

THE UNIVERSITY COLLEGE PERIOD OF LEGAL EDUCATION IN ETHIOPIA (1952-62)

by George Krzeczunowicz*

I had originally intended to write a monograph on the history of legal education in Ethiopia in conjunction with an Ethiopian scholar¹ who would describe the traditional instruction in the law of the Fetha Nagast nomocanon, which had been taught in Ethiopian church schools ever since its Gheez translation had acquired substantial authority in the first half of the 17th century. Unfortunately, no Gheez scholar willing or free to do his part has been found to date. I have therefore decided to write my part now, while some witnesses are alive, their memories fresh, and official or other records at least partly preserved.²

The appearance of this article about coincides with the *twentieth anniversary* of the starting of modern legal education in Ethiopia in the ways described below.

In 1951-52 His Majesty the Emperor reached the momentous decision to codify the laws of Ethiopia and to entrust the drafting primarily to francophone experts from continental Europe.³ Although the actual drafting of the Penal, Civil and Commercial Codes was to start in 1954-55 and lead to promulgations in 1957 (Penal Code) and 1960 (Civil and Commercial Codes), it was essential to form *in advance* a nucleus of persons capable of understanding and applying the impending legislation. Since the University College of Addis Ababa had just been inaugurated (February 1951), an academic basis for the creation of a law school was at hand. Upon the request of the Minister of Justice (reflecting His Majesty's wish) some law courses were scheduled in January and started in February 1952. After an "experimental" spring term, the Ministry expressed full satisfaction with the initial achievements. In Fall 1952, the University College formally comprised three constituent units - the Faculty of Arts, the Faculty of Science and the *School of Law* -

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1. See Institute of Ethiopian Studies, *Register of Current Research* (1968).
2. The University College period of legal education was never described by annual publications comparable to the dean's reports appearing since 1964 in this Journal. The resulting danger of oblivion was increased by other factors:

Until 1955 the dean of law school was in a measure his own recorder. Later, losses of records have occurred. In 1956, the introduction of a joint college registry has led to mislaying of papers and departure of the registrar. In 1962, in turn, the transfer of the college records to Haile Selassie I University Registry seems to have occasioned further losses; subsequently certain gaps in old law students' records had to be supplemented from memory. Other recourses to memory are made necessary by losses in this writer's duplicate records which, in his absence (September 1962), were taken out of his filing cabinet, mistaid and only partly recovered.

3. American experts assisted in the drafting of the Revised Constitution of 1955.

each headed by a dean. The faculties of Arts and Science dispensed full time instruction, whereas the law school held courses in the evenings to reach persons "in the professions."⁴

In contrast to the University College achievements in other fields, the *history* of professional legal education at the College is largely one of a promising start followed by continuous decline. We shall summarize it under the following headings:

- A. A Promising Start: The First Basic Law School Course (1952-55)
- B. Suspension of Professional Legal Education (1955-56) and the "Law Faculty" Problem (1955-59)
- C. The Advanced Law School Course (1956-58)
- D. The Second Basic Law School Course and the Liquidation of the Law School (1956-59)
- E. "Fringe" Teaching of Law in the Faculty of Arts (1952-62)
- F. End of College Era and Revival of Professional Legal Education (1962-63)

**A. A Promising Start: The First Basic
Law School Course (1952-55)**

The initial fundamental problems of the law school confronting the college president and/or this writer as dean were as follows:

- (1) where and to whom law should be taught;
- (2) at what level law should be taught;
- (3) by whom law should be taught; and, last but not least,
- (4) what law should be taught.

1. Law taught *where* and to *whom*?

In contrast to many other regions of Africa, Ethiopia possessed no body of formally trained lawyers capable of applying modern laws. This was partly due to the fact that Ethiopia never lost its independence (save for the short episode of incomplete Italian occupation in 1936-41) and thus never had its lawyers trained in the legal system of a colonial or protecting power, as was often done in the "anglophone" or "francophone" regions of Africa. The Ethiopian concern for further preservation of independence was reflected in the eclectic character of the impending codes, which were eventually inspired by several legal systems and drafted by comparative law experts. It followed that the bulk of Ethiopian lawyers, rather than be trained abroad in a foreign legal system, had to be taught Ethiopian law "at home."⁵

4 As from January 1954 the Faculty of Arts has established a subordinate Extension Department enabling other evening students to improve their "professional standing in Business Administration, Accounting and Public Administration." See *University College Bulletin* (hereinafter cited as U.C. Bulletin) for 1952-54 and 1954-56.

5 As a provisional device, before the code-enactments certain Arts Faculty graduates were sent to study the (in some respects) cognate bilingual legal system of Quebec in Canada; this scheme was supported by the dean of law, who successfully opposed their retention for a premature degree-level law study at home (see B, below).

On the other hand, it was decided that law shall be taught primarily to persons already occupying positions which require some knowledge of law, such as judges, advocates, police officers, public servants, and persons employed in banking and business. This was, indeed, the only way to ensure that at least a small body of lawyers expected to apply the forthcoming legislation would be formed before its enactment.

2. Law taught at *what level*?

Since University College was only starting and hardly any college-educated candidates were as yet available for law study,⁶ legal instruction was offered at "sub-degree" level. Indeed, even candidates holding a secondary school leaving certificate were a rarity, so that the standards of admission had to be set at about eleven grades of secondary education or an equivalent in educational or professional experience. Entrance on "probation" was made available to some of those not fully qualified. Since instruction was given in English, proficiency in that language was required in all cases.

3. Law taught by *whom*?

In developed countries, sub-degree law courses are often taught and administered by expert practitioners from the Ministry of Justice or lawyers' professional associations.⁷ In Ethiopia, such persons were lacking. Our sub-degree law course was therefore of necessity attached to the University College and staffed primarily by "academic" lawyers. Nevertheless, in contrast to the faculties of Arts and Science, the Law School was granted no budget within the College. The Law School's only full time instructor was the "dean" (paid primarily by the Ministry of Justice); the other academic instructors belonged to the Arts Faculty and taught in the Law School part-time (they were paid from law-students' fees). One of the dean's many remonstrances in this respect reads as follows: "Whether with or without success, I feel it is my duty to comment once more on the absurdity of the present situation. High sums will be assigned for law codification, while only a proper law school, with a budget for three full time lecturers, could produce in time a generation of modern lawyers capable to understand and apply the future codes."⁸ Since these "staffing" remonstrances remained without effect, the Law School could never ensure a bi-annual or even an annual rotation of admissions and courses.⁹

4. *What law to teach?*

This paramount question seemed almost insoluble, for as Professor René David wrote in 1961 "L'enseignement du droit et une formation des juristes deviennent, du fait des codes, possibles en Ethiopie, alors que jusqu'ici les meilleurs esprits s'interrogeaient sur la manière dont ils devraient concevoir et organiser un tel en-

6. With rare exceptions concerning foreign-educated officials.

7. In France, however, the sub-degree "capacité" courses are taught at the universities.

8. Memo of 28. XII. 1954.

9. The insufficiency of the Law School's staff was also stressed by René David (the expert drafter of the Ethiopian Civil Code) in his memo of 15. XI. 1955, p.2.

seignement."¹⁰ Since the drafting of the codes had not even started in 1952-54, the Law School's "meilleurs esprits" were indeed hard put to task. On the one hand, we could not teach a non-existent future law. On the other hand, two reasons prevented the teaching of the traditional and customary law of Ethiopia. First, few persons knew that law or could ascertain its fragments from records in languages other than Gheez or Italian or from case-reports that were not available in any language. Second, so far from being required to teach the traditional and customary laws, we were asked to prepare our students for the assimilation and application of the future modern laws,¹¹ which were to repeal or replace the former system.¹²

The dean of law was thus faced with an unprecedented situation. He expressed his reluctance to accept or continue his position unless given at least some guidance as to the intended general characteristics of the future codes. Such minimum guidance eventually materialized in the form of successive hints that these codes were to be based primarily on various "continental law" systems.¹³ It followed that we should familiarize our students with concepts, categories, classifications and methods of reasoning prevalent in the so-called "romanistic" legal systems.

The above aim was reflected in the syllabus of the first law course, published (with some errors)¹⁴ in the U.C. Bulletin for 1954-56. Contrary to the character of sub-degree law courses in other countries, the lack of positive laws forced an initial stress¹⁵ on "sociological, theoretical, historical and comparative aspects of law, rather than on the practical subjects of its administration and court procedure."¹⁶

The following is a summary description of the courses that covered 3½ years of 6 periods per week instruction:

The *introductory semester* (spring 1952) provided courses on sociological, theoretical and historical introduction to law and elements of constitutional law.¹⁷ Since the future codes were to reflect concepts prevalent in the romanistic legal systems, the *first year of study* (1952-53) emphasized comparative Roman law. Of the three courses given, one was concerned with the development of Roman law, its traceable connections with the traditional law of the Fetha Negast and its present day significance. The second first year course focused on the core of Roman law contained in Justinian's Institutes¹⁸ and stressed the classifications and categories surviving in modern law. The third first year course (Civil Law I) provided an introduction to certain concepts of modern civil law through such topics as "the [German] law of succession as developed from Roman principles."¹⁹ The three *second year* courses (1953-54) introduced the students to international law, essential principles of criminal law and "Matters Introductory to Analyzing a Civil Code."²⁰

