

## PROGRESS REPORT FROM THE DEAN

1971 - 72 E.C. (1978-80)

Fasil Nahum, Dean  
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### MAJOR DEVELOPMENTS 1971-72 E.C.

The significant task of making the Faculty of Law responsive to national needs at this crucial revolutionary period of intensive socialist change has never been felt more strongly. The challenge has been accepted with the clear conviction that the future holds greater achievements than the past. The establishment of the Faculty of Law in 1963 and subsequent first decade, which immediately followed the codification of Ethiopian Law, laid the foundation for relevant instruction and research in the legal field in Ethiopia. Though the intellectual atmosphere of the time was elitist and apolitical, intended to copy, reflect and not rise beyond the classical academic tradition, the establishment of the Faculty of Law on Ethiopian soil, and the examination of Ethiopian problems, was necessarily a major development. The social upheaval from 1974 onwards saw the temporary disintegration of the Faculty of Law, through dispersion of its academic staff; the majority of its large expatriate staff left Ethiopia, and its small and young Ethiopian staff were involved either in further studies abroad or in helping to fill up vacuums in important government offices.

As a matter of fact, the Faculty of Law has yet to recover from its acute staff shortage. The academic year 1978-79 saw us start with only six full-time instructors and one half-time instructor comprising the whole academic staff of the Faculty of Law. On the other hand, the Faculty has never in its history had more students. Coupled with this, the purposeful curricular experimentations geared towards providing the students with the best possible legal education, has made

these years a hectic and difficult period. Yet it is through struggle that one moves forward and the faculty is amply compensated for its struggles in terms of the results it has achieved. Some of the highlights of its achievements are the following:

#### I. Curricular Development

A. *Curriculum Workshop*: After several years of experimenting with the curriculum of the Faculty in order to produce technically competent and politically attuned graduates to serve as a policy-maker component of government administration, we arranged for a curriculum workshop. The workshop was an intensive 3-day meeting that took place from July 13 to 15, 1979, in which academic staff, graduates and government officials participated. The Ministry of Law and Justice as our primary employer and the institution most concerned was represented by a strong four-man delegation headed by the Permanent Secretary. Chief legal advisers from most government institutions and High Court and mass organization tribunal judges also participated. In addition, a Higher Education Commission representative and the Academic Vice-President of the University participated both as lawyers and in their official capacity. The workshop was a complete success in terms of the far-reaching policy decisions it recommended. The implications of these recommendations and their implementation is of course a longterm project to be carefully worked out by the Faculty.

Further details can be gathered from the minutes of the workshop, which are attached as Appendix I, and its 21-point resolution attached as Appendix II.

- B. *Curriculum* Based on the suggestions of the Curriculum Workshop as well as on further Faculty discussions, the new curriculum has already been prepared for implementation from academic year 1979-80 onwards. Curricular experimentation is, of course, an on-going process, and the curriculum will have to be reviewed at yearly intervals.

## II. Research and Publication

The Faculty has long been aware of the fact that research and publication are vital components of teaching in the University. In a professional school such as the Faculty of Law, research and publication assume even greater importance. Thus, although the acute staff shortage made research and publication nearly impossible in the past several years, the Faculty decided that a courageous new start has to be made in these areas.

- A. *Journal of Ethiopian Law.* With this in mind, the Faculty has revived the *Journal of Ethiopian Law*. A staff of editors has been named; articles, cases and comments have been solicited; and an editorial board has been established. The Journal is a very delicate institution, as it is not only a forum for relevant research but provides an organic communication medium for the legal profession both within the country and internationally. Moreover, this publication has to portray Ethiopia's revolutionary socialist strides in basic law as well as to give an accurate picture of technical legal issues. Thus the editorial board of the Journal has been selected with care to include high government officials, senior judges and senior faculty members. The composition of this all-lawyer group is intended to gather top-notch legal experts and politically competent individuals to assure the quality of our publication. At the time of writing this report, the first issue of the Journal is being sent to the printer. I should express the Faculty's

gratitude for the active encouragement the University administration has shown in the revival of the Journal.

