

**Exploring Constructive Approaches for Educating
Law Students to Cope with Transnational Challenges
-----From Chinese Perspective**

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We are now living in an increasingly globalized world which has brought tremendous impacts on every aspect of human life. This phenomenon is calling for an effective and efficient response from the legal community all around the world. How to educate the law school students under such transnational environment and help them better prepare for the highly competitive world of legal service is top the agenda. Therefore, the 2004 Hawaii Conference on Educating Lawyers for Transnational Challenges provides a good opportunity to examine some important issues involved, such as the reconsideration of traditional law school curricular and the introduction of special educational methods in order to promote the capability of students to deal with future transnational legal affairs.

As the biggest developing country in the world, China is facing the similar challenges triggered by globalization, which in turns requires sufficient attention to be paid on the area of legal education. Through the introduction and application of the educational ideas from foreign countries, the Chinese legal education has so far experienced dramatic changes. As a law professor of Sun Yat-sen University (SYU) School of Law, China, I would like to take this opportunity to share with you our efforts to create constructive environment for educating our students to cope with transnational challenges.

1. Redesign of the curricular for Graduate Student Program

The curricular for our Graduate Student Program was redesigned with an international and comparative perspective. Our law school runs altogether eight programs for graduate students: the International Law, the Procedural Law, the Criminal Law, the Civil Law, the Economic Law, the Administrative Law, the Jurisprudence and the Legal History. Besides the International Law, which is in nature targeting the transnational issues, we incorporate the comparative legal study as a necessary part into the seven other graduate student programs. For instance, we open courses such as “The Comparative Study on Civil Procedure” and “The Comparative Perspective on Alternative Dispute Resolution” for graduate students who major in the Procedure Law, “The International Criminal Law” for graduates majoring in the Criminal Law.

In addition, our law school encourages undergraduates to minor in other subjects such as Economy, Management, Computer Science, Foreign Languages etc. and graduates to take interdisciplinary courses in other colleges. Such policy enables students to have a comprehensive academic background, which will help them better correspond to the various challenges implied in transnational competition.

Furthermore, besides having hosted several Fulbrighters as visiting professors, our law school has collaborated with Yale-China Association (YCA) since 2000 on a program under which YCA sends an American legal fellow to our law school teaching American laws or international legal issues each year. So far there has been four legal fellows, whose specialized areas include Human Rights Law, Internet Law, American Administrative Law, the International Trade Law and American Environmental Law, teaching in our law school. This collaboration program enables our students to enlarge their knowledge on international legal issues, enrich their experience on western legal culture and significantly improve their English language ability, which hopefully will help them better equipped to tackle transnational legal problems in the future. Meanwhile, the ongoing program provides a great opportunity for YCA legal teaching fellows to deeper and better understand the Chinese culture and its legal system.

2. Establishment of the Clinical Legal Education

Not only did we emphasize the curricular adjustment to address the needs of globalized reality, we also pay significant attention to introduce new teaching model. Since the traditional model of legal education such as lecturing is now considered inadequate and need to be reformed in order to meet the contemporary educational demands, we explored a new approach--Clinical Legal Education (CLE).

With the great support of Yale Law School and New York University School of Law, CLE Program was successfully established in 2001 in our law school. With the goal of educating students who could combine theory into practice and are strongly interested in serving the society, we have set up two clinics(one focuses on labor law area and the other is mainly about environmental law area) in SYU Guangzhou campus and a legal aid station(the first legal aid organization coordinated by university and governmental legal aid agency)in SYU Zhuhai campus.

From 2001 to 2002, two delegations from NYU School of Law, each composed of two professors, paid visits to our law school; from 2002 to 2003, two delegations from our law school, altogether composed of ten clinical faculty, visited Yale Law School and NYU School of Law sponsored by the Lingnan Foundation. In July 2002, we successfully hosted the First International Clinical Legal Education Conference, sponsored by the Ford Foundation, in SYU Zhuhai campus, which was attended by over ten American professors from Yale, NYU, Columbia, Georgetown, etc and over 100 participants from China. Such visits and Conference provided us more opportunities to deeply understand the nature of CLE and its applicability in China.

Concretely speaking, the CLE program is divided into two parts—lecture and practice. On one hand, students participate in clinical classes featured with “unconventional” teaching pattern such as group discussion, simulation and self-evaluation, which are

extremely insufficient in traditional classes, to learn lawyering skills; on the other hand, they represented some real cases—usually cases involved disadvantaged clients who could not afford to have an attorney—under faculty’s supervision. The CLE Program provides students with special training on professional skills and hands-on experience on taking cases, exactly what they need to settle transnational legal disputes in their future career. Therefore, it is not surprising that this program has earned a lot of compliments from our clinical students as “very rewarding experience”.

Moreover, we introduce the innovative teaching methods of CLE into traditional classes based on its success affirmed by clinical students. Now the new teaching pattern such as group discussion and simulation has played an increasingly important role in traditional classes and students show strong satisfaction to this interactive way of teaching and learning.

Through the introduction of CLE, most of our students have improved their performance. They become more active, more productive and more cooperative, which lay a firm foundation for their professional developments in the future.

3. Relationships with the Outside World

We are active to establish linkages with foreign law schools as well as non-governmental organizations, which increases our students’ exposure to various chances for conducting beneficial academic communications.

Take our cooperation project with Whittier Law School (WLS) as an example. We are collaborating with WLS to set up a summer program. In this program, a certain number of our students will, together with American students, participate in the courses taught by American professors as well as American judges. Our Chinese faculty will also teach a part of those courses in English. Therefore, not only our

Chinese students will have the opportunity to receive more international legal information and enhance their understanding on western legal culture, but also the American students could learn something about Chinese legal system as well as the cultural elements behind it, which I hope will contribute to their future developments in the transnational areas.

Another example is our cooperative program on Environmental law with Vermont Law School, which is currently under formulation. We plan to conduct faculty and student exchange in future to intensify the academic communications between us, which will also be valuable opportunity for students from both law schools to experience diversity as well as the difficulties generated by it, which is an unavoidable component of coping with transnational legal issues.

4. The Use of the Internet

Our law school provides access to some important legal databases such as Lexis Nexis for students. When our students write their papers, they are naturally considering adding a comparative and international perspective to examine those legal issues and the access to a variety of internet resources enables them to do it in an efficient way.

Conclusion

With the purpose of guaranteeing students a position in the fiercely competitive market of transnational legal service, our law school as well as other prestigious law schools in China have been trying to explore new approaches to better equip students in every aspect with firm legal knowledge, strong social consciousness, useful professional skills and high foreign language proficiency to cooperate and compete with their international counterparts on the transnational stage. The measures we took

prove to be effective, which is witnessed by students' highly positive feedbacks and quite a lot of educational benefits that have been achieved so far.

Bearing the hope of sharing my Chinese perspective with colleagues coming to beautiful Hawaii, I believe this meaningful conference will shed new light on creating more beneficial communicative and cooperative opportunities within the legal circle all around the world to educate our students for transnational challenges.