



CLASSROOM TO COURTROOM: ISSUES AND SOLUTIONS

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Abstract

This paper dwells upon the issues of legal education in Pakistan with a comparison to the developed countries. The study indicated that there were significant gaps in the four aspects, which are: old course content, teacher-centered teaching, and little testing and poor practical training. These flaws end up creating graduates who may not always be able to practice the law effectively, which is harmful to the judicial system of the country. Some of the recommendations that have been made in the paper include updating course materials, providing more interactive instruction, experimenting with alternative forms of testing students, and providing more real-world training through the study of other nations. These ideas are to change the way legal training is being conducted in order to produce qualified lawyers who will be in a position to implement the law and help citizens to get access to justice.

Keywords: legal education reform, legal education curriculum, legal education teaching, methodology of legal education teaching, legal education evaluation, legal education training, comparative legal education.

1. Introduction

Legal education is the basis of a country's justice system. It also shapes the thinking, behaviour, and actions of future lawyers. In Pakistan, there has been development in legal education. It started during the Hindu and Muslim rule, and it carried on with the British colonial rule and further grew with the independence. Despite the long tradition of this, there are significant issues with the current legal education in Pakistan. These issues make it unable to come up with good lawyers who can address the current problems of the law.

This essay explains the present dynamics of legal education in our country. It focuses on four key areas: what students get to learn, how teachers teach, how schools test students, and how new teachers are trained to work. We compare its activities with those of other countries that have superior systems. This can help us know what wants and suggest how things can be better based on facts on the ground.

An alternative career in Pakistan is a career in the law. In case students cannot enter into some other area, which they consider to be better, such as medicine, engineering, or business, they go to law school. This perception belongs to the poor image of our law schools. Their graduates find a problem with job hunting. Worse still, there is a dual legal education system: the domestic and the international. This provides graduates with unequal opportunities.

The introduction of five-year then four-year law degrees and more rigorous entry tests in the form of the Law Admission Test (LAT) are some of the recent developments that are positive. But these updates failed to bring significant issues related to the practical training, which remains wanting in the course of law. The Pakistan Bar Council (PBC) and Higher Education Commission (HEC) have been trying to enhance the standard of legal education, but this time round have been focusing on the top-down aspect and forgetting the contents of the courses and the method of teaching.



2. Background and Challenges

The Pakistani legal system traces its origin to medieval times. It has been evolving under Hindu, Muslim, and the reign of Mughals, British colonial rule, and post-independence development. It borrowed an adapted form of the Government of India Act 1935 as a transitional constitution in 1947 to ensure that there were no loopholes in the law after independence, but it did not attempt a significant curriculum reform.

Law was viewed over the years as an option of last resort by students who failed to find their way to alternative career prospects. That image made the law schools less admirable, and law school graduates frequently were unable to secure good employment. Many lawyers were simply left with the image of bad and incompetent lawyers.

A two-year law LL.B. degree was offered by the Pakistan Bar Council (PBC) and enacted by the Legal Practitioners and Bar Councils Act of 1973. The students also worked six months pupillage with a senior lawyer before they could enroll. The program was extended to three years in 1994-1995, although the years of the course have since been increased to five years due to concerns of political interference in the hiring process, as well as the need to improve the quality of lawyers. But this was appealed to the court, and the Supreme Court of Pakistan shortened this to four years of the Pakistani degrees, still keeping the three-year UOL and two-year graduate route as an option.

These reforms are in place, but skills-based training in law programs has yet to be realized. The skills required, such as writing of law, research writing, and speaking in court, are not taught systematically as is done in the finest law schools in the world. This skills gap would expose so many graduates to the unprofessional practice.

HEIs, PBC, and DLE discussed the fact that the plan of the HEC is to engage all the stakeholders before introducing a change to build a more effective and competitive system in legal education. They are aimed at making graduates well-equipped with the right skills and knowledge to emerge successful in law. It is thought that the five-year LLB course is overloaded, and perhaps it needs to be changed to a four-year cycle of study with greater focus on vocational training. The study of law can be made quick, convenient, and accessible to students because of this change. (The Daily Nation 10.01.2025)

3. Literature Review

3.1 Curriculum Challenges

Research studies by Ahmed et al. (2019) and Khan (2021) have revealed that the legal curriculum currently taught in Pakistan fails to accommodate the emerging fields in the law profession that encompass cyber law, international arbitration, and human rights law. Among the weaknesses that Asghar (2020) has found is the overemphasis on memorization instead of critical thinking.

Siddique (2014) provided a socio-political analysis of legal education in Pakistan; however, did not comment on the specific flaws in the curriculum. Some of the reform initiatives, including the Pakistan Qualifications Framework, HEC Vision 2015, and the Pakistan Bar Council Legal Education Rules (PBCLER), have been mentioned by Khan et al. (2019), but those were more related to the organizational needs instead of addressing the actual curriculum changes.

Cassidy 2015 found out that there is a noticeable relationship between creative teaching programs and student perceptions of the value of a law degree. Gerber and O'Hara (2019) have indicated that most human rights law curricula do not cover contemporary social issues such as

gender identity and sexual orientation, thereby diminishing the knowledge that can be acquired by students.

3.2 Teaching Methods

The teaching of the law in Pakistani law schools is done through lectures. The learners do not always engage and instead just listen and take in information. When Ali and Farooq wrote in 2022, it does not employ the Socratic Method, as is usual in Western law schools. This method aids the students in communicating and reasoning. Bano (2021) says that such a gap can be filled with such things as case studies and role-playing activities. However, organizations lack the resources to make sure that this occurs.

In 2014, Uzair alleged that the law classes in Pakistan fail to impart skills in law practice like advocacy or research. According to Rashid (2020), modern training is not provided to all teachers because they lack programs to stay up to date with the new teaching methods.

3.3 Ways of Assessment

The education system of Pakistan on law is based on written exams that do not focus on deep thinking but memorization. Ali and Khan (2021) even assume that such an approach does not reflect the effectiveness of the students in acquiring and implementing the law in practice. Johnson (2020) reviewed the case of legal education in the UK and identified the advantages of this type of continuous assessment, including oral assessment, research paper, and internship.

Rashid (2016) says that examinations alone are not effective in enabling students to think critically. Sial (2009) adds that the establishment of education standards should not solely be the work of scholars only but also of legal professionals but he does not specify how institutions struggle hard to retain existing resources.

3.4 Training and Development

Professional training is still not evident in legal education in Pakistan. Regarding the systematic nature of law education curriculum, Hussain (2020) notes that the law education curriculum lacks the integration of internships and clinical legal education programs, and students do not prepare to work in the real world. However, as the case of India and Bangladesh is compared by Singh (2021), these nations have slowly, but surely, been adopting clinical legal education in the form of moot courts and legal aid clinics.

According to Iqbal (2015), the shortcomings mentioned in judicial training encompassed lack of trained faculty and policies to prepare academics and practitioners. The need to improve the learning and research processes in the legal education sphere can be illustrated by such outcomes.

3.5 Foreign Viewpoints.

The case study of foreign experience demonstrates that effective legal training systems are able to maintain the right balance between theoretical and practical training; the regulations of American Bar Association support experiential training through compulsory externship and practice classes. In 2021, Lee pointed out that it is necessary to incorporate technology in legal education to comply with the digital transformations in the legal profession.

The article Hess et al. (2018) has proposed the following steps towards improvement of legal education: sustaining the faculty in professional development, scholarships, teaching prizes, reasonable workloads on educators. These models in other countries can provide us with some rather useful precedents on how to implement changes in the way legal education system should be reformed.



3.6 Theoretical Framework

In 1970 Piaget commented that the Educational theory such as constructivism, with its emphasis on experience and reflection in learning, has been widely applied in legal education around the globe. In 2023, though, Ali noted that in Pakistan, there is almost no usage; Constructivist approaches could be used to foster a shift toward student-centered learning in order to get law students to think critically about the legal materials and cases. In addition, as Vygotsky (1978) pointed out, the zone of proximal development highlights the fact that one should be guided and tutored, which is uncommon in the Pakistani law schools.

4. Present situation in Legal Education.

4.1 Curriculum and Structure

The Pakistan legal education continues to study the old courses, which follow the colonial legal codes such as the Criminal Procedure Code of 1898 and the Civil Procedure Code of 1908, which are not so applicable in the modern practice, Historical courses. This approach to teaching constitutional history has been largely more historical than analytical in most other countries. Similarly, comparative constitutional law is concerned with the features of the UK and US systems without adequately relating them to the expansion of the nation.

The administrative law courses have not been able to capture recent reforms and technology that has changed the manner in which governance and legal practice is being conducted. The courses in Islamic jurisprudence focus on the basic principles and are not in conflict with the present problems of modernization of the Islamic law.

No essential/recommended readings because the reading materials are rarely separated into essential readings and recommended readings, it makes them confused, which discourages full-scale studying. Most of the institutions lack access to international journals and databases, limiting their access to of legal developments around the world. Admittedly, the method of legal research has been largely overlooked in the majority of traditional law course programs and this has deprived the students of the art of academic writing, reasoning, analyzing and formulating constructive arguments.