- B. *Consolidated Laws of Ethiopia.* Another publication which the Faculty has decided should be revived is the *Consolidated Laws of Ethiopia*. The new laws that the Provisional Military Government of Socialist Ethiopia has promulgated have yet to be consolidated. The work, however, is vital for many governmental and popular institutions. Editors have been appointed and the work is under way.
- C. *Faculty and Individual Research.* In addition to their teaching, faculty-wide and university-wide administrative duties Faculty members have also been involved in faculty and individual research projects, of which the *Journal of Ethiopian Law* articles and comments are the first fruits.

## III. External Relations

No Faculty can stand alone, and, in a professional school particularly, the need to be in constant touch with realities outside the Faculty is an absolute necessity. The Faculty of Law has these years tried various strategies to be in touch with other institutions.

- A. *Inter-University Cooperation.* At the academic level we have made a good start in mutual cooperation with two socialist universities, namely Warsaw University in Poland and Leipzig Karl Marx University in the German Democratic Republic. We have acquired two assistant professors from Warsaw School of Law and Administration on two-year contracts. We also had a visiting professor from Leipzig, for five weeks in 1979. In addition to lectures in the Faculty, the visiting professor gave a successful public lecture on socialist constitutions to a packed body of over 1500 university students. These are initial efforts which should continue by way of exchange of teachers, students and publications to make the cooperation fruitful.
- B. *Cooperation with Governmental Institutions.* As to our relationship with our alumni and government officers, the

Curriculum Workshop earlier mentioned and the *Journal* have been two very good vehicles for vital and relevant communication. The High Court and Supreme Court Presidents have already promised us their full cooperation in acquiring copies of court decisions both for instructional and research purposes. Moreover, lawyers in government offices have shown interest in our Faculty and have promised to supply us with current legal material which should greatly enhance the instruction and research quality of the Faculty.

#### IV. Staff Recruitment

As pointed out earlier, staff shortage has been our number-one problem. We have taken several steps to alleviate the problem: (i) On a temporary basis one immediate solution to the problem has been that of hiring part-time instructors from among qualified and highly competent government officials. But this clearly has its disadvantages, as these officials are busy individuals whose primary commitment is elsewhere. We will continue to use part-time instructors where absolutely necessary, but on a much diminished scale. Particularly where we lack competent staff members qualified in highly technical areas, the use of part-time instructors is one way out of the problem. (ii) The employment of expatriate staff is also another way of alleviating the problem. Expatriate staff are particularly welcome because of the experience they have from other developed socialist legal systems as well as their experience from other academic institutions. (iii) The major method of solving staff shortage, however, remains the recruitment of qualified and highly competent Ethiopian lawyers. Academic pursuits form a life-long career, and law is necessarily intertwined with social realities. These two factors combined force us to concentrate on the last-mentioned approach to solving the staff shortage of the Faculty. Here some headway is being made. Three new staff members have been recruited and two others have returned from further studies abroad. Thus, it is with a sense of accomplishment

and relief that I report the Faculty's movement in the right direction as far as staff recruitment is concerned. Obviously what we have is a young and relatively inexperienced staff. Its professionalization is a long-term process for which research and further training opportunities have to be made available. Short-term summer sessions such as have been made available the last two summers and this summer, in which several faculty members visited the USSR and GDR, are welcome. But more substantial longer-term exposure to research and training in appropriate institutions will have to be planned so as to achieve the maximum. Finally, let me point out that we have several staff members undertaking further studies, whose return is eagerly awaited.

#### V. Degree Students Statistics

The academic years 1978-80 saw the Faculty enroll a larger student population than ever before. A healthy trend has also been started of accepting a relatively large group of female students, thus opening the legal profession to women. As a matter of fact, more female students have been accepted these years than in all previous years put together. Still, the female student population is not more than 10 per cent of the total. The breakdown of the students enrolled in the Faculty these years is as follows:

Class	1978-79	1979-80
Entering Law Class	100 students	85 students
Law I	67	87
" II	37	60
" III	26	43
" IV	23	14
Evening LL.B	20	22

Of these, 40 students have graduated in 1978-79 from the Law IV and Advanced Law III classes and 75 students are graduating in 1979-80 from Law IV, Law III and Evening LL.B class.

#### VI. Law Programmes

In the past the Faculty experimented with

various levels of law programmes including those leading to the LL.B Degree, the Diploma and the Certificate in Law.

- A. *Diploma in Law Programme.* After consultation with many government organizations, a 2-year Diploma in Law programme has been started in the academic year 1979-80 and 100 students have enrolled. This programme, whose language of instruction is Amharic, is geared towards enhancing the quality of middle-level legal workers in government. To begin with, the programme is being offered only in Addis Ababa, but if circumstances are favourable, there is no reason why it cannot later be made available in other regional centres.
- B. *Other Programmes.* Once fully staffed the Faculty should probably think of continuing to offer evening LL.B. programmes. It is also timely to start thinking of an LL.M. programme as well as various short term programmes *tailored*

to meet specific needs such as mass organizations' tribunals etc. These are matters for consideration in the future.

## VII. Looking Ahead

The Faculty is fully aware of its great responsibility to provide the trained legal man-power needs of today's and tomorrow's Ethiopia. Education, moreover, is neither limited to one type of programme, nor to class instruction. To furnish a better focus on justice and law in a fast evolving society is a difficult if challenging and exciting task. The Ethiopian Revolution, which in the final analysis is a quest for justice social justice - is the lodestar directing the efforts of the Faculty. And the Faculty confidently looks forward with the hope that it will overcome whatever difficulties arise and continue to become the source from which lawyers emanate to serve Socialist Ethiopia in its quest for justice.

## Appendix I

### ADDIS ABABA UNIVERSITY

#### FACULTY OF LAW

#### MINUTES OF THE CURRICULUM WORKSHOP HELD AT AMBO JULY 13—15, 1979

##### Participants:-

Dr. Fasil Nahum	Dean Faculty of Law, Chairman
Ato Kebede Gebre Mariam	Permanent Secretary, Ministry of Law and Justice
Ato Bilillegn Mandefro	Academic Vice President of Addis Ababa University
Maj. Abebe Guangul	Commissioner for Pensions
Ato Abebe Workie	Judicial Administration Department Head, Ministry of Law & Justice
Ato Abraham Tesfaye	Legal Adviser, National Bank
Ato Alemu Denekew	Legal Adviser, Ministry of Transport & Communication
Ato Assefa Birru	President of the Labour Division, High Court
Ato Assefa Liben	President of the High Court
Ato Fisseha Bayih	Vice President of Ethiopian Bar Association
Dr. Z. Galicki	Assistant Professor, Faculty of Law
Prof. G. Krzeczunowicz	Professor, Faculty of Law
Dr. H. Leszczyna	Assistant Professor, Faculty of Law
Ato Shimeles Hussien	Legal Adviser, Ethiopian Insurance Corporation
Ato Solomon Jiru	Labour Relations Head, Ministry of Industry
Ato Tamiru W. Agegnehu	High Court Vice President
Ato Tekeba Ayalew	Addis Ababa Overall Urban Dwellers Association Tribunal Chairman
Dr. Worku Ferede	Research Head, Higher Education Commission
Ato Worku Tefara	Assistant Professor, Faculty of Law
Ato Yittayih Zelalem	Assistant Lecturer, Faculty of Law
Ato Yoseph G. Egziabher	Lecturer, Faculty of Law
Ato Belaynehe Seyoum	Lecturer, Faculty of Law, Secretary

