



HIGHER LEARNING

ADAPTING TO SOCIETY'S CHANGING NEEDS

Moot courts giving law students foundation

Moot courts are the best way to give law students the experience of a court room that will prepare them for what lies ahead of them when they graduate.

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As one is going through law school, one of the aspects that have been highlighted as able to enrich students with persuasive advocacy skills and application of the law is mootings. Witnessing a moot by a law student but especially by a person who has no idea about the law is a bit intimidating.

While attending a moot selection process for the various upcoming moots at Uganda Christian University, before teams of different students were judges to whom the students presented and every so often, one of the judges would interject with a question or challenge the position of the student. They ask about the authority on which a student is basing their argument and at times, a judge asks the student to mention facts of a case they are citing or asks them questions totally outside their case. In some cases a judge would challenge the student to simply change their position. And whereas some students were caught off guard, uninformed, intimidated and challenged, some students stood up to the challenge with facts and information.

Kevin Balyebaga, a third year law student from Uganda Christian University, (UCU) Mukono, describes mootings as a trial court process.

"What we do is to imitate, in a way what actually happens in court. In moots, students are given a hypothetical case, also called a moot problem which is designed by lecturers or informed people in a particular field with facts and a conflict between two or more people or states," he says. Once a student decides to participate in a moot case, they have to read and understand the facts from which they are able to apply the law and get all the pleadings/arguments, aimed at defending the imaginary client when you present the case to the moot judges.

In addition, Simon Peter Aliu, a fourth year Law student at UCU, shares that he started mootings in his second year of law school during the extra faculty moots.

VOICES

Life skills

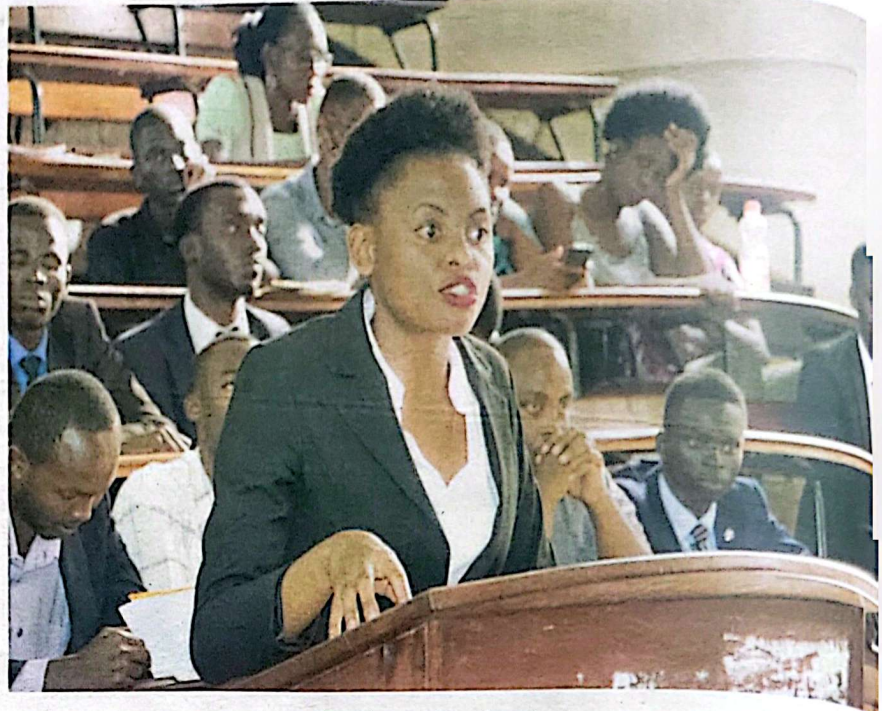
"Moots train you to handle your nerves while in the court room. They teach you how to write and make submissions in court, it gives you confidence and also trains you to be flexible and brave the blows of a tight case. So, when you go out of law school, you do not start from scratch if you have been mootings."

