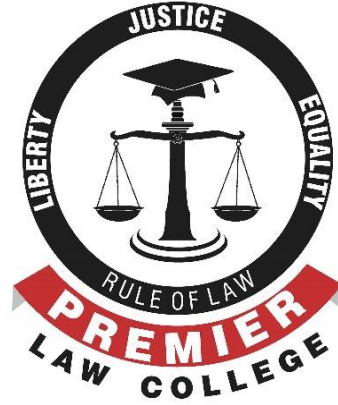


Revamp the Curriculum



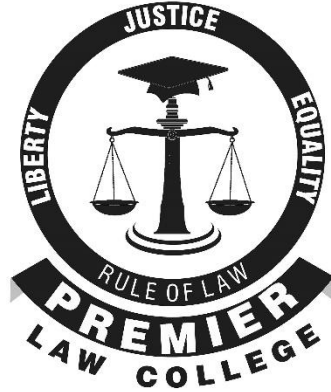
Recommendations for the LL.B Curriculum Reformation

First Edition

Submitted by:
Premier Research Center

A Project of
Premier Law College, Gujranwala

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I. Background of organised legal education

Father of the Nation and one of the leading lawyers across the British Commonwealth, Quaid e Azam Muhammad Ali Jinnah said, “You know that the importance of education and the right type of education cannot be over-emphasised. ...If we are to make any real, speedy, and substantial progress. We must earnestly tackle this question, ...having regard to the modern conditions and vast developments that have taken place all over the world...” (The Quaid – e – Azam).¹

Taking inspiration from his words, we believe that it’s about time that Pakistan should manifest a robust legal education framework which enables development of pragmatic L.L.B. curriculum to cater for contemporary socio-legal needs of future lawyers and legal fraternity at large. However, before moving into the proposed reformation and revision of the curriculum, it is only better that we try to understand how the legal system in its current form evolved and what it means to be a lawyer.

In ancient Europe, legal education began with the exploration of socio-legal and ethical issues. However, the focus of legal education shifted over time, with mediaeval European colleges studying Roman, Common, and International laws known as jus-Commune. The early establishment of a legal culture in England and English common law considerably diminished the impact of this triad on legal education.

The Inns of Court,² which organised highly structured vocational apprenticeships involving both law readership and practical exercises with shadowing law practitioners – certainly with dining, in a closed and scholarly community – provided and facilitated legal education in mediaeval England under this sophisticated and indigenous legal culture.³

However, organised legal education for solicitors did not begin until the 1750s, when Sir William Blackstone began delivering his famous English law lectures at Oxford. These lectures were not intended to educate and train future, rather intended to educate and train future justices with a dedication in jurisprudence and law.⁴

¹ Jinnah M.A. ‘Address to the All Pakistan Education Conference’ (Karachi, 27 November 1947).

² Econmoides, K. (2001) ‘Legal Education’ *International Encyclopedia of the Social & Behavioural Science*, 8630.

³ Brand, V. (1999) ‘Decline in the reform of Law teaching? The Impact of Policy Reforms in Tertiary Education’, *Legal Education Review* (10)2, 109.

⁴ Ibid.

By transitioning jurisprudence from rather noble, closed, and mediaeval environments to liberal socio-economic environments, the Victorian era is considered to be the facilitator in both the beginning of organised legal education at universities, and the promulgation of legal profession at social canvass. With the founding of the Council of Legal Education in 1852, early 19th century legal scholars and visionaries, particularly John Austin, Jeremy Bentham, and Sir Henry Maine, are considered the founder of university legal education at University College London and abroad.⁵ During the twentieth century, the Council formed the Society of Legal Scholars, which promoted systematic legal education and integrated teaching throughout the United Kingdom and British Colonies.⁶ Meanwhile, in the United States, university legal education began in 1817 with the founding of Harvard Law School, which was later developed and monitored by the Association of American Law Schools.⁷

In Pakistan, legal education began at public universities and then moved on to law colleges based on the above-mentioned model, with one exception, i.e., legal education and its structured curriculum relied solely on theoretical framework and was annually evaluated by an assessment policy that primarily assessed and questioned a law student's memory – an outdated approach to developing a group of rational lawyers. Second, and more importantly, Pakistan is one of the few common-law jurisdictions where practising lawyers and retired judges teach legal education, which has restricted the creation of a strong community of legal scholars and researchers.

II. What it means to be a Lawyer?

1. The lawyer

The ultimate goals of legal education is to educate, train and develop quality lawyers to practice within a given society, ranging from students' educational preparation, hands-on training and regulatory accreditation and trade licensure.⁸ Throughout the course of structure legal education, law students are exposed to diverse legal courses and contents in an interdisciplinary academic and social setting to skilfully embrace the lawyers' role. However,

⁵ Cock R. (1983) *'Foundation of the Modern Bar'* (Society of Legal Scholars, Sweet and Maxwell Ltd).

⁶ Cowrie F., and Cocks R. (2009) *'A Great and Noble Occupation! The History of the Society of Legal Scholars'* (Hart Publishing, Oxford), 276.

⁷ Stevens R. (1983) *'Law School: Legal Education in America from the 1850s to the 1980s'* (Chapel Hill: The University of North Carolina Press) 18.

⁸ Wegner, J.W. (2010) 'Education for the Legal Profession' *International Encyclopedia of the Social & Behavioural Science* (3rd edn) 25.

this traditional approach towards legal education changed overtime in neo-liberal western democracies to reflect and denote societal change to produce next generation of pragmatic lawyers to become a diverse profession beyond jurisprudential and judicial setting. This radical shift in societal and economic norms posed a challenge for the law schools to affirmatively respond to this societal change by re-structuring their traditional approach to legal education to produce lawyers with diverse interpersonal and core legal skills in order to be job-ready for the 21st century dynamic yet global world. Some jurisdictions internalised this societal change well and restructured their legal education in a pragmatic way by shifting its focus towards training and problem-solving methods.⁹ It is pertinent to mention here that American law school became the pioneers to champion this new approach by emphasising a great deal of efforts in developing academic and industrial resources to help law students think like lawyers by enabling them:

- a) to develop independent critical-thinking skills by using case-dialogue methods; and
- b) to develop sound legal researching and writing skills by enrolling in clinical programs or simulation-based courses to invoke such skills.¹⁰

Overtime, when governing and accrediting legal bodies became resourceful to nurture professional responsibility and practice ethics, law school were obliged to offer practice management and ethics course along with increased efforts to boost *pro-bono* engagements to connect future lawyers with the community and real-life lawyering.¹¹

2. Core legal skills

In order to have a successful career in law, there are certain core legal skills that every lawyer and law student ought to have. Although, every lawyer has a different position and in terms of their official responsibilities, i.e., some being public attorneys, other private practitioners, yet the importance of the core legal skills is consistent and obstinate throughout the legal career.

Legal research is often considered to be a fundamental skill for lawyers. The capacity or in capacity to do competent legal research might have repercussions. As a result, all attorneys must offer adequate counsel to their clients. Despite the widespread belief that

⁹ Ibid.

¹⁰ Wegner, J.W. (2010) 'Education for the Legal Profession' *International Encyclopedia of the Social & Behavioural Science* (3rd edn) 26 – 27.

¹¹ Ibid, 27.

legal research is an essential skill for lawyers, there has long been an impression that legal research skills in new lawyer are sorely missing.¹²

Furthermore, there have been constant debates about, whether young lawyers are equipped with the necessary writing skills. It has been iterated that most of the lawyers upon their graduation are not equipped with necessary writing skills. A study by Jamshed, Jibran & Javed, Muhammad (2021), reveals that fresh graduates of law do not know about legal drafting, finding case laws, legal research, and proper usage of the law library. Correspondingly, the fresh law graduates had been found to have serious problems with the understanding of basics of English Language. They are very poor in all the three departments of reading, writing and speaking, when it comes to English Language. Since English has paramount importance in the legal profession, thereby the lack of understanding by the lawyers draws a serious implication for their practice.¹³

A detailed analysis about reforming legal education in Pakistan was performed by Khan, Hanna et al. They identified multiple problems in the prevailing education system, of which the stark difference between practice and theory is the most obvious one.¹⁴ It was suggested that the purportedly two faces of legal world – academic and practical – need to bring closer by introducing vocational activities which provide the taste of practical world to the students.

