

***Beyond lecturing: using simulation as one of the other
method of teaching International Business Transactions law
(Yarmouk University Faculty of Law simulation courses as an
example)***

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1. Introduction:

Although many law schools incorporate International Business Transactions law into their curriculum for undergraduate law students, it is recognized that some law schools do not do so and are still teaching International Business Transactions law only for postgraduate (graduate) law students whether in LL.M program or in PhD program. It will be of little use to teach International Business Transactions law for postgraduate students, while it is not taught for undergraduate students. Therefore, it is important to recognize the fact that International Business Transactions law is becoming very important to our lives as teachers and practitioners that we can no longer dismiss this idea as one that is controversial.

Recently in Jordan, since 2006 many law schools in Jordan have been participating in the USAID International Business Transactions moot court competition (sponsored by the Ministry of Justice). Therefore, it is found that an introductory level of International Business Transactions law should strengthen the faculty's International Business Transaction law moot court team and increase students' interest in the school's curriculum. However, as we intend to teach International Business Transactions for undergraduate students, the only way we have to prepare our students to participate in the moot court competition is by offering them some simulation courses. Fortunately, the simulation courses were successfully enough to enable our team win the competition of 2006.¹

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¹ The current curriculum of our faculty of law does not contain the course of International transaction law. This course is recently added by the faculty governing board -of which I am a member-to the new curriculum which will be activated as of the first semester of the academic year of 2008.

Therefore, I would Like to use Yarmouk University school of law simulation course as a an example in order to focus on the fundamental concepts that must be taught in an International Business Transactions law simulation course, as well as the mechanics of offering and teaching International Business Transactions law simulation course as an introductory level for the moot court team who will participate in USAID International Business Transactions law moot court competition.

We can categorize the process of simulation courses into three main stages, the students' selection process, course materials, and class room exercises.²

II. The student selection process

Students are different in their interest regarding studding international business transactions law, some students wish to study this course, while other have no interest whatsoever in this area. Therefore, we offered the international business transactions law simulation courses to all law students regardless the year of their study. Then, the interested students attended for presentation on the international business transactions law. At that meeting, students were told about the basic differences between the traditional courses and the international business transactions law. This is because students are required to search sources of law substantially different from the traditional courses. The greatest challenge to the students who elect to participate in an international business transactions law simulation program is the complete control of the sources of international business transactions law. The students of international business transactions law simulation course must become comfortable with international law (treaties), the domestic law of the states concerned, resolutions of international organizations and international custom.

III. Course materials

The students can not be familiar with the basic concepts and structures of international business transactions law unless they are provided with supplement include materials on practicing international business transactions law, structures of courts or international arbitral tribunals and organizations and basic readings on the sources of international business transactions law.³ In addition, the supplement should also contain a list of web

² This paper is inspired by the Edelman's article published in Brooklyn Journal pf International Law. Vol.XXVII. 2002, No 2.PP 415-442.

³In our example, the supplement is already prepared by team of the USAID and we handed it to students and discussed all its materials with the students. It contains materials on practicing

resources and a variety of research and writing exercises. We organized class sessions in order to enrich the knowledge of the students regarding the issues of international business transactions law and to make sure they grasp enough information upon which they will build their working knowledge of the law of international business transactions legal concepts and structures.

In class discussion we concentrated on the nature of international business transactions law which is different from other tradition laws, and we concentrated on the hierarchical structure of the sources of international business transactions law and the weight put on these sources by international institutions that concern with international business transactions law .We also introduced students the guiding principles of international business transactions law, such as international contract, states contracts, soft law, *lex mercatoria*, Incoterms, international arbitration...etc, as these and other important principles are unknown to the students. We also discussed with the students the role played by international institutions, such as the UN, WTO, ICC and others. Once the students start to understand how these principles of international business transactions law interact with each other, we noticed that they become more energetic and their work more effective.

Moreover, we also focused on teaching the students how to use the library and search for materials of international business transactions law. Therefore, we introduced the students with general introduction of the variety of international business transactions law resources available at the library. We made a library tour to show the students in practice how to find the material concerned, and it helped the students physically to find the location of the materials and familiarize them about the wide variety of available international business transactions law resources both in print and electronically.

Additionally, we found it is import to teach the students how to cite international material correctly. In this regards, students when exercise simulation in classroom, they need to prepare their own memorial and they should know how to cite for example treaties, UN documents, decisions of international arbitral tribunals and law review

international business transactions, judgments of courts, judgments of international arbitral tribunals and basic readings on the sources of international business transactions.

articles. We found it is advisable that we design exercises that teach students the basics of constructing persuasive arguments.

We also advise students to have benefit from Yarmouk University faculty of law international business transactions moot court team who previously practiced international business transactions law simulation courses. Students would consider this as another valuable resource that can help them with additional background on the concepts and mechanics of international business transactions law.

IV. Classroom Exercises

In this stage, we divided the students into small groups, with each group representing a different party in the dispute. Before practicing the simulation, students are allowed to meet outside the class to discuss how the facts and international business transactions law principles can be effectively organized into persuasive arguments for their side of dispute, and then students came to the next class prepared to practice their group's findings by using simulation. The practice of the students show how the different groups choose to shape the facts in favor of their party (client).

V. Conclusion

From our humble experience, we can conclude some facts and suggestions regarding using simulation in teaching international business transactions law, which are:

- 1- Incorporating international business transactions law into the curriculum of undergraduate law students is highly important as this course will be essential to their practice of law. Therefore, our faculty of law updating its curriculum to contain 3 hours credit to teach international business transactions law.
- 2- Using a simulation in teaching international business transactions law is not a great challenge, it needs a good planning and willingness from both the professors and the students.
- 3- Using simulation proved its success in encouraging more law students to participate in the competition and then to study international business transactions law, and it proves that students are looking for other method of teaching beyond lecturing.

- 4- Simulation is a good method to assess the motivation and the perseverance of the students in obtaining the objectives of studying international business transactions law.