10. R. David, "Le Code Civil Ethiopien de 1960," *Rabels Zeitschrift*, Vol. 4 (1961), p. 680.

11. Cf. the Law syllabus recommendations of the 1952 report of the Imperial Ministry of Education.

12. Cf., e.g., Civ. C., Art. 3347.

13. Cf. U.C. Bulletin for 1954-56, p. 141.

14. Although pointed out in the dean's memos, these errors were not followed by corrigenda.

15. (In part analogy to certain degree curricula abroad).

16. See said Bulletin, p. 141.

17. *Id.*, p. 142.

18. *Id.*, p. 143.

19. *Id.*, p. 143.

20. *Id.*, pp. 144-45.

In this last course, of the romanistic civil codes that were to serve as models for the Ethiopian one, the Egyptian code for which an English version was conveniently at hand,²¹ was chosen for analyzing the legal concepts used therein and for solving code-based problems. Thus, the students were given a foretaste of the questions to be confronted in the application of the future Ethiopian Civil Code. In the *third year* (1954-55), the gradual appearance of high court rules of procedure permitted a course on elements of criminal and civil procedure professed, respectively, by the President and a presiding judge of the High Court. A second third year course provided the students with same basic knowledge of economics as a background for the commercial law course that followed.²² After discussing the origin, development, utility and sources of continental commercial law, the latter course concentrated on international uniform laws or draft laws which were expected to be incorporated in the future Ethiopian law. Finally, the third year included a law debating class.²³ Incidentally, one of the assignments discussed therein resulted in a work of exceptional merit by Taffara Deguefe (presently general manager of the Commercial Bank of Ethiopia) on "Capital Formation in Ethiopia," subsequently published by the University College. It remained for years the only college-student publication in book form.

5. *Varia*

Of the six weekly class periods, four were always filled, for a succession of subjects, by the full time instructor (the "dean"), and the remaining two fell to a part-time instructor in a subject. Instruction was primarily given in the form of lectures followed by questions, often including lively discussion of controversial points.

The course was concluded in July 1955 by a comprehensive examination counting for one half of the overall grade, bearing on selected areas of Roman, civil, penal and commercial law, as well as on procedure and economics. Of the 121 original applicants of February 1952, 39 students successfully reached the end and became holders of our first law diploma.²⁴

6. *Weaknesses of the Law School*

The Law School had many defects; some of them were unavoidable, but others were due to University College policy.

21. This was an important factor since English, known to all students, was the language of instruction.

22. U.C. Bulletin for 1954-56, pp. 146-47.

23. *Id.*, p. 147.

24. Their names were as follows: Abebe Teferi, Ashenafi Beti Mariam, Assefa Tsegaye, Atnafe Tselhay, Bekele Habte Mikael, Beyene Wolde Mariam, Dawit Gabru, Egeta Feyissa Balche, Eyassu Gebre Hawariat, Feketa Selassie Getahun, Gabre Wodajo, Hailu Negau, Habte Mariam Wolde Kidane, Hiwet Hidar, Hovannos Kaypaghian, Kanaa Guma, Kassa Beyene, Kebede Gebre Mariam, Kidane Maashow, Legesse Wolde Hanna, Lemma Feyssa, Mebrehatu Fisseha, Mohammed Badri, Negash Denneke, Pandit V.J., Semie Takelie, Shamsu Ahmed, Shifferaw Amare, Sileshie Difabatchew, Tadesse Delnessahou, Tadesse Mengesha, Tafarra Deguefe, Tebabou Beyene, Teferi Lemma, Telahun Birru, Worqu Bashaya, Zawde Meshesha, Zenbe Worque Hailie.

The successive instructors in the various subjects of the first law course were Messrs. Jesman Roucek, Krzczunowicz (full time throughout), Krucky, Grabowski and Roberts.

The *unavoidable* defects included:

- (a) the limitation of instruction time to evenings because of the students' professional daywork;²⁵
- (b) the students' often insufficient academic background;²⁶
- (c) the frequent lack of teaching materials due to non-existence of relevant texts on continental law in the language of instruction, which was English.

This last impediment constituted the most serious problem. Adequate English texts were available for a part of the introductory semester²⁷ and, subsequently, for Roman law, international law and economics. But for the main courses concerning areas to be codified on continental lines (civil law, penal law and commercial law), "French and Swiss-German legal writings were largely drawn upon [by the instructors] and 'acrobatically' adapted in uncongenial legal English, the language of instruction. The same language difficulty rendered the original reference books inaccessible to students, who could not 'read' law."²⁸ Fortunately, our Law instructors were often sufficiently conversant in the relevant legal systems and languages (Italian included) to perform this prohibitive task as well as could be expected.

Other weaknesses of the Law School were due to University College policy, which became apparent after termination of the first law course,²⁹ but was already reflected in the fact that the dean's requests for improving the Law School by giving it a budget, an increased staff, a rotation of admissions and courses, etc., remained unanswered, while the other College departments were rapidly developed.

7. Success of the Law School

In spite of the mentioned defects and policy handicaps, the first law course constituted a very promising start in academic legal education. The curriculum was systematic and comprehensive. The number of graduates was near the "forty" proposed by R. David, the drafting expert, as the minimum yearly output of lawyers for Ethiopia.³⁰ Other experts and the Ministry of Justice expressed appreciation for our work. The graduates' quality was, with few exceptions (due to occasional overgrading by a part-time instructor), quite up to the "capacité" level reached by academic sub-degree graduates in France. The law debating class induced the production and publication of a scholarly book.³¹ Several of the graduates later ably discharged high assignments (e.g. five became Supreme Court judges, including one President). Some continued to perfect their training in the advanced law course of 1956-58.³²

25. See heading 1 above.

26. See heading 2 above.

27. See said Bulletin, p. 142.

28. G. Krzeczunowicz, "Ethiopian Legal Education," *Journal of Ethiopian Studies*, Vol. 1 (1963), p. 69. The Law School's main text and/or reference materials are cited in the various U.C. Bulletins for the whole period of 1952-59.

29. See below.

30. Memo of 15. XI. 1955.

31. See preceding page, lines 14-18 from top.

32. See below.

B. Suspension of Professional Legal Education (1955-56) and the "Law Faculty" Problem (1955-59)

Before the successful termination of the first law course, the dean made several proposals for starting new courses. Since annual admission which alone could ensure the David-suggested minimum output of 40 graduates per year was excluded by the patent lack of staff and means, the dean advocated admissions every second year or, at the very least, starting a new basic law course immediately upon termination of the first one. Even this request was denied and the Law School was suspended in 1955-56 in the fruitless expectation of a possibility to start a degree-granting law faculty in 1956-57.³³ The only consequence of the suspension was the wasting of the teaching potential of our tiny staff, including the single full time instructor.³⁴

These decisions affecting the Law School, which remained unexplained, were made by the non-lawyer president after consultation with another layman, the dean of arts, and without asking or heeding the advice of lawyers. Since the merits of the College Administration in other fields were immense, this attitude can only be explained by the priority given to the College's avowed purpose of educating the country's future leading elites,³⁵ which a sub-degree law course was not supposed to achieve (but see Appendix below). And since discontinuance or limitation of professional legal education was criticized and damaged the College's reputation, from 1955 to 1959 various rash projects were made to start a degree-granting law faculty before there existed the slightest possibility for an effective functioning of such an institution, a fact of which only graduate lawyers could be and were fully aware.

In the 1955-59 period the dean of the Law School, while planning the requested tentative LL.B. programs for the future, repeatedly refused to start and lead prematurely a full time degree program³⁶ that, as he pointed out, could not be successful without (1) *subject matter* to teach, (2) *candidates* to be taught and (3) *self-government* to administrate:

- 1) A full time law instruction to degree-students of an impending national law cannot be given before that law comes to exist, that is before the projected codes are enacted³⁷ (or at least published). Although this evident objection was in itself sufficient, the following ones were added:
- 2) A degree program requires a minimum of junior college education or its equivalent of its candidates. The University College could not offer more than four such candidates.

33. The possibilities of starting a law faculty were investigated at the request of the Board of Governors, which, however, never demanded a suspension or curtailment of sub-degree law courses.

34. The Ministry of Justice could hardly be pleased with such policies. It discontinued from 1957 the basic salary of the dean, which came to burden the College budget.

35. See, e.g., U.C. Bulletin for 1959-61, p. 22.

36. He had also repeatedly offered to resign (but could not be replaced) when the sub-degree activities of his law school were suspended or curtailed.

37. Only the Revised Constitution had reached that stage by 1955, and the Penal Code by 1957.

- 3) Basing a professional law faculty on part-time help from the staff of the arts faculty, as was proposed by the latter, would condemn the former to inefficiency, since the respective methods and objectives are poles apart. A professional law faculty could not develop without budgetary, staffing and book-purchasing autonomy.

The above points were obvious to graduate lawyers. Nevertheless, the president's or dean of arts' premature law faculty projects re-emerged periodically and finally led, in 1959, to the liquidation of the law school "pending the establishment of a Law Faculty offering Degree courses."³⁸ This further "pending" lasted four years — a costly loss to Ethiopia which stood in dire need of legal professionals whether or not of "degree" level.

C. The Advanced Law School Course (1956-58)

After a year's suspension of the law school's activities (in 1955-56) it was agreed that, in addition to commencing a new basic sub-degree law course,³⁹ graduates of the terminated first law course should be offered some advanced training, which was now made possible by the appearance of Civil Code drafts and the final text of the Penal Code. The College President, however, barred admission to the advanced course to first course graduates in the 60-65% grade bracket⁴⁰ (although passing grade was 60%). Because of disillusionment with these policies, only sixteen qualifying candidates joined the course, of whom twelve obtained the advanced law diploma in 1958.⁴¹ They remained impervious to the suggestion of staying for another year in 1958-59, when further code drafts appeared.⁴²

The advanced course included primarily courses in the civil law, the Penal Code⁴³ and public finance. The advanced civil law course followed, step by step, "the gradual appearance of draft code fragments in the different branches of Civil Law."⁴⁴ The advanced penal law course analysed the Ethiopian Penal Code.⁴⁵ Public finance, which was treated summarily in the prior course in economics was studied in detail with reference to the latest legislation.⁴⁶ The debating class was continued as an extra-curricular activity, with instructors acting in an advisory capacity.

38. See Aklilu Habte, "A Brief Review of the History of the University College of Addis Ababa," *University College Review* (Spring, 1961), p. 31, quoted in G. Krzczunowicz, cited above at note 28, p. 68.

39. See D, below.

40. Contrary to the dean's preference for equal admission. Incidentally, the law dean was, in a measure, a figurehead: the Law School's autonomy was substantially limited to curricular matters.

41. Their names were as follows: Ashenafi Bete Mariam, Assefa Tsegaye, Atnafe Tsehay, Bekele Habte Mikael, Feketa Selassie Getahun, Habte Mariam Wolde Kidane, Kassa Beyene, Lemma Feyssa, Mebrehatu Fisseha, Tebabou Beyene, Teferi Lemma, Worqu Beshaye. The instructors were Messrs. Krzczunowicz (full time), Grabowski and Stanley.

42. Their justification was that the President-imposed promise in 1956 of LL.B. degrees for them (which was then a reason for barring the "below 65%" candidates: see above) had been obliterated by the College council.

43. Which was enacted in 1957.

44. (U.C. Bulletin for 1956-58, p. 177 ff). Incidentally, these drafts were very difficult to obtain since, in the Government's view, they were confidential documents.

45. *Id.*, p. 178.

46. *Ibid.*

D. The Second Basic Law School Course and the Liquidation of the Law School (1956-59)

For its first two years (1956-58), the second basic law course was conducted simultaneously with the above described advanced course for seniors. The resulting additional need for part-time instructors⁴⁷ was eventually satisfied as well as could be without budgetary support. Disillusionment with the College policies regarding legal education prevented a "landslide" of candidates similar to that of 1952.⁴⁸ Entry was also limited by the higher admission requirement of twelve grades of secondary education or an equivalent in educational or professional experience in addition to the passing of a tough proficiency test in the English language. Only twelve candidates registered, of whom eight graduated in 1959.⁴⁹

The course benefited from the enactment of the 1957 Penal Code and the gradual appearance of draft fragments of the outstanding Civil Code. For this reason, the curriculum differed somewhat from that of the first basic law course of 1952-55.

The following is an outline of the courses that covered 3 years of six periods per week instruction:

In the *first year* (1956-57), three courses were offered. The "Theoretical Introduction to Law" familiarized the students with jurisprudence, sources of law, and working concepts of law, whereas "Historical Introduction to Law" stressed the development of such institutions as family, ownership and the state and analysed the Christian and Roman law influences on the traditional law of Ethiopia. In a third course, the students were introduced to the nature, scope and basic concepts of the new Ethiopian Penal Code.⁵⁰ In the *second year* (1957-58), an introduction to Roman and civil law was combined "as it is considered useful from the outset to teach Roman law as 'living' system, with the emphasis laid on those of its institutions which still underly the modern civil law systems and the coming Ethiopian Civil Code."⁵¹ Another course dealt in detail with the problems of punishments under the new Penal Code. Finally, the enactment of the Revised Constitution of Ethiopia provided material for a new important course on the Ethiopian Constitution and Government.⁵² In the *third year* (1958-59), the area of obligations was given priority in a detailed study of the Civil Code, since the draft of that area was first made available.⁵³ The penal law lectures covered the Special Part of the Penal Code dealing with particular offences.⁵⁴ The emphasis given throughout the curriculum to the Penal Code was simply due to its complete availability in final form. The above priorities have prevented a study of commercial law as those draft provisions were not available.

