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Symposium—Experiential Education in China: Curricular Reform, The Role of the Lawyer and the Rule of Law

Introduction

*Brian K. Landsberg**

In January 2008 Pacific McGeorge hosted a remarkable conference on experiential education in China. Thanks to funding from the United States Agency for International Development [USAID], Pacific McGeorge had created a partnership with American University's Washington College of Law and three Chinese law schools designed to help our Chinese partners introduce or improve the teaching of real lawyering skills. Our commitment to USAID was that this partnership would not only help our partners develop experiential education but would also lay a broad foundation upon which other Chinese schools could build. By January of 2008 the two U.S. schools had conducted a three week summer workshop in the teaching of lawyering skills through simulation and clinical education and had enrolled eight students into LLM programs. We had also engaged in some faculty interchanges. Although we were thus at an early stage of our USAID program, we were able to gather together at our January 2008 conference an impressive group of Chinese and American legal scholars. Many of them not only spoke but also prepared papers. Hence, this symposium issue of the *Globe*.

The overall theme of the conference is well expressed by David Chavkin, who quotes from Confucius: "I hear and I forget, I see and I remember, I do and I understand." Professor Chavkin tells the story of the development of experiential education in the United States and argues that Chinese legal education reform can benefit from the proposals of the Carnegie Commission to develop lawyers committed to improving the profession and the rule of law. Julie Davies describes the experiences of other countries in adapting U.S. styles of experiential legal education to their own systems. She describes for us the importance of context and the issues of transferability and resources. Her article fits well with Dean Kong Qingjiang's article describing the U.S., German, and Japanese models of legal education and reflecting on Chinese legal education's adherence to the older lecture method of teaching. Dean Kong reveals some of the practical issues related to the adoption of experiential education techniques. My own article assumes the desirability of Chinese law schools adopting experiential education and suggests some strategies for achieving that end. Elliott Milstein provides insights into the future of clinical legal education in China, based on his experience as a pioneer of clinical education in the United States

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and his experience working with Chinese law professors. Li Shuzhong, Provost of China University of Political Science and Law, describes seven modes his school currently uses to teach lawyering skills and discusses the need for published materials and for including the teaching of lawyering skills as a component of evaluation of Chinese law faculty. Provost Li's observations are confirmed by Zhou Shiwen, who describes some of the steps Chinese law schools are taking to add experiential education. Finally, Dean Zhu Su Li employs cost-benefit analysis to raise important questions about the place of experiential education in the Chinese law curriculum. The question is not whether Chinese lawyers need training in practical legal skills, but where the training should take place. His article to some extent bookends Professor Chavkin's; taken together the two articles offer contrasting approaches to experiential education. Readers of this symposium issue will find much food for thought about the future of experiential legal education, both in China and elsewhere.