Teaching of International Economic Law in Africa: Experience from the Faculty of Law, University of Lesotho

By:

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The Faculty of Law at the National University of Lesotho runs a five-year LL.B programme. There is an International Economic Law (IEL) course which is compulsory for students in the final year of this programme. The course is called “Legal Aspects of Economic Development (L583).” It covers Development Assistance, International Investment Law, and International Trade Law (multilateral and regional- in particular, SACU, SADC and the AU). Regional agreements and caselaw are studied, and books by African scholars are on the recommended reading list. Approximately seventy students are registered for L583 in any given year. It runs over two semesters (August - May). I did the course as an undergraduate student at the university. I then went on to specialise in IEL in my graduate studies. Doing further research on IEL, as well as attending conferences and trainings, assisted to continually update my

knowledge so that I could improve my teaching.

Main Challenges to Teaching

1. The lack of adequate resources (physical and online) to support teaching and learning. The law faculty does not have its own library. It has a small collection in the main university library, with a few books on IEL. There are not many computer labs where students can access resources online, and there is virtually no Wi-Fi on campus for connecting on personal devices to search for material.

2. Teaching venues do not support the use of multimedia. This limits the use of audio-visual teaching aids to supplement the lecture format of teaching.

3. The LL.B programme is geared towards capacitating students to practice local law in the local courts. Students, therefore, find it difficult to understand how IEL fits into their training and future careers. Further, the course involves concepts which they find quite technical. Therefore, because they already have a heavy load of courses and a dissertation, they can get frustrated with a course that seems to be difficult and demanding.

Addressing the Challenges

1. In order to supplement the meagre library resources, and to compensate for limited access to online resources:

- A Study Guide was compiled for students. It contains lecture notes, case summaries, questions for class discussions, and assignment questions. It is updated annually.

- The university acquired the United Nations Audio-Visual Library under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Although the material covers diverse areas of international law, it also has some useful content on IEL.

- The university has benefitted from technical assistance in the form of the WTO Academic Support Programme where an expert was sent to conduct a workshop on WTO law in support of both teaching and learning.

2. Because of the limitations of classroom infrastructure, lectures are used to impart knowledge of basic concepts. However, other teaching techniques are adopted to add interest, and to promote active learning and student participation. For example:

- Individual students are assigned short topics to research on and to present in class. Thereafter there is a class discussion on the presentation.

- Groups of students (three or four) are assigned a bigger topic to research on. They prepare a paper to present in a workshop in front of their peers and invited staff 'from the field.' Students not only learn deeply about the allocated topics, but also acquire critical skills of research, writing, and presentation. They also benefit from hearing inputs and having debates with external experts.

- Guest lecturers are invited to speak to students on various topics related to what they are learning. This could be, for instance, consultants, trade negotiators, investment promotion officers, representatives of government ministries or of international organisations etc. Students benefit from engaging with people who apply course content on a daily basis in their work. They get knowledge and inspiration.

- Field trips can also shed practical insight on course content. For instance, Lesotho's primary export is clothing to the US market under AGOA. Most of the manufacturers/exporters are foreign firms. Our students were taken on a trip to firms to learn about the investment and trade-related aspects of their operations. Through this they learned more about the logistics of trade, trade facilitation, rules of origin, global value chains, backwards and forward linkages in investment etc. After the trips, they write reports on the most meaningful thing that they learned.

3. Improving student perceptions of, and interest in the course, starts with pitching it at the appropriate level and showing examples of its relevance.

- We refrain from delving deep into more technical issues, and stick to basic concepts.
- Local newspapers help to show students the realities of IEL because there are always stories about an investment issue, or a trade issue etc. In discussing these stories, students see that IEL is not something that is far removed from their daily realities. Global news items are also discussed in class in terms of what they mean for Lesotho. From the discussions, students see the interrelatedness of economies, and how IEL affects their lives.
- Lastly, participation in moot court competitions (such as the John H. Jackson Moot Court Competition and the Foreign Direct Investment International Arbitration Moot) are also effective in encouraging interest in IEL. Such competitions encourage students to grapple with challenging scenarios based on IEL, and to also compete on their application of such law against the best students in the region, and in the world. Although only few students ultimately make up a team, many students will have tried out for the team. This means that all of them would have done the research and writing in preparation, and their knowledge would have benefited therefrom. Almost all team members of such competitions have gone on to pursue postgraduate qualifications in IEL as a result of the exposure.

Finally, evaluation forms administered to students help to unearth what strategies worked best to reach students, and which did not. In this way, teaching can always be improved year by year.

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