

INHOUSE CLE

[no material in this edition]

INSTITUTIONS & ORGANISATIONS**Teaching law in Transylvania: notes on Romanian legal education**

G A Critchlow

44 *J Legal Educ*, 2, June 1994, pp 157-174

The author gives an anecdotal account of his year long experience as a law teacher at the University of Sibiu in Romania. The author taught Human Rights and Comparative law courses, but found that he was at liberty to teach virtually anything he wanted as no one had any preconceptions of what such courses would look like.

English language skills were a precondition for his courses. His courses did not carry a grade or credit. There was no law library to speak of and the books that were available were those approved by Ceausescu's communist regime. Students appeared to be inherently racist. University facilities were, at best, squalid and teaching resources were non-existent. On paper the

law school curriculum appeared comprehensive. It demanded that students spend as much as 35 hours a week in class. Classroom time, due to the absence of textbooks and an adequate library, was dominated by the lecturer dictating to the students. Little analysis or explanation of the law was able to be offered. Student attendance in class was low.

A survey of the students conducted by the author found the reasons cited by the students for non-attendance were inconvenient scheduling, too many class hours scheduled, family commitments and dissatisfaction with the teaching methods. Romania's economic crisis is a major obstacle to reform. However, even if money were available, there is the more intractable problem of pedagogical dogma and inertia - the legacy of more than four decades of Communism.

Once and future law schools

Rt Hon Sir Ninian Stephen

1 *Griffith L Rev* 1, 1992, pp 10-14

The article is the transcript of a speech given by Sir Ninian Stephen, a former Justice of the High Court of Australia and former Governor General of Australia, at the opening of a law school of Griffith University, Queensland, Australia.

Law schools stand apart from other university faculties in that they have structural links with the governance of the community. Those graduates who go on to practise law will form a part of the resource from which the judiciary is selected and that resource will also provide the community with its legal practitioners and law officers and a proportion of its legislators. The future shape and well-being of a community's legal system and the

essence of its governance under the rule of law lie very much in the hands of its law schools.

Griffith University Law School represents the second wave of change in legal education in Australia. The first wave of change was the establishment of law as an academic discipline, to be taught by resource faculties at universities. The second wave, of which Griffith law school is representative, is the provision of integrated degree courses, where law teaching is fully integrated with the teaching of other disciplines. The changes in Australian society, including Australia's new sense of place in the world, independent of Imperial Britain, the focus on trade with economic giants such as Japan and the establishment of ASEAN have created change in the scope of modern legal education in Australia. Domestic factors of change, such as our over-exploited environment, our heightened concern with equality of opportunity, human rights and the growth in information technology are also of importance to those within the law. As the world becomes more open, more international and society more complex, the necessary interests and areas of skill of lawyers must broaden.

Index envy in the adolescent law school

R Strickland

94-3 *AALS Nltr*, August 1994, p 1

This article discusses the insatiable desire to rank law schools. Accurate data should be available so that students can make choices, but it is alarming to use these data to create a comparative statistical index for ranking purposes. It is misguided, dangerous and unhealthy. Argues that all relevant

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law school data should be gathered in a single publication along with strong analysis which can make the data easier to interpret and more meaningful to applicants.

JUDICIAL EDUCATION

[no material in this edition]

LEGAL EDUCATION GENERALLY

The quiet revolution: improving student learning in law

M Le Brun and R Johnstone
[see Teachers]

Our top 10 books on education: For the "educationally-curious" bibliophile

R Johnstone & M Le Brun
5 *Legal Educ Rev* 1, 1994, pp 107-115

In future editions of the *Legal Education Review* reviews of books, reports and monographs that address educational issues of interest to law teachers will be included. In this article ten such books are reviewed, which have been assigned to one of three ad hoc categories: those which offer a critical and analytical insight into educational theory; those that attempt to marry theory and practice; and those that provide useful teaching tips. An invitation is also extended to submit reviews of influential reports on the status of legal education in various jurisdictions.

Under the heading "Theoretical Frameworks and Perspectives", the article reviews two books on adult learning and development, Boud and Griffin's *Appreciating Adults Learning: From the Learners' Perspective* and Resnick's *Knowing, Learning, and Instruction*. Schön's *Educating the*

Reflective Practitioner is recommended as holding promise for individuals who wish to develop curricula in law in which it is accepted that legal education is about more than the mere transmission of professional knowledge.

The "Theory and Practice" section reviews one of the best known books on tertiary teaching, Paul Ramsden's *Learning to Teach in Higher Education*, as well as Derek Rowntree's book on assessing students and David Jacques' book on group learning. Attention is drawn to the HERDSA (Higher Education Research and Development Society of Australasia) Green Guides which provide information on various aspects of tertiary education, such as the supervision of postgraduate students, improving student writing and implementing student self-assessment regimes.

In the "Teaching Tips" section Newble and Cannon's *Handbook for Teachers in Universities and Colleges: A Guide to Improving Teaching Methods* is reviewed, as are McKeachie's *Teaching Tips: A Guidebook for the Beginning College Teacher* and Gibbs, Habeshaw and Habeshaw's *Interesting Ways to Teach*.

LEGAL ETHICS

Ethics and theory choice in advocacy education

S Lubert
44 *J Legal Educ* 1, March 1994, pp 81-88

Trial advocacy is now a worthy academic discipline and there is a rich debate on its educational, moral, analytical and systemic underpinning. The role that trial theory plays in the persuasive process has been increasingly

recognised. Less attention has been paid to 'second-wave' issues ranging from pedagogical method to underlying morality.

Ohlbaum in "Basic Instinct: Case Theory and Courtroom Performance" [66 *Temp L Rev* 1 (1993)] has contributed to the 'second-wave' of issues by providing a detailed model for teaching trial theory through skills training, where students are taught to theorise. However, one of Ohlbaum's shortcomings is that he fails to address the role of legal ethics in the development of case theory. Ethical behaviour does not come naturally to the uninitiated as ethical issues go beyond the simple need for honesty and must be taught to be fully understood.

Examples are provided of significant ethical issues which arise during the conduct of a trial which, in the context of trial advocacy, cannot be avoided or rationalised. Traditional legal ethics classes are, by their nature, too abstract to raise subtle and ambiguous ethical issues. However, advocacy courses provide an ideal forum, because even in the simulated courtroom, the lawyer must make a choice and live with it.

Ethical integrity in the legal profession: survey results regarding law students' veracity on resumes and recommendations for enhancing legal ethics outside the classroom

N Millich
24 *Ariz St L J* 3, Fall 1992, pp 1181-1196

Professional responsibility courses containing mandatory ethical requirements and the enhancement of the ethical integrity of the legal profession have received a great deal of attention over recent years.