The Report recommends that the Western Australia legal profession review its training of new practitioners if it is to meet the challenges it face in the next decade.

The proposed program for service of articles in the Campus Law Clinic: reflections on implementational issues
P F Iya
11 *J Prof L Educ* 2, 1993, p 231
The central thesis around which arguments develop and revolve in this paper is that the enactment of the Attorneys Amendment Act No. 115 of 1993 of South Africa, introduces the training of candidate attorneys through the service of their articles of clerkship at university law schools, has far reaching significant effects on the legal system, the legal profession and legal education in South Africa. To the extent that the amendment provides an alternative route to joining the attorneys profession, thereby solving the problem of entry to the legal profession as has been the case in the apartheid system in South Africa, legal educators have questioned the suitability of universities in assuming those roles of professional training which over the years had been the responsibilities of professional institutions.

In this respect the paper analyses the significant characteristics of and main trends in the training of lawyers for legal practice; and the effect of the proposed program on the existing practical training program in South Africa. The training for practice at the Campus Law Clinic of the University of Witwatersrand has been cited as a case in point. The paper concludes by asserting that the 1993 Act demands a new response by universities and their accredited law school clinics to the peculiar professional and social needs in the current socio-political and legal circumstances of the new South Africa. It urges the University of the Witwatersrand to accept the challenge and champion the introduction of the new program of training candidate attorneys at its Campus Law Clinic in conformity with the provisions of the Attorneys Amendment Act and the broad objectives of legal education in South Africa.

Teaching substantive law through problem based learning in Hong Kong
A B Szabo
[see Teaching Methods]

PURPOSE

The future of legal education: why? and how? Doubtful assumptions and unfulfilled expectations
J Goldring
11 *J Prof L Educ* 2, 1993, p 149 *
This article, for the most part, concerns such assumptions about legal education and their consequences, and some ideas about what needs to happen at the university stage of legal education which may run counter to some common expectations. It is intended to provide a background and a framework for consideration of issues fundamental to the future of law schools in Australia. The questions cannot be answered properly until we understand the aims and objectives of legal education, which will be reflected in the content of the curriculum.

Legal education and the ideal of analytical excellence
J H Wilkinson III
45 *Stan L Rev* 6, July 1993, pp 1659-1669
Legal education should be first and foremost an intellectually demanding enterprise. It is feared that law schools are compromising the analytical and intellectual components of legal education. The classroom is the heart of the law school. The time constraints on law professors from governmental committees and the corporate sector and the growing number of conferences to be attended exclude or infringe on classroom time. Law students, clamouring to make early career decisions are distracted from the classroom by interviews and call-backs from summer employers. "Diversity" within law schools is fashionable however, cries of political incorrectness and insensitivity should not be used to silence unfashionable arguments.

A report released by the American Bar Association, *Legal Education and Professional Development - An Educational Continuum* laments that only 9% of instructional time is comprised of professional skills training. However, there are limits to what the law schools can be expected to accomplish. What law schools do best is teach legal theory, and what law firms do best is impart practical skills. Time at law school is not a time to undertake clinical instruction. It is a time to keep abreast of substantive knowledge, address difficult societal issues and develop analytical skills.

The value of public service: A model for instilling a pro bono ethic in law school
J Chaifetz
45 *Stan L Rev* 6, July 1993, pp 1695-1711
There is a heated debate over public service or pro bono obligations of practitioners. Central to this debate is the role law schools should play in inculcating a public service ethic into its students. The perceived lack of prestige of pro bono work is thought to explain the lack of professional involvement with it. The curricula of most law schools have a heavy corporate bias whilst public interest courses appear sporadically, rarely becoming part of the permanent curriculum. Questions of equity and fairness are not commonly discussed. Research has shown that there is a major shift in student attitudes during first year from the use of law as a tool for social change and betterment to a perception of law as a system of conflict resolution.

Students may also be reluctant to participate in pro bono programs as they feel ill-equipped, perhaps due to the dearth of professional skills training they receive. Furthermore, the larger financial rewards offered by the private sector, societal emphasis on material goods and the idea that good lawyering means that the concerns of the individual client come before the public concerns, may contribute to the low level of law student involvement in pro bono work.