The workshop came to order at 3:00 p.m. on July 13, 1979. The Dean invited the Academic Vice President to open the workshop. The Academic Vice President in his opening speech said that as law is a reflection of the economic base a number of changes have been taking place in the law as the political economy of Ethiopia has been drastically changing in view of its effort to build a new social and economic system based on justice. He noted that Higher Education in Ethiopia is aimed at accommodating the gains of the Ethiopian Revolution and enhancing the contribution of education to the development of science, technology, literature and other areas which directly or indirectly affect the broad masses of Ethiopia. He noted the objectives of Higher Education as follows:-

- a) to spread the understanding of scientific socialism and make every effort where by the theory could be successfully implemented in practice;
- b) to educate the young generation so that the country can have trained manpower which can intelligently dissect the problems of the broad masses and find the best way of tackling them;
- c) to contribute to the development of the productive forces and engage in research which will help enhance such contribution;
- d) to produce a person who is "Red and Expert"; a person who does not look at the problems of society from only a technical point of view but also from the socio-economic and political conditions of the country at large;
- e) to provide on-the-job training to Ethiopians so as to enhance their contribution to the development of the country; and
- f) to do research in various fields and make the results known to governmental and mass organisations and find means and ways whereby the results could be implemented.

He briefly mentioned the achievements of the Addis Ababa University within the last two years and noted:-

1. the change of curriculum in the different faculties to accommodate subjects of immediate and practical importance to the nation;
  2. the establishment of a second medical faculty with close cooperation of the German Democratic Republic and particularly having close working relationships with Leipzig Karl Marx University;
  3. the establishment of postgraduate studies so as to ameliorate the acute shortage of skilled manpower in the country and particularly the shortage of teachers in the University;
  4. the merger of a number of departments under the umbrella of the Faculty of Social Sciences so as to avoid the unnecessary duplicity of functions and enhance their efficiency.
  5. the maintenance of a close working relationship with the Leipzig Karl Marx University in GDR, with Belgrade University Yugoslavia and with the University of Vilnius in the Soviet Union.
- Thereafter, the Chairman of the workshop, Dr. Fasil Nahum made an introductory remark. He noted that the Ethiopian Revolution is a quest for social Justice and maintained the fact that this cannot easily be achieved without having a lawyer who is a policy making component of the overall administration. He also said that the workshop is aimed at revising the curriculum of the Faculty of Law in the light of the developments in the country. The Dean said that even though the faculty does not aim at producing politicians, its main objective should be at producing a technically competent and a politically attuned lawyer. He further noted the indispensable nature of the following important components:-
- a) quality of the staff,
  - b) size of the staff,
  - c) kind of students,
  - d) type of classes held,
  - e) Research work,
  - f) programmes offered,

- g) method of teaching, and
- h) type of teaching materials etc.

On the status of the faculty, he said that before the Revolution the faculty had over 20 staff members teaching over a hundred students, whereas currently the number of staff members has been reduced to 10 and the number of students has tremendously increased to about three hundred. The faculty is currently trying to ameliorate the situation by recruiting more staff so as to enable it undertake the difficult task lying ahead of reviving the faculty. He further noted that in spite of the small number of staff the faculty has revived its *Journal of Ethiopian Law* and the first issue is going to come out soon. The Chairman explained some courses that were introduced in the curriculum after the Revolution. He noted these as follows:-

1. Theory of state and Law,
2. Advanced Political Economy,
3. Sociology of Law, and
4. Law of Public Enterprises and Co-operatives

He also noted that students take the following subjects before coming to the faculty of law:-

1. English language
2. Quantitative Methods for Social Scientists
3. History of Ethiopia
4. Geography of Ethiopia, and
5. Marxist Thought

Finally, he concluded by saying that the curriculum of the faculty could well improve by the intelligent and mature contribution of these distinguished participants. This, he noted, will certainly have a cumulative effect on the administration of justice in Ethiopia.

Thereafter, there was a general discussion as a prelude to the curriculum of the Law Faculty. The following questions were posed by the participants and were answered by the Chairman of the workshop and the Academic Vice President.

