

## **Study on the Reformation of Legal Education in Pakistan**

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**Abstract:** *This qualitative study explored the reflections of selected lawyers on their law college experience. The study considered a broad overview of participant experiences from the initial decision to enter Law College through to a consideration of ongoing and future legal education issues. The purpose was to identify elements of a 'quality' legal education experience. The study evolved from the perceived need in higher and adult education literature to better understand the student experience.*

*The study drew upon the insights of graduates from four Law College from Karachi and Hyderabad, whose comments were grounded in both their educational as well as professional work experiences. The learner's post-graduation perspective provided guidance in the exploration of quality by identifying elements of a quality pre-professional university program. Both legal education and adult and higher education literature were reviewed in conjunction with participant's statements about their personal experiences of Law College. The study specifically contributes to the research literature in legal and higher education as both have generally disregarded the learner's perceptions of the educational experience.*

**Keywords:** *legal education, quality legal education, educational work, professional work, pre-professional university program, personal experiences*

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### **I. Introduction**

Legal education in Pakistan is in an era of dynamic change, yet it has not developed a clear concept of quality which could provide direction to the field, significant changes in recent years include the increasing distance between practicing lawyers and the law faculty. There has been little evidence to support that academic scholarship in respect to legal education at Law College has, in fact, increased since the separation which would justify this statement.

In studying 'what is being taught and how it should be taught, it is important to consider the experiences of law graduates, as they are in the best position to reflect upon their legal education experience and consider its quality. This is particularly important as graduates can draw upon both their educational and professional experiences to guide their assessment of legal education. Therefore this research study explored the educational experience of Law College through the perceptions of a number of selected former graduates who have since achieved the designation of becoming a lawyer whether or not they currently practice law.

During Law College, the qualities of the teaching and educational value of specific courses are routinely assessed on a course by course basis, by students, at the end of each term. Yet the researcher was unable to locate any research study which asked graduates to consider, or assess, the quality of their over-all legal education experience once they had commenced working in the legal profession. Research and evaluation of higher education itself is generally considered in need of further study. This research study is particularly critical as it examines an area - the education of law students - which has received almost no attention in terms of formal research. In the consideration of the law graduates' perspectives on what constitutes a 'quality' legal education it was recognized that quality was a somewhat elusive concept.

In this study, despite considerable deviation there were many areas of general consensus uncovered regarding the characteristics of a quality legal education. The definition of 'quality' was premised in part upon the concept that "Quality is fitness for use" (Juran: 1974:p.22) Consideration was therefore given to how well Law College facilitates the transition of the learner to the profession of law or facilitates an acceptable alternate career path in terms of the acquisition of the necessary skills, knowledge and values. After a review of the various definitions of 'quality' from the literature, the following definition was found by Mayhew et. al (1990) to be both appropriate and workable in the context of higher education:

Quality undergraduate education consists of preparing learners through the use of words, numbers, and abstract concepts to understand, cope with, and positively influence the environment in which they find themselves. (p.29)

This definition was found to be useful in guiding the research inquiry. While it was recognized that quality takes on slightly disparate meanings in different settings, several concepts from Total Quality Management (TQM) literature were found to be useful in framing the study of pre-professional legal education at Law College.

Selected former students were asked to reflect upon their overall legal education at university and provide detailed information on learning experiences, which proved valuable in their later professional life. Participants were also asked to comment upon the potential for improvement of legal education programs at university and to substantiate their recommendations with examples drawn from personal experiences both educational and professional. In compiling and analyzing the reflections of graduates, the study should contribute to an increased understanding of legal education as well as provide initial ground-work in the critical first step of 'continuous improvement' in higher education.

## **PROBLEM STATEMENT**

What do lawyers as former students think, when reflecting upon their own experiences in Law College, about the quality of their legal education at a university in Sindh Pakistan.

### **SUB-PROBLEMS**

1. What specific elements are identified as being part of a high 'quality' law college program?
2. What significant formal educational experiences do participants identify as being associated with the 'quality' of their learning in Law College and is this related to teaching strategies?
3. What are the significant "informal" educational experiences at Law College which impacted upon the quality of the law college experience?
4. What do participants identify as challenges in legal education now, based upon their past experiences, both educational and professional?

## **SIGNIFICANCE OF THE RESEARCH**

This study explored the over-all 'quality' of legal education at Law College through analyzing the reflections of research participants about their legal education experiences at the university level.

