 2005 as a Fulbright Scholar in Kharkiv, Ukraine. Neither of the universities where I taught had hosted a Fulbrighter before. My teaching there was as new to them as teaching abroad was new to me.

When I arrived in Kharkiv, I intended to teach there for a full academic year. But I returned home before the fall semester ended to be closer to my mother as her health unexpectedly deteriorated. Late in the spring semester of 2006, however, I returned to Kharkiv to fulfill a commitment to speak at a conference hosted by one of the universities where I taught.

While at the conference, I was asked to find other American law professors to briefly lecture at that and another university. I did, and one of those universities arranged for the United States Embassy in Ukraine to fund her travel; I paid my own way. We arrived in Kharkiv in September 2006, a year after I had first arrived there.

A Ukrainian cultural affairs officer for the Embassy traveled to Kharkiv with us. I told her about my truncated Fulbright teaching and asked if she could arrange for me to teach in Kyiv pro bono. She did, and for a week in December 2006, I lectured at two Kyiv universities while she watched, fortunately approvingly. Soon after this, she introduced me to other Kyiv universities, thus launching my freelance teaching.

Beginning my freelance teaching this way illustrates a critical lesson. You will almost certainly need someone who can introduce you to one or more places to teach. This “someone” can be anyone—a colleague, student, friend, or acquaintance—who knows you are interested in teaching abroad and knows a place that might be interested in you teaching there.

Usually, you will need to ask—as I did in Kharkiv—but being overheard also works. For example, I first taught in Minsk, Belarus, after a Belarusian attorney overheard me during a conversation at an ABA Section of International Law conference in Moscow. I was talking with a Ukrainian attorney about the “Legal Writing in English” courses I was teaching at a Kyiv university. When that conversation ended, the Belarusian attorney asked me to teach legal writing to attorneys at his Minsk law firm. I agreed, and three months later, I taught at his law firm pro bono.

As that example reveals, international conferences are good places to discover teaching opportunities. After all, conferences enable networking. But less obvious places offer networking opportunities, too. Take international airports, for example. While waiting at the Bucharest airport for a flight to Chisinau, I sought to escape my boredom by talking with a passenger seated near me at the departure gate. When I learned that he, a neurosurgeon, directed the Moldovan Institute for Neurology and Neurosurgery in Chisinau, I asked him if he wanted me to teach negotiation to his physicians and staff. A few months later, when I was in Chisinau to

teach at Moldova State University, I taught a brief negotiation course to the Institute's physicians and staff.

Social media can also expand your reach. I have been invited to teach at law firms and for bar associations either because of my LinkedIn page's contents or through my inquiries to attorneys I found on LinkedIn. Consider, therefore, revealing your willingness to teach abroad and the subjects you could offer on your LinkedIn profile.

Irrespective of how you communicate your desire to teach abroad, teaching abroad is dependent on others. Almost always, someone must serve as an intermediary and introduce you to the dean at the university where you want to teach. And this means you must build and maintain relationships. Indeed, apart from your desire to teach abroad, your teaching skills, and your financial wherewithal to teach as a freelancer—nothing is more important than building and maintaining relationships.

Building and maintaining relationships requires offering to teach something that someone wants to learn. I usually teach legal writing in English or negotiation because the potential audience for these subjects, especially negotiation, is large. Moreover, not all the subjects I teach at my home institution would work well if I taught them abroad. I learned this the hard way when I taught U.S. administrative law in Kharkiv to no one's acclaim.

Nonetheless, I have knowingly taken subject-matter risks in accepting teaching requests. For example, after a Russian ship loaded with oil ran aground in the Kerch Strait that connects the Sea of Azov and the Black Sea, I was asked to lecture on maritime pollution liability. I knew nothing about maritime pollution liability until I read all I could read on the transatlantic flight to Ukraine, where I would be teaching. And even then, I learned only enough to present the students with a factual and policy framework. Based on that framework, I let them offer and debate various possible liability rules.

