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Oral History Interview with Michael Furmston: Conceptualising SMU

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Singapore Management University

Li Ka Shing Library

Conceptualising SMU: The People and Ideas behind the SMU Story

Interviewee: Michael Furmston

Interviewer: Patricia Meyer

Date: 31 January 2011

Location: SMU Studio, Level 5, Li Ka Shing Library, Singapore

Note to Reader:

Users of this oral history memoir should bear in mind that this is a verbatim transcript of the spoken word and reflects the informal, conversational style that is inherent in such historical sources. SMU does not exercise editorial control on the contents of the interview. We advise users to refer to the audio recording for the accurate/ authorised version of the interview.

<p>Patricia Meyer:</p>	<p>This is Pat Meyer. Today is Monday, 31st of January 2011. As part of the Conceptualising SMU Oral History Project, I'll be speaking today with Michael Furmston, the current dean of SMU's School of Law. We're meeting in the recording studio of the Li Ka Shing Library at Singapore Management University and the subject of the recording today is your role as the founding dean of the School of Law and your perspective on SMU School of Law. I'd like to start by just stepping back and asking you to tell about your earliest contact with Singapore and its universities.</p>
<p>Michael:</p>	<p>I came to Singapore for the first time in 1987 and taught for a term at NUS [National University of Singapore]. And in those days, the NUS summer—well I think of as summer, but there's no such thing as summer in Singapore—term started in July. So I could teach in July, August and September which you couldn't do now, which is an ideal arrangement for somebody coming from England who doesn't want to take leave from his home university.</p> <p>We liked Singapore a lot. It was very interesting. Anyway I liked teaching at NUS. I mean, teaching at NUS in those days was very like teaching in Bristol. It was largely by lectures and tutorials and in those days Singapore law was effectively exactly the same as English law in the field that which I was teaching.</p> <p>Oh, well that must have been quite soon. I think when I was at NUS in '99, one of my best friends was Andrew Phang, and his wife was in the economics department at NUS. And either while I was there or shortly after I left, she moved from the economics department at NUS to SMU. So I was aware that there was another institution. And I knew that, I mean, when Andrew of course moved a couple of years later, I don't remember exactly when but in the early 2000s. Well, I came in one of the short terms, either 3A or 3B. I had been teaching in Australia. By this time, I theoretically retired in England. I mean retirement is actually a very theoretical concept for people who are keen to carry on in universities. So I had been teaching in Australia and the possibility of coming to SMU on the way home, so I came, I'm not sure whether it was 3A or 3B, but one of the short terms. And of course there wasn't, there was a law department by then but there wasn't a law school. And I taught a course in contract negotiation which would be for the business school and I think most of the people doing it were non-lawyers.</p>
<p>Patricia Meyer:</p>	<p>When you became dean, what did you see as the challenges or the opportunities facing the law school?</p>
<p>Michael:</p>	<p>Well, the two most important things are the students and the staff who are the faculty. And by then the first cohort of students had been recruited, and I should say that we have no difficulty in recruiting very good students. I think this is a feat. This is a feature of modern life, that young children, or relatively young children and their parents—and in Singapore that's important—think that law or medicine are good things to do and that on the whole lawyers and doctors don't starve. So this is actually a big change from when I was a student. But nowadays, lots of very clever children want to do law, so you, you have no difficulty recruiting good students. And actually that's what's done very well and actually curiously enough the SMU style of teaching as you know is significantly different from NUS. And because we make a big thing of this in the advertising and</p>

	<p>marketing, we do actually get students who want to be taught interactively. And I tell people if you want to sit at the back of the class and take notes and never speak you should go to NUS. So we don't get people like that, well I'm sure we get a few, but on the whole we don't get people like that.</p> <p>As far as recruiting the faculty is concerned, I mean, there were I think, somewhere of the order of ten or twelve faculty in the law department in the business school. And fortunately they did a very good job so we started with excellent people. And we've now, we've gone from that number up to forty or thereabouts. And I think the recruiting of the staff is obviously one of the major jobs of the dean. But again I think coming to teach here has turned out to be attractive. And that means a number of people have moved from NUS and a number of people have come from, well there're a number of good Singaporeans and a number of people from other countries. The school is very international in terms of faculty.</p>
<p>Patricia Meyer:</p>	<p>And turning to research, when you arrived, what was your assessment of the school's research areas and how you might want to see it develop?</p>
<p>Michael:</p>	<p>Well, one of the things most people don't understand is that lawyers do research in a different way from most of the other subjects. The sort of research I do doesn't involve anybody paying me to do it, it's basically a question of sitting with lots of books and reading them and fitting together the material. And that is probably what sixty or seventy percent of the faculty are doing—what sometimes called black letter law—that is basically trying to find ways of stating the law more perceptively and accurately. And there it's simply a question of people identifying some area which they are particularly interested in or attracted to and getting on with writing about it. So and as it happens, the vast majority of faculty are productively engaged in writing of this kind, particularly on, we don't have anybody on the tenure track who isn't regularly publishing.</p>
<p>Michael:</p>	<p>There are people, let us suppose that you're doing work in let's just say criminology—that involves trying to work out why people behave in this way and in what ways punishing them would make them behave differently. And that is, typically the work there is much more like working done in social science, it does involve empirical investigation and what actually happens.</p> <p>Well, we thought that there were a significant number of people who wanted to study law who already had degrees. And of course there are countries where it's normal only to study law when you've, after you've studied something else. So in the United States I think probably the exclusive path now is to do a four-year college degree and then do a three-year law degree. And what is different about our arrangement is that we have the two side by side and we haven't chosen to put one over the other.</p> <p>And experience certainly shows that there are a significant number of people who would welcome the chance to do this and because they've already got a degree, we felt able to delete from the law degree a substantial element which is non-law. I mean the law degree is sort of seventy percent law and thirty percent non-law. For people who've already got a degree they would just be doing the seventy percent. It appears that you can certainly do it in two-and-a-half years and if you make extensive use of Terms 3A</p>

