tive critical analysis of case law reveals strong divergences in judicial approach. Amongst these, the emergence of judicial review is widely recognised, even by former critics of judicial activism. Nevertheless, its impact should not be exaggerated. Judicial review is merely one of a number of necessary tools for delivering accountability and legitimacy. The difficulty remains that the process operates in a highly arbitrary and inconsistent manner, which leads to the inevitable conclusion that the courts are not central to the *process* of administrative law as a whole and that their actions may have damaging implications for the legitimate autonomy of administrators.

One administration law text provides a possible alternative. Rather than concentrating on the courts and a discussion of case law, the authors have produced a scholarly study with both a theoretical framework and a contextual analysis of the administrative state in order to reveal the structural architecture of public institutions and practices.

In contrast, another text guides the reader through a series of case studies, with the aim of offering an understanding of the 'intricate network of state activity'. To assist in this task an explanatory framework is provided in the form of a simplified model which assists in drawing out the necessary interconnections between politics, policy-making, administration and the law. From an academic standpoint the text offers the prospect of operationalising a process based approach.

The article's final consideration is the relationship between academic work and its utility for the practice of law. Although there have been many attempts to integrate new methods of analysis and teaching in legal education, over the years the dominant form has retained its practitioner orientation, which amounts to teaching law as a simple set of rules supported by examinations to test the ability to solve legal problems. The result is that, for many students and teachers of law, the assumptions, classifications and pedagogy of the 'black letter' tradition possess a reified logic of inevitability, thus de-emphasising that they are human constructs embodying political and moral choices.

This view of law as a body of knowledge conceived largely in terms of legal concepts and rules has been challenged for a number of reasons. First, this is because a largely uncritical court centred approach provides no explicit theoretical framework and thus fails to address the reasoning process which provides the links between general principles and particular circumstances. Second, such an account is particularly unsatisfactory in today's more open climate in which several prominent judicial figures have set out a number of sometimes potentially conflicting interpretations of the judicial role. Finally, it conveys the impression that dealing with case law from textbooks, law reports and practitioner manuals will be the main activity for lawyers, which neglects the rapidly increasing importance of the Internet and electronic databases as sources of legal information.

Weighing into these debates on the proper role of legal education is the realisation that a decreasing proportion of law graduates are entering the profession and that this trend is likely to continue. Thus, the nature and purpose of the academic law degree is more than ever a pressing issue for teachers, as well as its one time largely uncritical consumers. But it would be making a serious mistake to suggest that there is an unbridgeable chasm between the black letter textbook tradition and more recent attempts to set the law in context. Rather we see the emergence of multifaceted approaches offering a new way forward in a changing climate. For law teachers to venture even partway down the path of becoming effective contributors to the great debates about law and its relationship to culture, society, the state and individual freedom and well-being will require that the nexus with the profession be further eroded.

Whatever the outcomes of the various debates on legal law scholarship, until law schools and legal scholars take their place in the broad intellectual stream offered by philosophy, social theory and the human sciences, law cannot be said to have reached the stage of independence from vocational professionalism that is desirable.

Using problem-based learning to teach first year contracts
J Macfarlane & J Manwaring
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Problem-based learning (PBL) is a teaching and learning method used widely in medical and other programs of professional education. It replaces regular lectures with work on simulated problems, which in law usually take the form of a client file. At least some of the information necessary to 'solve' the problem is new material on which students have not yet received instruction, either in the form of written materials or formal lectures. The rationale is that learning on a 'need-to-know' or 'discovery' basis, using materials which attempt to simulate the reality of professional practice, is both a more effective and a more motivating way to learn than via didactic methods such as lectures, which are principally concerned with information transmission.

By focusing on the simulation of realistic problems and issues in law, PBL also aims to help students to develop research and problem-solving skills which may be used again in different substantive contexts. The method appears to offer enhanced opportunities to think critically about the potential of law to solve problems, both individual and systemic, by providing a practical context in which to evaluate and apply legal principles.

