

The importance of commonality and difference in global legal education communities

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Abstract

The forces of globalization and related flows of international students have transformed legal education. For law schools, grounded by the geography of law, being viewed as a global space adds an important reputational dimension. These global reputations have not been interrogated in depth, at least in part because it has been impossible to assess the international identities of students at particular schools. This is an important missing element: it explains which vantage points are prominent during class discussions, where a law school is likely to have and develop relationships with foreign universities, and from which countries future students are most likely to come. This article uses newly available data about the national identities of students to provide an overview of who is studying in the United States and where they are doing so. We analyze these student communities from two perspectives, each at the law school level: first, students from the same home country who connect around this commonality, and second, students from the same law school cohort but diverse home countries who coalesce around their experiences at that law school. By focusing our analysis on the level of an individual law school, we can provide insight into the distinctive nature of law school global identities.

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Introduction

While globalization is on a downslide politically among at least certain world leaders, the past several decades have witnessed not only globalization but what some economists characterize as hyper-globalization.¹ Among other things, this has been accompanied by higher mobility rates as well as an increased emphasis on transnational networks for trade, social connections, and the exchange of knowledge.² These forces have transformed higher education, including legal education,³ particularly through flows of international students. The United States is one of several beneficiaries of these student flows, occupying the position of top host country for international students at the

¹ Dev Patel, Justin Sandefur, and Arvind Subramanian, "A Requiem for Hyperglobalization," *Foreign Affairs* (12.6.2024), <https://www.foreignaffairs.com/china/requiem-hyperglobalization>; Dani Rodrik, *THE GLOBALIZATION PARADOX : DEMOCRACY AND THE FUTURE OF THE WORLD ECONOMY* (1st ed. 2011).

² Patel et al, id. ("Hyperglobalization is simply globalization on steroids. Beginning in the late 1980s, three critical factors drove a truly exponential rise in these flows: a rapid decline in the cost of transporting goods and communicating across borders; political leaders' embrace of more globalization-friendly policies; and perhaps most fundamentally, the end of the Cold War.").

³ Hans de Wit and Philip G. Altbach, "Internationalization in higher education: global trends and recommendations for its future," 5 *Policy Reviews in Higher Education* 28 (2021), <https://doi.org/10.1080/23322969.2020.1820898> ("During the past half-century, internationalization in tertiary education has evolved from being a marginal activity to becoming a key aspect of the reform agenda. In the last decade of the last century, the increasing globalization and regionalization of economies and societies, combined with the requirements of the knowledge economy and the end of the Cold War, created a context that enabled a more strategic approach to internationalization in higher education.").

university level.⁴ For law schools, which are grounded by the geography of law as a field of study, being viewed as a global space adds an important reputational dimension, among other things.⁵

The global reputations of individual law schools emanating from these forces are hard to discern at least in part because it has not been possible to assess the international identities of their students. This is an important missing element because it explains *which* vantage points are prominent during discussions in class, *where* the law school is likely to have and develop relationships with

⁴ IIE, Project Atlas, Infographic 2024, chrome-extension://efaidnbmninnibpcapjcgclcfndmkaj/https://www.iie.org/wp-content/uploads/2024/11/Project-Atlas_Infographic_2024-1.pdf. Other major host countries for international higher education students are Canada and the UK, each of which hosted more than ten percent of all international students in 2024 according to the Institute of International Education, id. But even these statistics do not fully explain the way globalization has shaped educational opportunities; see Lydia Polgreen, “I Went to Dubai, and Caught a Glimpse of the Future,” *New York Times* (11.3.2025), <https://www.nytimes.com/2025/03/11/opinion/dubai-migration-trump.html?smid=nytcore-ios-share&referringSource=articleShare&sgrp=g&pvid=7670D9B5-459A-4A2C-8759-B2BA3862E8BA>, and Laureen Fredah, “New York Bar Taker Looks to Extend Reach Beyond Dubai, BARBRI,” <https://www.barbri.com/resources/new-york-bar-taker-looks-to-extend-reach-beyond-dubai> (visited 11.3.2025)(together, describing a path from Uganda to the UAE to studying law in the Dubai campus of Middlesex University London).

⁵ Bryant Garth and Gregory Shaffer, *The Globalization of Legal Education*, in Bryant Garth and Gregory Shaffer, eds., *THE GLOBALIZATION OF LEGAL EDUCATION* p.8-9 (2022)(“Most legal education remains local, as, for example, a critical study of ‘global’ law schools in Latin America showed. But that does not mean that globalization has failed to spur significant change, whether in self- designated global law schools or more broadly within law schools. For example, we know that transnational legal fields such as human rights, international economic law, international commercial arbitration, rule of law promotion, and others have earned places in many law schools’ hiring and curricula. This volume cannot chronicle the extent of the globalization of law schools nor detail all the manifestations of that globalization. But, as the quoted websites suggest, there is a remarkable amount of attention to this phenomenon that, for the most part, is taken for granted as an indicator of progress.”)(citation omitted). See also Benjamin H. Barton, “The Case For (and Against) ABA Regulation of Non-J.D. Programs,” 85 *U. Pittsburgh L.Rev.*, 38-39 (2023), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4566908 (“Kevin Carey, director of the education policy program at New America argues (quite persuasively) that ‘universities see master’s degree programs as largely unregulated cash cows that help shore up their bottom line.’ The rise of online masters has ‘supercharged the problem [of ‘patchwork’ regulation] by allowing universities to parlay their brands nationally and internationally in order to enroll students at an industrial scale.’”)(citations omitted).

foreign universities and faculty,⁶ and from *which countries* future students are most likely to come in the future.⁷ Combined, these national identities and vantage points shape the issues, people and ideas uppermost in mind when a school primes its global identity, and also serve as potential distinctions between law schools.

In this article, we use newly available data about the national identities of international law students to provide an overview of *who* is studying law in the United States and *where* they are doing so. Our emphasis here is on international students who are not pursuing the general qualifying degree to become a U.S. lawyer. Rather, their U.S. legal education is aimed at preparing them to operate in multiple jurisdictions and to obtain a credential recognized around the world as relevant to working with global clients and on transnational matters. These students may join and draw from two types of student communities that we analyze below, each at the law school level: first, students from the same home country who connect around home country commonality, and second, students from the same law school cohort but often diverse home countries who coalesce around the experience of being an international student at that law school. Our analysis draws on a multi-method approach that utilizes quantitative data about students' home countries and the law schools they attended as well as qualitative interviews with international law students and graduates.

By focusing our analysis on the level of an individual law school, we can provide insight into the distinctive nature of law school global identities. Difference is both the norm and the exception in law school international student populations. While nearly 80% of international students coming to the U.S. for legal studies originate from a core group of 20 countries, the particular composition in each school differs widely both from school to school and, in

⁶ See, e.g., "LL.M. class of 2025 builds community, prepares for success at Penn State Law," PennState Law, News (5.9.2024), pennstatelaw.psu.edu/news/llm-class-of-2025 (Penn State Law's press release noting the role of university-to-university relationships in attracting a diverse class: "Notably, the class of 2025 includes 39 students from China, 29 students from Colombia and, for the first time in the program's history, students from Cambodia (2) and Zambia (1). Reflecting the strong relationships Penn State Law has built around the world, this year's cohort also includes students from 35 partner institutions.").

⁷ We recognize that recent actions of the Trump administration may significantly alter international student enrollment and interest in U.S. legal education. See, e.g., Karen Sloan, "This Harvard Law degree program could get decimated by foreign student ban," Reuters (29.5.2025), <https://www.reuters.com/legal/government/this-harvard-law-degree-program-could-get-decimated-by-foreign-student-ban-2025-05-29/>.

certain cases, over time within a single school. We suggest why students from certain countries tend to aggregate in certain schools, in a manner that cannot be explained by random chance, and why certain law schools are able to achieve home country diversity in their student cohorts.

The article proceeds as follows: Section I introduces global legal education from the perspective of the U.S. as host country and the mobility of students as the vehicle of the global forces. We take the U.S. perspective here based on our data and expertise, but hope that similar studies will be done from the perspective of other countries that host sizeable populations of international law students; comparative studies of differences in host countries may be particularly important as the U.S. government and U.S. universities and law schools experience seismic shifts in their orientation towards international students because of actions being taken during the current U.S. administration. Section II delves briefly into research on diaspora in order to provide a theoretical framework for our work while also relating that framework to the world of international legal education. Section III uses data about the home countries of students who obtained a visa to study law in the U.S. (referred to as the “Visa Data” or “Data”) to explore home country distribution patterns among U.S. law schools. The analysis considers both kinds of diaspora communities – home country-based and diversity-based – to explore unexpected distribution patterns of students from certain countries or regions into certain law schools. Section IV concludes by considering the implications of this empirical project for the future of global legal education, particularly in relation to differences in law schools’ global identities and differences in the networks that international students can draw on during their overseas studies and beyond.

Overview of Global Legal Education in the U.S.

