

Opening remarks by the Chief Justice of Rwanda at the University of Rwanda Stakeholders Interface Workshop, Kigali 23rd May, 2019

The Rector, University of Rwanda

Honourable Judges

Distinguished Deans and Professors

Ladies and Gentlemen

1. It is an honour and privilege to be among you today at this 2019 African Regional Law Deans and University of Rwanda Stakeholders Meeting. I have attended a few previous UR stakeholders meetings but this is the first time it has had international participants. I wish to thank the School of Law, University of Rwanda, for the initiative of first joining the International Association of Law Schools and then swiftly organizing this legal interface jointly with the Association. I wish to thank the IALS also for accepting the membership of our law schools and for agreeing to co-organize this meeting in Rwanda. I welcome members of the IALS and other international participants for coming all the way. I hope you will enjoy your short stay in Rwanda. It is particularly gratifying to welcome my fellow judges who have put their dockets aside to come and have a conversation with deans on the very important subject of rethinking legal education. It is always mutually beneficial for judges and legal academics to interact and discuss the best way to enhance justice and the rule of law.
2. This workshop is of great value to the law schools involved as it fosters cooperation in various areas including sharing experiences in teaching and evaluation methods, sharing their research output, undertaking joint research projects and publication, exchange of teaching staff and students, supervision of PhD degree programmes and more.

3. These kinds of fora are also useful opportunity for law schools to discuss harmonization of curricula, and standards expected of law graduates. This is especially true of our law schools in Africa where we are still struggling to establish quality legal education for the type of legal professionals we need in our developing economies and societies. The lawyers we produce should be of such caliber that they should qualify to practice anywhere in the world and be able to successfully compete on the legal services market.
4. In this Africa region workshop of the IALS one question you should perhaps be pondering is: Are we producing the right lawyer/legal professional for our societies? Is she/he a lawyer that has the requisite legal knowledge, professional skills and discipline as well as ethical values expected of a member of the profession? We owe it to the citizens we serve to offer them such a lawyer. It is no secret that in many societies around the world lawyers are not regarded in good light. Is there something we can do as law teachers and judges to improve that image? We are probably unable to guarantee ethical lawyers but at least we should be able to guarantee competent if not excellent lawyers by ensuring high standards of legal education, post-graduate legal skills development and regulation.
5. A lot of progress has been achieved in legal education in Africa since some of us were students. Technology has made life easier for law students, especially with the internet and online legal resources like Lexis/Nexis, Westlaw and others. People don't have to sleep in the library when they can access the materials from their rooms.
6. In particular here in Rwanda we have made considerable progress given where we were after the Genocide against the Tutsi in 1994. We had one law school

which since the 60s had been producing around 10 lawyers a year. Obviously there was no importance at the time attached to rights and justice, which require lawyers, at least in this modern age. There was no Bar Association to organize and regulate the practice of law. We now have 5 law schools I believe and a thriving Rwanda Bar Association.

7. However, there are also challenges facing law schools with implications for other institutions. There is a chronic shortage of financial resources for law schools and universities in general leading to inability to provide the necessary capacity to produce high level graduates. Law schools cannot hire enough law teachers, they cannot introduce new courses and post-graduate programmes to meet current needs in the economy as the economy itself expands.
8. The lack of adequate financing means not enough highly qualified teaching staff can be hired. This leads to resorting to part-time lecturers, usually busy legal practitioners who are unable to allot enough time for preparation and therefore short-change the students. Of course practitioner teachers can be a great asset since they bring to the classroom real world examples of the application of law which often academics do not have. However, such practitioners need to indeed have accumulated experience and preferably be specialized in areas in which they are asked to conduct classes. But practitioners of such caliber are not readily available or affordable.
9. At the same time, there should be close collaboration between law schools and the legal profession. Legal practitioners should have regular interaction with the leadership of law schools, in order to contribute to improvement of the quality of legal education by pointing out the shortcomings or gaps they find during their practice. I do not know how well internships with law firms and institutions are

working in other African countries but that is not a strong area in Rwanda for instance. We have got some good students interning at the Supreme Court from University of Rwanda but from what I understand law firms are not very keen to take on interns. Part of the reason may be that there are no funds to sponsor interns and law firms do not want to take them on and pay them because they do not consider them to bring in money. Yet the students need a little financial support for subsistence.

