

simply disseminate information because, except in very small classes, it is virtually impossible for the instructor personally to provide the timely and specific feedback required for the development of students' knowledge use and transfer skills. As a result, using group activities and assignments is essential to the achievement of the many faculty members' desired instructional objectives. However, the activities and assignments must be insightfully designed. The natural consequence of ill-conceived group assignments is that they are likely to produce only one positive effect (increased learning of a subset of the material) but three negative ones (decreased learning of the remainder of the material; resentment from what is generally perceived to be an uneven sharing of the work load; and a residual student aversion to groups work).

On the other hand, by using insightfully designed in-class assignments, instructors can do far more than avoid problems with learning groups. They virtually ensure that their students will master basic content and, at the same time, they create a learning environment in which team members are able and willing to provide the quality of feedback needed for the development of higher level cognitive skills.

Learning to make business decisions in the shadow of the law

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Because most of the authors and most of the people who teach law in business school learned law in law school, business law textbooks present law in a manner that is familiar to people who have learned law in law school. The focus is on the exposition of rules of law and the application of those rules in lawsuits involving business people

and business entities. This may not be the most effective way to teach law in a business school. The primary shortcoming of this approach is that it does not provide business students with the kind of learning about the legal system and law that will best prepare them to do their work effectively.

Frequently, law is only an influencing factor that needs to be considered in selecting among available decision alternatives, rather than a determinative factor that prohibits or mandates a particular decision. To teach the decision-making framework three things are necessary. First, the students must read a business case that requires a business decision. Second, the students should have some background information concerning the business issue involved to provide them with support for their business decision. Finally, they should have law materials that set out the law that is applicable to the business decisions and that illustrate how that law has been interpreted and applied.

With such business and law materials students can apply the following five-step analytical framework to the business case. This framework provides the decision-maker with the necessary information to reach a reasoned final decision and implementation plan in business cases in which law is an influencing factor: (1) read the business management case; (2) read the law materials; (3) summarise the law that applies in this kind of legal action; (4) given the forgoing analysis, what final management decision should be made; and (5) how should the final management decision be implemented?

In Step One, the student is asked to advise what to do if there were no legal implications in the case. This step helps to emphasise that it is a business decision that is being made and that the student should consider the business implications of the decision first.

Step Two of the analytical framework begins to bring the influence of law into the decision-making picture. It does so by asking students to anticipate the future and to foresee how the business situation and decision at hand might evolve into a legal action. More specifically, the questions in step two ask students to identify (1) the parties to any possible legal action(s), (2) what legal claim would likely be made, and (3) what remedies a plaintiff might seek.

Step Three of the analytical framework requires students to pursue more fully the legal claim begun in Step Two. It requires students to summarise the law that is applicable to the case, identify the issues that will likely arise, foresee the arguments that the parties may make concerning those issues, and predict how the issues are apt to be resolved by a court.

In Step Four of the analytical framework, students return to their original decision in Step One and reconsider it in light of the shadow cast upon it by the law. Step Five requires students to go beyond making a decision to planning how to implement their decision. Effective managers understand that poor implementation can negate the value of a good decision. More particularly, students are asked how to implement their decision in a manner that will protect and enhance the decision-maker's legal position.

Law courses in business schools should provide business students with the kind of learning about law and the legal system that will best prepare them to do their work effectively, namely, that will enhance their abilities as business decision makers. To do this, students should analyse business cases in which law is an influencing, rather than determinative, factor that needs to be considered in selecting among decision alternatives.