On another occasion, I was asked by a Ukrainian law firm to teach public speaking, another subject I had never taught. I agreed, but I let videos of actors reciting the Gettysburg Address do some of the teaching. The Ukrainian attorneys mimicked the actors, and their renditions of the Gettysburg Address probably would have pleased Lincoln. I, too, was pleased. After all, listening to Ukrainian attorneys recite the Gettysburg Address is an uncommon experience.

I do not recommend taking subject-matter risks, however. Through trial and error, I now have class-ready, field-tested, ready-for-travel courses on legal writing in English and negotiation. Moreover, I have learned how to teach these subjects within various time frames. This was necessary because my teaching must fit within or otherwise be coordinated with university's pre-existing class schedule. To put this in a familiar context, imagine how

your law school's dean would respond to an outsider's offer to teach, say, for four hours on a typical weekday during the academic year.

Why might you offer to teach for four hours? If you are freelancing, you arrived at your own expense, probably after enduring a twenty-four-hour flight in economy class. You might be tempted, therefore, to propose to teach at least a sizable fraction of your travel time. You might even ask to teach for a day or more. Now, the dean's quandary is amplified because the university's students are likely to be vexed. They are busy enough as it is. Unless you are a rock star on the side, all your credentials, from your impressive publication record to your amazing student evaluations, might not help you draw a crowd.

Alternatively, you could offer to teach a summer or an intersession course to avoid trampling on the academic-year class schedule. But neither is common in the part of the world where I teach—mostly in Ukraine, Moldova, Belarus, and less frequently in Lithuania, Kazakhstan, and Russia. Teaching for a week or more is likely to be the product of a long-term relationship with the university. You are not likely to start there unless the university has summer or intersession courses within which your subject would fit.

So how do you deal with traveling for longer than you teach? First, resist the temptation to want to match your teaching hours with your travel time. Your flight time is merely your commute time.

Second, resist the temptation to measure your costs and benefits monetarily. If you are a freelancer, your teaching is *pro bono*. Only by setting your benefits as priceless will a cost-benefit analysis result in your favor.

Third, remember that you must first build relationships and then maintain them. Teaching for the first time for, say, one hour is a step toward later teaching later for, say, four hours and so on. Likewise, after you have progressed to teaching for larger blocks of time, you might need to return occasionally to teach for smaller blocks of time to maintain the relationship. Teaching frequently helps build you relationships with the university's administration and its faculty and helps build support for your teaching among the students. Students can be your best advocates for a long-term relationship with the university where you want to teach.

For these reasons, I try to teach internationally once a month during the academic year. I schedule my full-time teaching at my home institution for Wednesday through Friday. I fly across the Atlantic on the weekend; teach on Monday, usually for three or four hours; and fly back on Tuesday.

During the exam periods, I teach for up to one week, typically for three or four hours a day. Even then, I usually am in the air longer than I am in the classroom. During the past sixteen years, I have flown over 2.7 million miles on Delta Air Lines and other SkyTeam Alliance carriers, mostly to teach

abroad. A financial advisor would recoil in horror at the sight my annual cash flow—money comes in and goes out in almost equal measure.

I add another reality—you might encounter teaching situations that do not work for you. The reason for this might be as amorphous as a “poor fit” or as clear and specific as a university administration that leaves you guessing about what happens next. If you encounter this, do not despair. Instead, persevere until you find a place that works for you. If you fail to find one in a city with an international airport, look to smaller cities nearby where guest teachers are rare and therefore especially appreciated.

Although I started to teach as a freelancer in Kyiv, following my teaching as a Fulbrighter in Kharkiv, I also began to teach in smaller cities. For example, I taught several times at Vytautas Magnus University in Kaunas, Lithuania, after an American lawyer who was teaching there and in Poland encouraged me to meet with its dean.

I also began freelance teaching at Moldova State University in Chisinau because I wanted to teach as a Fulbright Scholar there when I was next eligible for a Fulbright grant. Starting my teaching abroad as Fulbrighter had helped me in many ways. For example, teaching for nearly a full semester in Kharkiv gave me time between classes and courses to recover from my mistakes. These mistakes ranged from poor subject choices to not developing teaching methods that adequately accommodated for the differences in English language skills among the students. Text-heavy PowerPoint slides helped the students who could read English better than they could understand spoken English, but lectures never worked as well as interactive teaching methods. I was slow to learn this.