	and 3B you may be able to do it in two years but you have to work very hard to do that. We charge them the same fee however long they take, so it doesn't, there's no pressure on them to do it in a particular time.
Patricia Meyer:	And were the job opportunities for the LLB and JD degrees, how would they compare?
Michael:	<p>I mean it's too soon to tell in a sense, neither cohort has actually got into the labour, I mean, but, it appears that most of them want at this stage to go into private practice or into government legal service and the people from both classes could do that. One of the big things about law is that a lot of people who do law degrees, don't spend the rest of their life as lawyers. It's not like medical, people who do medical degrees nearly all spend the rest of their life as doctors. The attrition rate for lawyers is quite high. I don't think that matters because law is a good training for all sorts of other things. There will be a few, I think, who fall out at the first stage and already decide they want to do something else. One would expect that most of the people who've chosen to do the JD have chosen to do the JD because they wanted to be lawyers. There will be people who started the LLB thinking they wanted to be lawyers and by the time they've done four years of it, they surely want to do something else.</p> <p>Well I think that probably the calibre of the students is actually the most obvious. We do actually have very good students. I would say the students are just as good as any of the law schools I've ever taught in. And I have quite a lot of experience.</p>
Patricia Meyer:	Can you tell us a little bit about how the School of Law has built up relationships with the business and legal communities here in Singapore?
Michael:	<p>Yes. We actually had what we call the internship fair on Friday which is one of the major—as you know under the SMU system, all students are supposed to do ten weeks of internship and that's very important for, it's important I think for all students but it's particularly important for law students because it enables them to see what actually happens in real life. The internship fair, we had twenty-six firms of lawyers, including the government legal service and the Attorney General's office who came and had stands and talked to people, it would be second-year students who'll be the main group. You can't do internships in the first summer or at least they don't count. So most of the internships were done either between the second and third year or between the third and fourth year.</p> <p>And this is an opportunity for students to make contacts. So far this has been very successful, I mean that the people have got internships that, the internships were undoubtedly one of the major factors in determining whether you get a training contract and if you, under the Singapore system, after you have a law degree, you have to pass through two more stages before you become a lawyer. You have to, there's another exam, which is not done by the universities, there's a course for that which will take six months. Then you have to do six-months training contract. So you can't get to be a lawyer if you can't find somebody who'll give you a training contract. Experience shows that successful internships are the best way to get training contracts. And so far the first cohort seems to have done very well in getting training contracts. A lot will depend on how well the first cohort get on when they're actually doing the training contract and</p>

	when they actually get jobs. If they make people feel that SMU law graduates are okay, this will be a big forward step, yes.
Patricia:	Can you tell us about the plans for the new law school building?
Michael:	Yes, I mean, The absence of law school building is the biggest single minus in the arrangements. It's not satisfactory to be working in two separate buildings. It means that you, you don't see by accident, people in the other building. I think that's actually very important and desirable. It seems now to be fairly certain that the building will go up. The location of the building is agreed, it's on the corner of Armenian Street. So it will be on the opposite side of the road from the accountancy building and there will apparently be a bridge over it. And the current plan, talks in terms of it being open in 2014.
Patricia Meyer:	What other areas do you see SMU School of Law developing in the future?
Michael:	And it's coming to be recognised that you need actually, in order to solve as many disputes as possible, you need to have a range of techniques and that for many purposes, litigation is a very expensive way of doing it and therefore other forms should be tried first. And this has not only sort of domestic but also international implications. Singapore has serious ambitions to be a major regional centre for arbitration. We're also helping with the training of people doing things of this kind, arbitrators and mediators.

Acronyms List

Acronym	Definition
AAC	Academic Advisory Committee
JD	Juris Doctor
LLB	Bachelor of Laws
MOU	Memorandum of Understanding
NUS	National University of Singapore
PAC	Provost Advisory Committee
SMU	Singapore Management University