**Q 1** It seems that the problem of recruitment of staff arises from the fact that the University offers lower pay than other

institutions. What measures have been taken to alleviate the situation?

**A.** The University worked out a salary scale which was more realistic and which could attract experienced people, but it has not yet been put into effect and it appears to have been considered premature under the present circumstances. Currently, the University is operating on the salary scale implemented 17 years ago. Despite these factors, the University has recruited 89 graduates of outstanding performance last academic year and it is hoped that about 80 more will be recruited at the end of this academic year.

**Q. 2** Taking into account the developments in the country, there is a dangerous trend of anti-law and anti-lawyer tendency and there does not seem to be much change in this position. What are the possible measures to curb this tendency before it goes to unprecedented dimensions?

**A.** Within this transitional period, there could be a misunderstanding of law and its role in Socialist Ethiopia. Some kind of education could be given through the mass media about the role of law and lawyer in Socialist Ethiopia by the Ministry of Law and Justice in co-operation with the Bar Association and the Faculty of Law.

**Q. 2** The duration of legal studies leading to a Bachelor of Laws has been reduced by one academic year. Does not this negatively affect the standard of the Law School?

**A.** Legal Education as any other education, should not necessarily be streamlined with that of certain countries abroad. Rather, it should be offered in light of the needs of the country. Hence, courses have been included in the curriculum after evidence of the fact that they will contribute to solve practical problems that may arise. We have obtained feed-back from outside experts and the shortage in the duration is being emined not to affect the standard.

Q. 4 As students after graduation eventually will have to serve the nation, it would be necessary to acquaint the students with the practical application of law in the courts and other institutions. Hence would it not be better to orient them with law in practice?

A. This is something that has to be discussed in this workshop. Certainly, it is very important to work in collaboration with the Ministry of Law and Justice so that students could be given practical training in the legal field.

Q. 5 To train a lawyer means to train an individual who is a policy making component and this entails the knowledge of Management, Economics, etc. Thus, would it not be necessary to increase the length of time for legal education?

A. The length of legal education can not be separately viewed from general policies on University education. The University wide decision has already been made, but there is no reason why the workshop can not discuss it.

The discussion of the curriculum of the Faculty of Law then followed. The Chairman explained that students attend two terms in the common programme before they come to the Law School. Therefore those entering law I students take, according to the draft curriculum, Logic, Sophomore English, Introduction to Civil Law, Introduction to Psychology and Introduction to Sociology if possible. The following views were expressed about the course offerings for entering Law I students:

i) Courses like Logic, Introduction to Psychology, Introduction to Sociology be scrapped out of the curriculum because they do not have direct relevance to legal studies. Besides, taking into account the length of time of legal studies that has been shortened, it would be quite pertinent to concentrate on strengthening the legal foundation of the students. More credit hours be allotted for English due to the fact that a student cannot proceed successfully in the law school without a good command of the English language.

ii) A lawyer in Ethiopia is supposed to be not only a technician of the law but also a policy maker. The country at present requires lawyers who bear in mind the important Marxist principle which says that law can not be isolated from the politico-economic conditions prevailing at a certain time. This requires a good background of Political Economy, Economics and other related subjects.

After a long discussion the workshop agreed on strengthening the legal foundation of the students by providing introductory law courses at this juncture and on providing more credit hours for English in view of the fact that the students' understanding of law is subject to their good command of the English language.

The following views were expressed on the subjects offered:

#### LAW I

##### i) Theory of State and Law

a) The course as it presently stands does not cover Ethiopian constitutional developments, constitutional history and future trends in constitutional law in the Ethiopian context.

b) The course does not sufficiently cover dialectical and historical materialism and this should either be treated adequately under the above course or be a separate course by itself.

c) The course being very relevant to present day Ethiopia and of wider scope, it is quite necessary that the subject be dealt within three semesters.

