

NINTH ANNUAL REPORT FROM THE I/EAN
1964 E.C. (1971-1972)

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Faculty of Law

Haile Selassie I University

Summary of Some Transitional Highlights

The report for this year, 1964 E.C. (1971-72), suggests a number of important patterns which may be emerging as the Law Faculty passes from being a new school with a wholly foreign staff to becoming an established school with predominantly Ethiopian staff. The details of the following points are provided in the body of the report.

First, it was possible to attract first-rate Ethiopians to become members of the Faculty, and it is hoped that this pattern will continue. A significant result of our recruitment program for full-time Ethiopian teachers was five new staff members selected for the coming year-1965 E.C., so that there would for the first time be a majority of Ethiopians on the staff.

Second, it also became clear, however, that the Faculty would lose some of its Ethiopian teachers to the private and public sectors of the economy, where attractive challenges to talented lawyers are available. By the end of the year, two teachers had accepted jobs outside of the Faculty. The primary attraction outside of the Faculty did not appear to be salary. Indeed, during the year, the Ethiopians of the Faculty did not respond to my repeated requests for a brief which would justify a higher pay scale for law teachers, on the basis that a majority of our teachers felt that the salary levels should be uniform among different University faculties. Whether this position can remain unchanged in view of the competing wages available outside the university remains to be seen. But much of the appeal to going to work for a ministry or private firm is not based on a financial cause: it must surely be difficult for a teacher, who has never known a professional career except teaching, to commit himself to a lifetime of teaching before he has tried something else. Our hope is that a teacher who goes to different work will one day return to teaching, enriched by his practical experience.

Third, we believe that we continued to maintain the high standards which contribute to the fine reputation of the Law Faculty. The brilliant performance of our student representatives who won several first place awards in the Jessup International Moot Court Competition in Washington, D.C. was characteristic of the level of performance which we expect of our Faculty's efforts. I do not mean that it is characteristic that we will always be best in what we undertake, but that it is characteristic that *to do the best is what we always seek*. I believe this to be reflected in the other activities of the Faculty.

Fourth, we are continually impressed by the great amount of work it takes to *maintain* as well as to innovate law programs. An outstanding example of this is the business side of our many research and publication programs. Four years

ago it was assumed that the hiring of a business manager had removed from the Faculty the onerous burden of being small business as well as an academic institution. Unfortunately, this did not prove to be true. This year I am able to report that the Faculty discovered and then proceeded to solve many of the difficulties which arose. There has been a similar pattern on other programs of the Faculty—a perhaps too-quick assumption by staff that a project is running smoothly and routinely, followed by the realization that considerable time and energy is required to make the project a continuous success. The excellent effort by the Editor-in-Chief of the Journal of Ethiopian Law during the past year is another illustration of how the Faculty can strive to preserve what it has established.

Fifth, the Faculty continues to innovate. Examples of this are the new French program and an improved writing program for senior students which were approved by our Curriculum Committee, our full-Faculty, the University's Curriculum Committee, and the University Faculty Council. I note the series of groups which must give their approval before an innovation is introduced, because many persons are unaware that considerable democratic argumentation lies between an idea and its implementation. The proposal of a new project must also undergo the ordeal of being tested by the opinion of many persons. An illustration of this was the possibility that our Faculty would be able to take-over the *African Law Digest*, presently produced at Columbia University in New York. Many budgetary and policy questions had to be considered by the University Administration, the University Library officials, and members of our Faculty before the idea could even begin to move toward reality, which it did. Because many aspects about the *Digest* remain to be settled next year, it is also an example of how the innovation of a new project extends over considerable time.

General Information on the Faculty

Organization of the Faculty

The annual report from the Law Faculty to the President of the University contains information not normally recorded in the report for the Journal, but which I will include this year because of a number of our alumni have asked questions answered by this information.

The Faculty is organized on functional rather than on departmental lines. We have always been more concerned with functions such as "Research and Publications" rather than with departmental divisions such as "private law."

When I arrived three years ago there was an amicable but intense dispute as to how major administrative functions should be allocated among the Faculty members. Simply stated, there were those who favored centralization so that a few would carry the main administrative responsibilities and the rest could get on with research and teaching; and there were those who favored decentralization so that nearly everyone would have a responsibility and sense of participation in the running of the Faculty.

In theory, either approach is justifiable. In practice it depends on who the staff is, because delegation to a person who lacks administrative effectiveness is eventually damaging to the Faculty. During the past three years a number of people have shown themselves particularly capable of handling extensive responsibility, and I have responded by delegating major duties to them.

When a staff member has shown himself to be effective, I give him virtually full authority in his area. The idea is that he and his group should feel free to

NINTH ANNUAL REPORT FROM THE DEAN

do what seems best, and should not merely carry out direction from the Dean. I do keep close communication with these people, and I expect to be informed as to planned operations. I do not substitute my judgment for that of a person to whom authority has been delegated simply because I would have taken a different approach if I had handled the issue personally. I would call a halt to a plan only if after discussion I felt the decision of the person was clearly unreasonable. For example, I could easily reserve for myself the hiring of student research workers and we employ many but that responsibility is delegated to the Research and Publications Committee. Nevertheless I continue to receive appeals for employment from many students, who find it difficult to appreciate that delegation of authority has truly occurred.

The point is that I believe that whatever I lose in personal authority by delegation to other persons will be more than regained by the increased effectiveness of the Faculty, because of the increased participation of our staff members.

In the dealings by the Faculty with central Administration of the University I believe there has been tremendous improvement during the past three years. This has made it much easier to carry forward the melding of our faculty's methods with the methods of central administration. I can report that in two of the most difficult areas, the Registrar's office and the University's Extension Faculty, we have continued this year to eliminate differences in practice which formerly caused so much chaos and conflict, and that there is now no important problem in our coordination with them.

Academic Commission

The Commission decides questions of academic policy particularly in regard to student performance. In addition to the Dean, the elected members were Assistant Dean Eddy, Mebrahtu Yohannes, Katherine O'Donovan, Salamu Bekele, and Ronald Sklar.

The entire full-time teaching staff effectively served as the Academic Commission until last year, and on major Faculty matters the entire faculty is still consulted. We believe we have combined greater efficiency in routine matters with democratic participation on the greater issues. There is of course a loss in speed by having full-faculty discussions but we believe this is more than compensated by the long-term efficiency which results from policy by consent.

In addition to serving as secretary for the Academic Commission, Assistant Dean Jon Eddy did excellent work in all areas related to administration of student affairs, classroom schedules and the vast number of related activities. By the preparation of detailed handouts on academic rules for the students, he helped to fill the gap created by the absence of a University handbook for students.

Students and Staff-Student Relations

In 1964 E.C. (1971-72) our student enrollment was as follows:

Class	1st Semester	2nd Semester
Day		
Law I	40	4
Law II	45	20
Law III	45	16
EUS	54	51
Law IV	19	19
Evening		
Eve. I	110	65
Eve. III	38	36
Total	341	211

The drop in the second semester enrollment is mostly the result in our Faculty of the withdrawal of 45% of all University students following the boycott of classes in March. This was the second year in a row in which a major boycott took place, and again concerned us all deeply, as indicated at length in the conclusion of my last report.

There were 37 students (from Law IV and those on E.U.S. who had already completed their final academic year, as well as two mid-term graduates) who received the Bachelor of Laws-LL.B. We are proud of them and pleased by the rapidity with which they found jobs, again primarily in the sector.

The decrease in the enrollment of the Evening Law I class was not due to a boycott of classes, but is the expected attrition rate of about 40%. Although the candidates are well qualified, many find that the schedule of work is too difficult to combine with their regular work and normal life. The evidence continues to support the decision to lengthen the evening course from four to five years, because the lightened load in each year has resulted in a higher enrollment in the evening program, despite the greater length of the course.

Staff-student Relations

One of the projects we undertook at the beginning of the academic year was to have a series of full-faculty discussions on issues related directly to students, and then for me to meet with students in groups no larger than a class year.

The topics the staff covered were: Ethiopian-University Service (EUS); the Honour Code; the Law Library; the Advisory System; non-academic activities (sports, forums, etc); teacher evaluations by students; Law House; and the University student legislation (Title V). In my meetings with students, a total of 77 separate issues were raised! This process was completed by mid-December, and it was hoped to continue the dialogue leading to action early in the second semester. The student withdrawal in the second semester precluded the full effectiveness of this plan. But a number of successful items may be noted.

An early problem was the double assignment of some of our EUS students to high school teaching and to law jobs (which came later due to budget constraints). With the help of the Academic Vice President, Dr. Mulugeta Wodajo assignment to the government legal offices got the priority which is what the students wanted.

The Law II class wanted help in organizing and financing a trip during the break between semesters to go to Expo 72 in Asmara, and this was accomplished. The students were very organized and funds were raised quickly. Such activities serve an important educational purpose and will be encouraged. Problems about the Law Library, which formed a large number of the points raised by students, were solved, especially after the arrival in the second semester of our Law Librarian, Mr. Akhigbe. We had an evaluation by students of their teachers, which was both encouraging in its general conclusions and helpful to individual teachers. It also helped me to identify teachers who needed attention. Finally, we completed preparations for negotiating the status of Law House with the central administration. This project involved staff, students, and alumni, and the Committee aimed for completion next year.

One difficult student problem was the last-minute decision of our final year students to walk out on a final examination in a required course. The dilemma was

obvious. If students did not take the final exam in the required course, they would not be qualified to graduate; but if the Faculty sanctioned their behavior it would be academically unsound and would be an unfortunate precedent. After more than 200 man-hours of discussion, the full-Faculty delegated to me the task of resolving the dispute. The solution which was accepted by both students and staff included a rigorous oral examination for each student. The solution was fair but arduous, and therefore was not a precedent which would be eagerly sought by future classes.