And as I learned by my errors, I became more comfortable with and adept at living with them. The same was true for the unexpected—I learned to adapt. For example, to start my freelance teaching in Chisinau, I asked the United States Embassy in Moldova for help. A cultural affairs officer there introduced me to a Moldovan Fulbright Scholar who had returned from the United States to resume teaching at Moldova State University’s law school. Through her, I arranged to start teaching groups of her students, some of whom I would teach later after I received my Fulbright grant to teach at Moldova State University. I mostly taught remotely using Skype. A few sessions into one of these courses, Moldova State University’s equipment failed. Knowing the equipment would not be repaired soon, we abandoned the course—legal writing in English—thinking that I would finish it when I arrived in Chisinau as a Fulbrighter.

When I arrived in Chisinau as a Fulbrighter, I entered a classroom to finish the abandoned legal writing course. The students’ demeanor, however, told me something was amiss. I asked what the problem was. The class’s leader politely told me that he and his classmates did not want to finish the

abandoned course. I asked him what the class wanted. He said environmental law.

Without saying anything, I turned to my computer, scrolled through its file directory, and opened a slide show about the Clean Water Act. These slides were there because I had covered the Clean Water Act in one of my courses at my home institution. As for teaching environmental law generally, that was beyond my capabilities. But, at that moment, I knew that I had to survive the first class. I did, and for the rest of the semester, I built a course around the Clean Water Act and all I could tie to it. This worked.

I could not have turned from one course to another so quickly had I not learned to be flexible from my previous freelance teaching. Nor would I have substituted one course for another within seconds unless I knew, as I did, that, if my students were happy, my host university would be happy. Universities everywhere favor keeping their students happy, and this is a cause worth pursuing.

Keeping yourself happy is important, too. I really enjoy teaching in Ukraine and in other former Soviet republics. The changes I have seen in the past sixteen years have been fascinating, even revolutionary in certain instances. In 2005, a few months before I arrived in Kharkiv, Ukraine had just experienced its Orange Revolution.² Arguably, this was a prelude to the Revolution of Dignity that began in late 2013 and led to the deaths of more than 100 protesters on Kyiv's Maidan before Ukraine's then-president, Victor Yanukovich, fled to Russia in late February 2014.³

I was in Kyiv on the two days the Maidan demonstrators suffered their heaviest casualties.⁴ I had expected to teach on the second day, but I had arrived the day before to find the city's metro and its universities closed. I will never forget what I heard and saw that second day, standing a few blocks above the Maidan, trying to see what was happening, as ambulances carried the dead and wounded away from the Maidan.⁵ Amidst the unceasing scream of ambulance sirens, I resolved to redouble my teaching in Ukraine, Belarus, Moldova, and other former Soviet republics. The students I was teaching are the future of their respective nations.

When the pandemic halted international travel in March 2020,⁶ I had to

² See generally ANDREW WILSON, UKRAINE'S ORANGE REVOLUTION (2005) (discussing the author's firsthand experiences as a witness to the events of the Orange Revolution).

³ See generally ANDREW WILSON, UKRAINE CRISIS: WHAT IT MEANS FOR THE WEST (Yale Univ. Press, 2014) (discussing the Revolution of Dignity, its origins, and its significance).

⁴ See Yuliya Talmazan, *Maidan Massacre Anniversary: Ukraine Remembers Bloody Day of Protests*, NBC NEWS (Feb. 20, 2019, 5:08 AM EST), <https://www.nbcnews.com/news/world/maidan-massacre-anniversary-ukraine-remembers-bloody-day-protests-n973156>.

⁵ See *id.*

⁶ See *Coronavirus: Travel Restrictions, Border Shutdowns by Country*, ALJAZEERA (June 3, 2020), <https://www.aljazeera.com/news/2020/6/3/coronavirus-travel-restrictions-border-shutdowns-by-country>.

cancel trips to Kyiv and Minsk. Having taught in Kyiv for many years, most often at the Taras Shevchenko National University of Kyiv Law Institute, I had become a nonresident professor there and had planned to teach there on my way to Minsk. By then, I had taught in Minsk fifteen times and at the Belarusian State University (“BSU”) Law Faculty and business school for seven consecutive spring breaks. I had also taught at another law school in Minsk, three Minsk law firms, and led a CLE-type seminar on negotiation sponsored by a Belarusian law periodical and book publisher.