The more that is understood about how students learn and how they perceive a learning situation and over-all educational environment, the easier it will be to improve the 'quality' of education. This should assist in meeting the expectations of not only the learner but other interested 'clients' such as members of the legal community and society. The study aimed to increase what is known about learners in higher education generally, in addition to addressing the specifics of legal education. The study was important for the questions it raised and the need for further research of both a practical and theoretical nature it uncovered. This research may contribute to the further study of 'quality' education and the future exploration of the perceptions of students in their interaction with the legal education environment at Law Colleges in Pakistan.

## **LIMITATIONS**

In any qualitative study there are definite limitations in terms of sampling, replication and generalizability. In this study the researcher worked alone and consequently it was only possible to canvass a limited number of participants. A further limitation was that the researcher was solely responsible for collecting and analyzing the data. This was partially addressed by working with a peer who was available to discuss the data analysis process and by keeping a research journal and noting personal reflections.

In addition, other researchers may have identified or selected different themes and commonalities from the data. Due to the amount of data in the form of transcripts, it was possible that some distinctions may have been superficially covered. For example, the themes compiled did not focus upon individual variables such as gender, ethnic background, socio-economic status, pre-law academic or work background and marital status. Specific characteristics of the individual were not matched to the comments made by that participant. In addition, other extraneous or unrelated incidences or personality characteristics may have affected the participant's responses in ways that cannot be entirely accounted for. These factors may have impacted unfavorably upon a participant's accurate or impartial recollection of the law college education experience.

## **DELIMITATIONS**

This research was delimited to the study of legal education at law faculties in Sindh Pakistan. The participants were selected from former students who graduated with a law degree from a Sindh Province University within a specific time period (2003 - 2012). The study focused only upon the perceptions of former students and the data were compiled through requesting information from selected members of this group. Participants selected are not necessarily reflective of law students generally in Pakistan, nor even of Sindh, Pakistan.

## **II. Literature Review**

A thorough survey of the literature revealed very little research in the area of legal education and even less which was specific to Pakistan. In addition, there were no studies found which considered the perceptions of graduates as to the quality of their legal education experience and the effectiveness of Law College in preparing them for future careers.

This confirms the finding of Elkins (1985) that the study of legal education and the literature that has been written, fails in one significant respect,

...it ignores students, their experiences, hopes, dreams, fears and failures, their experience of profound personal change. We need to take seriously everyday routines which structure reality and define a student's life world. (P.55)

This study may help to address the lack of attention devoted to the student perspective by exploring the 'quality' of the overall learning experience at law College through the recollections of former students.

In this way, the student's learning experience in terms of their own needs, both emotional and intellectual, their preferences regarding the teaching and learning dynamics and their own personal experiences in terms of both formal and informal learning opportunities at Law College have been identified. Participants provided a unique perspective as that they drew upon both their experience as former students and also as professionals in their reflections upon the Law College experience.

There was a need for education theory to inform attempts at improving the learning environment in Law College. This included clarification of the aims and objectives of a quality legal education and recognition of effective teaching and learning strategies. This, in turn, required an over-all understanding of the education experience from the perspective of the law student, considering both the formal and informal learning opportunities which make up the totality of the Law College experience. Finally, a plan for the ongoing (continual) improvement of legal education was considered as this constitutes a necessary element of Total Quality principles.

In 1996, "The Canadian Lawyer" magazine published the results of a cross-Canada survey of law College graduates (1992-1995). One of the questions in the Canadian Lawyer survey was whether it was the role of law College to prepare students for a career as a practicing lawyer. Black (1996) reported that "Just over 72 percent said "yes," (which was) a sharp jump over (the) 1991 response rate of 54 percent." (p.16). In the most recent (1997) Survey Black (1997) stated that the figure has again increased, with 77 percent answering in the affirmative. Unfortunately, only a bare majority indicated that law Colleges in Canada succeeded in that goal and " ... 47 percent rendered an emphatic "no" according to the survey. (p.18).

Renner (1995) cautioned that a common mistake of higher education is to prefer theoretical over practical education. According to Renner (1995) this must be remedied in these demanding times, if a university education is to remain a desirable option.