It was asserted that the fresh lawyers had very meagre understanding of basic legal principle and knowledge on laws which are translated to during their degree. Due to this, a distrust among the major law firms exists for fresh graduates from Pakistan against those who have external law degree.¹⁵

3. UNESCO Skills

The sustainable development goals (SGDs) formulized by United Nations development program (UNDP), deal with 17 goals which are of prime importance. One of these goals is Education. In the retrospect of this development, UNESCO has outlined four skills which must

¹² Venie, T.W. (2008). Essential Research Skills for New Attornies: A Survey of Academic and Practitioner Law Librarians. 02-05

¹³ Jamshed, Jibran & Javed, Muhammad. (2021). Evaluation of Fresh Law Graduates: An empirical study about the Legal Education System of Pakistan.

¹⁴ Khan, Hanna & Dastagir, Ghulam & Hak, Nora & Hussain, Faridah & Iqbal, Mohd & Wahab, Abdul. (2019). Reforming Legal Education in Pakistan by Introducing Clinical and Practical Aspect in the Existing Syllabus: A Key to Enhance Professionalism within Law Graduates.

¹⁵ *ibid*

be incorporated along-with the practical knowledge. These skills are named as critical thinking, communication skill, analytical skills and problem-solving skills.

According to the United Nation Secretary General, António Guterres, "Education today should combine knowledge, life skills and critical thinking." There is a consensus among the academia, policy makers and social activists that critical thinking should replace the old system of education. Educational institutes should elevate the young brains so as to critically accept or reject an argument on the basis of its merits. Pincione, G. (2009) argues that critical thinkers can undermine a deteriorating legal culture. By drawing an analogy between the law and other disciplines, it asserts that while other disciplines have a sound methodology for deduction, law has multiple meanings to a same subject matter. In order to find the right solution, a comparative analysis is required.¹⁶ Critical thinking helps in developing a perspective.

Secondly, the analytical skills; analytical skills in legal outfield involve fact analysis, case analysis and synthesis, statutory analysis, argumentation, and critical evaluation of legal and ethical issues.¹⁷ In Pakistan, however, more or less, all law institutes use the outdated methods for the exams wherein same questions are repeated every year and rather using rational and analytical skills. Students in this perspective memorize the schemes for passing a exam and never bother to go through legal statutes and research which can enable them for assuming their future roles.¹⁸

Most law courses do not provide in-depth study to build analytical, critical, logical, rational, communication, and interpersonal skills, nor do they instil professional ethics and code of conduct, which are fundamental legal abilities. As a result, pupils develop neither a motivation to conduct research nor legal abilities. They solely study with the goal of passing the exam, which is only a memory test, which they ace by cramming.¹⁹

Third, Legal profession needs the support of communication skills more than any other profession. A lawyer is paid for his good communication skills to present the case on the

¹⁶ Guido, Pincione. (2009). Critical Thinking and Legal Culture. Rationality, Markets and Morals.

¹⁷ Larry O, 'Deconstructing Thinking Like a Lawyer: Analysing the Cognitive Components of the Analytical Mind' (2007) 29(3) *Campbell Law Review*

¹⁸ Sarmad M, 'Legal Education in Pakistan: Problems and Prospects in the Context of 21st Century' (2007) 3(1&2) *Islamabad Law Review*

¹⁹ *ibid*

behalf of his clients. Communication skills include not only the presentation of the case but also understanding of the legal documents. Since, the legal statutes are written in English Language, it is important that lawyers reflect a good understanding of English Language. Ahmed N (2011) conducted a study to analyze the needs of Spoken English in Pakistani Academic Legal setting. He took two both the teachers and students (recent graduates) into account. 87% of the respondents revealed that learners had inadequate spoken skills.²⁰

Problem solving skills are the last of the prescribed skills by UNESCO. The relevancy of Problem-Solving skills in legal profession as important as all of the above-mentioned skills. According to Ken Murphy, director general of the Law Society, a professional body for solicitors in Ireland, lawyers are professional problem-solvers. People budge off their problems onto their shoulders, so lawyers have to focus on obtaining the best practical outcome. It is important for lawyers to draw the solution of the problem based on the available data. It not only helps them build their reputation but also facilitate their clients with required remedy.²¹ However, like all the skills, in the presence of current curriculum, the inception of problem-solving skills, too, is not possible on account of all the above impediments.

4. Why “Priestly 11” still the relevant and productive legal discourse to train lawyers

As per the Australian legal education model, the Priestley 11 are eleven law subjects required to be successfully completed for candidate status for admission into practice as a legal practitioner. These include Administrative Law, Civil Procedure, Company Law, Constitutional Law, Contracts, Criminal Law and Procedure, Equity, Ethics, Evidence, Property, and Torts.

Lawyers upon graduation find it imperative to consult legal matter related to these fields of law.

Although, the current legal curriculum is comprised of these courses, yet the quality of the tutorship is below average. The status quo is exam centric, rather than being profession centric or student centric. The students are taught in the class with a perspective of passing

²⁰ Ahmed N, ‘Analyzing the Spoken English Needs in Pakistani Academic Legal Setting’ (2011) 31(2) Pakistan Journal of Social Sciences

²¹ The Irish Times. (2005). Problem Solving is vital for legal career.

[https://www.irishtimes.com/business/problem-solving-is-vital-for-legal-career-1.420189 /](https://www.irishtimes.com/business/problem-solving-is-vital-for-legal-career-1.420189/)

the exams rather developing their legal base. A few numbers of questions which are repeated on the regular basis, are taught to the students who cram them for passing the exams. This under emphasizes the importance of prevailing priestly 11 and their significance in the legal education, in the long run.

III. Current position of legal education in Pakistan/Punjab

While taking into account of the current legal education in the country, we experienced that current legal education system is neither producing the law graduates nor the qualities required at the national or international level. The attributes required like critical thinking, analytical skills, fact analysis, case analysis communication skills and practical trainings of writing skills and presentation skills are the demand of the day. To bring these changes in our legal education we must change our teaching, training and assessment criteria.

1. Why 5 years program was introduced

The gap between legal education and its graduate core competencies is well established and evident within both academic and supreme judicial communities. One such example of this pressing issue is evident from the recent judgement of the Supreme Court of Pakistan in the case of *Pakistan Bar Council v Federal Government of Pakistan 2019 SCMR 389*. PBC filed this petition²² seeking to enforce an earlier judgement (*Pakistan Bar Council v Federal Government of Pakistan & Others PLD 2007 SC 394*) of the same Court, where the Court decided the matter concerning the declining standards of the legal education and the issues concerning the substantial growth of rather unregulated law colleges across Pakistan.

a. Holistic education – if yes, does it achieve its paramount goals?

With the introduction of 10 general courses and 08 foundational courses, the National Curriculum Revision Committee (NRC) aspired to

- Indoctrinate a broad socio – politico – economic understanding in the students under which legal systems across the globe and especially in Pakistan works
- Make sure that students are equipped with knowledge and understanding of the fundamental doctrines and principles of Law

²² Pursuant to s 183(3) invoking Court's inherently original jurisdiction to decide a matter concerning public criterion.

- Develop the intellectual and practical skills necessary for employment in the legal profession and other careers.

The prescribed foundation courses like Sociology, Economic, Political Science, Reasoning, Philosophy of Law, and Psychology aimed to complement the broad perspective of the academic and legal understanding of the students. In addition, the compulsory courses like English Language, Communication Skills, Islamic and Pakistan Studies and Introduction to Law prescribed major part of the initial degree. The purpose of these courses was to inculcate all the important and necessary details about the history of law, society and culture as well as English language outcomes before introduction of the core courses relating to the laws.²³

b. Core competencies

i. Graduate attributes

It was asserted that the five years program in Pakistan would bring forth such attributes to graduates that upon their graduation, they would be able to

- Reflect the understanding of the basic values and principles of Pakistan's legal system
- Understand the basic laws of Pakistan and its legal institutions
- Solve a range of complex legal problem with their legal acumen
- Communicate effectively in both written and oral form²⁴

ii. Overall Learning outcomes

NRC stressed that the course contents and the teaching methodology should place emphasis upon

- the acquisition and development of a wide range of intellectual and practical skills of students so that they can analyse, evaluate, synthesize and apply conceptual information to practical legal problems
- the development of intellectual and practical skills and in particular law students should be able to develop and demonstrate independent thinking, plan and carry out independent research and apply basic legal research skills and research techniques.
- the development of written and oral skills of the students to build their capacity to problem-solving and expand their knowledge of information technology.²⁵

²³ HEC, 'Curriculum of LL.B(5 years)' (2015)

²⁴ Ibid

²⁵ Ibid

2. What skills current curriculum professes to develop

The basic premise behind the introduction of 5-years program was to enable students against the backdrop of declining standards of legal education. It was thought to introduce such skills as necessary computer literacy, social media usage and other information skills, so to prepare them for the changing needs of the time. The courses of basic communication skills, while they may complement the prescribed learning outcome, however it needs the proper implementation of these courses.