U.S. law schools take particular pride in highlighting their ability to draw students from all over the world. They promote this as a major attraction for prospective students that relates to developing a global professional network and learning in a comparative context, among other things. The University of Michigan’s law school perfectly described this ideal:

“Our students converge on Ann Arbor from around the world, and the real magic at Michigan Law is how brilliant individuals form a community. The intimacy and energy of the Law School enables students to find close friends in their

classmates — a development that leads to connections that span the globe.”⁸

The assumption behind Michigan’s description is that it can consistently attract diverse cohorts of international students. Assuming Michigan and other schools can accomplish this, it is unclear whether students, much less their U.S. law schools, are indifferent to the ways international cohorts differ at different law schools and over time.

In this article, we draw on new data to highlight the differences between and within law schools in the diversity of international students’ home countries. Further, despite the focus on home country difference that is embedded in law school messaging, research has found that home country *commonality* and the shared experiences that accompany it – rather than difference – serves as an important foundation for building a sense of community among international students. These communities in turn can profoundly shape not only experiences during their term of study, but even future opportunities. This frames the second goal of this article, which is to provide empirical insight into the presence and absence of home country communities of international students in U.S. law schools. Our analysis shows that the choice of law school can be a significant differentiator in the networks that students can develop in their overseas study and their experiences during their terms of study. Further, because law is a relationship-driven profession, networks that are both deep and broad have particular value in this field.⁹

We focus on two variations in home country networks in this article, both identified in qualitative studies of international law students as being central to

⁸ Michigan Law, Academics, Programs of Study, LLM Program, <https://michigan.law.umich.edu/academics/programs-study/llm-program> (visited 30.5.2025).

⁹ On networks generally, see Mark S. Granovetter, “The Strength of Weak Ties,” 78 *Am. J. Soc.* 1360 (1973). On networking in the legal profession, see, e.g., Michael Meyer, “Networking Strategies for Lawyers: Turn Professional Connections into Leads,” American Bar Association Law Practice Division (9.7.2024), https://www.americanbar.org/groups/law_practice/resources/law-technology-today/2024/networking-strategies-for-lawyers-turn-professional-connections-into-leads/?login; “Networking for Lawyers,” Bloomberg Law (23.2.2023), <https://pro.bloomberglaw.com/insights/business-of-law/networking-for-lawyers/>; Stanford Law School, “Networking,” <https://law.stanford.edu/careers/getting-the-job/networking/>.

their experiences and capital:¹⁰ one organized around commonality of home country, and the other organized around the law school where students studied and diversity of home country. Home country networks can draw international students to a particular law school and shape their experiences there. Earlier research has suggested that these networks provide information about whether a law school will be a good fit for a prospective student by offering an experience that will be manageable yet challenging, and simultaneously expansive in terms of knowledge and personal and professional opportunities.¹¹ Networks of home country students also offer guidance about navigating law school (from course selection and faculty recommendations to clubs and student activities) and everyday life (where to live, eat, exercise, study etc.), all of which can be a tremendous help particularly for students whose course of study is limited in duration so that hitting the ground running is at a premium. In a study of law student networks, based on student nominations of classmates who they identified as friends, Paik et al found that international LLM students generally organize their law school relationships to be separate from JD students, on one hand, and oriented towards home country, on the other hand.¹²

On the other hand, the breadth of home country diversity in an international student cohort can be enormously important both to choosing a law school and the experience during a tour of study, as well as in the professional networks that stem from the experience. As one international law graduate explained about his U.S. legal education experience:

“I came here hoping to meet people from different countries, different cultures, and it did open my mind. Literally, the first day I felt like I had been hit with an axe in my head and it

¹⁰ Swethaa S. Ballakrishnen and Carole Silver, “A New Minority? International JD Students in US Law Schools,” 44 *Law & Soc. Inq.* 647 (2019), <https://doi.org/10.1017/lsi.2018.12>; Carole Silver and Swethaa S. Ballakrishnen, “Sticky Floors, Springboards, Stairways & Slow Escalators: Mobility Pathways and Preferences of International Students in U.S. Law Schools,” 3 *U.C. Irvine J. of Int’l, Transnat’l and Comp. L.* 39 (2018), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3170548#.

¹¹ Silver and Ballakrishnen, “Sticky Floors,” *id*; Carole Silver, “States Side Story: ‘I like to be in America:’ Career Paths of International LLM Students,” 80 *Fordham Law Review* 2383 (2012), <https://ir.lawnet.fordham.edu/flr/vol80/iss6/4/>.

¹² Anthony Paik, Swethaa Ballakrishnen, Carole Silver, Steven Boucher and Tanya Rouleau Whitworth, “Diverse Disconnectedness: Homophily, Social Capital Inequality, and Student Experiences in Law School,” *Law & Social Inquiry* 1 (2024)(published online: doi:10.1017/lsi.2024.24)(analysis of law student networks showing home region and degree program as significant organizing forces); Anthony Paik, “Structured Learning,” presentation at National Taiwan University (2024).

opened, you know. I had traveled very little when I was younger, so I didn't know much of the world and I hadn't met anyone from Asia or, I don't know, different countries in Europe, Eastern Europe, Africa, so it was a new and very intense experience.”¹³

Studies of law student networks also support the hypothesis that international non-JD students tend to develop networks – both friendship and learning ties – within the international non-JD student group.¹⁴

Further, while diversity is important to the capital gained by international students from their overseas experience, it also is central to a law school's ability to develop and strengthen its global reputation. Unsurprisingly, reputation as embodied in ranking – which in the U.S. law school context means U.S. News & World Report – is loosely correlated with the home country diversity of a law school's international cohort. Indeed, schools ranked within the top 20 by U.S. News were consistently more diverse than the rest (Figure 1). Diversity was measured as the number of unique home countries represented in the international student cohort for each year from 2012 to 2021 (using the Visa Data, described below).

¹³ 10722. Qualitative interviews were conducted by Silver and her collaborators with international students and graduates who studied in a U.S. law school between the late 1990s, when U.S. law schools began expanding programs for international students, and 2024. The interviews are used to supplement and highlight certain trends. They are cited by a numerical code with the following elements: the first letter (I, G or S) indicates whether the interview was conducted individually (I), with a small group (G) or the quotation was a response to a survey (S); the first two digits refer to the year of the interview (here, 2007); the last digits (or combination of digits and letters) refer to an identity code or the individual (here, 22)).

¹⁴ Structured Learning, above n. 12; Paik et al, above n. 12 (note that the analysis drew on data from the first semester of law school for JDs and LLMS).

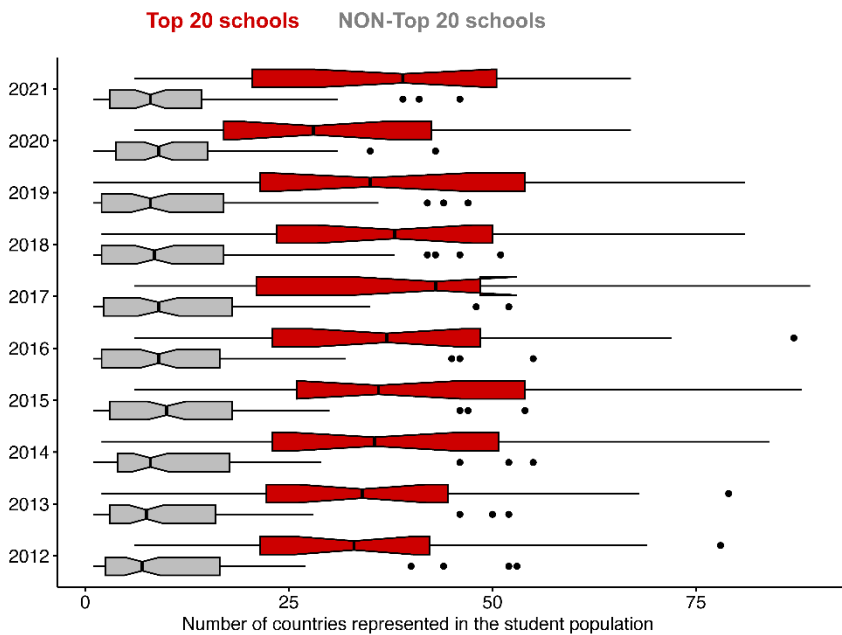


Figure 1: Diversity of international student cohorts pursuing Master's+ programs in U.S. law schools ranked in the top 20 (red) or ranked below the top 20 (grey). Diversity is measured as the number of unique home countries represented in the Visa Data.

While the importance of home country commonality and diversity has been highlighted in earlier research, it has not been possible to explore the ways that these networks differ in different law schools because relevant data has been unavailable, at least in the U.S. context. This is because U.S. regulation does not mandate that law schools report the home countries of their international students, or even the number of students studying in any program outside of the JD – and it is just such non-JD programs that attract the lion's share of these students. However, using data obtained by Silver from the United States government about visa approvals for international students to study in a U.S. law school during the period of 2012-2021,¹⁵ we can analyze both home country commonality and difference in the context of international legal education. These Visa Data include individual level information about students approved to study in a U.S. law school regarding their countries of birth and

¹⁵ These data were obtained through a FOIA request submitted in 2022 by Silver to the U.S. Immigration and Customs Enforcement.

citizenship, the law school where they were approved to study, the degree they were approved to pursue, their gender, and funding from the law school.

