

Chair: Dr. Andrew Dahdal – Qatar University

Members present:

- Dr. Andrew Dahdal
- Dr. Nazzal Kisswani
- Dr. Mamata Biswal
- Dr. Elanine Campbell
- Faisal Santiago
- Ade Saptomo
- Laksanto Utomo

1.) Review Final Study Group Rec. Comments:

- a. The draft report was comprehensive had omitted certain core considerations that the 2016 group through essential in relation to knowledge, skills, and values. With respect to the globalization questions the draft report was satisfactory.
- b. (Biswal) There is the urgent need for the internationalization of this branch of law. The global approach to this subject will fill the recent gaps in the practice. The students will get the international exposure through this subject.

2.) Are there any ... in the report"

- a. Knowledge, skills, and values?
- b. Yes, legal research is an essential shell. Business ethics also needs to be more embedded.
- c. (Biswal) Knowledge:
 - A student of Corporate Law must have the knowledge about other relevant branches of laws also. The branch of Commercial law is not restricted to the Contract law or Company law. This branch of subject has gained multi-dimensional approach in the present scenario. Because of the growth of trade and business, internationalization of commerce the subject Corporate Laws has expanded to the following branches of laws:
 - The Banking and Negotiable Instruments legislations
 - Insurance Laws
 - Export and Import Legislations
 - International Trade and Business Laws
 - WTO laws
 - Securities Laws
 - Investment Laws
 - Advance drafting of contracts
 - The Competition Law

- The Labour Laws
- Alternate Dispute Resolution Mechanism etc.
- Skills:
 - This subject should give the scope to the students for the enhancement of the following skills:
 - The complex nature of the concepts
 - The analytical skill
 - Skill of application of multiple laws
 - Skill of interpretation
 - Skill of drafting different advance contracts i.e., shareholder's agreement, share purchase agreement etc.
 - Skill to identify important issues in fact and important issues in law
 - To understand the skill to apply the technical aspect of the subject
 - To understand the conflicting issues between the subject and other laws.
- Values:
 - The subject has the scope to engross the important socio economics and ethical values, like
 - A sense of social responsibility
 - A sense of contribution to the economic growth
 - A sense of ethical values
 - A sense of legal liabilities
 - The understanding relating to corporate criminal liability will engross the value of criminal liability in corporate matters.

3.) What other core competencies are required to master the subject?

- a. Numerical literacy particularly in relation to tax law.
- b. Commercial literacy regarding business activities and transactions.
- c. Social intelligence: being able to read and relate to people
- d. Team work
- e. Apply the case method and problem, solving to real circumstances.
- f. Technologically competent (typing & theming).
- g. Communication skills (written & oral)
- h. English language skills
- i. Comfortable with bi-lingual contracts and how to deal with them.
- j. Professionalism in all aspects of their dealings.
- k. Ability to understand a client's business what they are trying to achieve.
- l. Ability to predict the needs of the clients.

(Biswal) The command over the subject, its application and leading, landmark and latest interpretations of the various concept would help the students to have mastery over the subject.

4.) What are the effective pedagogical strategies for teaching this subject matter?

- a. Oral evaluation to develop communication skills
 - i. Assigned marks for professionalism
 - ii. Class debates to develop communication and analytical skills.

- iii. Situations with real clients.
- iv. Socratic method to work through a problem.
- v. Early ability to flag difficulties via early assessment.
- vi. Emphasis rules of assessment.
- vii. Conceptual understanding
- viii. Case Analysis
- ix. Problem solving
- x. Question answer session

5.) What evaluative approaches should be used to assure those competencies?

- a. Oral feedback
- b. Clear rubric discussion
- c. Legally focused feedback and commercially unformed feedback.
- d. Application based questions
- e. Concept analysis questions
- f. Judgment analysis questions
- g. Problem solving questions
- h. Research oriented evaluation pattern on the research oriented portion
- i. Objective questions

Session 2

Chair: Dr. Andrew Dahdal

Member present:

- Andrew
- Nazzal
- Sarah
- Elaine
- Mamata

Ideal Curriculum for Under Graduates and Graduates (LL.M)

The curriculum for the Under Graduates should be focused on the concepts, statutory provisions and interpretations. In addition to this the curriculum for the Graduates should be more focused on research elements, latest developments, emerging issues and challenges etc.

1. What is your ideal curriculum?
 - a. The ideal curriculum would be designed to imbue knowledge, skills, and values as part of the doctrinal courses. Some separate skills based course might be considered for extra emphasis on establishing the required criteria.
 - b. Undergraduate
 - i. A more focused design with knowledge at the core and skills focused. Values are difficult to truly engage when core knowledge is not present.

1. Focus on big concepts
2. Principles based
- ii. Graduate Level
 1. It is important to differentiate between LLM and JD courses. The level of prior knowledge will greatly influence curriculum design. Even with LLM and some are more professionally focused than others.
2. List of Commercial Law Courses:
 - i. Principles
 - ii. Contract Law
 - iii. Arbitration & ADR
 - iv. Banking & Finance Law
 - v. Company Law I & II
 - vi. Consumer Protection
 - vii. Competition Law
 - viii. Commercial Popes (Negotiable Instruments)
 - ix. Contract Drafting and Negotiations
 1. Cross cultural negotiations
 - x. International trade and investment law
 - xi. Labor law
 - xii. Tax law

Comments: A combination of these courses injected with sufficient skills based and value – based content would inform any rigorous commercial law curriculum.

A commercial law certificate might be an effective way to direct the course of a degree towards a commercial law focus. (See also session 2 for comments on question 2.)

3. Agreement on Doctrinal package.
 - a. This question was unclear. The panel agreed on the terms of the previous responds with the amendments noted herein.

(Biswal) Review and finalize suggestions:

- International collaboration of the Institutes will give more exposure to the students.
- Introducing number of international Moot Court competition on various legal areas by the different Universities would give a different exposure to the students.
- Student and faculty exchange programme will enhance the legal education by understanding the law of other jurisdictions.
- Subject specific Faculty Development programme, will help the faculties to deliver the lectures in different manner.

- Preparation of course-outline in consultation with minimum two experts from India and/or abroad.
- Student involvement in preparing the course outline
- Involvement of Alumni in preparing the course outline
- Involvement of advocates and judges in preparation of the course outline
- Inclusion of latest/leading/landmark judgments, relevant Acts and Bills for reference in the course outline.
- Inclusion of a list of books/articles in the course outline
- Inclusion of observations on books/articles in the course outline
- Inputs/insights, as appropriate, from best practices of syllabi prepared by leading law schools in the world to be incorporated in the course outline
- Identification and enlisting of forthcoming international/national conferences/seminars/workshops in the respective subject
- Organisation of guest lecture/consultation from academia/bar/bench/industry etc.
- Consultation and request for guidance from leading luminaries/Nobel laureates/Magsaysay awardees/national & international law firms and PSUs
- Establishing contacts with faculty-members of leading universities/institutes for teaching and research:
- Inclusion of any emerging issue/development/area of research, related to the subject: