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## LEGAL EDUCATION IN PAKISTAN: AN OVERVIEW OF STAKEHOLDERS' PERCEPTION

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**(Received: October 2023; Accepted: December 2023; Published: May 2024)**

**Abstract:** Legal education plays a vital role in the country's justice system. The graduates with good quality of law education have a great impact on the quality of the judiciary, Bar, and Bench. There is a general perception amongst the stakeholders comprising of that the present legal education in Pakistan does not satisfactorily match the needs of the country. Thus, it needs to be reviewed and reformed. In line with this, the objective of the current qualitative study is to analyze the opinions of stakeholders. The article ends with recommendations for improvement in legal education as advocated by the stakeholders.

**Keywords:** HEC; Legal Education; PBC; Perceptions of Stakeholders; Quality Assurance.

### 1. Introduction

As a branch of higher education, legal education enables those who aspire to become advocates or law officers, to seek professional qualifications (Jamin, C., & Van Caenegem, W., 2016). Before we look into the importance of legal education in Pakistan, it is crucial that we have a clear understanding of what education embraces. The term "education" originated from the Latin word "educatum" which is defined as the act of instruction or training (Swastik, d.n). Some academicians have, however, argued that the term "education" came from another Latin word, "Educare", which means "to bring up" or "to raise" (Swastik, d.n). Thus, legal

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education would be one means of propagating the good qualities of an individual by instilling them with knowledge about how the law works and how it can be practiced and implemented professionally (Kalanauri. Z.I, d.n). It was further pointed out by Mohammed Monirul Azam (2005) that legal education is "the first and honorable study of human sciences". Whosoever studies law and the legal system is learning how to help people. Legal education includes enhancing students' capabilities to combine different types of knowledge, their ability to consider alternatives, to develop ground-breaking strategies, to debate and prove arguments, to enhance research and writing skills, to build listening and argumentative skills and above all, to prepare students for the world that confronts them (Gurpur, S., & Rautdesai, R., 2014). Nicolson (2006) mentions that, at an earlier stage, the original legal discipline was confined to social services which were rendered voluntarily to a deserving community suffering from the violation of their human rights. Further, he states that these services were offered out of sympathy or wishes for developing an effective social justice system in society (Nicolson, D., 2006).

The prime function of legal education is to prepare law students for service in the legal profession, which is divided into a variety of areas including public litigation, corporate law, transactional law, criminal law, civil law, international law and access to justice in general. Legal education in Pakistan is imparted through private and public law colleges as well as departments/institutes of the universities. These law institutions are affiliated with appropriate universities. There are two regulatory bodies i.e. Pakistan Bar Council (PBC) and the Higher Education Commission (HEC). The PBC is a constitutional elected body that promotes and regulates legal education in the country. There is another regulatory body which is the Higher Education Commission (HEC), which regulates higher education including legal education. Despite the existence of these two regulatory bodies, legal education is still in decline (Kalanauri. Z.I, d.n). In the past decades, Pakistan has faced many issues in its legal education. Recently the Supreme Court of Pakistan issued direction and constituted a commission to probe into the problems. The commission in its report informed the Apex Court that there are many problems including administrative and quality assurance issues (Civil Misc. Applications No.1939 of 2014). In line with this, this research looked at the general legal education system in Pakistan from the perception of stakeholders comprising Academicians, members of HEC and members of PBC. The article ends with the stakeholders' opinions and recommendations.

## 2. Literature review

Legal education in Pakistan has been under fire for its perceived deterioration in quality and regulatory compliance (Imam, 2021). According to Reayat et al., (2020),

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this area has many issues, including obsolete curriculum, traditional evaluation methodologies, and poor teaching and learning methods. Zahoor et al., (2021) express their view as these challenges have highlighted concerns regarding quality assurance procedures and the urgent need for changes to train competent lawyers. These difficulties directly affect the legal profession's competency and Pakistan's rule of law (Yu et al., 2018). These difficulties need a diverse strategy that addresses stakeholders' views and integrates transformational leadership into education. Leadership selection, training, and evaluation in educational institutions, including legal education, may benefit from transformational leadership, which inspires and motivates people to perform better (Griffith, 2004). Understanding key stakeholders' perspectives, especially teachers and policymakers, is crucial to education reforms and professional growth (Nawab & Zainulabidin, 2021). These stakeholders' perspectives may help legal education institutions reform curricula, teaching methods, and assessments. These findings may also influence targeted initiatives to strengthen teacher abilities and foster a culture of continual learning and growth.

According to Nawab & Sharar, (2022), coordination and cooperation among stakeholders are key to designing and implementing teacher professional development programs, particularly in rural regions. Policymakers, educators, and community leaders must work together to close the educational gap between urban and rural Pakistan and provide excellent education to all aspiring legal professionals. By collaborating and sharing resources, stakeholders may improve learning and professional development, raising national legal education standards. The lack of a systematic reporting method hinders medication safety monitoring, putting public health at risk. In sustainability reporting, Pakistan struggles to strengthen stakeholder collaboration to promote sustainable business practices (Khan et al., 2023). Mushtaq et al., (2023) have the view, that for the improvement in legal education strengthening of stakeholder nexus is essential for sustained corporate success and legitimacy, particularly given multiple stakeholders' interests and expectations. Integrated efforts are essential to match corporate strategy with sustainable practices for long-term environmental and social advantages. The COVID-19 epidemic has worsened Pakistan's education system, emphasizing the need for better online learning and instruction. Innovative solutions to guarantee education access have arisen from pandemic-related school closures. The abrupt shift to remote learning has highlighted the need for adaptive and robust educational frameworks that can offer excellent education remotely (Mushtaq et al., 2023).