I began teaching at the BSU Law Faculty after one of my LL.M. students at my home institution, a PhD graduate of the BSU Law Faculty, introduced me to the Law Faculty’s dean and two professors.

I first taught there in March 2012. When I learned that I was the first American law professor to teach there, I asked its dean if I could bring some of my home institution’s students with me the following year. He agreed, opening the door for my students to be the first American law students to participate in an in-person class with BSU law students. I created a two-credit course at my home institution called Transnational Negotiation that included a field trip to Minsk in March 2013. On that field trip, my students negotiated with BSU law students four to five hours a day for four days. The BSU Law Faculty arranged for cultural excursions each afternoon, and the students arranged their own night life.

During three of my spring-break trips to Minsk, I also met with adult English learners during their evening class, which was hosted at BSU. These classes were fun. My role was simple—I talked with these business and professional men and women about anything they wanted to talk about. This included being asked what I thought of Alexander Lukashenko, Belarus’s President, sometimes called “Europe’s last dictator.” I politely declined to answer, explaining that I depended on a visa to be in Belarus. Everyone, or almost everyone, smiled, perhaps with the resignation that comes with having the same president for, as of now, twenty-six years.

When I have taught there, Minsk was among the most hospitable places I have visited. Although it is not always a reliable litmus test for the friendliness of a place, a country’s passport control officers create first impressions. Applying this measure to Belarus, only once has a Belarusian passport control officer failed to smile when I handed her my passport. If you have crossed many passport-controlled borders, you know how rare it is for a passport control officer to greet you with a smile.

I know little Russian, only enough to get myself into (further) trouble. I can ask for directions in Russian, however. Yet all but once when I have asked for directions in Russian in Minsk, the person I asked answered in Russian, looked at me more closely, and then repeated the answer in English. And once when I was running in Minsk in shorts during a pre-dawn, March snowstorm, having not packed warmer running gear, I was halted by two

police officers as I ran past the nearly adjoining United States and Russian embassies. The conversation that followed was incomprehensible for both sides. Yet we were all smiling when we gave up trying to understand one another, and the officers waved me off to continue my run.

I am often asked why I teach in Ukraine, Moldova, Belarus, and in other former Soviet Republics at my own expense so often. Sometimes I answer that question by telling the questioner about teaching at the BSU Law Faculty several years ago. I was teaching negotiation. My negotiation class sessions are lengthy because the students negotiate hypothetical disputes. I teach in English. Yet, for four days of lengthy sessions, a student who did not speak, read, or understand English came to every session. I let her and other students negotiate in Belarusian or Russian and occasionally paused to let other students explain to her in either language what I had said. I was so impressed by her persistence that I decided that if her participation in every class session encouraged her to learn English, this is all the reason I needed to continue my freelance teaching. But the story does not end there.

When I taught at the BSU Law Faculty two years later for a week in December during the fall exam period at my home institution, most of my students had taken one or more of my previous courses, including negotiation. I was fortunate to have with me negotiation exercises that I had not previously used. And I was especially fortunate that the student who had not known English two years earlier was in the classroom.

When we finished the final negotiation on the course's last day, I sat down with the students. We talked about the ways in which my teaching style differed from the teaching styles used by their "regular" professors and other things. Then one of the students asked why I do what I do. I turned toward the student who did not know English two years earlier and said, "She is why I do what I do." I said this because it was true. During this course, I realized that she understood what I was saying and was able to read the negotiation exercises, which, like my words, were in English. Later, she left the classroom. Fifteen or so minutes later, she returned and presented the class's gift to me, describing it in perfect English.

I cannot say for sure that I had anything to do with that student learning English. I suspect I did not. But this is okay because I have learned after sixteen years of teaching remotely and in-person internationally to have only modest goals and to live with my uncertainty about having achieved them. In the same spirit, I hope this essay will help you achieve your goals when you teach abroad independently, as I encourage you to start or to continue to do.