3. Is it really a job-ready program?

However, despite all the above-mentioned attributes, due to multiple structural problems underlying the legal system, these reforms have not been able to provide the desired outcomes. The students upon their graduation are deficient of certain skills which are necessary for their professional practice. Jamshed J, et al. (2021) highlighted a series of problems which the law graduates face at the time of their graduation. It is found that fresh graduates do not have any understanding of the English language. They are not able to write, speak, listen or even read a statute properly in its essence. This rises a serious question upon the quality of English language subject being taught under the banner of compulsory subjects during the degree. In addition, the fresh graduates lack necessary skills to do research for case preparations. Given core subjects are delegated to the understanding of how to conducts research and find relevant information about the case and subject matter. Moreover, students also lack the necessary skills of legal drafting, finding case laws, and proper usage of the law library. Likewise, fresh law graduates have inadequate understanding about the type and jurisdiction of special courts. Furthermore, it was found that most of the fresh law graduates cannot not argue in English during the judicial proceedings.²⁶

These results and several other studies²⁷ have indicated that the system introduced in the 2015 has not been able to reach its desired outcome, which is primarily underscored by the

²⁶ Jamshed, Jibrán & Javed, Muhammad. (2021). Evaluation of Fresh Law Graduates: An empirical study about the Legal Education System of Pakistan.

²⁷ Siddique, O. (2014). Legal Education in Pakistan: The Domination of Practitioners and the Critically Endangered Academic, *Journal of Legal Education*; Talpur, Z. H. (2013). Study on the Reformation of Legal Education in Pakistan, 16, No. 5 *Journal of Humanities and Social Sciences*; and Sial, A.Q. (2009). Designing Legal Education to Support Social Evolution in Pakistan, *South Asian Studies, Research Journal of South Asian Studies*

assumption that examination system coupled-with the teaching attributes has limited the scope of learning the prescribed courses. This is reflected in the above-mentioned results.

IV. International experience

1. Legal education in the United Kingdom

The legal education system in the United Kingdom is established on the common law system, which was created over hundreds of years via rulings and customary laws consolidated by customs and tradition. The legal education system in the United Kingdom is one of the most advanced systems in the world, both in terms of academic quality and professional training.

All three territories, i.e., England and Wales, Scotland and Northern Ireland, of the United Kingdom are based upon Common Law system. Prior to the split from EU, there was a significant effect of European integration in UK legal education system, however it has not been the case anymore. In both intellectual and practical elements, the three territories' legal education systems differ. However, the greatest common feature is that the legal education systems of the three countries contain two pre-qualification stages, i.e., Academic and Vocational, each with its unique set of features. Though the academic stage is dedicated to the examination of statutory interpretation, principles, doctrines, and the recognition of constitutional concepts, the vocational stage is more focused on the skills and expertise that professional attorneys need.²⁸

Undergraduate and postgraduate programs, which are offered by the majority of UK institutions, make up the academic stage, which involves earning a "regular" legal degree. The Law Society and the Bar Council of England and Wales determine whether the law degrees are Standard for the purposes of the term, compiling a list for the convenience of prospective lawyers. According to BC/LS rules²⁹, a law degree 'must' include a comprehensive curriculum on essential 'primers' or 'fundamental' legal subjects in order to be certified as a Standard law degree. These include contract and tort law, equity trusts, property law, administrative and constitutional law, criminal law, evidence, and European law, among others. Since these essential courses should be established on UK law instead of the legislation of certain other countries, in this regard, virtually all degrees from international institutions are termed 'non-standard' for BC/LS purposes.³⁰

In England and Wales, there are two types of legal professionals i.e., barristers and solicitors. Students who want to practise law will go for one of two career paths, apply for

²⁸ Al Faruque. A (2009). Legal Education in the UK: An Overview, Chancery Law Chronicles.

²⁹ Qualifying with a Degree, The Law Society (2021). <https://www.lawsociety.org.uk/career-advice/becoming-a-solicitor/qualifying-with-a-degree>

³⁰ Ibid

admission, and undergo the vocational stage. The practical abilities that attorneys require are highly concentrated during the vocational stage.³¹

The Law Society and the professional body for solicitors in England and Wales, both, requires aspiring lawyers to do a Legal Practice Course, completing this, they must secure a Training Contract from a lawyers' company, which will give them with two years of training, before being officially 'admitted as a solicitor' or put on the Roll of Solicitors.³²

For lawyers aiming for becoming barristers in England and Wales, the General Council of the Bar has authorized a one-year program and examination known as Bar Professional Training Course (BPTC). It was established in 2009 in order to focus on the practical skills essential for judicial work.³³ Practical activities include the skills of drafting, research, advocacy, interviewing, and negotiation. BPP Law School, Inns of Court College of Advocacy, College of Law Cardiff, School of Law University of London, Manchester Metropolitan University, University of Northumbria, Nottingham Law School, Bristol Institute of Legal Practice, and University of the West England are among the eight institutions offering a bar vocational course.³⁴ Various institutions have developed their own programmes and assessment criteria. Most, if not all, institutions, on the other hand, have embraced performance evaluation in skill areas and multiple-choice examinations to measure thorough knowledge of procedural regulations. In addition to practical skills, the Bar vocational course includes substantive training in criminal law, common law, taxes, civil and criminal process.³⁵

2. Legal education in United States of America

The legal education in United States started and developed against the backdrop of Langdellian School of thought professing and promoting case-method of teaching law. Christopher Langdell, the first Dean of Harvard Law School from 1870 to 1895 advanced and entrenched the idea that "law was a theoretical science whose overarching substantive principles could only be mastered through the careful analysis of appellate court opinions."³⁶ That analysis was thus based on the "case method" approach to structure legal education at the pioneer law school of USA which required the use of specially prepared casebooks of leading decisions – akin to PLD, SCRs and CLRs. This rather restrictive approach failed soon

³¹ Al Faruque. A (2009). Legal Education in the UK: An Overview, Chancery Law Chronicles.

³² Ibid

³³ Amendments to the Bar Training Regulations – Matters Relating to Pupillage,(2007), Legal Board Service. https://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/Application_bsb.pdf.

³⁴ Smith, Jemma (2021), Bar Professional Training Course, Prospects. <https://www.prospects.ac.uk/jobs-and-work-experience/job-sectors/law-sector/bar-professional-training-course-bptc>

³⁵ ³⁵ Al Faruque. A (2009). Legal Education in the UK: An Overview, Chancery Law Chronicles.

³⁶ Bloomfield M, 'Book Review: Law School: Legal Education in America from the 1850's to the 1980's by Robert Stevens (1983)' Symposium: Law of the Sea (1985) *Louisiana Law Review* 45(6)1330.

after its implementation since it could be help law students to conceptualise and develop a coherent body of objective rules.³⁷ However, its proponents stressed that this approach should be retained for its pragmatic reasons especially in the absence of another robust approach. One of the key argument in its favour was that it helped students to learn and practice “thinking like a lawyer” since it conformed with the intellectually sound trends in other scientific disciplines. Though it was the only pragmatic approach to structure legal education at university, it was however not embraced and implemented by all law schools across the country.

Therefore, progress towards developing a unitary system of university legal education occurred in two stages. Firstly in 1930, states insisted and started moving towards a law school training as the sole method of preparing for the bar thus extinguishing apprenticeships with its distinct features. Secondly, subsequent to the World War II, states legislated to move towards a standardised legal education by requiring students to attend only law schools approved by the American Bar Association or the Association of the American Law School which certainly monopolised market for elitist law school and once again served to perpetuate the Langdellian (case-method) approach.³⁸ Duncan Kennedy, an imminent legal scholar of the time, concluded his well-founded and accepted thesis on the state of legal education in America, in general remarks as that the law school are intensely political places, barren of the theoretical and intellectually ambition or practical vision of what social life might be. That certainly denotes a typical example of “trade school” mentality “where the endless attention to trees at the expense of the forests, the alternating grimness and chumminess of focus on the limited task at hand, all these are only part of what is going on.”³⁹ Based on Kennedy’s experience and research into a century old legal education system, he recommended change in the curriculum, which should *incorporate and emphasize clinical experience and feature and interdisciplinary “legal decision course” to invoke legal ideological sense and application in law students and changes in the placement process at small and large firms for competitive positions to test their learnings.*⁴⁰

³⁷ Ibid.