After having scrutinised the various arguments, the workshop recommended that the course cover comparative constitutional developments, constitutional history and future trends in the Ethiopian context and taking into account the fact that the subject should cover a wider scope than what it currently encompasses, the course be given more credit hours.



## Legal Writing

- a) A good lawyer is a specialist in thinking and expressing himself. His thought is analytic and precise, his expression clear and forceful. Legal problems come in a jumble. Both facts and law are at best only partially organised when you begin a problem. The facts often come from laymen who usually are unable to separate relevant from irrelevant facts. The law, of course, is found in a mass of code articles, proclamations, decrees, judicial opinions, articles in periodicals and treaties. The lawyer must sort out which facts and which laws are important and useful. Therefore to do justice to the subject more credit hours must be given to legal writing and also legal method be given as a separate course during the first semester,
- b) Legal writing also means separating of a problem into its component parts in such a way that the overall problem can be solved by the resolution of the subordinate problems. Good legal writing involves more than clarity: It also must be persuasive and cogent. The writing must not be monotonous and uninspiring. All this cannot easily be communicated to the student within one semester. To convey a sufficient dosage of legal writing to the student and to obtain a satisfactory feed back from the student, it is much better to divide the subject into legal method and legal writing and offer these courses consecutively.

The workshop later recommended that the course entitled 'Legal Method' be given during the first semester and 'Legal writing' during the second semester of Law I.

## Administrative Law

- a) In view of the growing role of the state in planning the activities of different state organs and in regulating and organising social and economic life, the role of administrative law becomes crucial and a good background of this subject helps in dissecting the various problems of state organs and their dif-

ferent roles in the overall objective of state activities and hence it would be necessary to maintain the number of credit hours allotted in the draft curriculum.

- b) As the course entails the knowledge of different aspects of law it may be appropriate to offer this course towards the end of the programme of legal studies. The workshop agreed that for the moment the course be given in two semesters in law I.

## Law II

### Property and Land Law

- a) This course as it currently stands in the draft curriculum is offered simultaneously with the law of contracts. In principle, students should be given the notion of property in advance before they enter into studying what a person can do to property. Therefore, it would certainly be appropriate to offer property and land law before offering the law of contracts.
- b) There are a number of notions in contracts which will help in making the student fully understand property and land law. Taking into account the fact that they are interdisciplinary courses, it would not do any harm if students are offered the courses simultaneously. The workshop later recommended that Property and Land Law be offered before contracts but as to when to offer the courses, the faculty should work out the details.

### Law of Public Enterprises and Co-operatives

The course outline does not cover the status of unincorporated associations and that of partially nationalised companies. As these areas have great practical significance, the subject should accommodate these areas.

The instructor later accepted to accommodate this recommendation.

### Labour Law

- a) The course outline seems to concentrate

on the Labour Proclamations and it does not properly cover historical and comparative materials. The subject should be supplemented with practical labour problems in Ethiopia.

- b) As labour and management in all places and at all times have close working relationships, a good treatment of Labour Law should accommodate some aspects of management. This may be done by introducing management law which is of immediate relevance to the subject.
- c) The course should go to the extent of analysing the legal status of certain kinds of workers which are not governed by the Labour Proclamation such as dock-workers and pilots. A study of the ILO conventions which have been ratified by Ethiopia and their practical significance is also important.

The workshop recommended that the course be widened to cover historical and comparative materials as well as the study of some aspects of management which is of immediate relevance to the subject. The ILO conventions ratified by Ethiopia as well as the legal status of certain types of workers i.e. pilots, dock-workers etc be well accommodated within the course outline.

#### **Tax Law**

- a) As this subject covers principles of taxation as they relate to economic development with special emphasis on income and land tax and as this other aspects of tax law are covered under administrative law, it does not warrant the provision of one semester.
- b) The course could be made broader than it is so as to cover the budget system, finance system, tax system of public corporation, fiscal policy of banking etc. and it could be given a broader name 'Public Finance Law.'