In this article, we focus on a particular segment of international law students: those enrolled in degree programs that often have been specifically designed for international students and do not generally result in automatic qualification for the practice of law in the U.S.¹⁶ This excludes students pursuing the basic qualifying degree – known as a JD degree;¹⁷ the JD is the degree of choice for domestic students because of its recognition under state regulation as bar-eligible. Fundamentally, the distinction between JD and non-JD students is an important one in international legal education. For international students, the more common path by far is a master's level program like the LLM.¹⁸ We split the Data into two categories: students pursuing a JD, and those not pursuing a JD which we call the "Master's+" category because, in addition to LLM and other master's students, this second category also includes students pursuing a doctorate in law (SJD or JSD), or present in another non-degree capacity.

The Visa Data show that nearly 70% of visa approvals are for students in the Master's+ category.¹⁹ Included in the Master's+ category are LLM

¹⁶ See Carole Silver and Ritika Giri, "Diasporas in Global Legal Education," in Swethaa Ballakrishnen and Bryant Garth, eds., *EDWARD ELGAR RESEARCH HANDBOOK ON GLOBAL LEGAL EDUCATION* (forthcoming) for a study of the aggregate of the Visa Data international students, including JD students. While the LLM degree does not automatically qualify as bar eligible, it nevertheless may be the basis for bar eligibility in particular jurisdictions and circumstances. For an overview of bar exam results and eligibility for law school graduates whose primary education was earned outside of the U.S., see National Conference of Bar Examiners, 2024 Statistics, Persons Taking and Passing the 2024 Bar Examination by Source of Legal Education, <https://thebarexaminer.ncbex.org/2024-statistics/persons-taking-and-passing-the-2024-bar-examination-by-source-of-legal-education/>.

¹⁷ Ballakrishnen and Silver, "A New Minority?," above n. 10.

¹⁸ But see *id.* (describing increasing presence of international students in JD programs).

¹⁹ Kathryn Hendley and Alexander Straka, "International Students from the Perspective of U.S. Law Schools," 72 *Journal of Legal Education* 58 (2024), <https://jle.aals.org/home/vol72/iss1/4/> (reporting that law schools responding to their survey about international Master's and other non-JD students responded that at least 80% of their international students are enrolled in LLM or similar master's level programs).

programs; these generally are short in duration – just one academic year²⁰ – leaving little time for adjustment; gaining expertise in legal English and acclimating to the intense climate of U.S. law schools; adjusting to the diversity inherent in an international study experience; and preparing for next steps after graduation that might include a bar exam and applying for professional positions in the U.S. or in a third country away from home.²¹ There also are structural reasons that keep LLMs separate from JD students. For example, it is common for LLM students to take at least some classes together that are specifically designed for them, for social activities to be planned for them exclusively as well as in combination with students in other programs, and for administrators who work with them to be distinct from those serving the law school as a whole and the JD population specifically.²² The academic pressure around grades also can differ; some LLM students describe having less pressure from grades compared to JDs, which might reflect differences in hiring criteria for the two groups.²³ In these ways, international students in Master's and related non-JD degree programs can be seen as being part of a law school ecosystem that operates separate from, but alongside, that of the organizational structures supporting JD students; while law schools may stress

²⁰ A few law schools have offered two-year LLM degrees, particularly for students who struggle with English. See, e.g., Georgetown Law Center, "Two-Year LL.M. with Certificate in Legal English for Foreign-Trained Lawyers," <https://curriculum.law.georgetown.edu/llm/llm-llm-programs/llm-two-year-extended-certificate-legal-english-foreign-law-graduates/> (visited 30.5.2025); Wash. U. in St. Louis, "Programs for International Lawyers/Two-Year LLM for Foreign Lawyers," <https://law.washu.edu/academics/llm-mls-jsd-programs-overview/programs-for-international-lawyers-two-year-llm-for-foreign-lawyers/> (visited 30.5.2025).

²¹ One LLM graduate described that the LLM administrator "hooked me up with the current, past, I guess the current or the one graduating LLMs from [her home country] and some of them obviously helped us out in preparing yourself for finding apartments and things like that. So when you hit [Law School] you basically had everything set up." I0609.

²² This separation likely emanates from ABA regulations that prefer the JD program; ABA Standards and Rules of Procedure for Approval of Law Schools 2024-2025, Standard 313, chrome-extension://efaidnbmnnnibpcajpgclefindmkaj/https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2024-2025/2024-2025-standards-and-rules-for-approval-of-law-schools.pdf.

²³ Carole Silver, "The Variable Value of U.S. Legal Education in the Global Legal Services Market," 24 *Georgetown J. Legal Ethics* 1, 48 (2011), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1742031 ("The managing partner of an international firm revealed his bias against the LL.M. in discussing his preference for lawyers in overseas offices generally. He looks for lawyers 'trained in the U.S. Really trained in the U.S., not as an LL.M. where they kind of went to class, didn't learn very much but got a degree, not to belittle the LL.M. programs but it's way different from somebody that's in a J.D. program at a top tier law school.'").

integration and interaction of the two groups, some degree of separation is typical.²⁴ The togetherness of the international cohort along with the separation from the world of JDs can lead to strong feelings of connection within the cohort. As one LLM graduate explained,

“there was one class that all the LLMs did together; so you do get to know each other quite well. You find . . . people you like, everyone got along really, really well but some people got along better than others and I can say I have a dozen close friends from that I’m in regular contact with and see on a fairly regular basis.”²⁵

This cohesion is born out in the attitudes of international LLM alumni, who describe

“[recommending] that young lawyers pursue an LL.M., . . . hir[ing] LL.M. graduates, . . . attend[ing] weddings of LL.M. classmates and conven[ing] in friendship and professional groups many years after graduation.”²⁶

As these comments of international law graduates illustrate, their relationships with other international students have a big impact on their experience during and after law school. This is partly because international students struggle to develop strong relationships with U.S. host-country students, regardless of their degree program and law school, as earlier research has shown.²⁷ This segregation is not unique to the U.S. or to the field of law.²⁸ Consequently, these international networks are, for many students, one of the primary take-aways of their international legal education. But they can differ remarkably

²⁴ An Austrian LLM graduate’s comments in response to a survey about the LLM experience wrote: “I am very happy with my current job, however, I would like to point out that career services at [Law School] were absolutely lousy and entirely focussed on placing JDs.” S132. (S indicates survey response). Further to the issue of separation, certain law schools use different faculty and even different physical spaces for their international cohorts.

²⁵ 10604.

²⁶ Silver, “Variable Value,” above n. 23 at 55. For another view of the exclusivity of LLM relationships with other LLMs, see Ballakrishnen and Silver, above n. 10.

²⁷ See Carole Silver, “Getting Real About Globalization and Legal Education: Potential and Perspectives for the U.S.,” 24 *Stanford L. & Poly Rev.* 457 (2013), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2278293; Silver and Ballakrishnen, “Sticky Floors,” above n. 10.

²⁸ Silver, “Getting Real,” *id.*

from school to school and year to year, and it is these differences that are the focus of our work here.

In exploring home country as a window into international student communities, our work connects to scholarship on diaspora. Diaspora conveys the idea of “groups of people who claim a tie to both their homelands and host lands including highly skilled migrants; refugees; expatriates; and religious and ethnic minorities amongst others.”²⁹ In the context of higher education, diaspora “no longer refers exclusively to ethnicity and migration but increasingly to transnational networks of many different kinds.”³⁰ We use the framework of diaspora to empirically explore the international law student communities organized around commonality and difference.

Diaspora and international law student communities

Research on diaspora explores the ways in which identity and community connect simultaneously through reflection and reference to a homeland, on one hand, and through the lens of a new host country, on the other. Traditionally, this research did not consider international students as relevant to diaspora communities because they were perceived as transient in their international sojourns.³¹ Diasporic communities were perceived to have severed physical

²⁹ Annette Bamberger, “Diaspora, Internationalization and Higher Education,” 69 *British J. of Educational Studies* 501,503 (2021), <https://doi.org/10.1080/00071005.2021.1966282> (“To the traditional idea of dispersion due to trauma, has been added a more generalized conception of ‘dispersion’; given the ease of travel and information and communications technology, binary views of homeland/host land are increasingly challenged, and networks and circuits more often invoked; homelands are no longer viewed as merely static, physical places, but rather, as symbols of identity, and important cultural discourses.”)(references omitted).

³⁰ Fazal Rizvi, “International Higher Education and the Formation of Business Diasporas,” 69 *British J. of Educational Studies* 537, 542 (2021), <https://doi.org/10.1080/00071005.2021.1935705> (citations omitted).