³⁸ Ibid 1331 – 1332.

³⁹ Kennedy D, ‘Legal Education and the Reproduction of Hierarchy: A Polemic Against the System’ (Cambridge: Afar Press, 1983) 1.

⁴⁰ Ibid, 98.

3. Legal education in Australia and Canada

The undergraduate degree in Canada is the *Juris Doctor* or JD, which takes three years to complete.⁴¹ In most Canadian law schools, the first year of law school is similar, where students study basics of criminal law, constitutional law, property law, and contracts law. Special courses are also offered to teach first-year students about other areas of law. First year students are also given specialized training in legal research and writing.⁴² First-year students can participate in a variety of extracurricular activities and outreach programs.

During second year, students have a lot of options for choosing their own courses depending on their interests. Most law schools mandates students to engage in a "moot," which is a mock trial in which students serve as "attorneys" and are "judged" by professors and lawyers, whether in the first year or later in the programme.⁴³

After their second year of law school, many students work as legal research assistants at law, government legal agencies, or legal clinics. It's a profound way to learn regarding different legal jobs and to determine what kind of law they want to practice, if any. Students apply for articling opportunities and go through articling interviews throughout the summer. Students attend more specialized classes in their final year and work on extensive research papers in their fields of concern. Exchange programs are also available to students.⁴⁴

Meanwhile in Australia, a three-year degree for individuals with a prior university degree or a four-year degree for those without a prior degree is required for legal education.⁴⁵ In both settings, the degree is normally pursued full-time. A Bachelor of Laws (LLB) or, in certain cases, a Juris Doctor is the title given to this degree (JD). The LLB is frequently pursued in combination with another degree. Most law schools have a structure in place that requires students to take a set number of basic courses such as contract, tort, property, constitutional law, criminal law, evidence, and court procedure which expose them to the legal understanding.⁴⁶

⁴¹ So, You want to Become a Lawyer (2021), University of Toronto, Faculty of Law. <https://www.law.utoronto.ca/getstarted>

⁴² Ibid

⁴³ Ibid

⁴⁴ Ibid

⁴⁵ Legal Education in Australia (2021), Studying Law in Australia. <https://cald.asn.au/slia/legal-education/>

⁴⁶ Ibid

Furthermore, several law schools offer a variety of courses from which students can choose to satisfy the required number of subjects in the four years. Jurisprudence, international law, comparative law, comparative trade law, copyright patents, and trademarks are a few of the disciplines that are offered but not required.⁴⁷

The legal degree does not place a strong value on cramming. Reading for relevance, analyzing and selecting relevant topics, knowing and being able to apply applicable legal concepts to facts from daily life, and tailoring legal solutions to client problems are the skills learned. In Australia, most students study law for five years and get two degrees. The most popular combined degrees are arts/law, commerce/law, business/law, and science/law. Engineering/law and even medicine/law are also becoming increasingly common. Some understanding of other subjects is deemed necessary in the practice of law.⁴⁸

4. Legal education in Pakistan

Law in Pakistan, requires students to enter the LL.B degree after completion of their 12 years of education and continues for five years. The first two years elaborate students with several basic courses which are complementary to the legal education in the long run. These courses have been divided into three categories; the foundations courses like Sociology, Political Science, and Philosophy of Law; the compulsory courses like English Language, Skills Development, Islamic and Pakistan Studies and Introduction to Law, and; the core courses like Jurisprudence, Constitutional Law, Criminal Law, Civil Law, Administrative Law, Contract Law and Equity etc. The basic assumption behind the indoctrination of this combination is to balance the broad perspective of the academic and legal understanding of the students.⁴⁹

While this structure may produce some quality amongst the students in university, the same is not replicated in the accredited and affiliated colleges across the country. As it has been discussed above that given the examination structure, the students cram the selected few topics, in order to pass the exams.

⁴⁷ Ibid

⁴⁸ Ibid

⁴⁹ HEC, 'Curriculum of LL.B(5 years)' (2015)

V. Pre-Requisites for the Reformation

1. Learning from international experience

The above discussion on the comparative study of the international legal education system is a precedent for Pakistan to follow. A lawyer without a critical subject analysis is as good as a layman. Profession of advocacy demands that such lawyers join the fields who have a higher aptitude and skills. This requires that they are graduated from such a system, which accommodates them with the required cover for the enhancement of the success rate. For this, it is important that Pakistan too, develop a system, which complements the professional intricacies. For this purpose, we must follow the footsteps of the international programs and educational systems. As discussed above, the fundamental outlook of the all the major international legal education systems involve a combination of the both theory and practical application of theoretical knowledge. In comparison to this, law students in Pakistan never go through a phase of potential training, which may enhance their professional outlook, during the course of their entire degree program.

This is one of the principal reasons behind the shortfall of the quality lawyers in the country, as majority feel distress and burning out as they start their career in the professional field. To counter this problem, it is important that students are introduced to the professional world, during the phase of their degree program, where it is made compulsory upon them to do internships during their summer or examination break. This system has been successfully tested in all the above-mentioned countries and has yielded in a large number of quality lawyers.

2. Foundations for reforming a newly developed system

a. Communication and negotiation skills

It would not be unfair to provide lawyer an alias of a “communicator” since that’s what lawyers do in any scheme of work. They are expected to be sharp and effective communicator across all means of communication. Thus, a bare minimum standard for any lawyer including lawyering predominantly rests on communication skills – that if nurtured and developed well at law school setting, could be catalyst in reforming both legal education and legal fraternity at large.

Since here our brief is concerned with the syllabus reformation, it would be therefore pertinent to discuss it against the backdrop of that lens. Although, current syllabus does have English language course, it would however be of great help if students were to learn substantive law in more engaging way. For instance, Mooting could be just one example of such an interactive learning experience. It is widely recognized and equally accepted that mooting teaches a good mix of generic skills beside specific legal skills.⁵⁰ It has been suggested that they can be grouped as “communication skills”.⁵¹ Thus by making Mooting a part of standardized curriculum law students would be exposed to a simulated real-life environment starting in early years of education.⁵² Mooting has also been recognized a unique legal skills with “the presence of a certain nebulosity – an indefinable quality” enabling law students to “explain very complex legal matter both simply and clearly.”⁵³ A unique set of skills which has also been associated with good lawyering.⁵⁴ Australian government’s substantive inquiry of 1987 into the state of legal education within the country and Commonwealth summarized in its catalyst Report⁵⁵ reinforces the same understanding concerning the vital importance of mooting. Whilst considering mooting as a part of course delivery at law schools, the Report denoted that it is a pragmatic way to teach law students substantive law at all levels since this interactive exercise would involve diverse (some of the essential lawyering) skills such as, research, oral delivery and written submissions⁵⁶ – certainly further validating the centuries old ‘shadow lawyer’ simulation enunciated at Inns of Court and still thriving at global level.⁵⁷

⁵⁰ Lynch Andrew, ‘Packing Them in Aisles: Making use of Moots as Part of Course Delivery’ (1999) 10(1) *Legal Education Review* 83; J Costinis, ‘The MacCrate Report: Of Loaves, Fishes, and the Future of American Legal Education’ (1993) *Journal of Legal Education* 157, 171 – 5.

⁵¹ Lynch Andrew, ‘Packing Them in Aisles: Making use of Moots as Part of Course Delivery’ (1999) 10(1) *Legal Education Review* 83.

⁵² Lynch Andrew, ‘Packing Them in Aisles: Making use of Moots as Part of Course Delivery’ (1999) 10(1) *Legal Education Review* 83.

⁵³ J Snape and G Watt, ‘The Cavendish Guide to Mooting’ (Cavendish Publishing Limited, London, 1997) 11 – 12.

⁵⁴ D Bentley, ‘Mooting in an Undergraduate Tax Program’ (1996) 7(1) *Legal Education Review* 97, 99.

⁵⁵ D Pearson et al., ‘Australian Law Schools – A discipline Assessment for the Commonwealth Tertiary Education Committee’ (AGPS, Canberra, 1987).

⁵⁶ L Andrew, 84.