The workshop recommended that 'Public Finance Law' be given as a subject replacing tax law and cover the contents mentioned in (b) and that careful scrutiny of the contents of administrative and Public Finance Law be made to avoid unnecessary duplication.

#### **Civil and Criminal Procedure**

The workshop recommended that both courses not be given simultaneously so as to avoid confusion. The details as to when to offer Civil or Criminal Procedure is left to the faculty to decide.

#### **Law III**

##### **Public International Law**

- a) The instructor mentioned that general topics such as historical development of International Law, sources and subjects of International Law, territory, International Law of the sea, air and space law etc. is covered under the course outline. Greater emphasis was not put on air and space law due to the shortage of time in the term system and that when we go back to the semester system, it would be possible to cover Public International Law sufficiently.
- b) Owing to the growing involvement of Ethiopia in shipping and air transport, it is better to give due emphasis to International air and space law as well as the law of the sea.

The workshop recommended that due emphasis be put on the above two topics within the ambit of Public International Law.

##### **Commercial Law**

- a) The subject being of a wider scope, it is difficult to adequately treat all the relevant components of the subject in 2 semesters. It may be quite necessary that the subject be given in three semesters.
- b) The course should cover contract of carriage and the law of bankruptcy since these topics are relevant.  
The workshop agreed that the contract of carriage and the Law of bankruptcy be covered within the course outline.

##### **International Trade Law**

- a) As the subject is of a wider scope, it could not be adequately treated in one semester.

The workshop agreed that more credit hours be allotted for the course.

#### **Private International Law**

- a) The basic objective of this subject boils down to the determination of jurisdiction. The subject does not have great practical relevance and that it would be appropriate to replace it by Maritime Law due to the growing involvement of Ethiopia in maritime transport.
- b) Private International Law is quite important taking into account the fact that the country is having contacts with different parts of the globe. To be an all round lawyer, a student should take private international law. The workshop recommended that Private International Law be an elective course and be replaced by Maritime Law. But as regards the lack of competent staff to teach the subject, some participants suggested that it is possible to obtain experts in this field on a part-time basis.

#### **Natural Resources**

- a) The subject is normally treated under Administrative Law and taking into account the course outline, it may create some duplication if treated under administrative law.
- b) The subject involves the analysis of important policy considerations like the granting of rights, etc. and that justice could be done to the subject only if separately treated.

The workshop agreed that the instructor update the course outline in the light of new developments.

#### **Senior Research**

- a) The quality of Research has been progressively going down and that it would be appropriate to replace it with a term paper.
- b) Senior Research is extremely important and as we do not have a research tradition, it would be appropriate to acquaint the student with research before he graduates. This will also enrich the library with Research materials.
- c) It would be appropriate to focus Research on subjects which have immediate relevance to the country's needs as well as on areas which will have a positive cumulative effect on the increase and distribution of production. But students should not be overburdened hence it would be appropriate to move legal drafting to Law II and to provide one semester for Senior Research.

It was agreed that Legal Drafting be offered in Law II. Senior Seminar in the first semester be replaced by elective which may be given as a Seminar depending on the development of the course. Senior Seminar in the second semester to be replaced by Sociology of Law. And Senior Research be strengthened by requiring a much more programmed and coordinated relationship between the adviser and students.

The workshop came to a successful close at 2:00 p.m. on July 15, 1980 after a 21 point resolution was unanimously adopted.

## Appendix II

### RESOLUTIONS OF THE CURRICULUM WORKSHOP OF THE FACULTY OF LAW.

The workshop on the Law School Curriculum cognizant of the legal manpower needs of the country and having discussed the proposals submitted by the faculty, submits the following resolutions for the consideration of the Faculty in finalizing its curriculum.