Teaching Staff

We had 18 full-time academic staff members in residence this year: a graduate assistant; 8 lecturers; 2 assistant professors; 2 associate professors; and 5 professors. Because of unexpected procedural difficulties encountered in arranging the promotion of our graduate assistant to assistant lecturer, for which he was more than qualified, we have agreed with central administration to appoint new teachers at a level no lower than assistant lecturer.

Staff Studying Abroad and New Ethiopian Staff

Only *Abiyu Geleta* was sent abroad this past year, following 2 years of teaching on the Faculty. He is at Harvard doing an LL.M. program, and he is doing well. In the summer of 1972 he participated in the Law and Development Seminar at the University of Wisconsin. He is specializing in property and development law. He will replace an expatriate position in September of 1973.

Three of our Ethiopian teachers completed their second year of study abroad, and were scheduled to return to the Faculty at the beginning of 1965 E.C. (September 1972). Each of these men has already taught two years on the Faculty:

Fasil Nahum (LL.M. Yale; replaces two expatriates who end their teaching contracts at mid-year (Verhelst and Lang).

Semereab Michael (advanced degree work, University of Brussels; replaces Winship.)

Worku Tafara (LL.M. Northwestern University Law School; replaces Melin.)

Three other Ethiopians studying abroad agreed to join the Faculty at the beginning of 1965 E.C.

Billign Mandefro (LL.M. Yale; fills post originally allocated to Ethiopian who did not receive government release.)

Fikre Merid (Licence en Droit and D.E.S., Univesite d'Aix; fills post originally allocated to Ethiopian who did not receive government release.)

Fisseha Yimer (LL.M. University of Pennsylvania; replaces Berhane, who is leaving the Faculty.)

In addition, two other Ethiopians agreed to join the Faculty:

Girma Wolde Sellassie (who replaces O'Donovan).

Hagos Haile (who replaces Jacomy-Millette).

Ethiopian Staff-Selection Methods

The new teachers are truly exceptional both academically and otherwise. The recommendation of these persons to the central University administration was the result of a very long selection process in the Faculty beginning in the first semester of 1970.

In the past there was a controversy in the Faculty: should our teachers have some years of experience outside the University before coming to teach, or should they come directly to the University to begin the demanding profession of an academic teacher? I will not here revive the theoretical argumentation on each side, because as a practical matter we cannot easily get releases from the government for the men we want. Of the 3 offers made for 1970-71 to men of experience and who were serving in government, none was released despite hundreds of hours spent on negotiations.

These disappointments did not deter us, however, from interviewing all potential candidates mentioned by staff or others from the earliest days of the law school. These investigations and interviews began in 1970 and were carried on until quite recently, when a narrowed list was further cut until our Academic Commission and Recruitment Committee reached the final choices.

By the end of the year, both Dr. Berhane Ghebray and Ato Mebrahtu Yohannes decided to leave the Faculty. Dr. Berhane will become the director of an insurance company, and Ato Mebrahtu will return full-time to the Ministry of Community Development and Social Welfare. Although I anticipated in my December 1970 report to the Ford Foundation the loss of some of our Ethiopian teachers to challenging jobs outside of the University, it was nevertheless disappointing to lose persons we had come to know and admire. In a large sense, however, my basic feeling is not one of disappointment because I know they will make important contributions where they have gone, and because they may in the future return to the Faculty - for the reasons I hopefully noted in the introduction to this report.

Seven Year Staff Projection

The following chart indicates the projected staffing situation over the next seven years, based on *maximum* staffing and upon stated policies which may in fact be changed. Further, and apart from other considerations, the possibility of continued foreign funding for the number of indicated expatriates is unlikely. Most important there is considerable pressure upon the Law Faculty to reassess its need for teachers in light of the pattern of teaching loads elsewhere in the University. The chart does provide, however, a basis for considering the staffing pattern at a maximum level, and it is based on four (assumed) policies: (i) three new Ethiopians yearly and a total staff of 21; (ii) a newly hired staff member must teach and do research in Ethiopia for at least 2 years before going abroad for his LL.M.; (iii) he will then stay 2 years abroad while doing his LL.M.; (iv) when the Ethiopian staff reaches 18 of 21 posts, there ought to be reserved, for at least a few years, 3 posts for mature and experienced legal scholars from abroad. If the present trend continues, the Ethiopian faculty will be quite good, but it will be a faculty of relative inexperience, so that the admixture of 2 or 3 experienced scholars could be useful. Rejection of this policy would not much change the chart. The chart does not take account of many other variables, such as requests for Ph.D. study abroad which will occur later in the time scale.

NINTH ANNUAL REPORT FROM THE DEAN

	Ethiopian in Residence at HSIU	Expatriates or Others	Ethiopians Studying Abroad
72-73 (65)	11	10	1
73-74 (66)	12	9	3
74-75 (67)*	13	8	5
75-76 (68)	13	8	5
76-77 (69)	12	9	6
77-78 (70)	15	6	3
78-79 (71)	18	3	0

*Thus, in 74-75 there would be 18 Ethiopians hired, and there are 21 total posts. However, the coming and going of the Ethiopians to study courses creates a pattern whereby from 1973 to 1978 there would be the need for approximately 8 qualified expatriates a year if the assumed figures of 21 maximum teachers is accepted. There are three alternatives to this: a) hiring more full-time Ethiopians, which would have the effect of increasing the staff to an untenable total; or (b) hiring part-time Ethiopian staff, which would mean that the part-time teachers had even less teaching and research background than the relatively inexperienced full-time Ethiopian staff; or, (c) reducing the total posts from 21 to some lesser number, which would have serious repercussions judged by present Faculty activities and standards. But this will be thoroughly considered next year.

Activities of the Full-Time Teaching Staff

In addition to taking their regular teaching duties, members of staff engaged in many important activities.

Berhane Ghebray - Director of Law Faculty Extension Program. Member of several University groups: Faculty Council; Extension Committee; Development and Finance Committee; Personnel Committee; and Discipline Committee. Additionally served as member of the following Ad-Hoc Committees; Committee Studying the Status of Ethiopian University teachers; Committee studying the status of Asmara University; Committee Studying the Academic Equivalence of Degrees, Diplomas, and Certificates; Committee Investigating the Condition of Detained Students. Doing research into property and tax law.

Brun-Otto Bryde - Articles Editor, Journal of Ethiopian Law and member of Faculty's Research and Publications and Library Committees. Published a book in German on economic advisory council (Hamburg, 1972), two articles (on African international relations and Ethiopian law) in German journals and a note for JEL. Prepared course materials for commercial law; started (together with Peter Winship a case-collection on Ethiopian Commercial Law. He presented a public lecture on law and development at the German Cultural Institute.

Daniel Haile - Case Editor of the Journal of Ethiopian Law; prepared and had approved detailed syllabus for Natural Resources course, and preparing teaching materials for the same course. Member of the University Faculty Council, and assisted (with Jon Eddy) updating of Consolidated Legislation of Faculty Council. Member, Faculty Research and Publications Committee, and several ad hoc committees. Acting Chairman, Law House Alumni Assistance Committee. Published note on Ethiopian labour law in JEL.

Jon Eddy - Assistant Dean and Secretary of the Law Faculty Academic Commission. Occasional service as Acting Dean. Member, University Faculty Council and (with Daniel Haile) prepared new version of Consolidated Legislation of the Council. Completed analytical note on "subrogation" in the Ethiopian law of contracts preparing similar notes on performance, default, and force majeure to be used in Contracts Law Manual, teaching materials, or notes for JEL.

Jeremy T. Harrison - Chairman, Faculty's Research and Publications Committee. Working on teaching materials for Civil Procedure; Member, Editorial Board of the Journal of Ethiopian Law. He spent a great deal of time reorganizing the business operations of Law Faculty's publications, sales and distribution.

Annemarie Jacomy-Millette - Director, Faculty's Jessup International Law Moot Court Competition. Managing Editor Journal of Ethiopian Law. Completed three volumes of teaching materials on African questions for the course on international organizations; prepared materials on Treaty-Law in Ethiopia with a view to publishing an article, including a List of Treaties and International Agreements to which Ethiopia is a Party. Continued research in the field of the Ombudsman (article to be published in a Canadian Law Journal). Member, Faculty's Research and Publications Committee; contacts with OAU and ECA and attendance at meetings and conferences organized by these Organizations.

George Krzeczunowicz - Published: 1) "The University College Period in Ethiopian Legal Education" Journal of Ethiopian Law, vol. 8, No. 1; 2) "Quizzes in Ethiopian Family Law" JEL, Vol. 8 No. 1. 3) "An Introductory Theory of Laws in the Context of the Ethiopian Legal System", JEL Occasional Paper No. 3. Started a manual on "The Ethiopian Law of Compensation for Damage." Member, University Staff Development Committee and Scholarships Committee; Law Faculty Research Committee; Chairman, HSIU S.D.P.C. ad hoc sub-committee on terms of reference for Scholarships Committee. Other activities included - continuation of consultative meetings with former students now lawyers; correspondent of International Academy of Comparative Law *in re* program-planning for 1974 Congress.

Franz Lang - Assembling instructional material on Administrative Law and preparing background paper for administrative law course on interdisciplinary model. Member, Law Faculty Curriculum Committee; special examiner for Department of Public Administration; and arbiter, German School association, Delivered lecture in Faculty of Arts interdisciplinary Seminar series.

Mebrahtu Yohannes - Project Director of UNDP Law and Population program at Law Faculty - preliminary work completed; Member, University EUS Committee and Law Faculty Research and Publications Committee. Preparing Amharic language Manuals on Successions and Criminal Procedure Law. Completed two Amharic articles for the layman, "The Judge" and "The Witness." Continued to serve as Secretary-General of the Ethiopian Child and Family Welfare Association, Associate Secretary-General of the Ethiopian Council of Social Welfare, and chairman of several of its consultative committees. Prepared with another, reorganization chart for the Ministry of Community Development and Social Affairs, which was accepted.