⁵⁷ Economides, K. (2015) ‘Legal Education’ *International Encyclopedia of the Social & Behavioural Science* (2nd edn) 736.

b. Legalese and plain English

It has been observed by the virtue of several studies⁵⁸ that students belonging to non-native background usually find it difficult to understand the basic jargon of any subject which is related to English language. It has also been observed that students who are not from the native background usually find themselves at disadvantage in comparison with those who are native. Despite the various strategies adopted by the teachers, the time span for understanding the basic crux of any subject matter is larger for the non-native students.⁵⁹ It is also observed that students who have a weaker command of English language are less likely to enunciate the legal principles and concepts.⁶⁰

In this regard, a study⁶¹ has suggested to incorporate the English Specific Programs (ESP) with the current curriculum in order to provide a definite understanding for the jargon of the subject matter. These programs are customized to focus on the specific jargon of a particular subject matter, hence whenever a word or terminology is enunciated, the students know its meaning and its primary usage.

Specific terminology is thought to be a barrier to effective English communication, so there should be a greater emphasis on learning vocabulary which is specifically related to law.⁶²

c. Researching demeanor

As already described before in 1-B that research factor is predominantly missing in the current lot of young lawyers. There is a dire need of bringing this factor in the ambit of the curriculum. However, other factors must also be taken into account. To begin with, the expansion of the administrative state necessitates that all law students receive instruction in statutory and regulatory research earlier and at a higher level than has previously been the

⁵⁸ S J Yeo, 'English Communication Skills and the Teaching of Law: A Study of the Singaporean Tertiary Sector,' (2018) University of Western Australia

⁵⁹ A Owens et al, 'What are the challenges involved and strategies employed in teaching Australian Law to Non-Law Students from Non-English Speaking Backgrounds and Culture' (2010) Journal of the Australasian Law Teachers Association.

⁶⁰ Ibid

⁶¹ Xhaferi, Brikena & Xhaferi, Gezim. (2011). The English language skills in ESP for law course. Revista de Lenguas para Fines Específicos. 17. 431-448.

⁶² Ibid

case.⁶³ The few who take an advanced legal research course can no longer claim to have a firm basis in regulatory research.

Second, law schools across the globe are beginning to recognize the influence of globalization and are beginning to educate first-year students to the fundamentals of international and foreign law.⁶⁴ Legal research courses must also assist this introduction by mentioning it in the first year.

Third, the Internet has expanded both the types of material that courts rely on and the types of study that attorneys conduct on a regular basis.⁶⁵ "Attorneys today do research in ways they never studied in law school, and this shift is largely due to technological advancements. Information literacy is becoming a mandatory component of law school legal research curricula due to the expansion of freely accessible information.

Fourth, technological advances are weakening the legal system's core framework.⁶⁶ The expanding number of technical tools available for retrieving, sorting, and managing the massive quantity of data available is changing how legislation and information are accessed. These changes affect our very legal structure, not merely how lawyers research the law.

Legal research needs to be recreated under the auspices of the institutional sponsorship. The solution is to develop a course during law school that teaches legal research as both a fundamental legal skill and a fundamental lawyering ability. Law students will continue to fail at legal research and weakened by the repercussions of freely accessible "electronically generated" law if it is not taught as such. Both legal and lawyering skills actively assist the process of legal analysis that law schools want to impart in their first-year students, as well as providing skills required for legal practice.⁶⁷

d. Advocacy and presentation proficiency

Skills of advocacy and effective presentation of the case are often overlooked in the development of any curriculum. Where Communication, Language and Research skills are important and often dealt with in the course of studies, the presentation skills are never

⁶³ Valentine, S. (2010) 'Law Research as a Fundamental Skill: A Lifeboat for Students and Law Schools' CUNY School of Law

⁶⁴ Ibid

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ Ibid

provided merited time and attention. A study by Korn J. (2014)⁶⁸ reveals it is equally important for the students to inculcate these skills. While the presentation on a certain topic may have been a norm in the universities, the same is not true for affiliated schools. Moreover, even the existing model of presentation may help students to understand the theoretical basis of a certain topic, it does not prepare them for the advocacy skills which involves dialects on the ideal of Socratic Method.⁶⁹ There are also some other courses such as trial advocacy, appellate advocacy and clinical courses which address the needs of court room communications in the long run.

While it may be easier for the university to implement these courses within the ambit of the university where it, it may not be facilitated to the affiliated colleges in the existing model of examination, primarily because it is difficult to get these skills evaluated externally. Hence, an academic system, which has a focus on the continuous assessment, is an answer to this problem.

3. Invoking and manifesting dynamism and flexibility

a. Legal education i.e. range of electives

Law Schools in Pakistan do not offer any elective courses during the course of undergraduate degree. Students tend to study only the core courses in the five years, whereas for the specialization they either need to do a diploma or a LL.M, where they have a range of courses which are employability centric and for research demeanour. It has been indicated by the HEC records⁷⁰ that number of students who opt for graduate programs after under-graduation are considerably decreased. Therefore, the chance to study the elective programs is also decreased. The students who go for practicing in the local courts tend to practice only those fields of law whose cases are in abundance with their seniors or those they learn practice from.

In background of this, it is important that lawyers are introduced to such subjects which have a prospect in the legal field for the years to come. Gopalan S.⁷¹ conducted a survey to identify which elective subjects have more prospects in the Australian labour market.

⁶⁸ Korn, J. (2004). Teaching Talking: Oral Communication Skills in a Law Course. *Journal of Legal Education*, 54(4), 588–596. <http://www.jstor.org/stable/42898356>

⁶⁹ Ibid

⁷⁰ HEC, 'Graduates having 16 years of education and above from universities, campuses and affiliated colleges'

⁷¹ Gopalan S, 'What Electives should I take in in Law School: Evidence from a Survey of Australian Lawyers'

Although the survey has been conducted in Australia, yet the **range of elective subjects** mentioned have a considerable relevance to the legal education in the 21st century. To name a few, internet law, international trade law, corporate litigation, mining law, international human rights law, environmental laws, have serious future within the framework of Pakistan. Young lawyers must be given choice to elect either of these courses before the completion of their degree and conduct comprehensive research assignments, which may be evaluated by the university teachers on the merit of their practicality and relevancy.

b. Legal practice – diverse application

The United States of America, with a population of 328 million has a total number of 1.3 million lawyers,⁷² where it is one of the highest earning professions in across the country. Conversely, in Pakistan, against 216 million population of the world, 0.2 million people are registered as lawyers, nevertheless, law is being treated as a profession past its apex.

Pakistani legal market is in a disarray due to the structural problem of unwitting obliviousness on part of fresh graduates about their careers. A law student with all the desired skills, and inherent interests, has a wide range of legal and professional opportunities available.

In addition to practicing in the local and district courts, lawyers have an enormous opportunity to start their careers in the public sector as district and assistant district attorneys at the divisional and district level. In addition to that, the judiciary is also an understood and open option for all the lawyers who get to graduate from educational institutions. However, these are the career options that every lawyer knows about. In addition to these, there are several options that the law graduates are acquainted with. In the age where corporate business is at its peak, lawyers are specifically needed to work with multi-purpose enterprises to handle their legal advisory council. Moreover, with rising awareness about climate change, environmental law has gained global recognition. Any violation of it is deemed as a violation of human rights. Lawyers can become experts in environmental law and help protect the global climate. Furthermore, all the industrialists need assistance from the lawyers in pursuance of agreement and contract formulation. Additionally, there are several non-legal jobs, which require legal training, per se, these include, investment banking,

⁷² Statistica (2021), 'Number of lawyers in the United States from 2007-2021,' <https://www.statista.com/statistics/740222/number-of-lawyers-us/>

entrepreneurship, or journalism. Law, therefore, is more than about courts and case filing. There is a difference between a lawyer and a pleader, and educational institutions must inculcate that in the minds of students during the course of the degree.

VI. How it should be reformed

There are several factors which have been highlighted in the upper portions from the non-employability to labour market. The curriculum needs to complement such traits which help in the development of future lawyers. Furthermore, Pakistan should also take a leap from the international models given above, whereby bring from them such traits which best suit the legal system of Pakistan in a twofold manner, i.e., short-term and long-term.

1. Socio-academic consideration

a. Subject Formulation

There is a need to oversee which subjects complement the studies of law and which are more relevant in the future context. In this regard, an objective analysis of the current subject formulation is required. Following is given a year wise analysis of which subjects need revision, and which need reformation in their structure.

i. Year 1

English I

For the subject of English I, while the Communication Skills are part of the curriculum, however, apart from writing skills there exists no method to assess the listening and speaking skills. While, writing skills are important for the law students, it is equally important that a prime focus be paid to listening and speaking skills. The assessment of the later two is not possible in the existing assessment method of annual based examinations, rather continuous assessment which focuses on the all aspects of learning will overcome this problem. Students would then be engaged in the presentations and group discussions which will enable them in both listening and speaking skills and thus they will be assessed on the merit of these skills as well.

