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INTRODUCTION

The role of educating students is central to the mission of law schools. Law schools provide the intellectual foundation and doctrinal knowledge for their students to gain eventual admission to the practicing profession. In most if not all jurisdictions, a law degree in itself will not entitle a graduate to be admitted to practice. However, many jurisdictions require individuals who wish to be lawyers to earn a recognized law degree before taking the requisite bar examination, or before spending a mandatory length of time in practical training under the guidance of a member of the legal profession.[1] While the educational mission of law schools

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1. For example, in Singapore a person becomes a "qualified person" under the Legal Profession Act if the person is a law graduate from certain recognized law schools in Singapore, Australia, England, New Zealand and the United States. *See* Legal Profession Act, Singapore Statutes ch. 161 (2008) (Sing.), *available at* http://statutes.agc.gov.sg/. "Qualified person" is defined in sections 2(1), 2(2) and 2(3) of

is their raison d'etre, law schools also discharge a number of other roles, and this paper will discuss three of them. Of these, research is widely regarded as the most important.[2] The roles of capacity building and community service will also be discussed.

RESEARCH

Universities are more than teaching institutions; they are institutions of learning that have as a core mission the advancement of human knowledge and understanding. In this regard, research is an important component of what universities do and by extension is an important aspect of the goals and objectives of law schools.

Within the common-law tradition there are different research approaches that can be broadly categorized into three groups. The first is doctrinal research where the objective is to facilitate a greater understanding of law from an internal perspective. Doctrinal research within the common law involves analysis of cases, how these cases relate to general principles, internal consistency within specific areas of law, the relationship between different areas of law, and so on. Academic lawyers attempt through doctrinal research to provide an ordering of the law, a basis for evaluating it, and recommendations for reforming it. Such research is useful but at the same time has its limits. Law is not an autonomous discipline the way some other fields of knowledge are. While all civilized countries subscribe to certain broad principles, there is no universality or inevitability about what Law is today because Law is a social construct that derives its particular character from the society from which it has evolved. A country's history, politics, culture and economic circumstances play a role in shaping the development of that country's laws and legal system. For example, Singapore has a common law legal system because it was colonized by the British and received the common law of England through the Second Charter of Justice in 1826, whereby English common law, equity and statues in force as of November 27, 1826, were received

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the Act. To be admitted for practice in Singapore, a qualified person must fulfill the requirements of section 12 of the Act. These requirements include passing the bar examination and satisfactorily serving the applicable practice training period.

2. While it is beyond the scope of this paper to discuss this in any depth, many educators consider the link between teaching and research to be important. Just as teaching can inform an academic's research, so too insights from research can enliven a class and provoke deeper thinking and reflection. This suggests that academics should strive to strike a balance between teaching and research. Anecdotal evidence suggests, however, that in many leading law schools the balance is tilted towards research, as the latter is a more measurable indicator of institutional excellence. For an overview of legal education in Asia, *see* Tan Cheng Han et al., *Legal Education in Asia*, 1 ASIAN J. COMP. L. 184 (2006).

into Singapore.[3] Had Singapore been colonized by a continental European power, it would likely be a civil-law country today, similar to many countries in South-East Asia.[4]

Accordingly, doctrinal research alone will not provide a fuller understanding of Law as it is too narrow. Doctrinal research does not place Law, except perhaps tangentially, within the broader historical, political or cultural contexts within which laws and legal systems have developed. Doctrinal research aims to understand legal developments from an internal perspective, i.e., from within the discipline of law itself. The extent to which cases and legal reasoning are considered authentic is by reference to existing norms, and the answer to a legal issue or question is not generally to be found by looking outside the Law. This does not mean that laws are to be treated as having become fossilized. But any creativity and further development must take place within the context and framework of existing norms. Attempting to understand the

3. *See Ong Cheng Neo v Yeap Cheah Neo* (1874-1875) L.R. 6 P.C. 381, where the Privy Council said at pages 392-93:

> In considering what is the law applicable to bequests of the above nature in the *Straits Settlements* [the Straits Settlements comprised the territories of Penang (once known as Prince of Wales Island), Malacca, and Singapore], it is necessary to refer shortly to their history. The first charter relating to *Penang* was granted by *George* III., in 1807, to the *East India Company.* It recited that the company had 'obtained by cession from a native prince,' *Prince of Wales' Island,* and a tract of country in the peninsula of *Malacca*, opposite to that island, that when such cession was made, the island was wholly uninhabited, but that the company had since built a fort and a town, and that 'many of our subjects and many Chinese, Malays, Indians, and other persons professing different religions, and using and having different manners, habits, customs, and persuasions, had settled there.' The charter made provision for the government of the island, and the administration of justice there. It established a Court of Judicature, which was to exercise all the jurisdiction of the English Courts of Law and Chancery, 'as far as circumstances will admit.' The Court was also to exercise jurisdiction as an Ecclesiastical Court, 'so far as the several religions, manners, and customs of the inhabitants will admit.' A new charter was granted by *George* IV. in 1826, when the island of *Singapore* and the town and fort of *Malacca* were annexed to *Prince of Wales' Island,* which conferred in substance the same jurisdiction on the Court of Judicature as the former charter had done.... With reference to this history, it is really immaterial to consider whether *Prince of Wales' Island,* or, as it is now called, *Penang,* should be regarded as ceded or newly-settled territory, for there is no trace of any laws having been established there before it was acquired by the *East India Company.* In either view the law of *England* must be taken to be the governing law, so far as it is applicable to the circumstances of the place, and modified in its application by these circumstances.

4. Indonesia, Thailand and Vietnam are examples of civil-law countries. Two other former British colonies, Brunei and Malaysia, are common-law countries.

law from an internal perspective is a useful reference point but in itself can encourage "intellectual tunnel vision."[5]

Many academic lawyers today understand the inherent limitations of doctrinal research, and it has been said that few would consider themselves "pure" doctrinal researchers.[6] The second research approach therefore broadly attempts to understand law better through the prism of "outside" or "external" perspectives. Law is not an autonomous discipline but is a reflection of a society's values and priorities. Accordingly, an "external" understanding of law provides a more holistic context within which the "internal" rules may be better understood. It provides a context that can facilitate greater understanding of how the law has developed and why it is what it is today. Such an understanding in turn facilitates greater awareness of why and when laws should change to reflect changes in society. Supporters of an interdisciplinary approach to legal research cite many advantages of such an approach,[7] such as broadening the nature of legal discourse, allowing techniques and methods from other disciplines to be used where appropriate, and testing the assumptions underlying laws against theories and research from related disciplines.[8]

The third broad approach seeks to understand law not from a narrow jurisdictional basis but draws insights from approaches found elsewhere. Comparative legal research is not a new or even recent phenomenon but is an approach that is likely to grow significantly in importance. This is because the greater interconnectedness of economies has led many to think of law less exclusively in domestic terms. This realization has come about partly as a result of the realities of legal practice due to the increasing amount of transactional work that has a cross-border element. This in turn has led to more international arbitrations of disputes. Academic lawyers are also aware that a number of the pressing issues of the day do not lend themselves to domestic

5. Roger Cotterrell, *Subverting Orthodoxy, Making Law Central: A View of Sociolegal Studies,* 29 J. L. & SOC. 632, 633 (2002). *See also* Anthony Bradney, *Law as a Parasitic Discipline*, 25 J. L. & SOC. 71, 76 (1998).

6. *See* Anthony Bradney, *Law as a Parasitic Discipline*, 25 J. L. & SOC., 71 (1998). *See also* Douglas W. Vick, *Interdisciplinarity and the Discipline of Law*, 31 J. L. & SOC. 163, 181 (2004).

7. Douglas W. Vick, *Interdisciplinarity and the Discipline of Law*, 31 J. L. & SOC. 163, 181-82 (2004). *See also* Garry D. Brewer, *The Challenges of Interdisciplinarity*, 32 POL'Y SCI. 327 (1999).

8. The National University of Singapore (NUS) law school offers an interdisciplinary module captioned *Law and Sociology of the Family* and this author is reminded of a remark made by his Family Law colleague, Debbie Ong, who said that her co-teacher in this module from the NUS Sociology Department was surprised by the assumptions that Family Law made about the family unit which did not accord with the co-teacher's disciplinary background.

solutions only; the increasing interactions between people across different jurisdictions will make it more important for Law to provide solutions that cut across borders, something that it does not do well traditionally given that the writ of each national court and lawmaking body is generally limited to its own jurisdiction. As cross-border legal issues become more intractable and complex, it is likely that there will be more multilateral initiatives to impose common rules and standards across jurisdictions.[9] In certain areas, particularly the commercial sphere, it is also likely that global standards of good practice will emerge and that countries will conform broadly to such standards or risk not being competitive in attracting investment and transactions.[10] In some areas there may even be a de facto "general" law because that law is widely regarded as the acceptable governing law and so is voluntarily adopted by the parties.[11]