47. See p. 89, 3., above.

48. When 121 had applied; see above.

49. The graduates' names were as follows: Abebe Guangul, Alemaychou Eshete, Asrat Tekie Mariam, Fekade Selassie Zawdie, Hamawi George, Legesse Wolde Mariam, Worku Ferede, Worku Tafara.

The instructors were Messrs. Bereket Ab Habte Selassie, Krzczunowicz (full time) and Graven.

50. U.C. Bulletin for 1958-59, pp. 172-74.

51. *Id.*, p. 174.

52. (*Id.*, p. 175) ably discharged by our first Ethiopian law instructor cited above at note 49.

53. *Id.*, p. 176.

54. *Id.*, p. 177.

The final examination took place in June 1959, followed by graduation of the eight successful candidates.⁵⁵ Thereafter the law school was finally liquidated (formally, in January 1960) and the President asked this writer to relieve him from consideration of law-instruction projects. This, at the very time when the promulgation of the Civil and the Commercial Codes (May 1960) permitted and required the immediate training and production at several levels⁵⁶ of a maximum number of lawyers who would be able to apply them.⁵⁷ The lack of such lawyers hindered and delayed the country's legal development, with the consequential effect on social and economic development.

E. "Fringe" Teaching of Law in the Faculty of Arts (1952-62)

The defunct University College had, in general, outstanding merits. It had with small means, initiated a modern system of post-secondary education in Ethiopia. It had also as soon as was possible, diversified its curriculum to allow some specialization in senior years. Thus, the Faculty of Arts successfully introduced options in, for example, administration, education, economics. These options gradually developed into autonomous sections or departments, which in turn as in the case of the Education Department, proved a stepping stone towards development into a full-fledged faculty.

A perusal of the various U. C. Bulletins spanning the College's existence (1951-62) indicates that efforts were made to teach - among others - legal subjects in the Faculty of Arts or its extension department. But apart from a half-hearted and shortlived attempt to establish a "Pre-Law" section of doubtful status,⁵⁸ these legal subjects were not integrated into a coherent law program or taught on a professional basis. Without creation of a major autonomous law department, no stepping stone towards a Law Faculty could be placed within the Arts Faculty, where the law subjects were offered in a "general culture" framework, or were integrated with and oriented to the objectives of subjects other than law. Law was simply taught on the "fringes" of the arts curriculum, as, for example, financial law as relevant to economics or administration.⁵⁹

Nevertheless, certain Arts Faculty sections have, at various times, provided their students with a sufficient background for degree-level study of law abroad. Some of

55. Several of them have by now achieved prominence. For example, Worku Tafara holds an LL.B. and is a permanent member of our Law Faculty; Major Abebe Guangul holds an LL.B. and teaches law in the Law Faculty's Extension; Major Legesse Wolde Mariam holds an M.C.L. and teaches law in both the Law Faculty Extension and the Police College; Worku Ferede achieved a French law doctorate; etc.

56. Only teaching at degree level still presented grave problems: see G. Krzczunowicz, cited above at note 28.

57. Non-integrated teaching of law fragments to some Arts faculty students was no substitute for such training: see below.

58. Its head had no power to fix his own curriculum. The names of the few graduates whose B.A. degrees received the "Pre-Law" mention in 1958-60 were as follows. In 1958: Abraham Gabre Mariam, Assegid Tessaema, Bekele Nadi, Gabre Maskal Biadgilign, Tefferi Berhane, Teshagare Woube; In 1960: Dinsa Lepisa, Hagos Gebre Yesus, Hamawi George, Kebede Habte, Malake Selam Bekele, Mekbib Gebeyhou, Samuel Alemayehou, Tesfaye Yemane.

59. For other examples see G. Krzczunowicz, cited above at note 28, p. 74, note 30.

our arts bachelors were thus enabled to achieve foreign LL. B. degrees at a time when Ethiopian law was not yet crystallized and the national law faculty not established.⁶⁰

F. End of College Era and Revival of Professional
Legal Education (1962-63)

At the end of the year 1961, Haile Sellassie I University came into formal existence, with the development of professional legal education in Ethiopia as its first priority objective. Thus, several months before the old University College had ceased to exist as a unit, the policy decisions concerning legal education had already passed to the new university.