Robert A. Melin - Completed three volume text, *Evidence in Ethiopia* (provisional edition); preparing final edition of same text with estimated date of completion 30 September 1972. Published "Summary of Ethiopian Laws" in *Survey of African Law* 1970, School of Oriental and African Studies, University of London; member, Jessup International Law Moot Court Committee.

Katherine O'Donovan - Published in Journal of Ethiopian Law, Vol 8, No. 2 an article on "Void and Voidable Marriages in Ethiopian Law." Prepared teaching materials on the Law of Persons (final edition) and Family Law (preliminary edition). Prepared note on the "Status of Women under Ethiopian Civil Law" for the Ethiopian Women's Welfare Association. Continued research on Family Law. Member, Law Faculty Academic Commission, the Law Faculty Research and Publication Committee and the Jessup International Law Moot Court Committee.

Selamu Bekele - Co-ordinator, Parliamentarian Course Development program in co-operation with the State University of New York, with Dr. Nunez. Member, Law Faculty Academic Commission and Law House Alumni Assistance Committee. Completing Law Faculty Archive inventory and re-organization. Research into aspects of Ethiopian constitutional law.

Ronald Sklar - Published in Vol. 8, no. 2 of the Journal of Ethiopian Law: "Desire 'Knowledge of Certainty,' and *Dolus Eventualis*: Intention under the Ethiopian Penal Code." Preparing comment on High Court decision and series of comments on key articles of the Penal Code. Preparing supplementary teaching materials for Penal law. During year, assisted Professor Annemarie Jacomy-Millette in directing the Jessup International Moot Court Competition. Coordinated Faculty's brief-writing program. Member, Law Faculty's Academic Commission, Library Committee, and Curriculum Committee.

B.J. Tennery - Chairman, Curriculum Committee of the Faculty of Law and member of the University Curriculum Committee. Engaged in research and compilation of materials for Employment and Labour Law. Continued efforts to organize the relationship of the Faculty of law and the Ministry of Justice on a formal basis, including the possibility of an Advisory Council; member of informal committee of Faculty and Ministry of Justice personnel which is preparing a joint program to review and clarify the Codes of Ethiopian Law; assisted Central Personnel Agency in selection of legal advisor for one of the ministries. Member and informal Counsel of the Tournament Committee of the Imperial Golf Club. Also devoted considerable time to family, dogs, horses, and landlord.

Thierry G. Verhelst - Co-Director, Center for African Legal Development, and Editor of CALD publication, *Legal Process and the Individual - African Source Materials* (in French and English); member, Law Faculty Library Committee. Completed: - "Les obstacles au developement agricole en Ethiopie" (in collaboration for a world-conference on agrarian reforms); introductory notes and bibliographies for Rwanda and for Burundi, for "The Constitutions of the Countries of the World" (A. Blaustein, Ed.). Research - "Political control on land in traditional African societies," to become a book by 1974. On leave second semester 1971-72, to Rwanda advising the "Centre national de formation judiciaire" of the Supreme Court. Author of a book on Rwanda's legal development (to be published in 1973), and of analytical tables covering the laws of Rwanda.

Peter Winship - Editor-in-Chief for volume 8 of the Journal of Ethiopian Law; completed supplementary materials for introductory course on the Law of Business Organizations; completed manuscript on book, *Background Documents of the Ethiopian Commercial Code*, approved for publication by the Faculty of Law subject to the consent of the Ministry of Justice. Prepared revised syllabus for course (created by him) in Law & Economic Regulation; wrote note on industrial property rights in Ethiopia; collected court decisions interpreting Books I and II of the Commercial Code. Represented Faculty at conference in Uganda on teaching materials for the

law of business organizations in Africa. Member, Faculty Library Committee, Faculty Research & Publications Committee, and University ad hoc Committee, on Patent policy. Prepared drafts on the Revised Investment Proclamation at the request of the Investment Committee of the Imperial Ethiopian Ministry of Commerce, Industry & Tourism (the final draft was accepted by the Committee).

In addition, the Law Faculty had the benefit of the services of *Alain Chedal* and *Domenic Pierson*, who are Volunteers provided by the French government for teaching French to law students. M. Chedal prepared materials for Legal French and served on the Faculty's Curriculum Committee.

I would like to add to the preceding resumes a few personal words about four members of our staff who this year completed their contracts with the Faculty.

As the summer of 1972 came to an end, Robert *Melin* continued to work on the final version of his teaching materials on the Ethiopian law of evidence. He used his entire holiday period for his project, and continued to work after the end of his contract, receiving from the International Legal Center only a small amount of expense money which was far short of his regular salary - it was Bob's determination to complete something of use for his colleagues and students which I will most remember about him.