10. Staying with financing issues, in an effort to raise enough funds to run all the services, some universities are compelled to admit a lot more students than they can adequately cater for in terms of teaching staff, library and other learning resources. With classes of 200 or more to one lecturer who often has more than one course to teach and without teaching assistants, it is virtually impossible to give adequate attention to all the students. [Personal experience!] Part-time programmes, evening classes are increasing. This may help genuine students who never had a chance to go straight into full-time law studies and have to work to support themselves and their families but unless it is well-resourced, results may not be good for the society graduates of these programmes serve. Sometimes it is pure commercialization.

11. With the objective of raising numbers being prioritized, focus on the quality of students is lost with consequent implications on the quality of lawyer we produce. As a professional discipline, law should normally attract the most talented students. But where numbers are the primary focus, grades mean little, especially as in many law schools there is no special pre-entry test.

12. This raises the question of lack of regulation. In some of our countries there is no board or council of legal education to regulate the functioning of law schools or at

least to ensure that minimum standards and requirements are met. For instance the number of hours for a particular module in one law school may be half or less of what is required in another with no clear explanation. There should be some form of accreditation of law schools based on adequacy of facilities, academic staff and curricula. In rich countries, private universities are the best resourced, attract only top applicants and have enough teaching staff and researchers. However, in developing societies private enterprise in legal education can go too low in terms of standards.

13. Regarding research and publication, there is a lot being done that we are proud of. However, our law teachers are often over-loaded and constrained by lack of research funds and research assistance. Of course this may vary from country to country and university to university. I am sure you will discuss the tricks of raising research funds and collaboration among better-resourced and poorly resourced researchers. This will help build up local teaching resources that are better suited to our African problems and aspirations.
14. There is also the problem of inadequate attention paid to teaching research methods in law schools. Given that the practice of law is a continuous learning process, lawyers should be adequately equipped with research skills to be able to continuously update themselves as well as preparing well for their cases in the interest of their clients, their employers and of course the court. Judges will always take better decisions and write better judgments where counsel in the case have been of assistance in terms of analysis of the law, precedents, comparative jurisprudence and other resources. Here in Rwanda, there is the excuse of a civil law legacy that did not emphasize precedents but we are slowly changing that cultural orientation.

15. In order to improve oral skills of our lawyers, law schools need to give greater importance to moot courts and mock trials. Lawyers who cannot articulate their arguments in court or cannot manage the time allocated to their cases put their clients at a disadvantage. Moot courts and mock trials sharpen analytical, drafting and rhetorical skills of those involved and in my opinion should not be relegated to occasional moot court competitions as is the case in many of our law schools. That is not to say that moot competitions are not important; they are an additional incentive to engage in moot court activities and give students an opportunity to measure their mastery of the subject and skill level against their peers both locally and internationally. Ideally, no student should graduate without having demonstrated in moot exercises that he or she can argue a case before a judge. I would argue that moot courts should be part of the curriculum, perhaps as part of criminal and civil procedure courses.
16. There are also other forms of clinical education such as advice centres that give students an opportunity to work on real cases with real clients under the supervision of experienced law teachers or practitioners. These must be encouraged as they are not only a source of good legal skills training but also extend access to justice to those who cannot afford lawyers that have to be paid.
17. Lastly, more emphasis need to be put on teaching students lawyering ethics and values. Law students should learn that they should not be seen as liars, bullies and cheats but as individuals who are there to assist those with problems that need resolving and to get them justice or to assist them navigate complex transactions. They can be successful lawyers and decent human beings.
18. In conclusion, let me once again thank the organizers of this workshop. I did not intend to burden you with all those problems which you have probably heard

several times before but repeating them one more time will not kill you and, perhaps, your discussions will ensure that some of them will cease to be issues. I raised a lot of challenges facing African law schools without offering answers but I am sure your discussions over the two days will contribute towards solutions and you have our support. Thank you for your attention and I wish you fruitful deliberations.