To maintain the interest of the students in the use of the law as a tool for social

change, pro bono work must begin when the students enter law school. In New York state, Pro Bono Students New York (PBS NY) is an organisation that places students in voluntary public interest positions. A counsellor determines the student's legal area of interest, then a computer database produces a list of the organisations befitting the student. Once a student chooses an organisation the counsellor contacts the organisation to discuss the student and inform the organisation that the student will be calling shortly. Students are required to sign an agreement obligating them to carry through on any projects assigned to them. Making pro bono work mandatory has the effect of legitimising work for the poor and under-represented, and students gain valuable lawyering experience by working on a real life project. Alternatively it is argued that no student should be forced to do what is conceived of as a voluntary gift of one's time to a chosen cause.

Can virtue be taught to lawyers
A Gutmann
45 *Stan L Rev* 6, July 1993, pp 1759-1771
The three conceptions of lawyerly virtue are the standard conception - recommending zealous advocacy of clients' interests, the justice conception - that lawyers be above all dedicated to the pursuit of social justice and the character conception - that they live a good life in the law, a life characterised by the exercise of practical judgement. The missing virtue is the capability of lawyers to deliberate with non-lawyers - a mutual interchange of information and understanding oriented toward decision making about both ends and means. Through deliberation lawyers will help their clients examine the broader implications of their initial preference and explore the pros and cons of alternative strategies.

Clinical practice can be designated and directed to cultivate the skills and dispositions of deliberation. Regular law school courses should teach more of the knowledge and understanding that is necessary to make informed judgements about alternative legal strategies.

"A(nother) critique of pure reason": toward civic virtue in legal education
A P Harris and M M Shultz
45 *Stan L Rev* 6, July 1993, pp 1773-1805
Classical legal education celebrates reason and devalues emotion, however, emotion can enrich debate. The dominant ideology is that rationality and emotion are opposites and that the former and not the latter is appropriate in legal reasoning. The source of this dominant ideology are the Langdellian view of law as a science, the notion that justice should wear a blindfold to shut out persons and passions and the threat that unrestrained emotion poses to the rule of law. When law teachers seek to eliminate emotion from legal discourse all they achieve is suppression of its direct expression. Rationality unchallenged by emotion makes legal analysis an abstract exercise and classroom discussion a dry and sterile past-time.

At law school, students learn to articulate arguments for and against but are unable to place them in a broader philosophical, moral or practical context. If reason and emotion are not integrated throughout the course, the result can be to reinforce the split between the two. The dominant ideology is also politically entrenched. As women are more comfortable expressing emotions, and reason is prized above emotion, women will tend to be at a disadvantage. People who may be characterised as the 'losers' within the legal system will often be emotional, whereas 'winners' can be more calm and dispassionate. The subordination of reason over emotion perpetuates the status quo.

Erastian and sectarian arguments in religiously affiliated American law schools
T L Shaffer
45 *Stan L Rev* 6, July 1993, pp 1859-1879
Legal education by religiously affiliated law schools is now supported by the ABA provided religion is maintained as a private affair of the individual and that the public moral issues addressed are secular and discussed in secular language. Despite earlier statements by the ABA, accreditation of religiously affiliated law schools by the ABA has largely ignored its own diversity requirement. Most religiously affiliated law schools are, however, secular. There are two alternatives to a secular religiously affiliated law school. The first is the Erastian view in which the Church serves a civil society that remains, in important ways, Christian. Erastian law schools are not secular but are for the most part indistinguishable from all other law schools. The second alternative is the sectarian view where the particular calling of the people of God is to be distinct within civil society and to endure consequent separation from it.

> "....There is a major shift in student attitudes during first year from the use of law as a tool for social change and betterment to a perception of law as a system of conflict resolution."
>
> J Chaifez

A sectarian law school would be (1) communal - students would receive their legal education in and from the community of the Church, (2) commissioned - it would view the practice of law as a commissioned ministry of the sect, (3) infallible - it would depend on infallible assurance - that the lawyer is right by virtue of his/her faith in God and (4) specific - the law school's ethic would address specific, particular professional behaviour. Religious sources of social, political and legal morality are specific in that they have predetermined policies on specific issues.

Of the two alternatives to a secular religiously affiliated law school, the sectarian model is the more religiously sound alternative.