³¹ Rachel Brooks and Johanna Waters, “International Students and Alternative Visions of Diaspora,” 69 *British J. of Educational Studies* 557, 558 (2021), <https://doi.org/10.1080/00071005.2021.1948501> (noting that “surprisingly little work . . . has discussed international students in terms of ‘knowledge’ and the contribution their movement can make to debates around mobility and knowledge diasporas.”). See also Rizvi, “International Higher Education,” above n. 30 at 541 (“ . . . the traditional notion of diaspora was associated with suffering, loss and victimization”); Parvati Raghuram and Gunjan Sondhi, “The Entangled Infrastructures of International Student Migration: Lessons from Covid-19,” in A. Triandafyllidou (ed.), *MIGRATION AND PANDEMICS*, IMISCOE Research Series (2022)(“Students are often considered to be transient and therefore not pertinent to the politically divisive dialogues around migration in many countries.”).

ties to their homeland, but students, on the other hand, typically were expected to return physically to their homeland after a period of study overseas. The assumption of transience is particularly apt for law students, most of whom enroll in degree programs that do not qualify them to practice in the U.S. or advise on U.S. law, which diminishes the likelihood of building legal careers in the U.S. In particular, the signal of pursuing an LLM is that the necessary international movement is temporary, making international law students outsiders to the concerns of diaspora scholars.

Diaspora studies were extended through research focused on global processes and transnational networks that traversed organizations and connected them to outsiders as well.³² This included studies of knowledge diasporas, what Rachel Brooks and Johanna Waters define as “communities of highly educated, highly skilled citizens living overseas, maintaining significant ties back to a ‘home country’.”³³ Universities, including their faculty and students, emerged as important actors in these global processes of circulation of information and relationships. International students came to be seen as “the quintessential knowledge-seeking migrant.”³⁴

Further and specific to law students, the characteristic of temporariness that marginalized international students from scholars interested in diaspora shifted as regulatory liberalization was embraced, particularly in the era of the General Agreement on Trade in Services. As regulatory barriers fell away, opportunities expanded for international students who had earned a master’s-level degree such as the LLM. Simultaneously, global law firms grew and deepened their international footprints.³⁵ The perception (and reality, for some) of these global firms was that they needed lawyers who were familiar with multiple national legal cultures and could operate in a global organization and, specifically, in English. International students’ expectations about the possibility of staying in the United States after earning an LLM shifted, too, so

³² Robert E.B. Lucas, *INTERNATIONAL MIGRATION AND ECONOMIC DEVELOPMENT* 209 (2005).

³³ Brooks and Waters, “International Students and Alternative Visions,” above n.31 at 558.

³⁴ Parvati Raghuram, “Theorising the Spaces of Student Migration,” 19 *Population, Space and Place* 138, 149 (2013), <https://doi.org/10.1002/psp.1747>.

³⁵ See Carole Silver, “Globalization and the U.S. Market in Legal Services – Shifting Identities,” 31 *J. of Law & Policy in Int’l Business* 1093 (2000)(mapping global expansion of U.S. law firms).

much so that law schools felt the need to warn prospective students that the path from an LLM to a job in the U.S. was challenging at best.³⁶

The scholarly understanding of diaspora was extended from home country as the organizing thread to the law school experience itself as the relevant commonality; that is, having a particular educational experience also can serve as the nexus for a diaspora relationship.³⁷ As Fazal Rizvi explained,

“the concept of diaspora . . . increasingly [refers] to transnational networks of many different kinds. It highlights the diversity and dynamism of various communities, the capacity to become ‘embedded’ simultaneously within multiple locations, as well as the ability to forge and retain transnational systems of ties, interactions and exchanges. . . . For contemporary diasporas, mobility across national boundaries does not mean abandoning traditions and links but

³⁶ One example is from the University of Pennsylvania Carey School of Law, Graduate Admissions, LLM Program, Office of Career Strategy, <https://www.law.upenn.edu/admissions/grad/llm.php> (visited 30.5.2025):

“We also want to take a minute to talk to you, frankly, about the great difficulty LLMs have in finding legal employment here in the United States due to significant structural barriers. This is in contrast to the excellent opportunities many of our LLM graduates secure in their home countries or sometimes in a third country.

Each year, some of our LLM students seek employment in the United States, either on a temporary basis (for example, a three to six month period or a one or two year period prior to returning to their home country) or on a more permanent basis. Unfortunately, it is very difficult for LLM graduates from any LLM program in the United States to find a law-related job in the United States today.

Those candidates who are successful at securing employment in the U.S. generally do so by networking with contacts from their own country before arriving in order to set up interviews in the U.S. The successful LLM candidate is typically one who can demonstrate to a U.S. firm that they will be a source of client expansion and income to the firm.

We pass on this information not to disappoint you, but rather to give you a realistic picture of the job market prior to your decision to attend Penn Carey Law School or any other LLM program in the U.S. It is important to note that many of our LLM graduates leverage their degree into better positions either in their home country, or somewhere else outside the U.S. Our LLM alumni have become leaders around the world in law firms, business, government, and other areas.”

For additional statements from law schools, see Silver, “States Side Story,” above n. 11 at n. 100.

³⁷ Lucas, above n. 32 (“Although accounts of national diasporas abound, the nation-state may not be the relevant unit to consider in analyzing the evolution and role of networks. . . . Alumnae relationships also appear to be important, such as those among graduate of India’s Institutes of Technology or Taiwan’s elite engineering universities, creating cliques within a nationality, as can differing vintages of arrival from certain countries.”).

acquiring new ones and using transnational networks as a major source of advantage. From this perspective, belonging to a diaspora, forged through mobilities across borders, becomes an advantage, as transnational networks can be exploited as a source of commercial opportunities and political claims which are both nationally specific and global.”³⁸

The sort of transnational network and contemporary diaspora that Rizvi refers to can be seen in a description by Bryant Garth and Yves Dezalay of the central role of U.S. legal education as a bridge across national borders within the legal profession: “While perhaps an exaggeration, it is notable that we were told by one Mexican lawyer that he cannot do business effectively with a Japanese lawyer unless the Japanese lawyer also has an advanced U.S. law degree.”³⁹ In this conception of diaspora, students coalesce around having studied as an international student at a particular law school, and in this experience they focus as much on home country difference as on commonality. As one LLM student put it:

“one reason I think sometimes people come for an LLM is to learn about people from other countries, from interacting with them because they haven’t traveled and they haven’t really gotten to know them and they think that that is important.”⁴⁰

Nor are these relationships limited to the period of study, as an LLM graduate from South Africa explained:

“probably the best aspect [of the LLM] was the fellow international students. It was ... in fact this last weekend [more than five years after graduating from the LLM] I went to New York to visit a friend of mine who I actually met in the program, I mean our connections were formed that

³⁸ Fazal Rizvi, “Universities are waking up to the ‘diaspora advantage’,” 113 *University World News* (4.2.2023), <https://ejournals.bc.edu/index.php/ihe/article/view/16099> (hereinafter, *Diaspora Advantage*).

³⁹ Bryant Garth and Yves Dezalay, “Changing Patterns in Graduate Legal Education: Some Potential Social Implications,” in Todd M. Davis, ed., *Open Doors 1995/96: Report on International Educational Exchange (1996)* at 33, <chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://files.eric.ed.gov/fulltext/ED404959.pdf>.

⁴⁰ I15051.

remained that strong. And that was probably the single best element of that LLM.”⁴¹

The construct of diaspora thus operates in two ways in international legal education: first, in the traditional sense of a group that shares the same home country and uses that commonality to build a community that brings home country culture, values, celebrations and attitudes into the new host country context; and second, in emanating from the U.S. law school experience and encompassing the experience of being an international student in a specific law school quite apart from home country. It is these two understandings that we use in Section III, below, to organization our analysis of differences in U.S. law schools.

Opportunities for community-making among international law students

Visa Data overview

The Visa Data offer insight into the home countries of international law students who obtained a visa to study in a U.S. law school in the period of 2012 through 2021. Our focus here is on the 41,520 individuals included in the Data who enrolled in a program *other than* the JD degree at ABA-approved law schools. These account for close to 70% of all students in the Data.

The Data offered two categories of home country: birth country and country of citizenship. For most of the individuals in the Data, citizenship and birth country were the same. We plan to explore differences in future research, but for the purposes of this article we rely on country of citizenship (thus “home country” means country of citizenship).

The Master’s+ students were from 173 different countries, corresponding to seven regions as shown in Table 1.⁴²

⁴¹ I0720. Another LLM, from Peru, commented about the friends she made during the LLM: “We were bunch of foreign people and we were all very close and we had wonderful times.” I0718.

⁴² Regional categories are drawn from IIE, Open Doors, International Students - All Places of Origin, <https://opendoorsdata.org/data/international-scholars/all-places-of-origin/> (visited 30.5.2025).