Aside from such considerations, learning from other jurisdictions can also enhance an understanding of our own system and challenge assumptions that we take for granted. In the context of teaching it has been said that comparative legal studies enrich the atmosphere of learning within the law school, and enhance understanding of the strengths and weaknesses of our own legal system.[12] The comparative dimension teaches students not to take the assumptions of their own legal system for granted; it counteracts a tendency to ultra-sophisticated exegesis and quasi-scholasticism that arises when generations of scholars continue to examine the same fundamental documents within a purely national context.[13] Such statements are equally valid in the context of legal research.

These broad genres of research are not mutually exclusive, and a publication may incorporate all three approaches. It is fair to say, though, that most research tends to be of the doctrinal sort. There is a growing body of work, particularly in North America, that

9. Tan Cheng-Han, *Change and Yet Continuity—What Next After 50 Years of Legal Education in Singapore?* SING. J. LEGAL STUD. 201, 204 (2007).

10. *See* Pierrick Le Goff, *Global Law: A Legal Phenomenon Emerging from the Process of Globalization*, 14 IND. J. GLOBAL LEGAL STUD. 119 (2007) (arguing that while the notion of "global law" is in its infancy, it is very much a fact and not a theory). Global law is in motion due to the efforts of international organizations, international practitioners, universities and other academic institutions such as international and comparative-law institutes.

11. Witness the wide use of English and New York law in commercial transactions and the beginnings of the use of Singapore law in business transactions involving Asian parties.

12. I. Dore, *The International Law Program at St Louis University School of Law, in* LEGAL EDUCATION FOR THE 21ST CENTURY 387 (Donald B. King, ed., 1999).

13. B de Witte, *The European Dimension of Legal Education, in* REVIEWING LEGAL EDUCATION 72-73 (Peter Birks ed., 1994).

incorporates insights from other disciplines to provide a more contextual framework within which to understand Law, and there is an emerging interest in comparative studies.

Doctrinal or black-letter research is of most relevance to members of the legal profession who need to understand how to use legal rules in their practice. This is one of the objectives of legal research. In developing countries that do not yet have fully developed legal systems or a wide body of judicial decisions, doctrinal research serves a particularly important function in systematizing and elucidating the laws of the jurisdiction in question. Doctrinal research also provides the framework within which any debate about law must take place. Yet it will readily be conceded that such a perspective alone will not optimize the development of sophisticated lawyers who can deal with complex legal issues. Many academics, without attempting to overtly incorporate insights from other disciplines, will in their research reference "policy" as a means of contextualizing legal rules so as to achieve greater understanding of the rationale and limitations of such rules. It may be necessary to go further, and one way of surmounting disciplinary limitations is to work collaboratively with academics in other disciplines, particularly those in other areas of social science and the humanities. A better understanding of the intersection between law and other areas of human understanding will allow legal research to become a more powerful tool in shaping and improving understanding of our legal systems and aid in the process of law reform.

In addition, to the extent that globalization is a significant force that the legal profession must contend with (as this author believes), legal research will not sufficiently allow us to understand the complexities of legal rules and their application and utility without comparative perspectives being incorporated. A more globalized world may also imply that, over time, best practices will emerge that many societies will gravitate towards (at least broadly), and legal research must be alive to perspectives beyond those of our own jurisdictions.

Broadly stated, a more holistic approach to legal research has powerful potential to reshape our current understanding and lead over time to significant evolution or even transformation of our legal systems. Legal reform is an often implicit but important byproduct of legal research, and indeed many academics are at the forefront of such reform.

CAPACITY BUILDING

As is implied in the previous comments on research, law schools do not exist for their own sakes—they are ultimately institutions of

service to their communities (which may go beyond the country they "reside" in[14]). Just as research exists ultimately to advance knowledge and understanding and through that lead to better outcomes such as improved judicial decision making and law reform, law schools can and should use their expertise more directly through capacity-building initiatives, often in collaboration with donors and non-governmental organizations (NGOs).[15]

There is widespread understanding amongst policymakers, governments and legal institutions of the importance of establishing knowledge and skills within their organizations. This can take many forms. Policymakers who are contemplating amendments to existing laws may wish to have a better understanding of how such reforms have been implemented in other jurisdictions. Sometimes the focus may be more practical, for example, issues relating to enforcement, or the focus may be entirely on education if a particular jurisdiction has limited expertise in an area but sees the growing importance of this area to its economy. An example is the area of intellectual property, which, as a country develops, may assume greater importance as

14. The NUS law school, for instance, regards itself as an institution that wishes to be of assistance to other institutions in Asia. Examples of this include academic faculty who have participated in capacity building projects, particularly in the area of environmental law; faculty who have acted as advisers to other Asian law schools on teaching and pedagogical issues; and the establishment of the Asian Law Institute to bring together law schools in Asia (or those interested in legal developments in Asia) to network and collaborate.

