

Communication Skills With Special Reference to Legal Education and Professional Activities

Assoc. Prof. Yubaraj Sangroula, KSL

1. Background:

1.1. Socio-Legal Interface :

Legal education is commonly recognized as "difficult pursuit of knowledge". Some important attributes which need to be taken into account are that:

- Law is a reflection of the societal structure and has imprint of the society and its related values. The study of law is always incomplete without comprehension of the structure of the given society and its values.
- Law does not exist in social vacuum; it functions in the society for the purpose, administratively speaking, of law and order; humanistic ally speaking, of protection of rights of individual and groups; and idealistically speaking, of justice. Concept of law is thus not apprehensible in ignorance of social facts and values. It means that no study of law is possible without consideration of many disciplines like sociology, culture, economics, political science, and so on.
- Law functions to achieve certain identified or prioritized objectives. In this sense, law is a reflection of policy alternatives or options of the state. But the State gathers such policies from the need of the society itself.

These attributes makes law a complex phenomenon, and the study of law is a complex phenomenon too. No student can understand the "meaning, importance, significance and its functions of law" without it being seen in view of several other areas of knowledge, which are generally not matters of investigation or study of law.

This attributes expects a law teacher to be :

- Aware of the functional characteristics of law; social dynamics of law.
- Aware of the mutability of legal rules and the process thereof; the dynamics of progression
- Aware of interchangeability and interface of law and other disciplines; dynamics of flexibility or elasticity.

No law teaching is possible without in-depth understanding of these characteristics or dynamics. It means that " a law teacher is a social scientist with multiple of approaches to deal with law".

The basic talent of "effective communication" of law teachers is indispensably related to his/her mastery on above mentioned dynamics. Therefore, a law teacher must have comprehensive knowledge of the "**society and its sciences**".

1.2. **Vocation and Law:** Many students in their beginning of the legal education as a question, what is the difference between "law and physical science". We often say, law is a normative science, and the physical science is "proven fact", and as such is dependent on "**precision**". Being a normative science, the violation of

legal does not result in "void" itself. The violation is treated by other rules, but the effectiveness and efficiency of the rule violated is always intact.

The rule in physical science is "experimented", and the legal rule is "perceived" and implemented, and the result is assessed. The logic is applied to establish the rationality of the rule. Considering, the character of the law as mentioned above, a teacher has to develop the following skills and art to make the students apprehend law in correct sense:

- Legal phenomenon is a changing phenomenon; it is not static, it is progressive to address the expectation of people. The need of the society and expectation of people are therefore "**basic rationales of law**", which provide logic for existence, change and legality.
- The normativity of the legal rule is elastically flexible to "**provide it with scope of interpretation**", thus a legal rule is always alive. However, sometime, the legal rule is eliminated; either it is replaced or amended or forgotten. Replacement is a process of normativity, and thus constructively the new rule is defined as a continuation of the previous rule. What is changed is the content, not the rationale. Law teachers have to be careful of this process for the purpose of making students understand the significance of law in proper way.
- The legal rule is meaningless without its implementation. The knowledge of law, which includes the substantive knowledge of law, the skills and art of interpretation of such rules, is transformed into "**vocational practice**". Law teachers have to prepare students to use this knowledge in practice with added creativity.

These understandings provide a rich ground for teachers to be communicative of knowledge to students. The clarity of concept is therefore "**fundamental requirement for effective communication in teaching of laws**".

1.3. **Precautions** : A law teacher, in connection with elements discussed above, has to take the following precautions:

- Structuring, development and strengthening of students' originality of understanding and creativity of using law in practice.
- Forming a non-biased attitude to facts and figures the law is supposed to govern.
- Helping to develop the faculty of logic, so that he or she can draw objective and meaningful inference from legal rule to address the problem

2. **Technical Skills of Effective Communication**

2.1 Think what is true, and feel it from your inner heart, and express accordingly: It is said that only 36% of our expression is represented by speech. 66% of communication is represented by your body language. The constriction of your body will therefore lose 66% of comprehension of what you wanted to say, or what was essential to say. The use of body language is therefore essential for law teachers.

2.2 Each fact or figure has three dimensions: it has simple "introduction", "explanation" and "conclusion". Begin with introduction, develop with explanation and finish with conclusion.

2.3 Examples of what daily happen in life are reflections of concepts, principles, and notions. Take examples to demonstrate the concepts, principles and notions. For example, a donkey in Nepal is defined as a means of transportation, but in Russia a kind of meat. What you speak will form a concept of student, and if this is exemplified it concretizes in true form of knowledge.

2.4 Logic to support assertion is necessary for rendering the communication comprehensible.

3. Additional Skills of Communication:

3.1. Who you are addressing? This question is important for all law teachers. For effectiveness of communication, the following rules have to be followed essentially:

- What language you are using? It is useful to use technical vocabulary with precise meaning. Do not feel that students are aware of the technical/specific meaning of vocabulary.
- Do not use expression, which has ambiguity of meaning or understanding.
- Feel that your expression is being taken up by students: Do you know that you are speaking for others not for yourself. May be you are clearly aware of what you are saying, but that is meaningless if that is not apprehended by your audience. The understanding of audience is therefore important.