Table 1: Regions of citizenship, Master's+ students, 2012-2021

Home region (citizenship)	Number of students
Asia	21779
Europe	7722
Latin American & Caribbean	5710
Middle East & North Africa	3643
Africa, Sub-Saharan	1485
North America (Canada)	675
Oceania	505
Stateless	1

The Data also includes information about the degree the student intended to pursue when applying for a visa. Two types of information were provided: a descriptive variable of level (Doctorate, Master's, Bachelor's and Other) and two codes that are used by the Department of Education to classify educational programs, known as CIP (Classification of Instructional Programs) codes. Most individuals in the Data had two CIP codes corresponding to two "majors." For the field of law, the CIP codes correlate to degree program quite closely, and through analysis and conversations with law school and university personnel who work on visa issues for law students, we were able to code the data into two groups: first, students pursuing a JD, a combined degree that included a JD (such as an MBA, PhD or Master's in the law school, for example), or a student present in the law school as an exchange student; and second, students pursuing a Master's (LLM, for example) or Doctorate (SJD) in the law school as well as students in other non-JD degree programs. Our focus here is on the Master's+ group.

Generally, the Master's category (Master's+) houses many more students than the JD, although post-pandemic the difference has narrowed compared to the period immediately prior (Fig. 2); this difference in these two categories is consistent with prior research.⁴³ Figure 2 compares the number of individuals in the Visa Data in each degree category by year for the full range of the Data. The difference between degree categories is important for research purposes

⁴³ See, e.g., Ballakrishnen and Silver, "A New Minority?," above n. 10; Silver and Ballakrishnen, "Sticky Floors," above n. 11.

because the choice of JD or non-JD degree reflects, at least in part, the home country hierarchies within the legal profession.⁴⁴

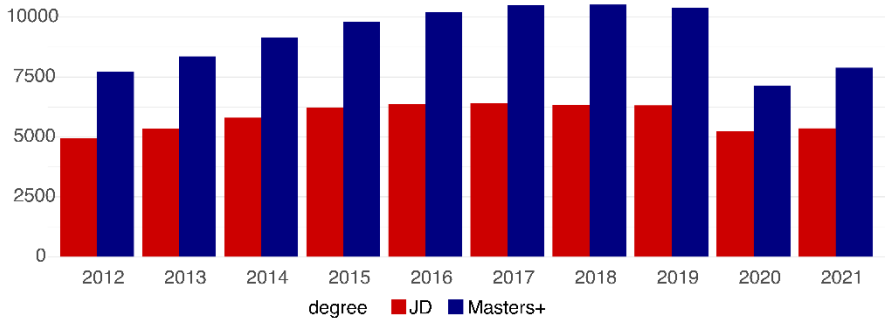


Figure 2: Visa approvals for international students to study in U.S. law schools in Master's+ and JD programs, by year (showing number of students per category per year)

The largest sending countries for the Master's+ category are listed in Table 2 in order of magnitude; the largest sending countries for JD students are included for comparison.⁴⁵ Fifteen of the 20 countries sending the largest number of students to the Master's+ category also are among the 20 largest sending countries for the JD program.⁴⁶ While the overlap is striking, differences also are notable, including that the Master's+ group includes fewer English-speaking common law countries than the JD group.

⁴⁴ Silver, "Variable Value," above n. 23.

⁴⁵ Keep in mind also that some students pursue both degrees, either simultaneously (such as a JD+LLM in tax) or consecutively (either with or without a break).

⁴⁶ Colombia, Thailand, Switzerland, Chile and Israel are on the top-20 sending list for the Master's+ category only.

Table 2: 20 largest sending countries for Master's+ and JD categories, each in order of magnitude (largest first), 2012-2021

Master's+	JD (incl. exch)
China	China
South Korea	Canada
Saudi Arabia	South Korea
Japan	Saudi Arabia
India	India
Brazil	France
France	United Kingdom
Germany	Germany
Taiwan	Brazil
Mexico	Taiwan
Colombia	Spain
Thailand	Italy
Canada	Japan
Italy	Nigeria
Nigeria	Mexico
Switzerland	Australia
Chile	Netherlands
Israel	Singapore
Turkey	Russia
Australia	Turkey

Each of the Master's+ countries listed in Table 2 sent 400 or more students over the aggregate years of the Data, but the difference in the number of students from each country is stark at the extremes: China sent more than 30 times the number of students sent by Australia.

While our analysis below focuses on these largest sending countries for the Master's+ group, students from 153 other countries also were approved to study law in the U.S. during this period. Fifty-two countries sent quite a small number of students (between one and nine for the aggregate period), so that

students from these countries were likely to be the sole representative of that country at their law schools. It is not possible to include each of these countries in our analysis in this article, but we want to recognize these smaller sending countries, too.

These Data report on visa approvals and do not provide a means for verifying matriculation in law school. Circumstances might cause occasional students to change their plans once their visa has been approved. We describe approval as akin to matriculation in this article because it is not possible to verify matriculation without identifying information that is absent in the Data; this approach means our analysis may overestimate the number of students in particular schools from particular countries, in particular years.

Entropy: diversity of home country

The diversity of a law school's international cohort in terms of students' home countries is a form of capital both for the law school and for its students. For law schools, the breadth of home country diversity is a way of measuring their own reputations as global spaces and conveners. For international students, the extent of diversity within their cohort is a key to the richness to which they will be exposed in class and out, substantively and socially, and in the potential networks they will form. Home country diversity is highlighted in promotional materials for prospective international students that describe academic programs designed for them. In one example, Yale Law School equates home country diversity to the global nature of the LL.M. program: "While small—the Law School typically enrolls around 25 LL.M. students each year—the LL.M. program at Yale Law School is truly global in its reach. Over the past four years, our LL.M. students have come from over 30 different countries."⁴⁷ PennState Law included a home country count and a reference to broad diversity in its description of the 16-year history of its LL.M. program, announcing that it had "welcomed students from 101 countries from A to Z—from Argentina to Zambia" since [the program's] inception in 2008.⁴⁸ At the University of Chicago, the message about home country diversity speaks also to the experiences of students (note the emphasis on community): "The

⁴⁷ Yale Law School LL.M. Program, The Degree of Master of Laws, <https://law.yale.edu/studying-law-yale/degree-programs/graduate-programs/llm-program> (visited 30.5.2025).

⁴⁸ "LL.M. class of 2025 builds community, prepares for success at Penn State Law," PennState Law, news, <http://pennstatelaw.psu.edu/news/llm-class-of-2025> (5.9.2024).

University of Chicago Law School uniquely offers the combination of a small (70–80 students) and diverse (more than 25 nationalities) LLM program with a real sense of community among our students.”⁴⁹ And as the discussion earlier highlighted, students embraced the idea and experience of diverse classmates as one of the most important take-aways of their U.S. legal studies.⁵⁰

But how do schools compare in delivering on this promise of home country diversity? Pertinently, is the number of home countries represented in the student community a good measure of the school’s diversity? First, we looked at two different ways of measuring diversity: one, the number of countries, and two, the entropy of the international student cohort. Entropy (also called Shannon Entropy) measures student population diversity in each law school based on home country, but importantly, includes not only the number of countries but also the proportion of students from each.⁵¹ The entropy score also neutralizes differences in the size of a law school’s international cohort. Balance and proportionality are the goals in the competition for entropy.

We first investigated if there is a statistically significant difference in diversity between the top-20 ranked law schools versus the rest. When diversity was measured by the number of home countries, the top-20 schools were significantly more diverse than the rest (see Figure 1). However, when diversity was measured as entropy, there was no significant difference between the top-20 schools and the rest. To investigate further, we separated schools into seven tiers based on their ranks, and quantified diversity. As shown in Figure 3, we observed that the two metrics of diversity behaved differently. When measured as unique country counts (Fig. 3A), the number of unique countries decreased in schools at lower tiers. However, when measured as entropy (Fig. 3B), the average entropy across tiers was not significantly different. Tier 1 schools had a compressed range of entropy values from approximately 0.6 to 0.8, while the rest of the tiers had a broader range of entropy values with some schools falling in the lower entropy ranges. This suggests that the commonly held belief that

⁴⁹ University of Chicago, Master of Laws (LLM), Welcome, <http://law.uchicago.edu/llm> (visited 30.5.2025).

⁵⁰ See text and notes above at notes 40–40; see also above at notes 13–14, 25–26.

⁵¹ The left side of Fig.D1 is a bar-chart of normalized [Shannon entropy](#) calculated using the [posterior](#) package in R. Essentially this score ranges from 0 to 1. 0 represents complete uniformity (i.e. one specific group dominates) to 1 (i.e. all groups are equally represented). Therefore, entropy is a direct metric for student population diversity. This entropy score is analogous to the Herfindahl Hirschman Index used to measure market concentration; see <https://www.justice.gov/atr/herfindahl-hirschman-index>.

diversity correlates with school rank may not hold when diversity is measured with a mathematically more rigorous construct such as entropy, specifically in this context where international student home country diversity is being measured.