15. One such project that the NUS law school was involved in was a project by the school's Asia-Pacific Centre for Environmental Law in partnership with The World Conservation Union (IUCN) and the United Nations Environmental Program to build capacity amongst law professors in the Asia-Pacific Region. Funding was provided by the Asian Development Bank with the aim of strengthening and expanding the environmental law expertise of people and institutions of the Asian and Pacific region, particularly in universities, governments, the private sector and NGOs. Another objective was to enable the implementation of international treaties through national legislation. With this support, two intensive environmental-law courses were taught involving more than thirty resource persons and sixty-three law professors participating as trainees. Subsequently, IUCN also edited the course material into a two-volume environmental-law book to facilitate the development of environmental law in the Asia-Pacific region using local resources and frameworks appropriate for the region, which may not necessarily be the same as those in many previous publications utilizing European or North American Frameworks. *See* Technical Assistance Completion Report, http://www.adb.org/Documents/TACRs/REG/tacr_reg_5658.pdf (last visited May 21, 2010). Another example of capacity building involving law schools was the request for applications in 2008 for a higher-education partnership to strengthen environmental law capacity building in the Dominican Republic, Guatemala and Nicaragua as part of the U.S.-Central America-Dominican Republic Free Trade Agreement and the Environmental Cooperation Agreement. *See* Higher Education for Development, Current RFAs, http://www.hedprogram.org/tabid/66/itemid/174/caftadr-environmental-law-capacity-building-initi.aspx#Partners (last visited May 21, 2010).

companies begin to move up the value chain.[16] Many law schools are also involved in judicial training.[17] Law schools can and should play a role in continuing education within their jurisdictions.

Law schools, with their expertise, are natural institutions to assist in such capacity building. In addition, law schools bring additional strengths, such as perceived greater objectivity and non-partisanship compared to private entities that may be perceived as having a more overt agenda to push. For law academics, engaging in capacity building can potentially be very liberating and exciting. A lifetime spent thinking of ideas and how laws and the legal system can be improved can find expression through engagement with the community, whether within one's jurisdiction or beyond. Such engagement is also beneficial to academics because through the sharing of their ideas they also learn in turn and will be able to refine their ideas.

CLINICAL PROGRAMS

Many law schools are engaged in clinical programs that broadly serve to allow disadvantaged segments of society to have greater understanding of and access to their legal rights.[18] In such clinical programs, law schools do not generally seek to compete with the private sector but play a role amongst persons who may lack access to private lawyers or even state-funded legal aid (or who at least need to be informed of what their rights are and where they can go to for

16. The NUS law school has conducted training sessions for law teachers and government officials to build capacity in the area of intellectual property.

17. An example is the Human Rights Law Centre at the University of Nottingham, which has conducted seminars for judges in Thailand on international human-rights law and the criminal-justice process. *See* The University of Nottingham Human Rights Law Centre, Previous Bespoke Training Courses, http://www.nottingham.ac.uk/hrlc/shortcourseaandtraining/bespoketrainingandcapacitybuilding/previousbespoketrainingcourses.aspx (last visited May 21, 2010).

18. For example, in the 2009-2010 American Bar Association Standards and Rules of Procedure for Approval of Law Schools, Standard 302(b)(2) states that law schools shall offer substantial opportunities for student participation in pro bono activities. Interpretation 302-10 states that each law school is

> encouraged to be creative in developing substantial opportunities for student participation in pro bono activities. Pro bono opportunities should at a minimum involve the rendering of meaningful law-related service to persons of limited means or to organizations that serve such persons; however volunteer programs that involve meaningful services that are not law-related also may be included within the law school's overall program.

