

Legal Education in Jordan for the 21st century

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1) Introduction

It is an honour to be a participant in the IALS Conference on “The Role of Law Schools and Law Schools Leadership in a Changing World” at the Australian National University, Canberra from 25 – 27 May 2009. The question that I am asked to answer is “How does Law Schools Actually Achieve Its Goals and Objectives?” As a former dean and professor of law, I will first share my experience while working in a number of Jordanian law schools, then give some suggestions on how to improve legal education in Jordan to meet the challenges of the 21st century.

2) Jordanian Law Schools

Law faculties are a new phenomenon in Jordan. The first law faculty was established in 1979. Before that Jordanian students graduated from law faculties in Arab capitals such as Cairo, Damascus and Baghdad. Today, there are (12) law faculties in Jordan, (4) at public universities and (8) at private ones. While public law faculties suffer from the financial and bureaucratic problems of public universities in general, private law faculties belong to profit-tailored institutions which may pay less regard to academic quality than they do to profit.

As with most other disciplines, the admission of students at law faculties is based on their results in the High School certificate. Objective as it may be, the said criterion does not necessarily preclude unqualified students from entering law faculties. Upon admission to the university, candidates do not sit for any special admission test.

Faculty members are required to have a PhD degree. However 20% of the faculty members, as a maximum, may be LL.M holders. In numerous cases, these degrees are accorded by sub-standard universities whether in the region or abroad. The salary of law professors is not adequate, and those who practice law in addition to their academic careers are not able to dedicate sufficient time for their teaching careers.

The education system in general in the Arab world including Jordan does not further the development of student's analytical skills, problem solving skills, critical thinking and innovation. Legal education is no exception. The need for reforming education within the region as a means to attain sustainable development is well acknowledged by the stakeholders in legal education as well as in the legal profession at large.

3) Issues to Consider

Having given an outline of the Jordanian law schools, it is now important to look at some possible reforms.

A) Incorporating new innovative courses

There is a need to introduce new innovative courses in the law school curriculum and in certain situation drop old courses that are no longer important or useful for the 21st century. Among the new courses that need to be included in Jordanian law schools, for example, are courses on economic law theory and mass media law. There is also a need to have specialisation degrees for example Master degrees in technology and the law.

B) Innovative Teaching

Not only is it important to teach students the basic legal courses such as contracts, criminal and commercial laws, but to think innovatively of the legal issues that are being taught. We first need to recruit professors who are creative and innovative in the first place. We must aim to recruit the brightest professors in law schools, especially those who graduated from top universities or who demonstrate considerable pedagogical skill and training. It is important not

only to look at the degrees, but also the communication skills of the professor who is seeking employment.

C) Tough measures against Plagiarism (anti-Plagiarism)

This is an important matter that needs to be given special attention in law schools. Plagiarism is unfortunately a spreading practice in Jordanian law schools. Strict measures need to be taken against students who are committing plagiarism by their universities and university administrations.

Each law professor must be knowledgeable in using the technology that allows the discovery of plagiarism at an early stage in order to take appropriate academic measures against any infraction.

It is also important to understand the basic principles of copyright by professors and students so they know which acts are allowed and which are not under the law. Appropriate copyright polices should also be put in place.

D) Use of Technologies in law schools and beyond

Modern law schools use technology in classrooms and beyond all the time. They have websites that are highly informative and frequently updated. Most of Jordanian law schools do not have websites or they are not adequately updated. Students are not familiar with using the internet and databases to conduct legal research. There is a need to subscribe to important databases such as Lexis-Nexis and Westlaw. This is not only important for students, but also for professors as it would allow them to update their information and follow the developments taking place in their subjects.

Each professor should have his own webpage and all his assignments and reading materials should be posted on it. Students should be given the opportunity to discuss the reading materials through special discussion groups and use the internet frequently.

E) Adopting Practical approach to academic teaching

The methods that are followed by professors in many law schools are not creative and many of them still follow the lecturing method of teaching rather than following the Socratic methods which provide students with the opportunity to develop analytical and critical legal skills. Curriculum should be regularly scrutinized and reviewed in order to provide students with appropriate practical experience that will help them when they begin their professional careers. This could be achieved by arranging visits of prominent lawyers coming to law schools to teach and provide law students with invaluable practical experiences that they could not acquire in class. There is also a need for Jordanian law schools to introduce internships for law students with either courts, law firms or interactional organisations. This would help them to connect with lawyers and apply the knowledge that they have gained beyond class rooms.

F) “Openness” in legal education

There are different contexts in which the idea of “openness” could be applied in law schools. Higher legal education should be open not only to legal students but also to students coming from different disciplines provided that they are qualified to enter law schools. This would bring different perspectives into the classrooms and enhance legal research.

There is a need to be open to other legal systems and try to benefit from them as much as possible for enhancing a particular legal system. Law schools in Jordan should introduce new courses in the history of law and contemporary legal systems such as common law and Germanic law. A comparative approach to the study of the law should be introduced also in law schools and professors should be familiar with this approach and its legal significance to the understanding and improvement of the law.

G) Clinical Legal Education

The concept of legal clinics is still not recognized in many law schools in Jordan and Arab countries. It refers to students seeing and working on the legal matters of ‘live clients’ in the

context of a legal practice. There is an urgent need to introduce legal clinics in Jordanian law schools that would help students to understand better their subjects. Legal clinics might help the community and citizens to solve their problems in dealing with different issues as tenancy, employment, refugee and family law. Clinical students will have an invaluable understanding of the broader human rights framework in which the law operates and to think critically of the role that the law should play in addressing injustices.