Political Science I

The Political Science I draws relevancy to the subjects of laws as it keeps its prime focus on the basic concepts and ideas.

Sociology I

For Sociology I, the chapters of Research Methodology should be omitted, as given their importance, it is not possible for the students to grasp their importance in a couple of

chapters. Instead, they should be taught as an independent subject in the year 3. The rest of the syllabi of the Sociology I compliments the required learning outcomes.

English Jurisprudence | Philosophy of Law

In place of Philosophy of Law, the subject from year three, i.e., English Jurisprudence may be taught. The reason for this change is, the subject of Philosophy of Law can be covered under English Jurisprudence, as the course content of both the subjects is same.

Islamic Jurisprudence | Islamic Studies

There are two recommendation on this subject by our esteemed faculty.

- First, as far as, Islamic Studies and Ethics is concerned, it should to be replaced with Islamic Jurisprudence. Given that students learn about the legal systems of British Commonwealth and Roman *Jus Commune* without any religious bias, same should be true for Islamic Jurisprudence, where the system of Islamic Legal and Judicial system be taught to all students. Moreover, the secondary reason another reason for this proposal is to cover all the theoretical subjects in the first years, as the focus should be kept at the practical subjects in the coming years.
- Second, if Islamic Studies is to be kept in the syllabus, then it is proposed that its course content be based on the Islamic Provisions in the Quran and Hadith. The reason for this proposal is that the students undertake to study Law and get admission in LL.B on the basis of intermediate studies. They have studied general contents of Islam in intermediate level. Even they start to learn Islam from their earlier classes. They have also got some knowledge of basic tenants of Islam from their Muhallah mosque. In LL.B program, actually they need specialized knowledge and skill, which is relevant to their course. It is therefore, a dire need to switch the students of law on Legal Studies of Quran and Sunnah rather than of Islamic Studies. On one hand, the change in this course would make them acquaint with Legal understanding of Quran and Sunnah and on the other hand, they would be able to contribute to the practice of law on part of Sharia. The details of this course content are given below:

The Structure of the subject

- Introduction to the Approach to the Quran
- How law students approach to the Quran

- In their respective field
- Legal understanding of the Quran
- Ability to apply and analyze the Quranic principles on the present legal situations
- Introduction to the Approach to the Hadith
- How law students approach to the hadith
- In their respective field
- Legal understanding of the Hadith
- Ability to apply and analyze the Hadith and Sunnah on the present
- legal situations

Legal textual study of Quran

- related to Justice and evidences
- Ayaats related to financial matters and Riba
- Ayaats related to contracts and obligations
- Ayaats related to crime and torts
- Ayaats related to Marriage and Children
- Ayaats related to Family System (Nikah and Talaq)
- Ayaats related to Inheritance
- Ayaats related to Will ((وصيه
- Ayaats related to Legal Drafting

Legal textual study of Hadith

- Ahadith related to Sales Transactions
- Ahadith related to Justice and evidences
- Ahadith related to financial matters and Riba
- Ahadith related to contracts and obligations
- Ahadith related to crime and torts
- Ahadith related to Marriage and Children
- Ahadith related to Family System (Nikah and Talaq)
- Ahadith related to Inheritance
- Ahadith related to Will ((وصيه
- Ahadith related to Legal Drafting

Sources

- Ayaats-ul-Ahkam, Muhammad Ali Sabuni
- Ahkam-ul-Quran, Alqurtabi
- Ahkam-ul-Quran, Jassas
- An introduction to Islamic law, Dr. Hussain Hamid Hassan
- Nail-ul-Maram, Al-Shokani
- The chapters from Ahadith books related to law

Urdu | Arabic

The subject of Arabic should be omitted from the curriculum, whereas a new subject of Urdu be introduced in the year one. The reason behind inclusion of this subject is to twofold.

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- First, Article 28 and 251 of the Constitution of Islamic Republic of Pakistan, it is on state to preserve the heritage of the local language and also to make arrangements for Urdu to be the official language of the country, respectively. Former Chief Justice of Pakistan Supreme Court, Justice Jawad S. Khawaj also declared in one of his judgements to make provisions for the promotion of Urdu.
- Secondly, Urdu is the language being used for the day to day proceedings in the courts, rather than Arabic. Furthermore, in the competitive examinations of Civil Judge, Urdu is one of the compulsory subjects. This would enable the students to deal with subjects with a broad vision.

Current Position	Recommended Position	Reasons
English I	English I (Mechanism to evaluate the Speaking and Listening Skills needs to be drawn on the pattern of IELTS)	The main objective behind this is to develop the speaking and listening abilities of students which are vital for their practice as a lawyer.
Political Science I	Political Science I	No Revision or Reformation Recommended.
Sociology I	Sociology I (Omit Research Methodologies from syllabus)	An independent subject of Research Methodology is recommended to be introduced in the 3 rd year.
Introduction to Philosophy of Law	English Jurisprudence	Both the philosophy of law and English Jurisprudence have same Subject Matter
Islamic Studies / Ethics	Islamic Jurisprudence (Islamic Studies) Or Islamic Studies based on the proposed course content	The subject of Islamic Studies is extensive and not relevant to the legal studies. It is more apt to teach students Islamic Jurisprudence at this level the theoretical subject in the first years, so as to shift focus towards practical subjects in the coming years. However, if this suggestion is not to be considered, then Islamic Studies on the proposed recommendations may be taught so as to bring more relevancy to the legal studies through the perspective of Islam.
Brief Introduction to Arabic Language	Urdu	Urdu being the national language be promoted as per the provisions of Constitution in Article 28 and 251. Further, Arabic is not complementary to the Judicial Proceedings in the aftermaths of the degree, whereas Urdu is.

ii. Year 2

English II

- English II already does focus on the English Essay, it should also enlighten, how to write letters and applications which are focused not on the normative subject matters, rather on the positive objective matters.
- Moreover, to evaluate the critical understanding of the student, either of comprehensive paragraph or precis writing should also be introduced.
- These proposals are to enhance the English writing ability in the students as it has already been discussed, understanding English is one of the major hurdle for the young lawyers. Furthermore, they would also address the problem of lack of critical thinking.

Political Science II

The Political Science II should focus on the objective study of Constitutional Monarchy and Parliamentary System of the United Kingdom, the Presidential System of the United States, the Socialist System of the People's Republic of China, the Confederation of Switzerland and the Semi-Presidential System of France. Thus shedding due importance to all the major political and constitutional orders across the globe.

Sociology II

In Sociology II, where the majority of the curriculum focuses on the concepts of criminology, it is suggested to either completely add a subject of criminology which covers the entire prescribed outline or keep focus on the Philosophers both Western and Islamic. The current course content is very extensive and it cannot be understood by the students all at once.

Legal Systems

The course content of Legal Systems is very much relevant and hence it is not deemed to be under any consideration of revision or change.

Constitutional History of Pakistan | Pakistan Studies

In addition, the subject of Pakistan studies should objectively focus on Constitutional History of Pakistan, from the Government of India Act 1935 to Interim Constitution of 1972 along-with case laws.

- The reason behind this change is, one, the course of Pakistan studies is pretty much the same as students study in the intermediate, thereby, there is nothing new for the student to learn.
- Two, the syllabus of constitutional law is very extensive. In that perspective the portion of Constitutional History of Pakistan should be taught to the students at the level, setting the stage for the more comprehensive study of the constitution in the later years.

IT Skills

In addition, since the objective of the IT Skills is to help students become more accustomed to the using computer and Microsoft Office, its prime focus should be on the practical manifestation of the subject, rather than theoretical.