The educational developments considered to be part of a standard legal education were also considered important to include in the study. Hartwell & Hartwell (1990) in their observations of law College classrooms noted that "Traditionally law professors use a Socratic approach to teach their students..." (p.509). as this method of instruction was identified in the literature on legal education as a method that had been developed and in use since 1870 to specifically teach law students (Teich: 1986), it seemed appropriate to ask participants about their experiences with the Socratic Method. The following question, which asked participants to consider their reactions to the use of this teaching method, was therefore developed:

According to Diamond, M.D. (Gillers: 1990) in a review of the psychological problems of law students, he found that law College often required an adjustment in student expectations or the individual would find that law College was a very disappointing experience. He observed that.

The whole issue of effective instruction in law College has been discussed in several articles and books (Gold: 1992, LeBrun: 1994, Ramsden: 1992) but there is resistance by some law instructors to take the time necessary to review, revise and improve their course delivery. Despite a good deal of rhetoric about the importance of teaching excellence, traditional scholarship was still found to receive more rewards than does innovation in education (Moses: 1988). As a result many academics have chosen [o spend more time developing their research profile at the expense of improving their expertise in teaching.

While MacFarlane recognized that the results of his study would meet with the disapproval of the law faculty he justified publication of his research with the statement, "Some professors may be outraged by this finding, but their discomfort does not alter the existence of the perception held by students and practitioners." (p.105)

MacFarlane (1986) identified in his study an interesting phenomenon. He found that the self-personae which law professors develop in the course of their career was not only different, but it was in many ways completely opposite to, or in the words of MacFarlane "hostile to" the ideal law professor personae as identified by practicing lawyers. MacFarlane (1986) speculated that the divergence between the professor's ideal self-image and the ideal personae of a professor that both students and practitioners hold may be the result of the

current state of legal education. Students and practitioners may be distanced from a realization of the full role of the law professor as a result of the larger size of classes and the impersonal nature of the teacher-learner relationship where the full work of the professor was not known.

### **III. Research Design And Methodology**

As the research focused on the reflections of former law students and the subjective appraisal of their legal education experience, a qualitative research paradigm, informed by a phenomenological perspective, was selected as the most appropriate approach. Maykut and Morehouse (1994) contend that adherence to traditional methods of inquiry have limited educational research in the past particularly in respect to the subjective experiences of students. "Many scholars have called for the use of qualitative research to help us increase our understanding of human experience..." (p.150). The qualitative research approach included data collection through intensive interviews with former law students with resulting data being systematically transcribed and analyzed. The theory building which resulted was based on the intrinsic relationship between the data and the actual experiences of students.

The research question was addressed through an exploratory study, using focus group and one-to-one interviews as a method to gather information from Law College graduates. As part of the research design, participant involvement was initially generated through an informal discussion group to identify issues. This initial focus' group was essentially a spontaneous gathering of lawyers without regard for background or group characteristics. The individuals met in a social setting with limited advance notice that they should come prepared to discuss their law college experiences. The group met informally for over an hour discussing their perceptions of Law College. Limited guidance was provided by the researcher and participants set the ambit of their exchange. The dialogue helped the researcher to establish the framework of the study. Subsequent to this meeting, and based upon the notes taken of the discussion, the researcher was able to generate the questions which guided the subsequent focus group.

Questions were developed and tested in a second focus group and a verbatim transcript was made from a tape recording of this session. The group of law graduates who were convened by the researcher to purposely discuss their law college experiences will be referred to as Focus Group #2 throughout the thesis. This Interview Guide was used for all of the one-to-one interviews.

Finally twenty (20) one-to-one interviews were conducted to provide further data which was gathered by taping and transcribing the responses which participants gave to the questions developed and tested in the two prior 'focus' group sessions.

### **DATA COLLECTION**

In the study the data gathering process was only partially structured so that the participants were able to freely discuss their experiences. All data was gathered through either group or one-to-one interviews with former law students. After the initial Focus Group # 1 was conducted, where the only criteria for participation was attendance at law college in Pakistan, all subsequent participants that were selected had at least one year of work experience following graduation and no participant had been out of law college for more than 10 years. All participants in Focus Group #2 and the one-to-one interviews were former students who graduated with a law degree from a Sindh Province University between the years 2003-2012. The study considered only Sindh Province Universities as former students were accessible and the researcher was familiar with members of the bar in Sindh Province. Participants selected were available for in-person interviews in two cities in Sindh, which would not have been as easily accomplished had a broader selection of law college in Pakistan been selected for inclusion in the study.