Such *pro bono* opportunities can include activities for which students receive academic credit.

assistance). In doing so, law schools seek to complement existing avenues of access to justice.[19]

However, the challenges of establishing meaningful clinical programs are very real, particularly in jurisdictions that disallow the dispensation of legal advice by any except those who are licensed to practice. In Singapore, for example, only those who have a valid "practising certificate" may practice law.[20] Law students will never have practising certificates because one of the prerequisites for obtaining a certificate is to be a graduate of a recognized university. A person who acts as an advocate and solicitor[21] without a practising certificate commits a criminal offence that can lead to imprisonment or a fine.[22] Thus it is not possible in any clinical program in Singapore for law students to give legal advice to lay persons, or to appear before any tribunal, save for arbitration proceedings[23] governed by the Arbitration Act[24] or the International Arbitration Act.[25] This is admittedly unlikely.

Another challenging issue for clinical programs is that they can be very expensive, as there must be adequate supervision of students whose advice and actions[26] can have a material impact on their "clients." The cost of such programs is exacerbated by the fact that the style of education offered by law schools has traditionally been different from that offered in medical schools. It is typical in medical schools for students to spend a substantial amount of time on clinical work. This means that medical students have received extensive practical training while in medical school. This tradition is almost unheard of in law schools, and there does not appear to be any law school that has a teaching law firm in the way that there are teaching hospitals. In part this is due to the nature of legal practice where a transaction can take weeks to complete. Such

19. *See also* Lucie E. White, *The Transformative Potential of Clinical Legal Education*, 35 OSGOODE HALL L.J. 603 (1997).

20. *See* Legal Profession Act, Singapore Statutes ch. 161 §§ 25, 32 (2008) (Sing.), *available at* http://statutes.agc.gov.sg/.

21. This includes the giving of legal advice.

22. *See* Legal Profession Act, Singapore Statutes ch. 161 § 33 (2008) (Sing.), *available at* http://statutes.agc.gov.sg/.

23. *Id.* at ch. 161 § 35.

24. *See* Arbitration Act, Singapore Statutes ch. 10 (2002) (Sing.), *available at* http://statutes.agc.gov.sg/.

25. *See* Limited Liability Partnerships Act, Singapore Statutes ch. 163A (2008) (Sing.), *available at* http://statutes.agc.gov.sg/.

26. Assuming that students are able to provide legal advice directly to clients or have some rights of audience before tribunals. Even where this is not possible, a clinical program will still require that students be adequately supervised. It has been suggested that cost is the most obvious reason why clinical legal education has been fairly limited in the United States. *See* Erwin Chemerinsky, *Why Not Clinical Education?* 16 CLINICAL L. REV. 35, 38 (2009).

protractedness makes scheduling difficult given that students also must attend classes. Litigation practice is even worse, as cases may take months if not years to complete. This "stop-start" nature of legal practice is not conducive to clinical programs.

One effect of the lack of a substantial clinical component in law schools is that many law professors, who often do not go into practice after graduation, are not equipped to play a dual role in clinical and academic legal education as may be the case in medical schools. Even where law professors have spent time in legal practice, the absence of any meaningful integration of professional and academic legal education in law schools means that there is a clear dichotomy between "academic" faculty, and teaching or "practice" faculty. Academic faculty almost inevitably do not want to be involved in clinical education because their reputations and self-understanding rest on scholarly rather than practical work.[27] Law schools must therefore hire a different group of clinical faculty who are drawn from the practicing profession. This thereby makes clinical programs an expensive proposition.

As law students in Singapore may neither provide legal advice nor represent any person before a tribunal, the National University of Singapore (NUS) Law School's clinical program is conducted in partnership with the Singapore Legal Aid Bureau. In this program, law students assist officers of the Legal Aid Bureau in selected cases, principally involving family law. The role of the law student will be to assist in assessing an applicant for suitability for legal aid; to prepare opinions for the Legal Aid officer on the merits of the applicant's case; to assist in the drafting of court papers; and to attend meetings and all court hearings with the client. To ensure that there is sufficient academic supervision of work done by the students, a faculty member has been appointed as a volunteer Assistant Director of Legal Aid.[28] In this framework, clinical education involves law students supporting the work of another organization.[29] In the future, the NUS Law School is likely to

27. As the academic ideal dominates law schools, clinical programs also sometimes face internal opposition as tending to make law school resemble more of a trade school.

28. Presently the clinical program at the NUS Law School is a relatively small one open to between twenty and thirty students per academic year.