Current Position	Recommended Position	Reasons
English II	English II (Focus on Objective letter and Application writing, in addition to Essays. Also Either of Comprehensive Paragraphs or Precis writing)	To develop Critical ability in Students
Political Science II	Comparative Political Systems (UK, USA, China, Switzerland, and France)	All the said systems focus on a different mode of political system, so as to broaden the understanding of the students against comparative analysis.
Sociology II	Sociology II (Philosophers both Muslim and Western) Or Criminology (With Given Subject Matter)	The course content is very extensive, it is recommended to either teach the portion philosophers independently or inculcate it in the Sociology I, in order to give due consideration to the importance of criminology.
Introduction to Legal Systems	Introduction to Legal Systems	No change recommended.
Pakistan Studies	Constitutional History of Pakistan (GOI Act 1935 to Interim Constitution 1972 along with Case Law)	The content of the Pakistan studies is same as intermediate. Therefore, in order to make it more objective, the focus should be on the Constitutional development in the country.
IT Skills	Email, Internet, MS Word, Excel and Power Point (Practical only)	The nature of this subject is practical, and it is not a good exercise to test the abilities of the students in a theoretical reasoning against such subject.

iii. Year 3

Constitutional Law

From Year three, the subjects of English and Islamic Jurisprudence are recommended to be moved up in the year one, thus it leaves with two slots for the introduction of new subjects. Furthermore, giving their due share of importance in the study of political systems, the constitutions of the USA and the UK should be replaced with Constitution of Pakistan in third year. The syllabus of Constitutional law should comprise of Constitution of Pakistan 1973 and its amendment's along-with cases.

Laws of Tort and Easement and Equity

Furthermore, the subject matter of laws of tort and easement is both menial, complementary to the Equity, therefore both of these subjects should be taught as one.

Contract Laws

Furthermore, it has been opined that since Partnership is an integral part of Contract, thereby it is only logical that Partnership Act should also be taught simultaneously with Contract Act and Sales of Goods Act. Thus, repealing it from the ambit of Mercantile Law of 4th year.

Research Methodology and Legal Research

Moreover, in order to develop research demeanour in the students, a subject of Research Methods and Legal Research, which focuses in the research methods, approaches and techniques in the legal realm, should be introduced at this point.

Legal Drafting and How to Read and Interpret Statute and Precedents

Third year should also conclude with a practical exercise, where students are introduced with a practical aspect of the legal degree. For this purpose, students from the very beginning of the 3rd year should be taught Legal Drafting in its practical manifestations. Furthermore, since students cannot read every law and statute in the five years of the degree program, therefore it is necessary there should be subject which focuses on teaching the students on how they should read and understand the language of an act, in addition to making statute interpretation. For this purpose, the General Clause Act should be introduced. This is necessary as not all laws can be taught during the course of their degree. Thereby, guiding them first on how to read the law and then how to interpret may be a more suitable and practical option for the students.

Criminal Law

Last but not least, the course content of the Criminal Law is very much relevant, there is no change proposed in this subject.

Current Position	Recommended Position	Reasons
English Jurisprudence	Research Methodology and Legal Research	Since, the English Jurisprudence is Proposed to be taught in the year one, it leaves us with a slot to introduce a comprehensive subject of research methodology and legal research. We believe, Research is important subject and should be taught as an independent subject rather than part of Sociology I
Islamic Jurisprudence	Legal Drafting, How to read a statute/judgement interpretation	The Reason behind bringing the subject of legal drafting and how to read and interpret statute and precedents in the 3 rd year is to introduce students with a practical subject. Moreover, it is to teach with a necessary skill of reading and interpreting laws.
Constitutional Law I (US and UK)	Constitutional Law (Pakistan) Constitution of 1973 + Amendments (US and UK Political Systems moved to Comparative Politics)	With political systems of UK and US covered in the Pol Science II, and Constitutional history covered in the Pakistan Studies, students here should be taught explicitly about the constitution of 1973, its amendments and case laws. It is to develop more comprehensive understanding about constitution in the students.
Contract Law + Sales of Goods	Contract Law + Partnership + Sales of Goods	Partnership being a contract in itself, should be taught with Contract Law rather than Company law.
Law of Torts and Easement	Law of Torts and Easement + Equity	The historical development of both tort and equity are simultaneous. Equity have close relevance to the subject of tort.
Criminal Law	Criminal Law + PPC + Hudood	No Change recommended

*iv. Year 4****Mercantile Law***

From the current year 4 curriculum, we suggested to move both Equity and Trust and Constitutional Law in the third year. For Mercantile Law, we suggested to move Partnership Act with Contract Act in the third year, leaving Company Law and Negotiable Instrument Act.

International Law

The International Law has a focus on the required learning outcomes and should remain in its place.

Property Law

The subject of course content of the Property Laws currently include Transfer of property Act 1882, The registration act 1908, The succession act 1925, and land acquisition act 1894.

According to our team of scholars, this subject should only keep its focus on the Transfer of Property Act 1882 and Land Acquisition Act 1894.

- The reason behind proposing this change is to focus on the more important subject matter, where Land Acquisition is not granted its due share of importance. While Registration and Succession act are related to property laws, their have a limited scope in the practical field, whereas Land Acquisition has a lot of relevance.

Muslim Personal Law and Inheritance Laws

As for Muslim Personal Laws, it should include Inheritance laws so the broad understanding about both the personal and collective rights be understood by the students from the Islamic perspective. The reason for the change is the close resemblance of both subjects and thereby should be taught as one.

Banking Laws | Special and Local Laws

Moreover, we also recommend that special and local laws should be replaced by the banking laws. The reason for this change is again the same, i.e., to bring more relevance to the current state of legal proceedings. The Banking Laws have become need of the hour for the young lawyers to understand.

Administrative Law

Furthermore, we also recommend that the subject of Administrative Law from Year 5 should be promoted in the year four in its entirety, given the slot for two subjects is vacant.

Mooting

As for the second slot, by continuing the practical manifestation of the legal program, we recommend mootng as subject, which should be duly graded and judged by either on-campus teachers or external adjudicators. The students must participate in the in-house mootng competition to be held across the year, as well as in the inter-university competitions. This will enable students to practice their legal skills in microcosmic legal environment.

Current Position	Recommended Position	Reasons
Constitutional Law II	Mooting	Mooting to be introduced to as a compulsory subject, to enable students practically. The Special and Local Laws may be read and understood by the students by himself after being taught the course of how to read and interpret statutes.
Equity and trusts	Administrative Law + Services Law	No Change recommended.
Mercantile Law	Company Law + Negotiable	Exclusion of Partnership from the course content, as it is placed with Contract law.
Property Law	Transfer of Property Act + Land Acquisition	Registration and Succession acts are proposed to be excluded given their non-importance against the Land Acquisition Act, which is undervalued in their presence.
Muslim Personal Law	Muslim Personal laws + Inheritance laws	Inclusion of Inheritance Laws in the syllabus to give a broad understanding of both personal and collective rights as given in Islam.
Public International Law	Public International Law	No Change Recommended.
Special and Local Laws	Banking Laws	Banking Laws have become pre-requisite for the students in the current state of affairs.

v. Year 5

Civil Procedure Code

In the fifth and final year, the subject of Civil Procedure is highly complementary to the core legal knowledge.

Criminal Procedure Code

For Criminal Procedure Code, Juvenile Justice System should be taught in place of Medical Jurisprudence, given its close affinity to the criminal law.

Cyber Laws | Minor Laws

Moreover, minor acts should be replaced with more relevant subject like Cyber Laws. In the current perspective, the cyber laws has gotten more importance due to rise of internet. Moreover, it is also a practice internationally, among the developed world legal countries, that they teach only those subjects which are more relevant to the current scenario in addition to the core subjects. Therefore, it is only logical that Cyber Laws be taught in Pakistan as well.

Addition of two new courses of ADR and IPR Laws

Moreover, with Administrative law moving in the year 4 and Legal Drafting and interpretation of Statutes moving in the year 4, there are two vacant slots which may be taken more such subjects which are more relevant in the current perspective. They are, Alternate Dispute Resolution (ADR) and Intellectual Property Rights Laws.

Law of Evidence and Legal Ethics

Finally, the course content of the Law of Evidence and Legal Ethics deemed harmonizing to the learning outcomes, therefore there is no change recommended in its structure.

Current Position	Recommended Position	Reasons
Law of Civil Procedure	Law of Civil Procedure	No Change Recommended
Criminal Procedure Code	Criminal Procedure Code + Juvenile Justice System	Replacement of Juvenile Justice System with Medical Jurisprudence, due its close affinity with Criminal Law.
Law of Evidence and Legal Ethics	Law of Evidence and Legal Ethics	No Change Recommended
Legal Drafting and Interpretation of Statutes	Alternate Dispute Resolution	Introduction of new course, in order to shed light on the importance of resolution of matters outside of court premises.
Administrative Law	Intellectual Property Rights Laws	Introduction of new course, given the rise of IP theft and cases related to this, it is imperative for students to learn about this.
Labour and Taxation Laws	PIRA 2010, Workman Compensation Act, Factories Act 1924, Income Tax Ordinance 2001, Sales Tax Act 1990	No Change Recommended.
Minor Acts	Cyber Laws	Rise of internet has made it prevalent that cyber laws must be taught at the academic level, so students upon graduation are more apt and well-versed with their knowledge.

vi. Year 6

Like medical school, it is also important that in order to maintain the quality of legal education, students must check all the boxes before they are graduated. In this regard, after the conclusion of their courses, all the students must complete an apprenticeship under a law firm or a seasoned lawyer, whereby they are required to write a report for their activities and which is duly signed by the supervisor.