The workshop resolves that:

1. Greater stress should be put on strengthening the legal background of the students during Third Term of the Preparatory Programme of the University. The students' understanding of law being subject to their good command of the English language, it was agreed to provide them with an intensive English course with more credit hours in the Third Term.
2. The subject "Theory of State and Law" should also cover comparative constitutional developments, constitutional history and future trends in constitutional law in the Ethiopian context. Taking into account the fact that the subject should cover a wider scope than what it currently encompasses, the workshop recommends that it be given more credit hours than proposed.
3. The course "legal method" be given in law I during the first semester and legal writing during the second semester. In view of the fact that the student should have a good understanding of legal method and legal writing and as this is extremely essential in the practical field, it was also resolved that in both semesters the courses should carry more credit hours but that the faculty be given the discretion to increase or decrease the credit hours.
4. "Administrative Law" be given its proper share in the curriculum. It was resolved that for the moment the course be given in two semesters in law I taking into account the growing role of different state organs in regulating and organising social life in general and the growing role of the state planning functions in particular.
5. The Law of Property and Land Law be offered before contracts because the student should first be well oriented in notions of property and land law before embarking on a study of contractual relations concerning property. It was agreed that the faculty should work out the details, when exactly the course should be given.
6. In the interest of the student, Civil Procedure and Criminal Procedure not be offered simultaneously to avoid confusion and that if possible, the courses be given in different semesters.
7. The status of unincorporated associations and partially nationalised companies be well accommodated within the ambit of the Law of Public Enterprises and Cooperatives.
8. Tax Law be replaced by Public Finance Law which should include among other areas, tax law, the budget system, the finance system and the public law aspects of Banking. Every effort should however be made to avoid overlapping and unnecessary duplication with other courses and particularly administrative law.
9. The course on labour law not be based solely on the labour proclamation but

- be widened to cover historical and comparative materials. If it is possible, students should also be given training on some aspects of management which is of immediate relevance to the subject. The legal status of dockworkers and pilots and other specialized labour within the Ethiopian labour legislation must be well treated and that the ILO conventions, which have been ratified by Ethiopia, and their practical implications must receive adequate treatment. The subject should be enriched by supplementing it with practical labour problems in Ethiopia and this should be done by maintaining close contacts between the Law Faculty and the Ministries of Law and Justice and Labour and Social Affairs.
10. Owing to the growing involvement of Ethiopia in shipping and air transport, the law of the sea and air and space law be given due emphasis in Public International Law.
  11. Taking into account the growing importance of international economic law and commercial interdependence of nations, international trade be given more credit hours, the number being left to the Faculty to decide.
  12. The Contract of Carriage and Law of Bankruptcy be covered under Commercial Law.
  13. Private International Law be an elective course, and be replaced by Maritime Law in view of the immediate and practical importance of the field.
  14. The instructor update the course on the Law of Natural Resources, in the light of new developments in the country. Whether it be a semester course was left to be decided by the faculty.
  15. In view of the rather tight programme of Law III, it was resolved to offer legal Drafting in Law II, to discard senior Seminar and replace it by electives and strengthen the proposal on Senior Research by requiring a much more programmed and coordinated relationship between the advisor and students. It was resolved that the advisor create a forum where each student would present and defend progress reports and that in the second semester programmes be worked for a weekly meeting.
  16. Students should have some knowledge about the practical application of the law and to this end close working relationship be maintained particularly between the ministry of Law and Justice and the Faculty of Law. It was also resolved that Moot Court be revived and accommodated within the programme of the Law School as an important component of their training.
  17. Legal drafting be given in Law II, electives be given to Law III students during semester I and that Sociology of Law be offered during semester II replacing senior seminar.
  18. Senior Research be a two semester course as indicated in Resolution No. 15
  19. That the following courses inter alia be offered as electives:-
    - a) Administrative Contracts,
    - b) Islamic Law
    - c) Law and Economic Planning, and
    - d) Mass Organizations,
  20. The curriculum has otherwise been adopted as proposed by the faculty.
  21. This kind of Workshop should be held at least once a year.

