Rethinking International Economic Law Curriculum in African Law Schools

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The subject of my essay is to reflect on how international economic law is taught in African Universities. In my experience as a student at the University of Asmara - Law School, International economic law is taught in a neoliberal and Eurocentric way. Some of the international economic law courses I took, for instance, International Business Transaction was theoretical due to the socio-economic and political structures of markets in Eritrea and also because the syllabus centered Europe. It seems to me that the Eurocentric approach of teaching international economic law is a result of multiple factors. Some of those factors are logistical, for instance, lack of capacity, resources, teaching materials, governance, opportunities, exposure and funding for African law schools. In Africa, Eurocentric approach to international economic law is also the result of a misguided conception of the neutrality of the market.

The 2008 financial crisis and other shifts in the global economic order have

failed to impact the substantive teaching methodologies of international economic law in Africa. Legal scholars have largely ignored a potentially significant shift in the global economic order. This act on the part of most legal scholars is a result of the deeply rooted consensus of the neutrality of the market. This is not to say that legal scholars both from the left and the right of the political spectrum don't infuse their politics and ideologies in the way they teach law. In fact, this is a common sight at American universities. However, African legal education is still deeply rooted in a positivist approach to legal education. This positivist approach masks the biases of international economic law and portrays it as neutral. The impact of this positivist approach is not that it fails to bestow knowledge to its followers but rather that it solidifies the unequal impact of its core position and magnifies the idea of neutrality of the market.

I want to put a disclaimer and note that there are African legal scholars who teach international economic law from an Africanist perspective. The purpose of this essay is not to devalue the knowledge production of the contemporary and historical curriculum of international economic law in Africa. Rather emphasize the need for recognition and representation of the needs and wants of African states. One way this can be addressed is by revising the curriculum used in African law schools to include Africanist knowledge of international economic law.

Back in Fall 2016, I had an opportunity to teach at Saint Augustine University in Tanzania (SAUT). I was thrilled for varied reasons that included an opportunity to avoid the cold winters of Cambridge, and of course to able to design Africa centered curriculum. I hoped to enable my students to explore learning about Africa's engagement with international economic law. At SAUT I taught LL.M. students taking seminar courses in Advanced Legal Research and Regional Integration Law. For both classes, I used the Socratic method of teaching. I assigned reading materials that engaged with the concept and practice of regional integration written by lawyers, political scientists, and economists. Further down the line I also assigned readings on non-African integration initiatives.

My grading policy was limited partly because SAUT required an in-class exam

(80%) for the regional integration law course. The other 20% was based on the student's engagement with the reading materials during the class. Throughout the term, the students adopted African sub-regional integration regions and were asked to represent the interest of Tanzania in relation to those regions. We followed the Institute for Global Law and Policy (IGLP) approach when reading the materials. I found the IGLP format of presentation and offering feedback to stir the conversation in a constructive and collegial manner.

One might argue that my teaching methodology at SAUT is advocating for indoctrination of law students in Africa. I disagree; teaching students' knowledge relevant to better their communities' economic wellbeing cannot amount to indoctrination. An alternative method of teaching international economic law that incorporates both critical analyses of the rules and the policy implications of those rules in the domestic spaces of African states. This is not to imply that those who are teaching international economic law in the African continent are devoid of policy analysis in their teaching methodologies, rather that the emphasis has been on black-letter law. By infusing international economic law curriculum both with doctrinal and policy-based critical analysis future African legal experts will not only understand what the rules of international economic law are but also be able to challenge the assumptions and biases of those rules that work to the determinate of their respective states. While encouraging black-letter law teaching it should also be a requirement for students to take non-doctrinal international economic law courses.

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