

# Contents

<i>Acknowledgements</i>	<i>page xi</i>
<b>Introduction</b>	<b>1</b>
The Global Clinical Revolution in Law	1
Other Contemporary Global Revolutions in Law and the Legal Profession	2
Understudied Legal Education	5
The Lessons of Clinic and Other Experiential Learning Contexts	7
Does Clinical Legal Education Do What it is Intended to Do?	13
The Project of this Book	27
<b>1 A Global Tour of Legal Education’s Primary Teaching Methods: The Persistence of Tradition</b>	<b>29</b>
A Thumbnail Sketch of the Structure and Methods of Global Legal Education	31
<b>PART I ORIGINS</b>	
<b>2 Early University Legal Education in the United States: A Pedagogy of Practice from the Antebellum Period to 1917</b>	<b>56</b>
Introduction: The University of Wisconsin College of Law, 1900–1920	56
The Context: Gilded Age to Progressive Era in the United States, 1870–1917	59
Short Shrift in Legal History to the Pedagogies of Practice	64
Some Antebellum Efforts – Successful and Failed – of a Pedagogy of Practice	67

	Post-Civil War Pedagogies of Practice: Moot Courts, Practice Courts, and Legal Drafting	72
<b>3</b>	<b>The Earliest Legal Clinics: Dispensaries, Clinics, the Legal Aid Connection, and the Roots of a Movement, 1870–1916</b>	<b>85</b>
	The Birth of the Law Clinic: A European Import?	86
	The Earliest US Law Clinical Programs: Dispensaries and Legal Aid Clinics	88
	The Status of the Pedagogy of Practice on the Eve of World War I	103
	Why History Overlooks the Early Pedagogy of Practice	106
<b>4</b>	<b>The Clinical Model in Early US Medical Training: Why Law Didn't Follow</b>	<b>112</b>
	The Deep European Roots of Clinical Practice in Medicine	113
	US Roots: Flexner and Johns Hopkins Lead the Way	114
	Early Clinical Methods in Medicine but Not in Law: Why?	117
<b>5</b>	<b>Theory and Clinical Legal Education</b>	<b>125</b>
	The Carnegie Report and the Need for an Accepted Clinical Theory in the United States	126
	The Origin and Principles of Experiential Learning in the United States: John Dewey	128
	Early Educationalist Influence in US Medical School Pedigogy	131
	Flawed Attribution of Langdell's Methods to Early Educationalists	133
	Is Experiential Learning Universal?	136
	What the Global Clinical Community Can Learn from Early Pedagogies of Practice	141
	Conclusion	146
	<b>PART II GLOBAL REACH</b>	
<b>6</b>	<b>Clinical Legal Education in Latin America</b>	<b>153</b>
	Legal Education in Latin America: An Overview	154
	Review and Change in Latin American Legal Education	158
	Early Active Teaching Movements in Latin America	160
	Early Legal Clinics in Latin America: 1950–1995	165
	A Second Wave of Clinical Development: 1995 to Present	169

	Case Study: Public Interest Law Clinics and the Latin American Clinic Network	176
7	<b>Clinical Legal Education in Central and Eastern Europe</b>	180
	History and Context	180
	The Post-Soviet Introduction of Clinical Legal Education	185
	Clinics Come of Age in Central and Eastern Europe	190
	Case Study: Polish Clinical Legal Education	196
8	<b>Clinical Legal Education in Africa</b>	205
	Africa's Recent Colonial Heritage	205
	Colonialism's Legacy in Legal Education	208
	Clinical Legal Education Emerges Together with Legal Aid	211
	African Clinics Today: Nigeria Leads the Way	215
	The Regional Work of HRDI in Southern Africa	220
	Case Study: Clinical Legal Education in South Africa	221
9	<b>Clinical Legal Education in East Asia</b>	233
	General Overview of East Asian Law	235
	Legal Education in East Asia: Japan, South Korea, Taiwan, Hong Kong, and Singapore	236
	Reform: The Postgraduate Trend, Bar Passage Rates, and Practical Training	240
	Reforms: Clinical Legal Education in East Asia	244
	Case Study: Clinical Legal Education in China	251
10	<b>Clinical Legal Education in Central, Southeast and South Asia, and the Pacific Island Nations</b>	262
	Reform of Legal Education in the Rest of Asia: Old and New Collaborations	262
	Regional Overview: BABSEA and Surprising Scholarship from the 1970s	263
	Common 1970s Roots of Clinics in Southern Asia: Philippines, Indonesia, and Malaysia	266
	Southeast Asia: Thailand, Laos, Cambodia, Myanmar, and Vietnam	270
	Central and South Asia: Pakistan, Bangladesh, Afghanistan, Kyrgyzstan, and Mongolia	277
	The South Pacific Islands	281
	Case Study: The Philippines	283

11	<b>Clinical Legal Education in the Middle East</b>	287
	Regional Overview	288
	Donor Interest Begins after 2000	289
	Israel and Palestine	291
	Other Regional Developments	297
12	<b>Clinical Legal Education in Continental Western Europe</b>	301
	The Unique Traditions of European Legal Education: Change and Resistance	303
	Opportunities for Innovation: The Bologna/Sorbonne Process, or “Bologna 2.0”	308
	The Explosion in Clinical Legal Education in Western Europe	314
	Case Study: Clinical Legal Education in the Netherlands	323
	<i>Index</i>	332