The supervisor would ensure that at the termination of the apprenticeship that the apprentice is well in reach of prescribed learning outcomes and is ready to be in the field. For this purpose, the law firms or senior lawyers may be registered under the university or the bar, who are neutral and object oriented. The purpose of this exercise is to produce more apt lawyers who will serve in a more open environment and are well equipped with required set of skills necessary for the survival in the practical field.

b. Assessment Methodology

The existing curriculum of the University of the Punjab has tried to bring about an all-encompassing and inter-disciplinary approach to the curriculum development. It is obvious from the inclusion of several foundational and compulsory courses, in addition to the core courses. These courses, though, had been inculcated to bring about a universal understanding of the legal structure, however, the examination system does not complement the same.

Unfortunately, the prevailing examination system has been out-dated and out-modelled across the country and same is adopted in the legal education. The students, instead of studying the text-books of statutes and laws tend to buy the guides which include a number of questions of which only a handful are deemed as important in the context of examination. These questions are repeated on the annual basis, thus implying students to only cram those, and those too in particular scheme for better marks. This examination structure does not compel students to develop any creative mind which solves the legal problems, rather a traditional brain which is not opt at sustaining in the long run of the professional career.

It is therefore, suggested to remodel the examination system along-with bringing structural changes in the curriculum. Only a good examination system can help build a better person in general, and lawyer in specific. The explicit change in the examination model and questions will accompaniment the prescribed learning outcomes of the legal degree.

Around the globe the most efficient method of assessing the performance of a student is activity based continuance assessment. For this purpose, it is of vital importance that students are judged not on the basis of an exam which is conducted at the end of the year, but on the basis of their performance throughout the academic year. They must be engaged in several activities like, mootings, internships, presentations, quiz, and group discussions, which are not only aimed at enhancing their legal and professional skills but are also evaluated. Furthermore, it is also unfair for such students who perform throughout their

academic year but fall sick in a one or two papers, hence jeopardizing their entire academic year. For this purpose, it is suggested that an assessment methodology be changed from annual exam based to activity based continuous assessment which rests upon the semester system.

In addition to this, the nature of questions which are being asked should also be changed. Internationally, several types of questions are employed which aim at student's critical abilities, for this purpose, the paper must be an amalgam of to the point short questions, multiple choice questions as well as essay based questions. Currently, only the essay-based questions are part of examination and those too, in a rather monotonous manner that majority of students tend to cram the selective 5-6 questions from the guides, as they are sure that those questions would be in the paper. Furthermore, the essay-based questions should focus on the core understanding of the student about a particular subject. Instead of asking the basic concepts which almost all students have crammed about, the students must be provided with a condition in which the theoretical knowledge is applied.

Comparative Analysis of Proposed and Existing Assessment Method

Existing System	Proposed System
Annual System	Semester System
Annual Examination	Activity Based Continuous Assessment
Exam Centric Studies	Subject Centric Studies
Generic Questions	Scenario Based Questions
Essay-Based Questions only	Amalgam of Essay-based Questions, Short Questions and MCQs

Activities to be assessed

- Mooting
- Presentations
- Group Discussions
- Internships

c. Teachers Training

In Pakistan, generally formal lectures are adopted whereby students are engaged in a very few activities. While the formal lecture has proved relevance throughout the academic world, it is not as efficient when it comes to graduate level students understanding. The

students at graduate level have menial understanding about the subject matter and thus cannot understand the basics of the subjects bound within the serious environment of a formal lecture. An interactive lecture where, the students are as participating as the teacher, is the answer to this problem. The more the students participate in the lecture the more understanding about the subject they would develop.

Therefore, while it is completely the prerogative of the teacher, still the university can make intervention in this regard by introducing teaching reforms and training to conform the same pedagogy throughout the colleges as is endorsed by the university. Given that teachers have been following the same pedagogy and methodology in regards of their subjects, as the subjects' outlines remain the same, it is important that there should be programs to upgrade the teachers. For this purpose, it is recommended that teacher training workshops and programs be arranged at the behest of bar, university and colleges, whereby a selected number of teachers have to travel to university on the allowances by the colleges and engage in the training programs which bring them in line with the use of modern technology in the classroom.

In the backdrop of changing dynamics in a digital world, it is of the most importance that teachers understand the modern pedagogical tools and use them for better understanding of the students. The use of multimedia, video lectures and activity based learning enhance the students' understanding and hence grasp the gist of the subject matter.

Comparative Analysis of the Existing and Proposed Pedagogy

Existing System	Proposed System
Formal Lectures	Interactive Lectures
Traditional Approach of White Board	Digital Approach by the use of Multimedia
Questions at the end of session	Ask questions from students, throughout the session to make sure they are understanding
Organization of annual teaching training workshops to bring forth same pedagogy throughout the Affiliated Colleges	

d. Attendance Problem

Another vital problem that almost all the colleges throughout the country face is the problem of keeping the attendance. While the general perception of the students is that they can cover the entire syllabus in the last few weeks via selective studies and guides, it is

evidently very difficult to justify their attendance in lieu of the status quo. The students generally come to college, a month or two throughout their academic year and leave as soon as the syllabus is completed. The attendance problem is root cause of the existing assessment system which is annual based system.

To rectify this problem and to ensure the presence of students on campus, it is suggested again to develop an activity based continuous method for assessment of the students. Knowing that their assessment is not completely dependent on their annual exams, students would try to make sure that they make it to the college and participate in as many activities, prescribed above, as possible.

e. Employability

Fifthly, the reformed curriculum ought to target certain goals which aim to prepare students for the market and its changing dynamics. There are several programs which may be adopted for enhancing the employability of the students after graduation. These programs include interventions, workshops and talks on different legal topics including Commercial Awareness, Legal Technology and Mooting. Moreover, the intervention programs can also be inculcated in the existing curriculum which may aim to update students with the local and international market and the skills required.

Seminars and workshops should be conducted where the professional lawyers with sound legal understanding are summoned to provide legal training to the future lawyers on the regular basis.

The Law moot is one of the most overlooked factors in the current curriculum. It should be necessary for all students to participate in law moot. Mooting prepares students in the real-time microcosmic environment which works on the model of judicial practices in the professional life.

Students already learn the subjects of legal drafting; they should be engaged in learning the practical manifestation of these skills in the law moots. Other skills like case filing may also be taught under the auspices of the Moot.

Apprenticeship, that students adopt after completion of their degree, should be part of curriculum where students are placed in law firms or with good lawyers who are considered an authority in the legal practice of a certain field.

The introduction of law clinics within the educational institutions may solve all the above-mentioned problems. Students under the supervision of professional attorneys may work on the first-hand legal cases, *pro-bono*, which involves drafting, case filing, defense counsel to the real-time clients. This may enable students to learn all the skills which aim at enhancing their employability in the existing labour market.

2. International standards

Another reference to the improvement of curriculum may be taken from the existing international standards. As we have already mentioned above, the legal educational structures of the developed countries targets twofold objectives, i.e., curriculum and training. It is important that Pakistan too adopts these standards.

a. Curriculum

The curriculum of Pakistan already matches to some extent to the international standards, with threefold division of courses in compulsory, foundational and core. However, the elective subjects may also be included which are matched with the digital revolution across the globe. The range of electives should provide an opportunity to students to explore the world from the perspectives of developed world. This will cater with the upbringing of such lawyers who are more advanced and can better counsel the corporate conglomerates within the country. Courses like internet law, international trade law, corporate litigation, mining law, international human rights law, environmental laws, have serious future within the framework of Pakistan, and they can help lawyers in the achievement of real-time success in all aspects of legal industry.

b. Training and Apprenticeships

Internationally there have been two aspects of training the lawyers across all the developed countries. They are both relevant and both have produced serious results. These are

- Procedural training and mooting
- Internships and law clinics

The former aims at the providing training to the students in a microcosmic environment, which is modelled at the real-time court room. This helps in abridging the gaps between the theory and practice, and students thus learn to apply their theoretical knowledge in its