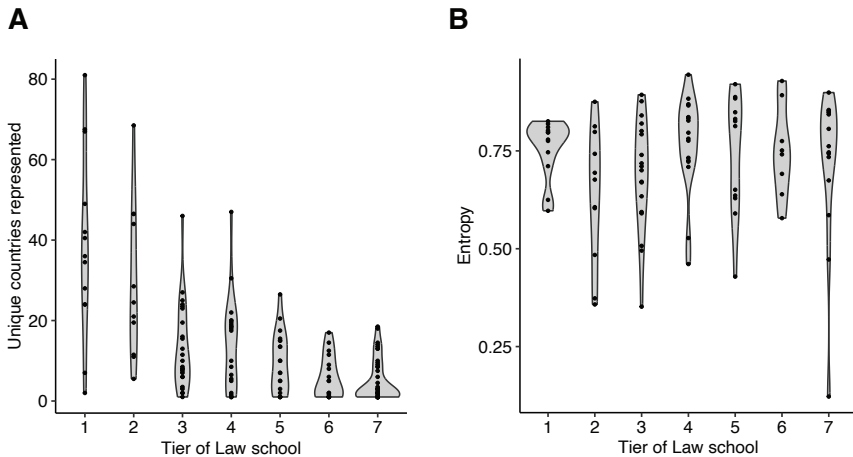


Figure 3: International student diversity by school tier, (A) measured as the median number of unique home countries represented per year for a given school, or (B) average entropy which measures the distribution or proportion of students from different home countries in a given school. Points represent individual schools in the Visa Data.

Next, we probed what the distribution of student nationalities looked like for different law schools, i.e. do schools deliver on their promises of diversity? For each school, we plotted the proportion of students from the top-20 sending countries. Figure 4 orders schools that hosted 30 or more international students from the top-20 sending countries (Table 2 above, Master's+ column) during the period from 2012 through 2021 by normalized entropy scores, with those having lower entropy (less diversity) at the top of the Figure and those with higher entropy (more diversity) at the bottom. While each of the 93 schools drew large proportions of their students from the same 20 largest sending countries, there were marked differences in the home country composition of their student cohorts. The bar chart to the right of each law school name in Figure 4 shows the size of the cohort from a particular home country in proportion to other home country groups in that school.

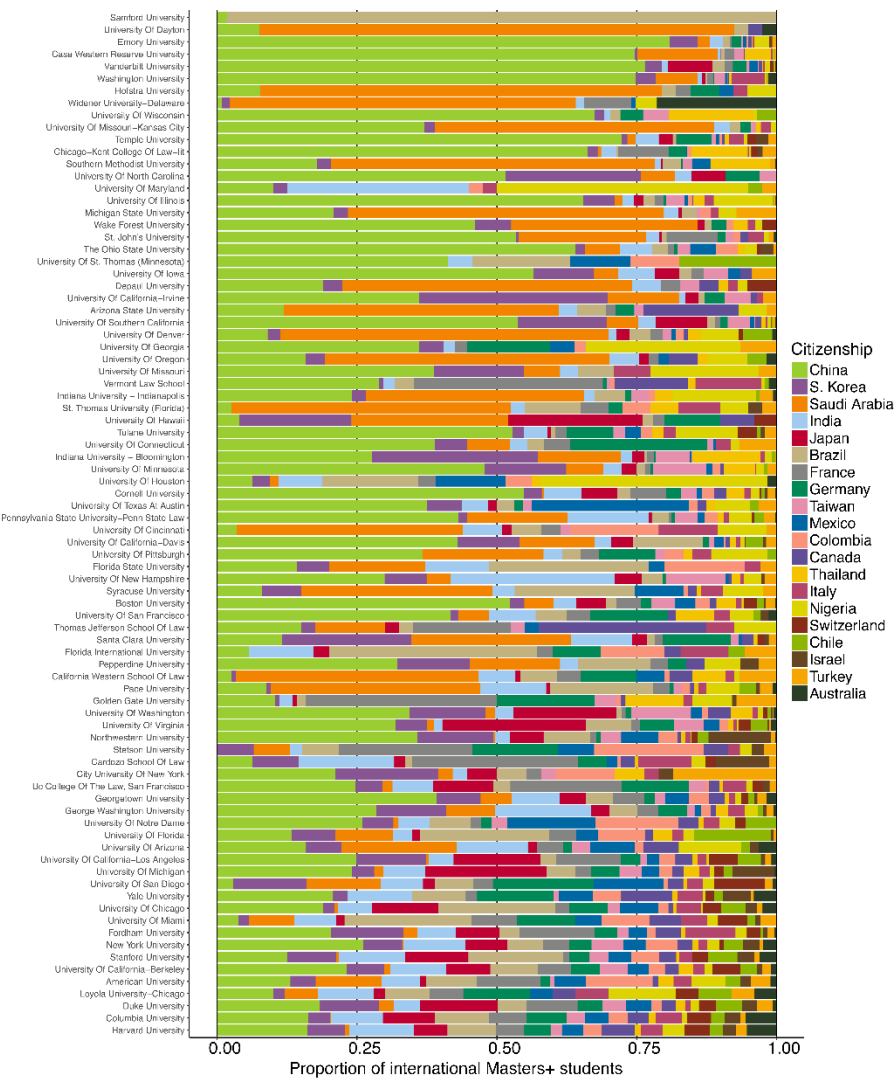


Figure 4: Home countries of international Master's+ students, by school, for 2012-2021 (all schools with at least 30 students). Schools are arranged from least diversity (top) to highest diversity (bottom). Only the top-20 sending countries are displayed.

How does a law school's entropy relate to its overall reputation? Informal comments of experts in global legal education suggest a law school's prestige determines whether it can afford to enroll a class that is proportionately diverse. Figure 4 shows that there is some truth to this: two-thirds of the 15 schools with

the highest entropy (appearing lowest on Figure 4) are ranked in the top 20 by U.S. News.⁵² Relatedly, low entropy seems more characteristic of lower-ranked law schools: two-thirds of the 15 schools with the lowest entropy scores were ranked at 50 or below. Harvard, for example, had the highest entropy score; it hosted 1720 students who obtained a visa to study there in a non-JD program, and managed to avoid disproportionate numbers of students from any single country. Columbia, another school with a large cohort of students in the Master's+ category, also had a very diverse cohort as reflected in its entropy score. But ranking and entropy are not always in sync: three of these lowest-15 schools were top-20 ranked (Emory, Vanderbilt and Wash. U.), and, on the other hand, included in the highest entropy group were schools with distinct global reputations but lower rankings such as American University, University of Miami and Fordham University. Their reputations and ability to enroll diverse cohorts might reflect things like their curricular programs (Miami), leadership (American U.) and location (Fordham and American U.), described in a bit more detail below.

We were curious about how the array of schools regarding entropy for the aggregate years of the Data compares to that for an individual year. After all, a student's experience is time-limited, and their classmates may not reflect the diversity of the school's students over the full period of the Data. To learn more, Giri calculated entropy scores for two separate and individual years: 2019, which was last year prior to the impact of the pandemic and continued a period of stable high interest of international students in the Master's+ programs, and 2021, which was the first year after the pandemic began when law schools resumed in-person classes and also was the year with the largest enrollment of new students for a single year during the span of the Data. Figures 5 and 6 list schools with at least 30 students enrolled for 2019 and 2021, respectively, from schools with the least entropy at the top, to those with the most at the bottom. In 2019, seven of the ten law schools with the most entropy, or diversity, were ranked in the top 20 by U.S. News for 2018, the rankings year that informed applicants who would matriculate in 2019; this is similar to the proportion of elite schools in the highest entropy group for the aggregate period (Fig. 4). At the other end of the spectrum, five of the ten law schools with the lowest entropy scores for 2019 were ranked at 50 or below for 2018, somewhat of a weaker relationship between entropy and ranking than in Figure 4. For 2021, the ranking-to-entropy relationship at the top end is more

⁵² We used the 2016 U.S. News rankings because 2016 was the midpoint in our Data.

pronounced: nine of the ten law schools with the highest entropy scores were ranked in the top 20 for 2020. While there was no change in the proportion of lower ranked schools in the lower entropy group compared to 2019, there were more top-20 ranked schools in the lower entropy group in 2021: Vanderbilt and Wash. U. in St. Louis were among the ten lowest entropy schools, and if the group is expanded to the lowest 15, then Cornell and USC are added to the group. In comparison, for 2019, no top-20 ranked schools were among the ten or 15 lowest on the entropy score. One possible take away is that even elite law schools were anxious to fill their international student programs in the midst of the pandemic and were willing to lose some national diversity in doing so. Still, Vanderbilt and Wash. U. were among the lowest entropy schools for the aggregate years of the Data; it is the addition of Cornell and USC that is notable in 2021. Given the enormous impact of the pandemic, this might have been a one-off adaptation.