### **PARTICIPANT SELECTION**

The data were gathered through qualitative methods - two focus groups and twenty (20) one-to-one interviews. In order to answer the research question it was important to "select information rich cases" (Patton: 1990:p.169). Purposive rather than random sampling was therefore selected as appropriate. "By purposely selecting a wide range of subjects ... the qualitative researcher will be more likely to uncover the full array of "multiple realities" relevant to the inquiry. (Borg & Gall: 1989 at p. 386).

Focus Group # 1 was primarily an ad hoc discussion group where the only criteria to 'qualify' individuals to participate was that all individuals had graduated from a law college in Pakistan. Most of the participants were acquainted with each other although the researcher had only met three of the eleven individuals prior to the session.

Contacts made with participants in Focus Group #2 and the one-to-one interviews were made initially through a "snowballing" technique. "This is a technique used to identify individuals who might be interested in participating in your research. Each person you survey or interview, for example, might be asked to identify another person who could be contacted. "(Kirby and McKenna: 1989 at p. 99). Participants selected for Focus

Group #2 and the one-to-one interviews were also chosen through purposive sampling. While a 'snow-balling' technique was used to gather potential contacts, individuals were ultimately selected in order to provide at least a representative number of female and male participants. Additional criteria used by the researcher in selecting participants are identified below:

Criteria for Focus Group #1: Focus Group #1 was set up with minimal involvement on the part of the researcher. The only requirement was that all members of the focus group had attended Law College in Pakistan. There were eleven participants in Focus Group #1. The participants ranged in legal experience from one articling student through to a person who graduated in the mid-1990's. Participants had worked in a variety of areas of law and for a broad range of law firms. A couple of participants had already left law and were practicing alternate careers. This included one participant who had chosen not to article following Law College. Nine of the eleven participants had been "called to the Bar" and were able to practice law in Sindh. The participants were all currently working in a Sindh province; however, they had graduated from Law College across Pakistan. The discussion which was generated in this session was completely unstructured and spontaneous. The researcher played a minimal role in facilitating the discussion. Focus Group #1 was not taped - notes were kept by the researcher of key issues raised by the group.

Criteria for Focus Group #2: A screening procedure was developed to aid in the selection of the specific participants for the structured focus group interview. There were ten individuals scheduled to attend which included an even balance of female to male although one individual (male) was unable to attend and notified the researcher on the day of the Focus Group. The remaining nine participants were representative of a range of ages (both now and at the time of entering Law College) and possessed a broad spectrum of career experiences following graduation. This included work experience as government lawyers, non-practicing and practicing lawyers and two individuals who had left the practice of law. Those participants in the group who were still practicing law included representation from sole practitioners and individuals who worked either as partners or associates in small, medium and large-size firms. All participants were graduates of the same law faculty within a two year time period.

Criteria for One-To-One Interviews: Twenty, semi-structured interviews were conducted using similar criteria to select participants.

## **DATA ANALYSIS**

All one-to-one interviews and the Focus Group #2 sessions were tape-recorded and verbatim transcripts were made. As indicated earlier, the researcher prepared general notes following Focus Group #1 and these were used primarily to identify specific themes for further exploration in future data collection. Very few complete quotations were gathered from Focus Group # 1 but it furthered the research design by providing an initial survey of the area.

Tape-recorded sessions were listened to several times by the researcher although verbatim transcripts were available. Auditory review of the responses helped to provide a better appreciation of the speakers' inflection and the emotive content of the data. Transcripts were also reviewed in detail and key phrases and ideas in response to each question were highlighted. This process identified the repetition of themes and areas where there were commonalities in the participant's experiences. Borg & Gall (1989) have set out the process of inductive data analysis as follows: "the qualitative researcher studies the data inductively in order to reveal unanticipated outcomes. In other words, the qualitative researcher first gathers the data and then tries to develop understanding and draw generalizations" (p. 386).

Once the data from the transcripts had been reviewed numerous times and themes identified, a summary of the content for each participant was charted. The summarized responses were then organized under specific issues in Table format. This led to further revision and clarification of the key themes. The literature was then reviewed in greater detail to provide further support or commentary on the findings. Finally specific quotations from the transcripts were identified and selected as being the most representative of either a general theme or an individual's unique (negative) or contrary perspective.