The beneficial effects of this new situation in the long-neglected field of the sub-degree legal instruction was immediate. A *law committee*, established by the university,⁶¹ decided at once to offer sub-degree courses in law that were largely open to candidates from professions similar to those which constituted the "reservoir" of the old Law School in 1952.⁶² The accumulated demand for such courses, unsatisfied for years, produced a landslide of 490 accepted candidates.

The courses, which started in January 1962, were from the outset divided into Amharic and English language sections. The latter's level was necessarily higher, since it both implied a higher educational background (English was learned at high school) and used a language richer in modern legal terminology. In contrast to the old Law School, and in view of the country's tremendous accumulated needs for lawyers, the committee set low admission requirements (literacy plus interview), leaving elimination of the unfit to ordinary attrition processes (which already in the first semester brought the total down to about 300 students).

Teaching was greatly facilitated by the availability of codes for all the matters taught.⁶³

The following is a list of the courses offered.

Constitutional Law; Penal Law Amharic Section; Penal Law English Section; Penal Procedure; Civil Law (Persons and Family); Civil Law (Obligations and Commercial Law).⁶⁴

The sub-degree law courses became a permanent feature of the university and were integrated into the later established Law Faculty.

The committee next addressed itself to preparing the ground for a law faculty. The law faculty problem had two broad aspects. First, it required a budget within

60. Particularly useful were their studies at the McGill University of Quebec (see note 5, above).

61. The committee was composed of eight Ethiopian lawyers occupying prominent official positions and holding foreign law degrees, and three expatriate experts.

62. See above.

63. The latest enacted being the 1961 Code of Criminal Procedure.

64. The respective instructors (mentioned in the same sequence) were Messrs. Bereket Ab Haibe Sellassie, Nerayu Isayas, Philippe Graven, Charles Mathew, Belatchew Asrat, Teshome Gebre Mariam and Mohammed Abdurraman.

the university as well as funds and high level instructors from abroad. His Imperial Majesty the Chancellor and the university's top administrators busied themselves with this aspect. The second aspect, which concerned the committee, primarily involved obtaining fit candidates for degree-level study of law and preparing a first draft of a curriculum from the point of view of Ethiopian needs. For this purpose a sub-committee was formed,⁶⁵ including this writer who interviewed and prepared a first list of twenty seven potential candidates. He also prepared a summary of the sub-committee's views on the qualifications for admission to the Law Faculty, the degree to be offered, the duration of study, the research requisites regarding the availability of case reports and legislative documents⁶⁶ and the curriculum to be followed. The resulting subcommittee report of February 23, 1963 was transmitted to James C.N. Paul, the incoming Dean, and except in curricular matters,⁶⁷ was largely implemented.

The Law Faculty made its successful start in September, 1963. Its development is set forth in the Dean's Reports published in the consecutive issues of this Journal. For lack, as yet, of sufficient perspective, we postpone our assessment of its history.

65. The subcommittee members appointed on April 9, 1962 were Messrs. Belatchew Asrat, Getatchew Kibret, Bereket Ab Habte Sellassie, W. Buhagiar, P. Graven and G. Krzczunowicz.

66. The research impediments to be overcome in this field were set out in G. Krzczunowicz, cited above at note 28. His article was joined to the subcommittee report mentioned below.

67. In which the views of the incoming team of instructors from the U.S.A. were to prevail.

A P P E N D I X

Below, we submit the results of repeated attempts* to ascertain and list, so far as possible, the present or last titles and positions held by the 1955 and the 1959 graduates of the old University College Law School (see *supra*, notes 24 and 49) and, if any, their main postgraduate publications. The brackets after the names contain brief citations of the degrees and titles, if any, held *in addition* to the University College law diploma(s). The advanced diploma graduates of 1957 (*supra*, note 41) are not mentioned separately but are included in the 1955 first-diploma holders list (*supra*, note 24). "Pre-law" B.A. graduates (*supra*, note 58) are not considered at all. The graduates' names are spelt as in notes 24 and 49. This spelling necessarily follows that used in the original records and the official University College Bulletins, without considering the varying English transliteration practices used thereafter.