Annemarie Jacomy Millette and *Katherine O'Donovan* departed at the end of the year to take up teaching positions respectively, in Canadian and English universities. During 1969-70 and particularly during the special summer session of 1970, there was no one who helped more than Katherine to keep the day-to-day administration of the Faculty in running order, and she ably served as Acting Dean. Later, as Chairman of Research and Publications Committee, she selflessly spent many hours managing the printing of the Faculty's publications. Because Katherine stayed with us for a third year, she also found time to publish scholarly work in this Journal and to create new teaching materials for the Faculty. *Annemarie Jacomy-Millette* began by concentrating on her teaching and research, but soon demonstrated that she was additional proof, if anyone needed it, that administrative skill can be combined with graciousness and charm. Of the many responsibilities she carried, she will undoubtedly be best remembered for the well-designed Jessup International Moot Court Competition she managed so successfully. She too has left us new teaching materials, and completed important research into Ethiopian treaty law.

Peter Winship was also extraordinary. He served four years in Ethiopia - two years as Legal Advisor in the Ministry of Commerce, and two years on our Faculty. Perhaps I can best express my feelings about him by saying that I would be content with any teacher who did even half as much as he did. I refer you to his resume, above, which is a reflection of the amazing volume of projects he completed, but which cannot begin to reflect the tremendous respect we all felt for him and the excellent quality of his work.

Alumni and Outside Contacts

At the end of 1963 E.C. (70-71) we had more than 150 graduates of our L.L.B program. Nearly all of them are in key public service positions.

I believe strongly that this group should build upon the sense of professional community which was fostered in the law school, and which should be directed toward an effective national contribution. There are also many ways in which our alumni can be useful in helping to improve the quality of the law school.

Several years ago a successful banquet of all Law graduates, degree and sub degree was held, in order to inaugurate an alumni group. But thereafter the organization became moribund. Based on this experience, I felt a better chance might be had if the organization began with the LL.B. graduates, and if a series of activities with definite results could follow. If this plan succeeded, then a wider group could be organized, based upon the feelings of our alumni.

The initial organizational meeting this year attracted 80 distinguished alumni. Everyone introduced himself, we talked about law school and we watched the film *Twelve Angry Men*. I also asked for and got volunteers to help with various faculty projects. The first major project was the "*Law House Assistance Committee*," composed of staff, alumni, and students. Many meetings of the committee and sub-committees were held, and by the end of the year we had produced the drafts which would be the basis for attempting to settle finally the unclear status of Law House, both administratively and financially, before any serious problems could arise.

My hope is that by a series of such alumni-faculty ventures that the Faculty can assist in building and alumni organization which will be effective in even more important areas - such as the control of professional standards and professional qualifying exams.

Bill Tennery and Jon Eddy had a series of meetings with the Ministry of Justice as a follow-up of our successful conference of last year. The primary goal at this time is to create a joint program to review and make clarifying changes in the various Codes of Ethiopia. The meetings proceeded, well, but near the end of the year it was unclear whether the changes should begin with mostly technical amendments or seek to include more substantive changes.

A related activity was the annual banquet of the Journal of Ethiopian Law, because the editor in chief, Peter Winship, invited all former student editors. We thus had an alumni meeting of the J.E.L. and used the banquet for some serious discussion as well as the usual friendly exchanges.

Curriculum and Academic Standards

Bill Tennery's Curriculum Committee accomplished the innovation of three major steps during the year: 1) a basic effort to improve the French language program in the Faculty; 2) a significant change in the senior writing program and; 3) the creation of "Senior Seminars."

All of these changes were steered through — and altered by the — many groups in the Faculty and University, and secured approval in the University Faculty Council at the end of the year. Several other less important changes — such as changing course names and some credit hours — were also approved by the Faculty Council.

1) The Curriculum selected the French program as being the highest priority for change because of the demonstrated fact that few of our students learn enough French to be of any value despite two years of formal training. Opinions on the Faculty were widely varied - from those who believed French should be abandoned, to those who believed it could be improved. I will not here give the details, but the resolution was that the program should be under the academic supervision of the French languages program of the University's Department of Foreign Languages, and the head of this department participated in the accepted solution. The basis

of the revisions was the belief that ability in the French language is desirable in view of the research materials relevant to the codes. But the Faculty also determined that the new program should be carefully evaluated at the end of next year to see if, under professional guidance, the desired results were being achieved.

2) The new "senior thesis" replaces the two senior papers. The main aim is to give the students opportunity to do research in greater depth and to improve the quality of their writing. An oral defense of the thesis would also be required. In the past the Curriculum Committee has made several recommendations concerning the improvement of the writing programs in the Faculty, including the recommendation of an Amharic writing course. The implementation of the senior thesis requirement is an encouraging step in the direction of better writing programs.

3) The "Senior Seminars" provide a flexible formula under which a teacher with an in-depth interest in a particular legal subject and with sufficient number of interested senior students, can proceed to explore it without the need to proceed through all of the layers of approval necessary to make basic changes in a curriculum. We expect a number of interesting pedagogical experiments with this formula in the Faculty.