Initially the number of themes identified was expansive with many different categories. It was necessary to develop a number of propositions that helped define categories in order to combine similar data and limit the number of themes. Propositions were useful in this exercise which followed the research definition of Taylor & Bogdan (1984) who stated that, "A proposition is a general statement of act grounded in the data"(p.134). Propositions provided the rules for inclusion and helped to reduce the data to a manageable proportion and to better convey the meaning of the data. Data generally was consistent; however, whenever participant comments did not fit a category or theme (negative instances) there was an attempt in the research to give 'voice' to the dissent.

The over-all purpose of Law College was discussed in Focus Group #1. Comments made by participants suggested that the law college experience had not marched their expectations. Two questions found

useful as probes in Focus Group #1 and used again in Focus Group #2 and the one-to-one interviews to explore the dichotomy of experience versus expectations of participants were:

Question 1: Why did you decide to attend Law College?

Question 2: What do you think is the purpose of Law College?

A second issue that arose from Focus Group #1 was the fact that members of the group were not always talking *ad idem*. Often the same terms were used by the participants but it was clear that these terms were used to describe very different experiences. The participants in Focus Group #1 came from Law College across Pakistan and had graduated over a twenty year period. Students from the late 1970's and early 1980's generally agreed that Law College should be more practical. They were basing this belief upon the curriculum of their law college years which in most cases was entirely academic in nature. A few of the more recent graduates (1990's) commented that law should be less practice oriented, however, they had generally experienced a much larger practical component which often included the option of clinical experience.

Two additional questions were therefore developed to provide a more accurate understanding of a participant's comments on their law college experiences. The exploratory questions were open-ended and invited each participant to describe critical elements of a quality legal education. The two questions were:

Question 3: What do you think is a necessary part of an excellent legal education?

Question 4: What was the most important thing you came away from Law College with?

In order to define or assess quality in legal education, it was imperative to first determine the purposes or aims of a law College education. Participants in Focus Group #1 were allowed to explore this issue - the purpose of law College - with very little structure or direction. The discussion was animated and often vacillated between the actual purposes of the law college education as it was experienced, as opposed to the ideal outcomes that participants expressed. The diversity of the opinions reflected a very similar and ongoing debate in the broader legal education community.

It was the opinion of most Focus Group #1 members that the purpose of Law College was to prepare students for the practice of law. The opposite view was also expressed by a minority who argued that Law Colleges were not, and should not be tied to the "training" of future lawyers. Only one person was so extreme as to insist that there be NO practical application whatsoever. He supported this view by insisting that a law degree, as part of the university general education, should simply be completely academic in nature. Other participants, however, agreed that a law degree should prepare a student, at least in part, for their future role as a lawyer. There were divergent opinions on what aspects of "lawyering" should be included in the Law College curriculum and whether the focus should be primarily academic or practical.

Participants in Focus Group #1 unanimously recognized that the majority of students do go to Law College with the intention of becoming practicing lawyers. Further it was agreed that for most students Law College provided the necessary educational foundation for the individual to begin their professional training to become a lawyer. Beyond this, however, there was a broad range of opinions as to what Law Colleges should do in order to best prepare students to enter the practice of law. Most of the discussion focused on the issue of the appropriate mix of theoretical and practical courses and also on the means that instructors choose to meet both the espoused and unintentional objectives of a Law College education.

When Focus Group #1 discussed their Law College experiences, they frequently used the expression, "I learned to think like a lawyer." It seemed that this was viewed as one of the main objectives or outcomes of a proper legal education. It was apparent, however, that members of the group were not able to define this phrase with any clarity. In fact, they were somewhat surprised when asked how Law College achieved this objective.

Although participants disagreed on whether "thinking like a lawyer" was a positive attribute (i.e., a necessary skill-set of a lawyer) or whether they perceived it much more negatively (i.e., as a narrow and limited view of the world) it was apparently critical terminology in describing the Law College experience. In fact, no matter how the individual defined or interpreted the phrase, it seemed to correlate directly to the participant's perception of the predominant or over-all outcome of a legal education. When the phrase, "learning to think like a lawyer- was used, it seemed to be a shorthand way of expressing the educational process that the law student experienced in becoming a lawyer. In order to use the words of the participants and explore this concept further it was important to ask Question 5 and to use probes to uncover the role that Law College played in developing this attribute or skill-set. The question and probes developed to gather this information were:

Question 5: What does the phrase "to think like a lawyer" mean to you?"

Probe: Did Law College teach you to do this?

Probe: How does Law College teach you to "think: like a lawyer"?