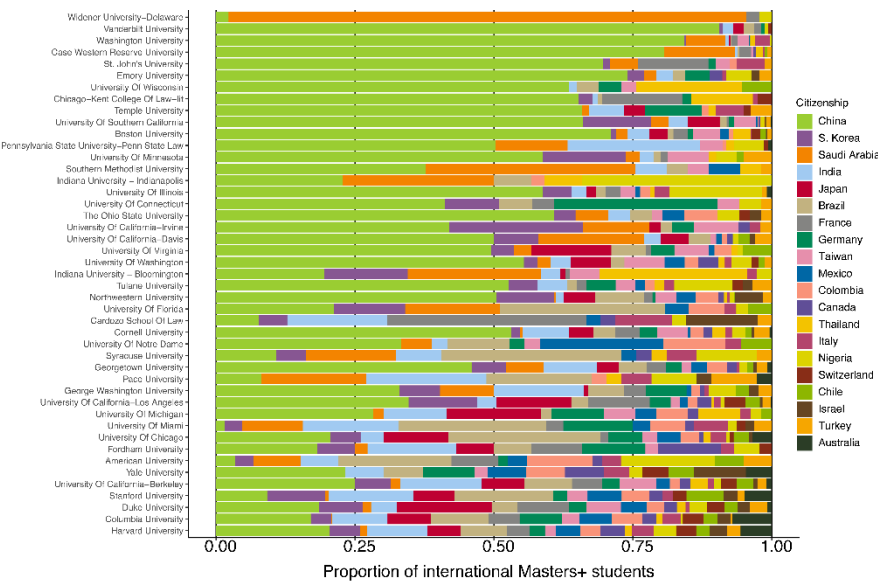


Figure 5: Home countries of international Masters+ students, by school, for 2019 (all schools with at least 30 students). Schools are arranged from least diversity (top) to highest diversity (bottom). Only the top-20 sending countries are displayed.

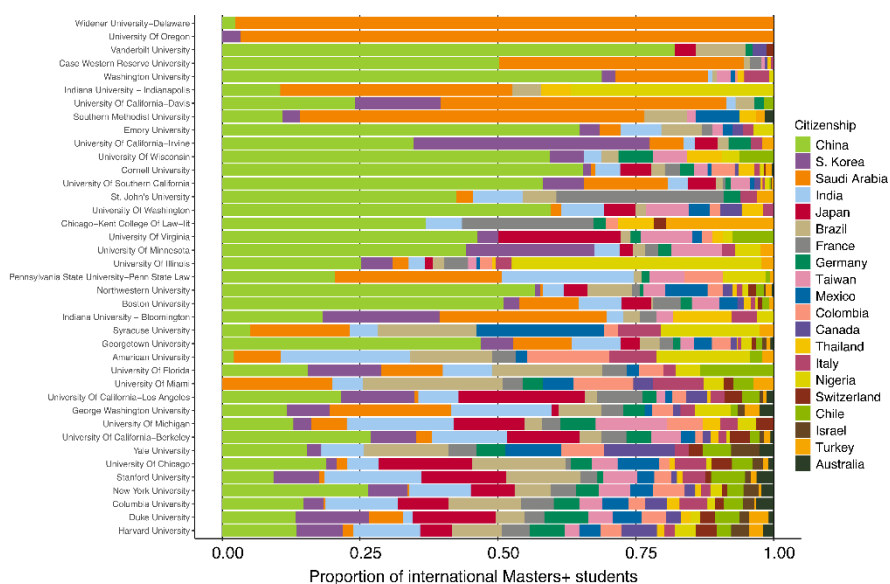


Figure 6: Home countries of international Masters+ students, by school, for 2021 (all schools with at least 30 students). Schools are arranged from least diversity (top) to highest diversity (bottom). Only the top-20 sending countries are displayed.

If entropy, a measure of student diversity, were seen as an independent criteria for assessing a school in the global context, it would disrupt U.S. News as the sole guardian of law school reputation and result in adding at least a few additions to the mix.⁵³ These would include the three schools that are outside of the top-20 ranked schools but among the most diverse in the analysis above (Figs. 4 and 5), each of which punches above its weight in terms of entropy. Each has a well-developed reputation in the world of global legal education. American University was led by Claudio Grossman, an internationally-educated scholar who had a very long tenure as dean (1995-2016) and implemented a broad internationally-focused agenda for the school;⁵⁴ adding to this is Washington D.C.'s location as center for many international organizations that are of interest to internationally-minded law students. The University of Miami can claim an international identity both from its location

⁵³ For an excellent analysis of the strength of U.S. News rankings in the realm of U.S. legal education, see Wendy Nelson Espeland and Michael Sauder, *ENGINES OF ANXIETY: ACADEMIC RANKINGS, REPUTATION, AND ACCOUNTABILITY* (2016).

⁵⁴ See <https://www.american.edu/wcl/faculty/grossman.cfm> for more information about Grossman.

and the diversity of its JD students (over 30% of its JDs were “Hispanics of any race” according to ABA reports) as well as from the Law Without Walls program, which is the brainchild of Miami Professor Michelle DeStefano and has garnered participation from law schools, students and lawyers from around the world, buttressing Miami’s reputation.⁵⁵ Fordham is located in the heart of New York City, the most international legal market in the United States, and also has long invested in international students through the interest and relationships of particular faculty.⁵⁶ Each of these schools has attracted cohorts whose diversity contrasts with its rank, and they serve as examples for emphasizing that any numerical score, whether the U.S. News ranking or entropy, can result in masking exceptions.

To learn more about the relationship of U.S. News ranking and entropy, Giri looked at the correlation between entropy and law school rank. Contrary to what one might expect, there was no statistically significant correlation between a school’s rank and its diversity as measured by entropy. This result was consistent when tested across individual years (p-values for spearman rank correlation > 0.05 for each year), as well as across the aggregated Dataset combined for all years (p-value > 0.1, rho = 0.17).

Apart from focusing only on the difference inherent in entropy scores, Figures 4, 5 and 6 also give insight into the particular patterns of enrollment from certain countries, and especially the ubiquity of students from China. Only one school – Stetson – had *no* students from China (Fig.4), while at 15 schools students from China comprised half or more of their cohorts over the aggregate years of the Data. Stetson hosted very small international student cohorts each year: the size of its international student cohort in the Master’s+ category ranged from 16 students to just one, with the average per year being just under seven students. Small class sizes may simplify attaining selectivity regarding home country diversity.

Overall, more schools with higher entropy scores (those at the bottom of Figure 4) had *lower* proportions of Chinese students than those with lower entropy (towards the top of Figure 4). These differences in the presence of Chinese

⁵⁵ <https://lawwithoutwalls.org/>.

⁵⁶ See Carole Silver, “The Case of the Foreign Lawyer: Internationalizing the U.S. Legal Profession,” 25 Fordham J. Int’l L. 1039 (2002), <https://ir.lawnet.fordham.edu/ilj/vol25/iss5/1/> (describing Fordham LLM graduates’ successful position in New York’s legal profession).

students relate not only to diversity and the idea of how a particular home country might dominate and even constrain diaspora communities based around difference, but also how they are their own communities in providing support and cohesion to students who share a home country. It is to the presence of communities built around home country commonality that we turn next.

Home country commonality

Sharing a home country can be a strong bond for international students, particularly in the environment of U.S. law schools where assumptions about fluency and understanding of language, history and culture structure expectations for how students participate in the school and its community.

In interviews, international students describe their tendency to stick together in home-country or -region groups. Camila, an LLM student from Colombia, explained, “I think, socially, people always tend to go to the room nearest or more ... I don’t know how to say that. The closest resemblance group.”⁵⁷ A Brazilian LLM, Lola, admitted that “I mostly hang out with the Brazilians. I know this is not the right thing to do. ... Usually, of course, it’s easier to make friendships with the ones that are coming to you where the language is not a barrier.”⁵⁸ An Albanian student, Bernard, said much the same thing after acknowledging that his close friends were other students from Albania:

“Everybody stays with their own clique, you know? The Ukrainian people stay with each other. The French ones--you don’t even talk to them [*laugh*]. they just stay with each other. I’m sure it’s not me, because I have lived around, I’m social. I can speak French. I can speak Italian. If I want to, I can engage. It’s just I don’t feel that they want to, you know?”⁵⁹

But the tendency to stick with others from the same country often expands to region in the context of international law student communities. Thus, Camila, mentioned above, explained that her friends are

⁵⁷ I1908A. Where interviewees are referred to using pseudonyms, as here, the pseudonym is derived from common names in their home country. Those interviewees who used American names are assigned pseudonyms that are American.

⁵⁸ I1932A.

⁵⁹ I1906A.

“the Latino gang [*laugh*]: the Brazilians, the Mexicans, the Columbians. There is a Spanish guy, there was a girl from Luxembourg. She’s not Latina, but I mean There was us and a whole lot of Chinese people ... culturally we’re very different. So, the Chinese have their group, and we made our group.”⁶⁰

This was a common refrain – sticking to your own, but that encompassed home region in addition to home country. These comments reflect the classic diaspora community highlighted in research.⁶¹

Do these communities spring up coincidentally? To learn more, Giri explored overrepresentation of particular home country groups in individual law schools, as well as underrepresentation. She accomplished this by simulating the expected number of students for each home country and school combination,⁶² which resulted in identifying both home country and regional groupings that suggest a foundation for diaspora communities. In many instances, it seems clear that there is some intention to the choice of law school by students from a particular country because of the wide deviation from a random expectation. Table 3 lists countries with overrepresented groups of students in the Visa Data.

Table 3: Countries overrepresented at the law school level in the Visa Data, showing number of schools where each is overrepresented

Country	Number of Sch.	Country	Number of Sch.
Saudi Arabia	26	Argentina	2
China	14	Israel	2

⁶⁰ I1908A.