PBL also emphasises co-operative work with peers. Law schools are unaccustomed to teaching teamwork as a basic skill, but there are signs that this is becoming increasingly important to prospective employers. In PBL students work on problems in groups which are usually comprised of five to six people. Problems are designed as a 'jigsaw puzzle' of facts and issues in order to maximise co-operation and collaboration. In a legal education setting, each group generally represents a client and draws on various forms of real-life documentation. PBL is designed to emphasise the process dimensions of learning.

The professor or tutor in PBL plays the role of facilitator and coach rather than the traditional didactic role of instructor. They meet regularly with the group to assess student progress and may sometimes make suggestions or comments about the path or paths they are following. This role requires quite different pedagogical skills to those traditionally expected of a professor in a university law school.

The authors of this article, professors teaching at the universities of Windsor and Ottawa in Canada, in total have designed and run PBL exercises in their Contracts classes on 11 separate occasions since 1993. They continue to refine and modify the problems they have designed together with the format of the exercises. Each exercise has been evaluated by students using a simple standard form and the authors have attempted to reflect this feedback in their review and analyses of exercises. Three issues arise from the authors' experience with PBL, which appear to be critical to its design and implementation in the law school classroom. These are collaborative teamwork, problem design and assessment.

Many arguments have been made by educationalists for the use of small group work in terms of its focus of attention on intrinsic or process-oriented aims, as opposed to extrinsic or outcome-oriented goals, which are the usual preoccupation of university education. The use of teamwork, in the literature on PBL, is described as enhancing communication skills and allowing better insight into one's own behaviour and ideas, as well as those of others. Increased motivation is also emphasised. In addition, working with others facilitates another of PBL's aims – to develop the ability to diagnose and hypothesise about a problem from an integrative perspective. Teamwork also appears to encourage reflection on the process of problem solving. Overall, while opinion was divided, a substantial number of students indicated that teamwork was one of the positive aspects of the PBL exercise.

Problems designed for use in PBL are intrinsically different to the types of hypotheticals and exercises which are widely used in legal education. The advantages of making the problem multi-topic are several. First, this allows students to integrate ideas and materials between related areas in a way that traditional law teaching and assessment models otherwise do little to encourage. Second, it allows the incorporation of a range of policy and ethical issues into the design of the problem, encouraging students to consider these also. Third, this form of problem design explicitly gives students permission to be creative and to individualise their approach to the problem. There are, however, many tensions between the relative flexibility PBL allows students to identify their topics for research, and the highly specific information-dominated evaluation and assessment models characteristic of most law schools. This raises the vexed question of course 'coverage' and whether student self-selection of topics is in fact sufficient.

The facts and documentation that comprise the problem should as far as possible approximate real life. Realistic simulations of practice situations motivate students to work towards a solution or range of possible solutions. A tension can sometimes arise in problem design between aiming for realism and the achievement of other pedagogical aims.

Another important design question is the type and extent of information given. For problems set early in a course it may be necessary to give students most, if not all, of the relevant facts. Ideally, however, a PBL problem should only contain some of the facts and leave others either for students to uncover, or alternatively to consider how any 'unknowns' might impact on the problem and its resolution.

Because the PBL exercises take place within a traditional Contracts course and require considerable time and effort, and because they represent important learning objectives for the course as a whole, it is logical to include these exercises in the formula for determining the overall grade of the student in the course. Ideally, the authors feel, the process of assessment should itself provide a vehicle for student learning. In their experiment they decided to award a grade to the final PBL product on a team basis. Because PBL is designed to assist students in the ongoing development of skills, it is essential to provide clear, concrete and useful feedback which is integrated into the learning process.

After three years of experimenting with PBL in their first year Contracts courses, the authors are convinced that the work involved for both students and professors is worthwhile. The exercises that have been developed provide an opportunity for much closer contact between professor and students. The majority of students participate with considerable enthusiasm and learn a great deal. If nothing else, these exercises can break the routine that settles in during term and provide additional stimulus for learning for both professor and student. Moreover, the authors believe that students learn more and

more effectively through the use of such methods. What seems clear is that PBL provides an opportunity for students to move directly from learning *about* to learning *how,* in the form of the application of that new knowledge to solve the problem.