FRANCIS OKUMU, LAW STUDENT KAMPALA INTERNATIONAL UNIVERSITY

Learning avenue

"I have for example participated in the Center for Human Rights moot which was about maternal health. I had an opportunity to learn from other students in the moot a lot of advocacy skills. Since there are moots on different hypothetical cases, a student can get involved in one that interests them."

HEZLEY KHEMBU, LAW STUDENT AT UCU

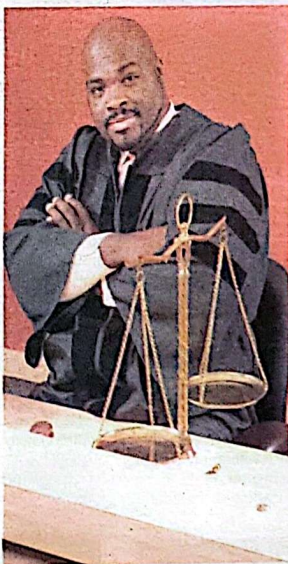


"In first year, I had a friend who got interested in moots and he started participating in them. It, however, used to take a lot of his time, so I decided that I would never moot. I, however, got an internship with John Ssentamu Institute where they had a mandatory debate. That very problem question that we

A law student argues her case in a moot court recently. Moots equip law students for a real court experience. NET PHOTOS

MOOTING VS DEBATING

The distinction between mootings and debating is that in court, the judge will ask you based on what you state whereas in a debate, one comes to convince/persuade you with my preconceived ideas. So, judges ask questions such as, do you believe this? Do you think so? Could you change your position? So, depending on which side manages to convince the judges, a winning team is announced in the competitions.



debated was brought as a moot question and because I had an idea, I decided to participate in that moot. I have not looked back since," he shares.

The challenging task

Several law students comment that mootings is a difficult thing to do.

"For example, during the moot, you have to spend a lot of sleepless nights trying to understand the problem question, understand the facts and where they fit within the legal principles and what law you can apply to argue and defend your imaginary client. But in addition to doing that, one has lectures to attend, course work to do and other personal things finding it hard

to participate," Shadia Naluyima, a second year law student from Islamic University in Uganda (IUIU), says.

She further notes that since moots are sometimes competitions between universities, sometimes students are demoralised when they do not win at the end of the day, whereas they have put in a lot of effort.

Christine Yiga, a second year law student from Makerere University, also says because mootings tasks a student to convince judges to take their side - which is not an easy task. "Students get intimidated by the judges and all their questions and prompting, and the exercise then becomes a scary thing especially for those in their first year at law school," she notes.

Immense benefits

Rebecca Karagwa, a third year Law student UCU, notes that she started mootings in her first year because she liked the whole experience and the experience teaches a student to be a quick thinker especially when judges ask them questions but also learn the art of answering before a judges as well as withstand the pressure.

"Sometimes, you go through more than four panel of judges so, panel after panel, you come out a better person. We also get a chance to meet with coaches, lawyers, fourth year students and some students from Law Development Centre (LDC) and these inspire you as a student," Karagwa says.

Moses Lubega Kisakyie, a student at LDC, also shares that participating in moots while he was in law school helped him get a head of time before his classmates.

"By the time I was in second year, participating in a moot and doing research on international law helped me get ahead of time. So, by the time we handled that topic around fourth year, I already knew the application of the law ahead of my peers who did not moot," he says encouraging all law students to take interest in the various moots.

Moots therefore equip law students with skills in the interpretation of the law, drafting various documents, advocacy skills, presentation before court, to mention but a few.

VITAL VOICES

"Mooting is an art of advocacy. When you are at law school, you are looking at joining the practical world. But in the practical world, you will be in court. So, what we do in a moot is a semblance of what happens in court. In a real court, we always have a matter before court, a petitioner, the one alleging, or the claimant - depending on the case - and the respondent, who is responding to the claims before the court. In that case, there is a matter and sides have

to be taken. We have different types such as human rights moots, intellectual property moots, world trade moots, international law moots organised by different organisations as inter universities competitions) where a hypothetical case is drafted usually on the themes going on globally."

GERALD WOOLI, UCU LAW SOCIETY PRESIDENT