29. In the United States, the birth of modern clinical legal education can be traced to a decision by the Ford Foundation and the National Legal Aid and Defender Association (NLADA) to create a grant in favor of NLADA that encouraged law schools to get law students to participate in legal-aid clinics. This led to the creation of the National Council on Legal Clinics (NCLC) to administer the grant. From 1959 to 1965, NCLC made grants totaling $500,000 to nineteen law schools to create or expand clinical programs. The original grants supported a variety of clinical experiences for law students, including being law clerks in legal aid clinics, serving as interns in juvenile and family courts, and participating in the work of police departments and correctional

work with other organizations such as the Singapore Law Society's Criminal Legal Aid Scheme. A further possibility is for the law school to hire additional faculty with substantial experience in litigation work so as to offer its own legal clinic.[30]

Clinical programs can also serve as a powerful educational tool by contextualizing the study of law with real issues. Such contextualization facilitates a deeper understanding of the role and importance of law within society, as well as specific laws that students will have to use to solve problems. It is suggested that it is this educational element, and the spirit of responsibility and ethics, rather than the skills element, that clinical programs should attempt to imbue in law-school students. This is not to suggest that the acquisition of legal skills is unimportant in a clinical program but rather to stress the greater importance of using such programs to provide a different context within the law school for students to gain deeper insights on how law functions in society.

It has been said that clinical legal education in China has been used to broaden the education that Chinese law students receive. Legal education in China is largely conducted through the use of lectures with students largely being passive recipients of information and knowledge. Most law professors conduct their classes in the form of a lecture with little or no use being made of the case-method, problem-solving or simulation techniques.[31] However, new methods of teaching have been introduced, including clinical legal education, which began in 2000 with the financial support of the Ford Foundation. A number of law schools now have clinical programs. One of them is the law school of Tsinghua University, which has cooperated with the Consumer Protection Association of Beijing's Haidian District to open a legal clinic through which students begin to learn and become familiar with laws and regulations concerning consumer protection, and to learn to deal with cases as lawyers do.[32] This has proved to be a good method not just for teaching the law but also for training students to obtain skills, capacity and professional ethics. It has also proved to be a good way to give

institutions. *See* J.P. "Sandy" Ogilvy, *Celebrating CLEPR's 40th Anniversary: The Early Development of Clinical Legal Education and Legal Ethics Instruction in U.S. Law Schools*, 16 CLINICAL L. REV. 1, 9-10 & 11 n.57 (2009).

30. As mentioned above, however, this is an expensive proposition that would require additional sources of funds.

31. Zou Keyuan, *Professionalising Legal Education in the People's Republic of China*, 7 SING. J. INT'L. & COMP. LAW 159, 170 (2003). *See also* Richard A. Herman, *The Education of China's Lawyers*, 46 ALB. L. REV. 789, 797 (1982).

32. *See id.* at 171.

students practical experience that could not be obtained in a traditional class taught in a Chinese law school.[33]

THE LAW SCHOOL AS A MORAL FORCE

There are other roles beyond the function of educating students that law schools can no doubt play, for example, submitting opinion editorials to mass-media publications and conducting executive programs for the practicing profession. However, within the confines of this brief paper three roles are highlighted: research, capacity building and clinical education as a form of community service. The underlying notion of these roles and of education casts law schools as a positive moral force that strives towards an ever more just and equitable society. Just as the education of students does not exist in its own right but towards the end of developing socially conscious and competent lawyers who will help the legal system function in an orderly and fair way, the other roles of law schools reflect a similar desire to have a positive influence on society.

The author suggests that no great law school can be a passive institution because the work of a law school does not take place in a vacuum. One does not teach just for the sake of teaching, nor should one write for the sake of writing. The acts of teaching and research in themselves, when performed by one called to the academic life, are positive acts in themselves. They seek to mould students or open up new possibilities of understanding.

Yet law schools and law academics must also know their limits. We must always be responsive to the possibility that we may be wrong. This author for one thinks it a strength of an academic that there be some degree of self-doubt rather than complete assurance, as the latter severely limits the ability to develop, adapt and be open to other possibilities. The perception of objectivity and non-partisanship is also an important comparative advantage that law schools have, and law schools should therefore be slow to cede such an advantage by taking institutional views on contentious issues. Of course, a position could be so heinous that a law school ought to take a clear stand—e.g., apartheid or the trafficking of women and children—but in general it is far better for the institution to remain neutral even if individual faculty members take clear positions.

This implies that some matters are best left to individual academics to pursue, and that the role of the law school is to be generally supportive of such activities—to defend the right of its faculty to articulate their views,

33. *See id.*

even if unpopular—but not more. At other times, it may be appropriate for a law school to lend its support to an activity that fulfils a clear social good.