A. Law diploma graduates of 1955

- | | |
|---|--|
| 1. Abebe Teferi (Brig. General) | Senator |
| 2. Ashenafi Betemariam | Regional Manager, Imperial Board of Telecommunications |
| 3. Assefa Tsegaye (B.A., LL.B.) | Legal Advisor, Commercial Bank of Ethiopia |
| 4. Atnafe Tsehay | Advocate, class A |
| 5. Bekele Habte Mikael (LL.B.; H.H.) | Vice President, Supreme Imperial Court, Asmara |
| 6. Beyene Wolde Mariam | position unknown |
| 7. Dawit Gabru (Colonel) | Senator |
| 8. Debebe Hurissie (M.C.L., Lt. Colonel) | Head Legal Department, Imperial Police Force |
| 9. Egeta Feyissa Baltche | position unknown |
| 10. Eyassu Gebre Hawariat (Captain, H.H.) | Presiding Judge at Imperial High Court, Addis Ababa |
| 11. Fekede Selassie Getahun (Major, H.H.) | Presiding Judge at Imperial High Court, Addis Ababa |
| 12. Gabre Wodajo | Ministry of Education, Curriculum Department |
| 13. Hailu Negau | Legal Attorney, Internal Revenue Department |
| 14. Habte Mariam Wolde Kidane (Fitawrari) | Governor of Yerer and Kereyu awraja |
| 15. Hiwet Hidaru (Kegnazmatch) | Advocate, class A |

* Because of repeated delays in the appearance of this paper we apologize for any resulting lapses regarding the latest data.

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|--|---|
| 16. Hovannes Kaypaghian | Managing Director, Lion Insurance Co. |
| 17. Kassa Beyene (LL.B., H.H.) | Vice President, Supreme Imperial Court,
Addis Ababa |
| 18. Kanaa Guma (Captain) | realtor |
| 19. Kebede Gebre Mariam (B.A.,
LL.B.; H.E.) | Commissioner - Vice-Minister, Central
Personnel Agency; author of <i>Public
Administration & Development in Ethio-
pia</i> (Addis Ababa, 1970, HSIU Law
Faculty Archives) |
| 20. Kidane Maashow | Advocate, class A |
| 21. Legesse Wolde Hanna (Colonel,
H.E.) | Ambassador to Democratic République of
Zaire. |
| 22. Lemma Feyssa | General Manager, ELSOLEM; realtor |
| 23. Mebrehatu Fisseha (Brig. General) | Chief Administrator, Wild Life Conser-
vation Department |
| 24. Mohammed Badri | in private business |
| 25. Negash Denneke | position unknown |
| 26. Pandit V.J. | insurance agent |
| 27. Semie Takelie | General Manager, Savings & Mortgage
Corporation of Ethiopia |
| 28. Shamsu Ahmed | Vice-Administrator General, Haile Sellassie
I Foundation |
| 29. Shifferaw Amare (Colonel) | Head Criminal Investigation Department,
Imperial Police Force |
| 30. Sileshe Difabatchew (Fitawrari) | Senator |
| 31. Tadesse Delnessahou | Advocate, class A (terminating graduate
law study in the USA) |
| 32. Tadesse Mengesha (H.E. Afe
Negus) | retired, former President Supreme Im-
perial Court, Addis Ababa |
| 33. Tafarra Deguefe (B.Com.) | General Manager, Commercial Bank of
Ethiopia; author of book on <i>Capital
Formation in Ethiopia</i> (Addis Ababa,
University College, 1958) and several
learned articles |
| 34. Tebabou Beyene (H.H.) | President, Imperial High Court (former
Vice-President, Supreme Court), Addis
Ababa |
| 35. Teferi Lemma (H.E.) | Vice-Minister, Ministry of Commerce,
Industry and Tourism |
| 36. Telahun Birru | Director, Ministry of Public Works |
| 37. Worku Beshaye (Licencié en droit) | deceased |
| 38. Zaude Meshesha (Licencié en
droit) | Head Legal Department, Imperial Highway
Authority |
| 39. Zenbe Worque Haile (Lt. Colonel) | deceased |

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B. Law diploma graduates of 1959

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|---|--|
| 1. Abebe Guangul (LL.B.; Major) | Legal Advisor & Deputy Commissioner, Central Public Administration & Pensions Commission; lecturer, Law Faculty Extension Haile Selassie I University |
| 2. Alemayehu Eshete (Licencié en droit) | Advocate, class A |
| 3. Asrat Tekle Mariam | position unknown |
| 4. Fekade Sellassie Zawdie | Chief Comptroller, Haile Selassie I University |
| 5. Hamawi George (B.A., B.C.L.) | Advocate, class A |
| 6. Legesse Wolde Mariam (M.C.L., M.C.A.; Major) | Law Instructor, Aba Dina Police College, lecturer at Law Faculty Extension Haile Selassie I University; Legal Advisor to Commissioner, Imperial Police Force. |
| 7. Worku Ferede (Docteur en droit) | Legal Advisor, National Bank of Ethiopia; author of <i>La Responsabilité du fait des choses en droit éthiopien et français comparés</i> (Faculté de droit de l'Université de Paris, 1967). |
| 8. Worku Tafara (LL.B.) | Full time Lecturer, Faculty of Law Haile Selassie I University, presently on graduate research assignment in the USA. |