

NOTES AND NEWS

AMERICAN PROGRAM FOR COOPERATION IN AFRICAN LEGAL EDUCATION AND RESEARCH

In April and May of 1961 a group of law teachers met informally to consider cooperation by all U.S. law schools in their activities relating to African legal education, law, and research. The group tentatively adopted the name, Program for Cooperation in African Legal Education and Research, which is open to all interested law schools. Those now participating are Chicago, Columbia, Cornell, Harvard, Michigan, New York University, Northwestern, Pennsylvania, Rutgers, and Yale.

Agreement has been reached on certain common objectives:

(a) *Clearinghouse.*—To act, as needed, in ways which will make the visits of African jurists, legal educators, and students to this country more useful, and vice-versa, for Americans going to Africa; to help, where useful help can be given, American lawyers doing research on African legal problems, and vice-versa; to facilitate the exchange of ideas on the teaching of African law in the United States and the exchange of information on research activities and plans relating to African law.

(b) *Teachers for African Law Schools.*—To determine the nature of the needs of African Law Schools for American teachers; to find and supply qualified teachers to meet those needs.

(c) *African Law School Libraries.*—To develop a program to help the development of African Law School libraries, particularly in the acquisition of useful American materials.

(d) *Coordinate U.S. activities with comparable foreign efforts.*—To study ways in which U.S. Law Schools, as a group or individually, might cooperate with foreign, especially British, groups interested either in African legal education or in research to which American Law Schools might contribute.

(e) *To study other ways* in which the Committee may help develop closer understanding between the American and African law school communities.

Organizing Committee

The Program appointed a temporary organizing committee to propose concrete steps to implement the objectives noted above. The work of the Committee is to include:

(a) Inquiry in Africa as to present and probable future needs relevant to the objectives of the Program;

(b) inquiry as to current and proposed activities by others, both in the U.S. and abroad, which are relevant to the objectives of the Program;

(c) inquiry regarding the needs for the development of teaching materials on African law for U.S. students;

(d) inquiry as to the formation of a clearinghouse for the exchange of research plans on African legal studies and of ideas on the teaching of African law in the United States;

(e) inquiry as to the assistance which might be afforded visiting African law students in the U.S.;

(f) inquiry as to the appropriate organizational structure of the proposed program including the question of membership;

(g) inquiry as to the financial needs of the program and investigation of possible sources for such financing.

The members of the Committee are: John S. Bainbridge (Columbia), Chairman; Soia Mentschikoff (Chicago); William B. Harvey (Michigan); James C. N. Paul (Pennsylvania); and Charles Runyon (Yale).

Requested Information

Our immediate need is for information from interested law schools in this country about their resources and programs which are relevant to the areas of inquiry noted above. Specifically, the organizing committee would greatly appreciate receiving the following:

(1) Brief description of the nature and extent of the interests of each law school and of individual faculty members in African legal education; law, and research, whether in Africa or in the U.S.

(2) Brief description of the nature and extent of the interest of each university in African affairs which may be relevant to the objectives of the Program.

(3) The names and credentials of individuals who are interested in several years teaching experience in new law faculties in Africa. The organizing committee has already received inquiries as to the availability of good law teachers, especially younger men. As these have come from areas of British influence, scholars with some background in British law might be especially appreciated.

(4) The names of those from each law school who plan to visit Africa and the names of those from each University who plan to visit Africa in connection with any matter relevant to the objectives of the program. The Committee would like to confer with such travelers before and after their visits, since a pooling of information from such trips might be of great value to all concerned. Several members of the Committee plan to visit Africa soon and to undertake in part the various inquiries of the Program noted above. A report will, of course, be submitted to all members of the Program.

(5) An indication of interest in participating in the Program and in receiving reports from the organizing committee and from the Program as a whole.

[Communication from the Program]

THE PROBLEM OF PRACTICAL TRAINING FOR LAW STUDENTS IN AFRICA

With the appearance of law faculties in African universities (e.g. at Dar es Salaam, Accra, and shortly at various centres in Nigeria), which are designed among other things to prepare future practitioners locally rather than in the United Kingdom, the question of the practical training that such practitioners *in posse* are to receive is becoming of acute importance. The pattern that is increasingly commending itself in the common law countries is for the future practitioner to spend three (or perhaps four) years studying law academically at the university, at the end of which he obtains a degree at law; he then goes on to a law school for a course (typically of one year's duration) in the more practical side of a lawyer's business. (Schemes have been considered, for example in Kenya, for an alternative method of training practitioners through a system of articulated clerkship; but it is doubtful whether this can ever be of general application.)

Is this pattern of training adequate? What requirements are needed to ensure that half-trained lawyers are not let loose on unsuspecting clients? Undoubtedly the best form of practical training is by *doing* under supervision, supported by lectures and classes on the theory behind the practice: this is the typical pattern of an articulated clerk's training such as solicitors undergo in England. But this can hardly be practicable in Africa, owing largely to the absence of suitably run offices to which the learner could go. Since it is generally agreed that the functions of a member of the fused legal profession in Africa are likely to cover many of the matters (such as office organization, interviewing of clients, management of accounts) which a solicitor, but not a barrister, in England has been trained for, how can a solicitor's training be provided except in a solicitor's office? The purpose of this note is to suggest one possible solution to this problem.

So-called practical training at a law school is likely to be unsatisfactory if it is unrelated to actual cases and does not take place in the context of a lawyer's office as it is run in practice. If there are no suitable outside offices for the students to go to, one must be manufactured for their instruction. This should not be a dummy office, but a real office handling actual cases and problems. In other words, it is recommended that in each practical law school a law school solicitor's office be set up, functioning on similar lines to those of Citizens' Advice Bureaux but taking the cases as far as an ordinary solicitor's office would. This office or bureau would be available for citizens of meagre means without charge. The students (in their practical postgraduate year) would do much of the work of interviewing the clients (under supervision) and of carrying out the legal steps (such as drafting wills or issuing writs) which ensue. The

teachers at the Law School would act as the principals of this office, intervening where necessary to ensure that clients received the correct treatment.

The value of such a suggestion would be that students would have the opportunity, otherwise denied to them, of seeing how a lawyer's business actually functions and of being given the responsibility, under supervision, of doing the work that they will have to do without supervision at the end of their practical training. There would also be an incidental consequence of great importance, that this would be the means of extending the present sketchy provision of free legal aid and advice to the poor in African countries. Quite possibly such offices could be established at more than one centre in a country.

No one would suggest that medical practitioners should be allowed to treat patients without a period of clinical training first; it is a common sight in teaching hospitals to see the medical students going round with the doctor, and even interviewing patients before they reach the doctor. This analogy would seem to be valid for the legal profession too.

A.N.A.

INTERNATIONAL AFRICAN LAW ASSOCIATION NEWS

ANNUAL GENERAL MEETING, 1961

The Annual General Meeting of the Association will be held on Saturday, 16th December, 1961, at 10.30 a.m. at St. Catharine's, Cumberland Lodge, Windsor, England (by invitation of Cumberland Lodge). All paid-up members of the Association are entitled to attend.

The Annual General Meeting has been arranged to coincide with a Reading Party organized primarily for students at St. Catharine's during the week 12th—18th December, 1961. This Reading Party will be examining, under the general title of "New law for a new Africa", the legal implications of social, economic, political and constitutional change in Africa. It is hoped that this will permit students having a variety of distinct though connected interests in African affairs, both legal and non-legal, to exchange opinions on the growth and reform of African legal institutions.