Evaluation of Teaching

While implementing new programs, we continue to make every effort to improve the quality of existing teaching. 1) Early in the semester we required each teacher to prepare his reading assignments in detail and linked to periods of time no greater than two weeks. 2) We required "course reports" on each course, which include the teachers comments on (i) how he organized the course and the assigned readings; (ii) the method by which he taught, including writing assignments; and (iii) his general comments. 3) We have confidential evaluations of teachers by students, reporting only to the Dean, who discusses them only with the individual instructor, and only after the instructor has completed his marking of his exams. The evaluation sheet asks for impressions on individual characteristics (such as "organization of lectures") as well as an overall rating of the lecturer. The Faculty agreed (with one exception) to this evaluation, but also agreed that care would have to be taken in "evaluating the evaluations." My personal feeling is that they are most useful, but I do not consider them as conclusive about the staff member, even in regard to the single factor of teaching.

We have discussed the possibility of "visits" to teachers' classes by fellow-teachers and will attempt to add this approach next year.

In the related area of "academic standards" we have had guided discussions. Professor Ronald Maudsley of London University was, in particular, a stimulating group leader, because very strong differences of opinion resulted and we continued to talk about "standards" long after his visit had ended! As the basis for the discussion, he had read many of the examination papers already marked by staff. We discussed and did not agree upon the "external examiner" concept which includes a "second reader" for examination scripts.

The Faculty did introduce a mild form of the "second reader" idea by having all drafts of the final examination read with great care by at least one person other than the teacher who wrote it as a part of the Academic Commission's more general supervision of the exams.

The Jessup International Moot Court Competition

Annemarie Jacomy-Millette directed the competition, with assistance from Ron Sklar, who directed the competition last year. That our student team who won the Faculty's competitions went on to win the International Competition is now well known. The Faculty and team received considerable publicity and His Imperial Majesty honored the team by receiving them at the Palace.

The Ethiopian team was composed of *Captain Goshu Woldie*, *Ato Abdul Wassie Yusuf*, with *Ato Assefa Chabo* - they went undefeated against Argentina, Liberia, the United Kingdom, and Zambia. In the final competition against the winner of the American graduate law school teams, our team came within two points of winning. Our team was awarded the trophies for best oralist and best memorial in the international Competition, and Captain Goshu won the award for the best oralist of the final competition. *Ato Haile Fisseha* who was narrowly eliminated in the final selection process in the Faculty deserves credit as well for the final team results. Credit for our success must go to the members of staff who worked on the Moot Court Committee, and to all members of staff and a number of distinguished persons from outside the Faculty who helped in judging the competitions.

For those who think of a moot court competition as being mainly a test of oral persuasion, I want to emphasize how important the written "memorials" were, for they counted more heavily in the point grading scale than did the element of oral legal argumentation. I vividly recall meeting our team on their return from Washington D.C.; one of our team had hardly stepped of the steps from the airplane when he said, "When we read the British brief, we knew we beat them!"

The Diploma Extension Program

Dr. Berhane Ghebray directed this program, which presently has two classes - one to graduate in the summer of 1973, and the other one in the following year. During the year we again had outstanding part-time teachers: *Major Abebe Guangoul*, Deputy Commissioner of the Pensions Commission; *Ato Abebe Worke*, Judge of the High Court; *Dr. Assefa Habte Mariam*, Legal Advisor, Ministry of Commerce, Industry, and Tourism; *Ato Eden Fassil*, Deputy Registrar, Supreme Imperial Court; *Colonel Legesse Woldemariam*, Abba Dina Police College; *Major Shimelis Metaferia*, Legal Advisor, Armed Forces; *Ato Shiberu Seifu*, Attorney; and *Dr. Worku Ferede*, Attorney. There are now teaching materials in Amharic for the following courses: Penal Law; Criminal Procedure; Property; Commercial Law; Constitutional Law and Extra-Contractual Liability.

The most important administrative development was that Dr. Berhane was able to lower the salaries for our part-time teachers to the level received by part-time teachers in the rest of the University, without losing our qualified teachers. In the past the differential in favour of our teachers was based partly on the assumption that they would produce Amharic teaching materials, but the results were disappointing. Dr. Berhane introduced an inducement scheme which provides extra compensation for teachers who produce Amharic teaching materials. This has succeeded so well that it might well be a model for other sub-degree courses.

The basic questions that the Faculty raised about the sub-degree programs two years ago have not, however, been answered although discussion continues. Presently

the Faculty is leaning toward "specialist" courses rather than generalized low-level courses. Thus, judges, for example, might be taken as a special group. But this leaves unsettled the increasing demand from the provincial towns for *generalized* courses.

Until there are a sufficient number of Ethiopian members of the full-time teaching staff to take an interest in the Amharic-language programs in Extension, it is unlikely that any significant change can take place. Since we should have the essential ingredient of a majority of Ethiopians on the Faculty next year, it is hoped that real progress can then begin to take place.