4.2 Teaching Methods

The teaching method in Pakistani law schools is primarily through the lecture in which the faculty is performing and students are listening. It is a teacher-centered system, which is a warden of monologue that does not give a chance to students to be involved and critical. Even though lectures provide some form of instruction in legal ideas, the absence of interactive education and problem-focused learning does not encourage the development of practical skills which are necessary when handling legal issues.

Surprisingly, Uzair (2014) observed that law students in Pakistan do not have an opportunity to acquire advocacy, research, and legal skills due to an absence of interactive learning in a classroom. This archaic means fails to prepare the students with the up-to-date legal practice that involves application of analytical thinking, problem solving, and communication.

4.3 Assessment Strategies

The assessment system that the legal education system in Pakistan adopts is mostly based on semester examinations or annual examinations, whereby students are expected to respond to descriptive questions that cover a small number of subjects. This format is conducive to memorization and not critical thinking. Rote learning is also supported by the fact that the

questions are repeated as part of various cycles of exams, where the students focus on what is likely to be presented in the exam, but not to develop a deeper comprehension.

The grading scale is non-diverse and it fails to assess the breadth of the competencies of the practice of law. Bar exams are mostly based on memorization of legal doctrine, and do not encompass practical legal skills, such as law analysis, legal research, legal writing, advocacy and problem-solving. In addition, the lack of the detailed feedback does not give the students an opportunity to determine what should be corrected.

4.4 Learning and Excellence

The very fact that to become a member of the Bar, a pupillage of six months under a senior lawyer is succeeded by a written examination and oral interview creates a relationship of dependency between pupils and mentors, with no standardized training outcome or exam mark. This is because the gap between academic learning and training is big, and new graduates have to negotiate it without adequate support.

The Pakistan Bar Council is addressing these issues by initiating various changes to the law programs (the duration and the methodology). Such reforms have not, however, embraced skills based training as a part of the core curriculum and the consequence of that is that graduates are not well prepared to practice law.

5. Comparable to the Developed Nations

5.1 Curriculum Comparison

The law school programs of developed countries are periodically revised to take into account new spheres of law and the current problems. They call readings necessary and suggested and encourage a reading habit. These institutions provide access to universal databases, e-books, and the most famous journals and make it possible to make comparative research on the development of the law all over the world.

They learn legal research methodology in their curricula that also teach them the art of writing academic papers, critical thinking, and arguing skills. The interdisciplinary techniques such as law and economics, law and technology, and law and society are not left out to make the students more socially oriented to legal matters.

5.2 Comparisons of Teaching Methods

Various teaching methods are also adopted by the developed countries law schools and they emphasize on student centered learning. They are case method teaching, problem-based learning, simulation, and clinical experience. Faculties are viewed as facilitators who are able to guide the students through an active learning process rather than knowledge or information sources.

The problem-based learning that has been popular in other schools including the University of York Law School introduces the students to the real world where they have to apply the law in solving complex problems. The proposed plan includes the in-built element of critical thinking, analytical reasoning, and problem-solving, which are directly applied in the legal practice.

Role-playing exercises (such as simulated interviews with clients and negotiations practice) give the students an opportunity to put the theoretical knowledge into practice. Through such activities, students are able to acquire professional knowledge and good judgment which they will be exposed to within the professional setting of the law.

5.3 Methods of Assessment Comparison

Law schools in developed countries employ a number of different assessment methods testing the different dimensions of legal competence. These include research papers, case studies, oral presentation, moot court project, clinical evaluation and exams. It is a complex methodology, which ensures the thoroughness of knowledge, skills assessment, and professional characteristics of students.

Evaluation is also characterized by detailed comments which identify the areas of strength and improvement. The four areas of analysis include presentation, understanding, critical analysis, and academic practice in which the written feedback on assignments can be administered to provide particular developmental instructions. Verbal messages on presentations also help students grow their argumentation and communication skills that comprise advocacy.

Certain real-life situations to practice justifications and train professional skills can be provided with simulated court programs and group projects when students assume the role of lawyers and judges. These examinations do not only examine the existing competencies of the student but also prepare him/her in the necessities of a legal practice.

5.4 Comparison of Training and Growth

In developed countries, legal education combines professional training in the process of studying law and does not regard it as an additional post-study phase. Clinical legal education, externships, and internships ensure that students apply theoretical learning to practical situations, and they are guided by professionals. These experiences are designed on the basis of the specific learning objectives, supervision guidelines and evaluation guidelines.

The professional skills training, which includes legal writing, client interviewing, negotiating, and trial advocacy, is included in the curriculum as discrete courses and also in the combined activities. This system ensures that the graduates not only get theoretical knowledge but also the practical skills required in the practice of law.

