in its theory and practice. There seem to be dangers as well as major advantages in looking for guidance from this area. It must be useful to be more analytical about what we teach, to be more purposeful, more clear and more objective in the manner in which we assess our students. But, none of this needs to lead to an obsessive reductionism or an uncritical approach to what we analyse or to a belief that all we can analyse today is all that is there. And it should not blind us to all the good things we can also learn from the discipline of education, including learning from experience, techniques in adult learning, student centred learning, the sociology of education and much more. A blind following of learning outcome measurement as a new holy grail is probably not among these.

Should law schools look inwardly to themselves for direction? This form of navel contemplation will not be useful, attractive or elegant for everyone. Experience of some very different law schools suggests that some may profitably look within for the range of knowledge, information, approaches, methods, subject areas and experience that is really necessary in order to consider future planning. But others would implode. Tearing each other to bits, arguing over a constantly decreasing cake has already become the pattern of the last five years. The changes which will affect the future of law, the future of the legal profession and the future of legal education are not, or not only, held within the law schools and its library.

So what can the law schools do by looking within? One thing they can do is to look within for examples of all that is best about legal education. Another thing is a policy which allows elements of good teaching to be accorded the same level of importance as other areas of research. There are other things which need to be done. Information systems within the law school need to be thought through carefully and information technology needs to be properly financed.

What about looking to the legal profession? Law schools could look at both the new systems of vocational training and continuing legal education. But is not the profession itself as a system of training and as a purpose for education exactly what law teachers have been reacting against for so many years? Looking to the profession is largely what undergraduate legal education has done up until this time. In fact, the legal profession has all but designed the core of undergraduate programs by defining the ingredients of a qualifying law degree, usually constituting over half of the syllabus.

Most students who come to study law at universities, even if only 42 percent will make it into practising profession nowadays, usually still do so with one major purpose in mind. They want to study law. That includes the work of law. Most of them actually do wish to become professional lawyers, even though in the current economic climate they may not succeed. The mismatch between the expectations of law teachers and law students is based on this difficulty. Law students want to learn what will be useful to them, including knowledge for its own sake, ethical approaches to law, the humanity of law, socio-legal studies and the work of law. Law teachers seem to feel that they need to react against this rather than using it as a driving force to motivate students. The challenge of legal education is to harness the forces of the profession, the work of law and student interest, rather than to fight these interests.

If an overarching theme is necessary to be found for the purpose of legal education, then legal competence might be such a theme. Competence has been treated as an organising principle for legal education at all levels in the United States and in Australia and there is now interest in this both in Europe and elsewhere. Competence is useful because it has the ability to link all the different elements of legal education from the 'nursery' stage of undergraduate legal education onwards through the vocational stage and the post qualification stages. It is useful, not only because it provides practical and intellectual coherence for an entire system, but also because it seems to transcend national and jurisdictional boundaries so as to allow easier transitions between, and harmonisations of, civil and common law approaches.

Undergraduate law schools need to take some lead from the profession in terms of organising the future of legal education. As subjects become more interdisciplinary and as academics seek to learn more about the context and more about the socio-legal study of the areas in which legal work is carried out and of the work which lawyers do, there is more need for contact between academics and practitioners at all levels for the purposes of both research and teaching. Being involved in training will provide that link and the research opportunities which the academic world needs and the training opportunities which the practitioner world needs.

Law as a parasitic discipline
A Bradney
25 *J L & Soc* 1, 1988, pp 71–84

The academic doctrinal project which has dominated United Kingdom university law schools for most of their history, the attempt to explain law solely through the internal evidence offered by judgments and statutes, is now entering its final death throes. The abandonment of the doctrinal project

should not be seen as a sudden *volte-face* in the intellectual allegiance of the law school. It represents a new stage in an evolutionary process. The new spirit does not mean the subjugation of law to sociology. Rather, it represents the realisation that law can become a site or focus for many disciplines within the academy.

It is not clear that academics wholly understand the implications of espousing law as a liberal education. The problem for liberal education is to produce specialists who are in touch with a humane centre, and to produce a centre for them to be in touch with. A liberal education is seen as involving both a highly detailed technical education in an individual discipline and an attempt to facilitate students' appreciating the all-imbuing nature of, and involving themselves in assessing, questions of value and worth.

Whatever its value in training the mind or in building a suitable intellectual base for the practitioner, there can be little doubt that the essential aridity of doctrinal study has a disabling effect on most of those who are subject to it. Doctrinal study mostly teaches a student to particularise and narrow argument. At the same time doctrinal study also forbids the making of the connections with the wider questions which lie at the root of human inquiry. The person skilled in doctrinal techniques is, by virtue of this skill, no better equipped to attend to non-doctrinal questions. Doctrinal study thus builds a dissonance between the psyche of the student and his or her academic persona. The alienating effect of doctrinal concepts has previously been noted in the context of women students, those from socially disadvantaged backgrounds and those who hold radical political views.

Historically, the law school has contributed little to the main body of the university, except to provide large numbers of highly qualified students taught very cheaply. In particular, there has been little curricular contact or cross-over between the law school and other departments. This isolation is the logical and necessary outcome of the doctrinal method and the doctrinal concepts described above. New developments in teaching law to non-law students demonstrate some of the possibilities for new contacts between law schools and other departments if law is treated as a parasitic discipline.

The abandonment of the doctrinal project is seen to greatest effect in the research work of the law school. It continues to pervade much teaching and doubtless will do so for some years as it gradually loosens its grip on the law school, thereby enabling it to be able to take its proper place in the academy. The university, whatever else it is, is a conversation: a place for different people and different discourses to meet and, by their exchange, grow richer. Doctrinal study has held both students and the law school back from that conversation. Law as a parasitic discipline offers a much brighter future.

POSTGRADUATE PROGRAMS

FAQ: initial questions about thesis supervision in law
D Manderson
8 *Legal Educ Rev* 2, 1997, pp 121–139

The importance of the experience and the privilege of writing a thesis comes about because writing a thesis is a license to ask questions: questioning what the field of law is and offers; questioning how things have been approached and how they might be changed; questioning one's own thinking, assumptions and expectations. The dialectic of questions would be familiar, with its Socratic overtones, to many law students. But now and perhaps for the first time, it is the student who gets to ask them and the answers are not so pat. And it is through this constant interrogation — of the material, of the discipline and of oneself — that one learns about genuine scholarship. This approach is very different from most students' experience of undergraduate legal education. For those who succeed, undergraduate education is a system of constant reward. In particular it rewards certainty and confidence and *right answers* to given questions. Through the process of questioning, on the other hand, higher-degree studies aims to transform students from consumers into producers of legal knowledge. Postgraduate legal education is a journey, not a system. It does not reward but enriches and the complex enrichment it offers is the *negative capability* of doubt.

The success or failure of this process is profoundly influenced by the kind of supervision the student receives and here too, particularly in the earliest stages, the student is plagued by questions: who should supervise me, how should they supervise me, what problems am I having? Because the relationship of supervision is so important, these questions often loom over the more substantive and personal questions which the writing of a thesis entails.

In Australia, teachers in a law faculty almost invariably now have a higher degree in law and doctoral degrees are also increasingly common. There has been a great proliferation of Master's degrees in law throughout the world. Many of them, however, especially in the US, require only the completion of a year's coursework. This gives the student, in whatever discipline, a tremendous grounding and breadth of knowledge. In contrast,