Analytical v integrated: two approaches to organising lecturing material in the context of interdisciplinary law-related teaching
E Stern
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One important question for law teachers is how they should organise content through the medium of the resource-efficient lecture, whose dominance seems assured in the current climate of continuing government cuts to higher education funding. The current focus on interdisciplinary studies in higher education also raises questions about content presentation. An issue for law teachers who seek to draw on techniques and concepts taken from disciplines outside the law is how to select and organise the relevant subject matter in a way that facilitates student understanding.

This essay examines two competing ways of incorporating an interdisciplinary perspective into the study of law. The terms 'analytical' and 'integrated' have been coined to characterise the two ways of presenting lecturing material in the context of interdisciplinary law-related teaching. This essay reviews the relevant literature in order to determine whether the distinction between the two approaches can be sustained.

As a first time teacher in Legal Studies, the author of this essay was faced with the task of delivering a series of lectures in the first-year topic, Introduction to Legal Studies. Many of the students enrolled in this subject came straight from secondary school and more often than not were unfamiliar with such disciplines as sociology or economics. Teaching in the first semester introduced students to the basic principles of law. In the second semester of the subject the author was to deliver a series of lectures within her field of expertise. Accordingly the author drew on material from labour law and contract law, which involved a recently enacted industrial relations reform act, chosen because it offered an interdisciplinary focus, and hence an opportunity to introduce students to the forces that shape legislation, notably politics, economics and history.

An analytic methodology was adopted by the author as Legal Studies lends itself to being taught in this manner. Legal Studies involves an interdisciplinary approach to the study of law. According to this notion, law is the product of social, political and economic forces whose 'essence' can be revealed by breaking the concept into its component parts and examining these in detail. This analytical approach is operationalised by giving one lecture on the contribution that economics makes to understanding the law, one lecture on the contribution that political science makes to understanding the law and so forth. Surprisingly, while the logic of this method of teaching is compelling, experience provided a different story. Anecdotal evidence emerged from students and tutors, indicating that many students had difficulty understanding the material on the reform act.

In response to this feedback as confirmed by the standard student evaluations of teaching, these lectures on the reform act were reorganised in a number of significant respects for the following year. Instead of making the whole of the act the focus of the lectures, the decision was taken to concentrate on a small part of the act, namely the unfair dismissal provisions. By identifying the reasons for the enactment of these provisions as the organising theme, it was possible to use the disciplines of political science and economics as explanatory variables.

The fundamental proposition put to the students was that political and economic forces had produced the unfair dismissal provisions. This argument was presented within an historical framework, beginning with the failure of the common law adequately to protect workers from unfair dismissal. Students were then introduced to the economic and political factors, originating in the deregulation of the economy in the 1980s, that culminated in the enactment of the reform act in the early 1990s.

In the following year student responses were far more encouraging, as demonstrated by anecdotal evidence, peer review and standard student feedback surveys conducted after the lectures. A comparison of student ratings taken in two consecutive years showed that students rated the second set of lectures far more favourably than the first. The interesting question then arises: why should students prefer one form of presentation to another? The author then reviews the literature on curriculum development, cognitive psychology and student learning in pursuit of answers to this question.

The question remains: where on the ladder of cognitive learning objectives do first year students actually belong? Alternatively, in selecting and organising teaching material, should teachers differentiate between first year students and those enrolled in upper level subjects? She advances an argument for focusing on the needs of novices, drawing on the literature on cognitive psychology which points towards a strategy of organising teaching material in a way that accommodates the learning needs of students new to the discipline.

However, the question persists: should teachers organise teaching content in such a way that complements students' preferred learning conceptions at a given point in time? Does it follow that the integrated rather than the analytical approach more closely