One possibility for a specialist course would be a Parliamentarians program. Dr. Berhane assisted me in arranging for a *Parliamentary Project* with the State University of New York, which provided us at no cost a legislative expert, Dr. Richard Nunez. During the summer of 1972 he began working with Ato Selamu Bekele of our Faculty to produce teaching materials for such a course.

Research and Publications

Jeremy Harrison became Chairman of the Research and Publications Committee at the beginning of the year, and quickly began an intensive investigation of our business operations. He did a superlative job in discovering and clearing up problems which few academics would venture to undertake. One early result was that the employee who was supposed to be doing the job was forced to leave the University. The business problems created by the sales of our publications are vast in number and complex in nature. There will be no easy solution, as some have wishfully desired. Professor Harrison began negotiations with Sweet and Maxwell Ltd. as a possible distributor abroad, and established a successful relationship with the City Book Shop in Asmara. He also employed a new Publications Assistant, Woz. Elleni Assaye who learned quickly and helped overcome the confusion which has characterized the sale of our books in the past. Nevertheless, it will be matter of months rather than weeks before the Faculty has an effective business system fully coordinated with the central business offices.

The research and publications are themselves impressive. The efforts of individual staff members may be seen best in the individual reports, above. Other important developments during the year were the following.

Three books went out of print and were reprinted by off-set: *Consolidated Laws of Addis Ababa* (Ewing, Ed.); *Conflicts of Law in Ethiopia* (Sedler); and *Volume I of Ethiopian Constitutional Development* (Paul & Clapham).

In November of 1971 the Faculty began distribution of *Volume II of Ethiopian Constitutional Development* (Paul & Clapham), which had been eagerly awaited.

Professor Kindred's translation of Professor *David's Commentary on the Civil Code of Ethiopia* was sent to the printers, as was the voluminous *Consolidated Legislation of Ethiopia*. Peter Winship's book, *Background Documents of the Ethiopian Commercial Code*, was approved by the Committee, and by external evaluators, and was to be published in 1965 E.C. (71/72).

The Journal of Ethiopian Law

The final report by the Editor-in-Chief, Peter Winship, dated June 12, 1972 should be referred to by editors for many years to come, because it covers many of the alternatives open to the Journal in its publication policy.

NINTH ANNUAL REPORT FROM THE DEAN

The one point I would like to emphasize is that the editors did what I feel is necessary - to engage the full-faculty in the process of thinking about and producing the Journal, as the Editor-in-Chief states in his conclusion:

"This year's editorial staff inherited an imposing reputation and an administrative mess. Starting afresh had the advantage of allowing the Faculty to review existing policies and procedures but had the disadvantage of slowing up publication while the editorial staff gained experience. Next year's staff will include at least two of the present editors and by then a publications assistant should have been hired. Continuity is essential if the Journal is to avoid administrative chaos but continuity should not be an excuse for not continuing to re-examine Journal policies and practices."

This year's editorial staff distributed Volume 7, Number 2 in October, 1971, which was prepared in the preceding year, and published Volume 8, Number 1, and sent Volume 8, Number 2 to the printers.

In addition, the Journal inaugurated its "Occasional Papers" series, which consist of mimeographed pages bound in a printed cover. These papers are not published unless they are of a scholarly standard equivalent to Journal articles. Their difference is found in factors such as an emphasis on empirical research not wholly related to law or a particularly long length.

The Center for African Legal Development

The major development of the year was the publication of *Legal Process and the individual-African Source Materials* (Verhelst, Ed.) in French and English editions. Co-Director Thierry Verhelst also served as advisor for legislative and training developments in Rwanda.

During his absence for this work, I became engaged in the possibility of the transfer of the *African Law Digest* from Columbia University in New York to our control and direction. This required many preliminary meetings, particularly with the central administration. Connected with these efforts, but potentially separate, was the possibility energetically pursued by Professor Vanderlinden that the Faculty might receive another substantial grant from the Belgian government.

The Law Library

Between the first and second semester we had the professional services of Professor Blaustein, of Rutgers University, under the auspices of a regional USIS grant. He went through the library with great energy and regard for practical detail, and compiled for us a formidable list of tasks. Fortunately, at the beginning of the second semester our new Law Librarian, Mr. Akhigbe, arrived, and he quickly took charge. He is the first librarian we have had in years who also has legal training, so we have high expectations for his work.

Looking Ahead

Two of the most important tasks for next year are: 1) preparation for the visit of the Ford Foundation Evaluation Team; 2) the planning for the next five-year plan, including the question of my successor. The remainder of our major activities are probably already determined by the directions we have taken this and last year. In particular, however, the efforts to create ties with our alumni could easily cease, and I am determined that they do not. One area where a new program might start is in the "Legal Aid" or "Law Clinic" area. Both Ato Worku Tafara and Ato Fasil Nahum have been visiting different kinds of clinics in the U.S. to see if they believe anything is adaptable to Ethiopia.