Responses to Question 5 in respect to "thinking like a lawyer" compiled similar responses from Focus Group #2 and the one-to-one interviews as had been expressed in Focus Group #1. All answers were closely associated with the participants overall perception of the purpose of Law College.

Focus Group #2 provided a mixed response to the first question. There were as many different motives for attending Law College as there were participants. Reasons for going to Law College that were not associated

directly with becoming a lawyer included: general interest; curiosity; and one person ("Zulfiqar") who stated that he simply went to Law College because; "I thought it might be interesting and I really had nothing better to do at the time."

Many did express that their primary goal was to become a lawyer. Other factors which influenced individuals in their decision to attend Law College included:

- 1) Having family members who were lawyers - ("Taj") " ... it is a family business, if I wanted a piece of it, I had to be a lawyer ... "; and
- 2) Altruistic motives such as those expressed by ("Rahila") who indicated that she desired, "... to help people ... " and by (" Shabana ") who stated that she "... went to Law College to contribute more substantially to social justice".

Ironically, one participant (Peeral) who had not wanted to become a practicing lawyer when he chose to go to Law College stated that he "... failed miserably in that goal because I am a lawyer". In contrast, another participant, "Fatima" who stated that she had wanted to be a lawyer since she was 12 years old, had chosen since graduation to leave the practice of law. In fact later in the session she claimed that she would not even recommend that someone like herself go to Law College. "Don't go. Do something else! ... I don't think it is worth the time and the effort. I don't think I learned anything I couldn't have learned other places, by going to Law College. And I found out at the end that I didn't want to be a lawyer." According to this viewpoint, unless the individual actually practiced as a lawyer upon graduation. Law College education was not an experience to be recommended.

The participants were never asked directly whether they attended Law College with the aim of becoming a lawyer. The actual question was open-ended: "Why did you decide to attend Law College?" In response, participants often gave more than one reason. The statements made, however, often assumed that becoming a lawyer was a given so it was unnecessary to include this in the response. For example, ("Rahila") had stated that she "... wanted to help people". Presumably she meant as a lawyer, but this was not made explicit in her answer.

Based on the majority of responses, it seemed that most of the participants expected to become lawyers and enter active practice following law College.

Focus Group #1 considered many aspects of a quality legal education but the majority of comments focused upon the formal learning experiences of law College which included classroom instruction and methods of evaluation. In order to reflect this emphasis several questions were developed which explored these themes further in Focus Group #2 and in the one-to-one interviews. In order not to narrow the focus of the study participants were initially asked simply to evaluate their law College experience. One of the initial questions was purposely broad and open-ended and this allowed participants to comment on any aspect of their legal education experience:

Question: What is your over-all assessment of your law College as an educational experience?

In order to delve further into the teaching and learning experience a number of probes were developed.

Participants were asked to give:

- 1) Examples of effective teaching;
- 2) Examples of effective learning strategies; and
- 3) Further details on any other factors which influenced their experience of teaching and learning at law College.

Focus Group #1 had identified that a key tension or dilemma was the fact that while most students go to law College with the intention of learning how to practice law, the instructors tend to be academically oriented. Once identified as a factor which potentially influenced the learning experience, questions were developed to explore this issue further. First participants were asked if they had noticed any differences as students between instructors who were full-time academics and those instructors, generally practitioners, who are part-time sessional or adjunct instructors. The initial inquiry was kept purposely general so as not to influence the responses in any way. If the participant identified any differences then they were asked if they had a preference and encouraged to provide further information on their preferred orientation of instructor.

Question: What was your experience with the "Socratic method" at law College?

The Socratic Method was not defined for participants when asking the question, however, only one participant appeared unsure of what this meant and stated that she had not experienced it during law College. Participants were also encouraged to discuss the other methods of instruction used in law College through the use of appropriate probes.

Participants in Focus Group #1 had spoken at length about the competition in law College and the key role that marks played. This led to a general discussion on systems of evaluation and particularly the impact of low marks upon students. Group members proposed that the strong, and often adverse, feelings about evaluation which law students experienced was due to the fact that all students who enter law College are used to receiving

above-average to exceptional marks. One particularly stressful incident raised by a member of the group involved a student who was first verbally abusive, and then physically abusive, of an instructor who had given him a poor mark. While this was clearly an isolated and extreme incident, members of the group agreed that it was illustrative of the type of pressure that each one of them had felt in respect to competition for, and importance of, marks. It was therefore critical to include a question which elicited comments from participants about the marking system or methods of evaluation used at law College. A further probe was used to elicit the participants opinions on the legitimacy of the assessment methods utilized in accurately reflecting the quality of learning. The question and probe were:

Question: What comments do you have on the marking system and methods of evaluation used at law College?