⁶¹ See, e.g., Annette Bamberger, “From Human Capital to Marginalized Other: A Systematic Review of Diaspora and Internationalization in Higher Education,” 70 *British J of Educational Studies* 363 (2022), <https://doi.org/10.1080/00071005.2021.1925084>.

⁶² Simulations were performed by randomly shuffling, without replacement, the home country associated with each student. Thus, the total number of students from each home country was kept the same as the original dataset, however the affiliation between home country and school was randomized. The average of ten such simulations was used to calculate the expected number of students for each home country and school combination. Of note, yearly enrollment trends for individual countries were not factored into the simulations. The observed number of students was then compared to the expected number of students produced by the simulation to identify over- and under-represented combinations of home country and school.

Brazil	10	Kazakhstan	2
France	10	Singapore	2
Japan	10	Spain	2
South Korea	10	United Arab Emirates	2
Taiwan	10	Albania	1
India	8	Azerbaijan	1
Thailand	7	Georgia	1
Mexico	6	Indonesia	1
Colombia	5	Kuwait	1
Australia	4	Mongolia	1
Canada	4	Netherlands	1
Chile	4	Norway	1
Germany	4	Pakistan	1
Nigeria	4	Peru	1
Switzerland	4	Philippines	1
Belgium	3	Poland	1
Italy	3	Turkey	1
United Kingdom	3	Ukraine	1

These overrepresentations are school specific, and certain of the countries listed in Table 3 also are *underrepresented* at particular schools, including China (underrepresented at 17 schools), South Korea (four schools), Brazil (three schools) and Saudi Arabia (one school).

The analysis of overrepresentation suggests that elite law schools are intentionally courting students from two groups of countries: one group is comprised of English-speaking common law countries, whose students find the transition to U.S. legal studies relatively seamless; the other group is comprised of Western European countries, whose students may have more experience in the U.S. and cultural similarities to U.S. students. For example, in the case of overrepresentation of students from the UK – which hits both of these categories – the three schools with overrepresented UK student populations all are top-20 ranked and seen as elite in most circles: Columbia, Georgetown and Harvard. The pattern for Canadian and Swiss students is similar; each is overrepresented at Columbia, Harvard, UC Berkeley and UCLA. Belgians – representing the de facto seat of the EU and generally known for multilanguage

fluency – are overrepresented at similarly elite schools: Columbia, UC Berkeley and the University of Chicago. On the other hand, the schools where Saudi and Chinese students (among others) are overrepresented are a much more diverse group in terms of their reputations (as represented here by ranking), ranging from top-20 schools⁶³ to schools ranked at 50 or below.⁶⁴ These patterns very likely reflect a school's particular capital – its relationships, faculty and staff, and activities that draw students from certain countries. One example where students from China are overrepresented is Temple University Beasley School of Law, where John Smagula is Assistant Dean of Graduate and International Programs and for many years directed the school's China Rule-of-Law Program; he also has taught at several universities in China and speaks fluent Mandarin. Smagula is a particularly strong representative of Temple in the world of international legal education, in part because of his tenure, his having lived and worked overseas at times and the relationships this has allowed him to develop, and his curiosity and deep knowledge of China, in particular. On top of this, he has created a series of wonderfully clever videos of himself speaking about a wide variety of topics – from baseball to Chinese tea varieties to improving spoken English – all in Mandarin, which surely further extend the reach of his reputation and Temple's, as well.⁶⁵ It is not surprising that Chinese students are overrepresented at Temple.

Proximity might explain certain patterns of overrepresentation. Nigerian students are the only overrepresented national group for the University of Houston's law school. Houston has a long history of attracting a large Nigerian

⁶³ Saudi students were overrepresented at the following top-20 ranked schools (ranking in 2016): University of Minnesota and Washington University in St. Louis. Chinese students were overrepresented at the following schools, also ranked in the top 20 for 2016: Cornell, USC, Vanderbilt, Emory and again Minnesota and Wash. U.

⁶⁴ Saudi students were overrepresented at the following schools ranked at 50 or below for 2016 (midway through our Data period): American University, California Western, Case Western, DePaul, Indiana University in Indianapolis, Michigan State, Penn State, Santa Clara, St. John's, Syracuse, University of Dayton, U. Denver, U. Kansas, U. Miami, U. Missouri-Kansas City, U. Oregon and Widener. Chinese students were overrepresented at the following schools ranked at 50 or below in 2016: Case Western, St. John's, Temple and Tulane.

⁶⁵ Smagula described his videos in an email: "My videos are in Chinese with English subtitles, and I create motivational content inspired from world cultures to support international law students and lawyers. My blog is hosted on WeChat (@laosangshuo), but I also post the videos on my LinkedIn page and YouTube: <https://www.youtube.com/@johnsmagula>." Email from John Smagula to Carole Silver (19.3.2025). See generally John Smagula, <https://law.temple.edu/contact/john-smagula/>.

expatriate population, and the University of Houston has benefitted from this. According to Hannah Goldfield writing in *The New Yorker*,

“Since the nineteen-eighties — in part because local universities recruited students and staff from Nigeria and its neighboring countries — the West African population has grown, slowly for many years and then explosively in the past decade. According to census data, the number of people of Nigerian ancestry living in the Houston metropolitan area more than doubled between 2010 and 2022, from more than twenty thousand to nearly fifty-three thousand. When a Nigerian teen-ager considers college in the U.S., one Houstonian told me, ‘the question is: Harvard, Stanford, Yale, or U. of H.’”⁶⁶

Beyond these home country patterns, Giri’s analysis also highlighted regional groups present at particular schools that could offer meaningful community for students. One example is at Case Western, where students from several Middle Eastern countries are overrepresented (Saudi Arabia, Kuwait, Libya and the UAE). At Chicago-Kent, students from several countries in Europe (Albania, Azerbaijan, France, Georgia and Kazakhstan) are overrepresented, which may reflect the school’s arrangement with the School of American Law to offer a streamlined LLM. The School of American Law has locations in each of the countries overrepresented at Chicago-Kent.⁶⁷ Particularly in the context of international legal education, where relatively small groups of individuals come together for limited periods, regional diaspora communities play an important role, as suggested by the comments above of Camila, Lola and Bernard.⁶⁸

One last point about home country commonality as an organizing force for community among international students is the variability each year in the presence of students from a particular country at a particular school. Even where a population is overrepresented, differences in enrollment year by year can add uncertainty to students’ plans and expectations. For example, the University of Houston, mentioned above as having an overrepresentation of

⁶⁶ Hannah Goldfield, “Houston’s Thriving West African Food Scene,” *The New Yorker* (2.12.2024), <https://www.newyorker.com/magazine/2024/12/09/houstons-thriving-west-african-food-scene>.

⁶⁷ See <https://salchicagokent.com/school/azerbaijan/> and <https://salchicagokent.com/schools/>.

⁶⁸ See text at n. 60-61, above.

Nigerian students, had *no* Nigerian students in 2018, 2019 and 2020, and just one Nigerian student in 2021. In these years, then, home country community would be lacking for Nigerian students. This sort of variability is common at nearly every school with regard to some countries, which makes it difficult for prospective students to rely on a home country diaspora within the law school.

Despite this sort of uncertainty, it would be difficult to overstate the importance of home country and region communities for international students. They not only offer an outlet for sharing home country rituals, food and language in the challenging context of law school, but also serve as information networks and even connect students to home country alumni from the law school. But as with the diaspora communities emphasizing difference, here, too, the analysis using the Visa Data highlights differences between law schools.

Conclusion

This paper suggests that the lens of diaspora is a useful framework when studying international law students and their mobility. Our analysis has highlighted two distinct types of diasporic communities organized around commonality, on one hand, and difference, on the other. For each, law schools differ widely in the potential for these communities to arise, both overall and from year to year. The experience of a student at Harvard, where English-speaking common law students are overrepresented, will be very different from that of a student at Cornell, where the overrepresentation of students from China, France and Taiwan skews in a different direction. By analyzing the Visa Data we have exposed the broad outlines of these differences and attempted to explain some of them, as well. Ranking, while important, does not account for everything. Rather, relationships, partnerships and programs that help build international reputations for the schools and its faculty account for an important element of these differences, as well.

While national diversity is valuable in this context, it is worth considering whether it should dominate the global strategies of law schools or even the study of international legal education. Law schools have shied away from emphasizing commonality in their outward-facing materials about international legal education, but both communities of commonality and difference serve as forms of social capital for students and perhaps also for the law schools.

In the U.S., information about international students' home countries has been missing from the conversation. This is particularly troubling now as threats to international students and the institutions that have welcomed them risk destroying opportunities to study in the U.S., much less pursue practical training and professional opportunities here. The composition of international cohorts in law schools reflects the high esteem in which the U.S., and in particular U.S. higher education, legal education and the legal profession, have been held by students from around the world. Our analysis seeks to illuminate the importance of knowing who studies where in a manner that facilitates comparison. Our hope is that by highlighting difference in these communities and law schools, participants in the global legal education space will have a new lens for considering decisions about investing in their global reputations.