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SPECIAL METHODS AND TOOLS FOR EDUCATING THE

TRANSNATIONAL LAWYER

The special methods and tools for educating the transnational lawyer have a direct bearing on curriculum development and content for tomorrow's transnational lawyer. This is because the newly devised methods and tools have to be introduced into the curriculum. This calls for curricular adjustment and development.

One method, for instance, may be the **comparative method**. This would require that tomorrow's lawyers be more broad-minded and comparative. Knowledge of some other legal systems is necessary to be able to practice in other countries or beyond one's own country, or to be able to draft and appreciate international contracts and be relevant in increased globalization. The increasing integration of economies across the globe means that lawyers, in order to best perform their services, must take into account the laws, practices and methods of both their host country and those of any country which may be relevant to a legal matter in the host country. There is also need for fluency and proficiency in at least two languages. e.g. English and French or English and Spanish. Even within national legal systems legal education should produce a holistic lawyer, a lawyer who can draw inspiration from his residual knowledge of other (non-law) disciplines such as psychology, philosophy, business and computer studies. One way out is to make law a second degree, as is done in the United States of America. This would ensure that tomorrow's lawyers are more mature: a very serious story could make a young man shake but a more mature person can handle it. Moreover, now that the hustle and bustle of life does not allow people to read well and far, if somebody has a first degree, say in philosophy, and becomes a lawyer thereafter, his contribution to law will be richer. The paradox is indeed true, that tomorrow's transnational lawyers need increasingly bigger knowledge to cope with an increasingly smaller world. The logic of combining other qualifications with law is that in the three-by-three world (of civil society, business, and government; local, national and international system) multi-tasked persons are required to function optimally. So tomorrow's lawyers should

have requisite skills in public governance or business to effectively function in the seamless and overlapping worlds of lawyers, business managers and policy analysts.

The transnational lawyer should have a wide **experiential learning** by exposure of present day law students to real-life cases where they could consult with live-clients and take appropriate action under close supervision of qualified lawyers. This is often referred to variously as *clinical legal education*, *learning by working*, *skill-based legal education* or *experiential legal education*.

The whole essence of clinical or experiential method of legal education is the attainment of good lawyering skills. Two basic questions necessitate the clinical method of legal education. These are:

- (i) When do students learn best: by listening, reading, watching or doing?
- (ii) Are there theories of effective and reflective law practice that can be taught as a formal component of legal education?

It is believed that the clinical method will best produce transnational lawyers: It will promote public-interest lawyering, developmental lawyering, and pro-active/social change lawyering. The lawyers so produced will be skilled both in the theory and practice of law and will meet transnational needs of tomorrow.

Students and staff exchange by whatever name - sabbaticals, fellowships, collaborations and collaborative studies, exchange of educational material and networking, will help to universalize standard and help produce truly transnational lawyers. The use of virtual classrooms and other technologies must be globalized. This calls for the assistance or support of the poor by the rich. Clinical legal education of course requires more material and human capital. Networking and acquisition of modern legal education technology also require finances and technical know-how. The law schools and faculties will need meaningful assistance to attain this end.