



Canadian Council of Law Deans Principles on the Role of Law Faculties in Educating Lawyers

If practice be the whole he [the aspiring lawyer] is taught, practice must also be all he will ever know: if he be uninstructed in the elements and first principles upon which the rule of practice is founded, the least variation from established precedents will totally distract and bewilder him: *ita lex scripta est* is the utmost his knowledge will arrive at; he must never aspire to form, and seldom expect to comprehend, any arguments drawn *a priori*, from the spirit of the laws and the natural foundations of justice. [William Blackstone, *An Analysis of the Laws of England; To Which is Prefixed An Introductory Discourse on the Study of The Law*, 3rd ed. (Oxford: Clarendon Press, 1758), lxii.]

Law schools and the legal profession face a complex set of issues regarding legal education and legal practice in Canada. These issues arise from the distinct but also interrelated challenges of articling, diversity in the profession, numbers of foreign-trained lawyers, changing social and economic conditions, student debt, etc. These challenges require solutions that are deliberately and rationally tied to each, while accounting for their interconnections.

The principles provided below have been developed to guide law faculties as they take up the leadership challenges of legal education today and tomorrow. Law faculties are a part of a ‘continuum of legal education,’ whereby legal education today does not replace the important knowledge and experience of the bar, but rather supports legal practitioners by providing a strong critical foundation for legal practice. One of the strengths of Canada is our diversity. Diversity is a core value of law faculties across the country and one of the signal strengths of Canadian legal education.

- Law is part of Canada’s social fabric. Change is in the nature of society and so too of law and the legal profession. Law faculties give people their most sustained time of legal education, and in doing so, they lay the foundation for careers that will in many cases, last fifty, sixty, or more years. This is an educational foundation that is complemented by ongoing continuing professional education. It is essential, therefore, that law faculties both teach what is required today and educate graduates to solve new problems while adapting to new economic, legal, political, and social circumstances. Law graduates must be prepared to engage with a changing world, and able to take up a range of demanding and evolving legal careers.
- Canada is and always has been multi-juridical. Accordingly, legal education must transcend practice-readiness in a given jurisdiction and embrace the multiplicity of legal traditions in

Canada including common law, civil law, Indigenous law, and international law. All legal education, and practice, today must include cultural competency to meet the Truth and Reconciliation Commission's Calls to Action.

- Legal education in universities provides the necessary context and academic training for legal practice. To prepare future lawyers for a changing world, university-based legal education provides a rich understanding of law, including legal pluralism, legal theories, economics and law, social justice and change, gender and legal feminism, democratic theories, human rights, and access to justice.
- University-based legal education provides the analytical, research, writing, speaking, and professionalism skills that are the foundation of legal practice. These skills are essential also to other roles lawyers occupy over the course of their careers, including in business, governance, international forums, and leadership generally.
- Today's law schools offer a wide range of experiential learning opportunities that introduce students to diverse aspects of law in practice in settings such as clinics (e.g., business law, law and innovation, access to justice), field schools (e.g., environmental, Indigenous laws and various legal practice areas), case studies and moots (e.g., intellectual property, Indigenous legal methodologies, business, ethics), internships (e.g., public law, different government levels, business, criminal law, media law), and guest lectures (e.g., poverty law, Indigenous policies and governance, and various legal practitioners). These experiential learning opportunities enable students to apply their legal knowledge and academic training in problem-solving, advocacy, or law reform contexts. This holistic legal education is a rich and important aspect of legal education in Canada that produces effective and grounded lawyers who take up critical perspectives of law in practice.