Probe: Did marks accurately reflect your learning (in a particular course)?

Finally, as Focus Group #1 had referred to specific ways to improve the teaching and learning dynamics in law College it was thought to be important to give other participants a similar opportunity to reflect upon how their legal education experience could have been improved. An open-ended question was developed which concluded the review of the formal teaching and learning experiences in law College.

#### **IV. Summary – Conclusion**

Quality in university education has long been a contentious subject particularly in the sphere of professional education. Student evaluations have become commonplace in recent years to assess individual courses and to provide feedback on elements of good teaching. Rarely however are entire programs of study reviewed. Participants in this research study were all law faculty graduates but individuals had attended different law faculties located in Sindh provinces in Pakistan. Thus the program under review - law College - remained constant but the broad range of experiences provided an overall view of pre-professional legal education in Pakistan generally which would not have been possible through the evaluation of a single faculty.

It has also been uncustomary to canvas the reflections of graduates on their learning experience rather than students currently enrolled in a given program. Graduates, however, possess a unique perspective for they have gone on to work as professionals and have used the knowledge, skills and values acquired in university. The participant's review of their legal education experience as former students provided a breadth and depth of commentary about program effectiveness and quality; this would not have been possible through an alternate research approach.

The findings of the study illustrate that the quality of legal education in Pakistan was a topic of great interest to former graduates. The primary message was balance. Participants responded to key legal education issues by mediating, divergent and often extreme, entrenched positions. Dissent which has arisen in the past between those who actually practice law and the academically oriented faculty who teach future lawyers was reflected in the study but many participants tried to find the "high road" in this ongoing debate. Participants proposed changes and made recommendations which combined the best of both worlds in the improvement of legal education in Sindh Pakistan.

There was a recognized need to seriously evaluate what was being taught and to improve the teaching of future lawyers. There was no doubt that in this era of fiscal accountability, the day-to-day work of university professors as teachers will come increasingly under scrutiny. Pakistan Law Colleges are at a disadvantage as they have not been the subject of careful study in the past and therefore have been lulled into a false sense of security that whatever change need occur can happen gradually. The comments of former students have established that this would be a misguided presumption. The world has changed quickly and the university, particularly the law faculty which has been steeped in tradition and precedent, must be vigilant in responding to future challenges.

A set of principles or key themes arose from data analysis and a review of the literature, which supported comments of the participants. These were included in reference to quotations from the graduates, who provided valuable insights drawn from their education experiences at law College. The data were gathered and analyzed in order to assess and make recommendations on how to improve the quality of pre-professional education in law in Sindh Pakistan. The themes are compiled below in a summary of the research findings.

#### **RESEARCH FINDINGS**

To summarize, each theme has first been presented in a very brief over-view equated with the respective chapter in which the theme or themes were explored in greater detail. A more in-depth analysis of the data and theory follows which summarizes the contribution of the research to the field of higher education.

- a) There was a recognized need to clarify the purpose of law College. The aims, objectives and out-comes need to be specified and evaluated; and

Law College was an important experience for graduates and the education received had a long-term impact on their lives, This included professional designation upon graduation, continuing friendships and an ongoing change in thinking processes.

- a) The "hidden" curriculum had a significant impact upon the student at least as significant as the "formal" curriculum. According to participants the law faculty only recognized the formal elements of a legal education as being significant;
- b) Teaching and learning dynamics in law College are similar to other higher education faculties and there was a need to:
  - a. Identify the elements of effective teaching; and
  - b. Consider positive learning strategies in order to improve the quality of legal education.
- c) There was a recognized dichotomy between the need to reach theory and practice although most participants recommended accommodating both in legal education. Questions were raised as to why this issue has not yet been addressed by law faculties as the majority of other pre-professional programs have already adopted a practicum component - integrating theory and practice at the university level.
- d) Learning should incorporate professional practice in law College which would foster life-long learning and "reflection in action" as part of the educational experience;
- e) Advice to law students on how to better "handle" law College which included an emphasis on the need for balance and ways to seek a well-rounded law College experience; and
- f) Recognition that law College can have a negative psychological impact upon students and recommendations on how best to minimize this aspect of legal education;

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