In addition, further career development is also emphasized as a life-long responsibility rather than a mandatory requirement. Instructed by organized programmes and autodidactic learning, lawyers are meant to ensure that their existing and effective practice is in a constant state of flux.

6. Recommendations for Reform

In accordance with the comparative analysis of the legal education in Pakistan and the developed nations, it is possible to make the following recommendations:

6.1 Curriculum Reform Update Material: Critically revise and update the law curriculum in order to make it current and useful to the day of legal practice. Introduce new courses, e.g. cyber law, intellectual property and environmental law, alternative dispute resolution, admiralty & Shipping laws.

Varied Assessment Approaches: Assessment methods are of different types; these are research papers, case studies, oral presentation, moot court studies, clinical assessment and examination.

6.2 Give Access to Resources: Make sure that the students have access to the international journals, databases and e-books so that they could be capable of analyzing the progressions of the world of law.

Separate the Essential and recommended Reading Materials: The reading materials must be divided strictly to the Essential and recommended to guide the studying of the students and stimulate the full studying of the legal literature.



Take an Interdisciplinary Approach: It entails incorporation of the values of the other related disciplines like economics, technology, sociology and many more to enhance the knowledge of legal issues on the social context surrounding them. The reform of the teaching methodology focuses on the design of the lesson and the strategies of the incorporation of technologies in instruction to meet the requirements of younger students.

Adjustment in Student-Centered Learning: Replace the lecture-based teaching interventions with the teaching instructional interventions that enable participatory, critical and problem solving thinking.

Introduce problems: Introduce the problem of placing the students into the real life cases where they are expected to apply legal principles in solving complex problems.

Apply Simulations and Role-Playing: Introduce useful Practical Skills and Professional Judgment. Develop train skills and professional judgment through activities like training on client interviewing, negotiation and mock trials.

Be Technical: Embracing the educational technology to supplement the learning processes will involve online research tools, virtual simulations and collaborative tools. **Strengthen Faculty Performance:** The faculty employees must be well trained on new teaching, evaluation and learning technology.

6.3 Assessment Strategy Reform Create Legal Clinics: Create law school legal clinics where legal students can provide legal services under supervision to real clients and gain hands-on experience, and professional responsibility. Give Continuous

Feedback: Have in-course formative assessments on schedule which will give the constant flow of feedback and a chance to improve.

Provide Specific Detailed Feedback: Present written and verbal feedback that is specific and claims what areas are strong and what can be improved based on a variety of different dimensions, including content knowledge, analysis, and professional qualities.

Design Real-World Assessment: Design assessments that are practice based in the real-life of legal practice that demand that students apply their knowledge and skills in practice in real-life situations.

Develop Effective Rubrics: Develop assessment rules: One can develop an assessment rules that will be in a position to communicate clear expectations and evaluation standards that will facilitate transparency and equitable ratings.

6.4 Training and Professional Development Reform

Create Legal Clinics: Introduce the law school legal clinics where students can turn to provide a guided legal service to real clients to help the students gain professional responsibility and practice.

Structure Internships: Build systematized internship programs, with set learning objectives, supervision policy and evaluation standards, which are included in the curriculum.

Provide Professional Skills Training: Provide specialized training in legal writing, interview with clients, and negotiation and trial advocacy.



Develop Mentorship Programs: Have formal mentorship between students and more experienced practitioners who can be of help to the classroom.

Encourage Continuing Education: There will be a need to instill the culture of learning continuously to the legal practitioners by encouraging them to participate in the organized continuing education program and the opportunities to specialize.

Conclusion

This paper has discussed the issues in the legal education system in Pakistan in four broad areas, which are: Curriculum content, Teaching strategies, Evaluation policies, and Professional training strategies. Comparison with the experience of the developed countries has revealed enormous loopholes in the possibility to train competent legal professionals who can meet the demands of modern society.

The suggested reforms involve a comprehensive approach to legal education that would be based on both theoretical and practical skills, critical thinking and problem solving, and would expose the graduates to the intricacies of the legal practice. Stakeholders who should coordinate efforts towards these reforms include the Pakistan Bar Council, the Higher Education Commission, law schools, and the legal profession.

It is through these recommendations that legal education in Pakistan can evolve such that its graduates become not only knowledgeable in the law, but also possess skills, values, and qualities that would enable them to be effective in the field of legal practice. This transition plays a vital role in the empowerment of the rule of law, better access to justice, and the development of society on the foundation of an effective and professional legal system.

These reforms should be discussed in the form of research that will consider the background and constraints of the Pakistani education system of legal training. In addition to that, pilot programs and evaluation studies would help to refine these practices and demonstrate their usefulness in improving the outcomes of legal education.



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