### 3. Methodology and participants

In this study, the researchers adopted a qualitative method of research. The concept of qualitative research methodology refers to direct fieldwork observations and analysis of the data (Patton, M.Q., 2005). Additionally, Creswell further defines the

qualitative method as a method where the researcher typically gathers multiple forms of data, such as interviews, documents including primary and secondary data, and audio-visual information rather than relying on a single data source. Moreover, the researcher reviews all of the data, makes sense of it and organizes it into categories or themes that cut across all of the data sources (Creswell, J.W. and Creswell, J.D., 2017). In this research work interviews were conducted in order to analyse the current position of legal education in Pakistan.

The data was collected to look into the opinions of the stakeholders through in depth interviews among Members Legal Education Committee PBC, Members of HEC in Quality Assurance Mechanism, Judges and Academicians on legal education in Pakistan. Thus, the detailed analysis provided an overview of the current position of legal education in Pakistan. The basic objective of this study was to determine the issues that were related to the quality of the legal education offered in Pakistan and to provide recommendations that can enhance legal education to a higher level so that it is competitive with other nations. Comprehensive and in-depth interviews were conducted with a total of eight participants who were selected based on their background in relation to the legal education offered in Pakistan. Two different questionnaires were used. The first questionnaire was for members of the Legal Education Committee, Pakistan Bar Council, members of the HEC (Quality Assurance) and judges while the second one was for the academicians. The questionnaire comprised two parts, A and B. The demographics of the respondents comprising the name of the respondent, name of institution, type of institution, either government or private, respondent's years of professional experience, gender and the highest level of education were captured in Part A. Following this, Part B gathers their opinion based on five basic questions outlining the general state of legal education in Pakistan. The interviews were transcribed and analyzed. The interviews were conducted in the office/residence of the respondents. The respondents were approached personally by the researcher. All the interviews were recorded, manually transcribed and then analyzed. The data was collected in the months of March and April 2018. However, the Supreme Court of Pakistan gave the directions on legal education in joint applications in the month of August 2018 (Civil Misc. Applications No.1939 of 2014) which included some points which were part of the study's interviews and endorsed the opinions of the stakeholders.

To protect the identity of the respondents, their names were labeled with acronyms. The code names used to indicate the members of the Pakistan Bar Council Legal Education Committee were RBC1 and RBC2. The members of the Higher Education Commission were coded as RHEC1 and RHEC2, while the judges who were interviewed were coded as RJ1 and RJ2. The academics were coded as RA1 and RA2.

**Table 1: Demographics of Participants / Interviewees**

Code	Name of Institution	Type of Institution	Years of Professional Experience	Gender	Highest level of Education
RPBC1	Pakistan Bar Council	Private	20 years	Male	LLM
RPBC2	Pakistan Bar Council	Private	20 years	Male	LLB
RHEC1	Higher Education Commission	Government	20 years	Male	Ph.D
RHEC2	Higher Education Commission	Government	15 years	Male	Ph.D
RA1	Punjab University Law College	Government	12 years	Male	LLM
RA2	Jinnah Law College	Government	20 years	Male	LLB
RJ1	High Court of Sindh	Government	3 years	Male	LLM
RJ2	High Court of Sindh	Government	3 years	Female	LLM

Source: Own processing.

As indicated in Table 1, the interviewees were labeled as RPBC1, RPBC2, RHEC1, RHEC2, RA1, RA2, RJ1 and RJ2. In regards to the type of institution, only RPBC1 and RPBC2 are attached to the private sector while the rest of the respondents are attached to the government service. Under the years of professional experience, it was found that four out of the eight respondents have had 20 years of experience in what they do while the rest of the respondents RHEC2 had 15 years, RA1 had 12 years, and RJ1 as well as RJ2 have three years of experience. Of the eight interviewees, only one of the judges (RJ2) was a woman. In locating the interviewees' highest level of education as shown in the table RHEC 1 and RHEC 2 were more qualified as they both have PhDs whereas PBC2 only has an LL.B and the others have an LLM. This indicates that all eight interviewees were trained and qualified in the legal profession.

#### 4. Empirical Findings Opinions of Stakeholders on the Legal Education in Pakistan

This section highlights the input extracted from the eight stakeholders on legal education in Pakistan. Their opinions indicated their satisfaction level of the legal

education currently offered in Pakistan. The stakeholders were qualified to respond to this because they possess the relevant knowledge about legal education based on their experience. In addition, they also had been exposed to a variety of related fields. Their input is valuable as it may help to bring improvement to legal education in Pakistan.

#### **4.1 Opinion of Stakeholders on the Current Position of Legal Education in Pakistan**

In general, all the respondents agreed that the legal education in Pakistan is in poor condition. This is endorsed by RPBC1 who stated that,

Legal education is not good, and that's why for the last many years we have been striving very hard for its improvement. There are a lot of lacunas in it. There are issues related to the enforcement of rules, we are trying to streamline them.

There were two basic problems indicated by RPBC1. One was related to the appointment of the faculty members who came from the same pool of practicing lawyers. The other concern was the examination system. Both, it was claimed, had caused the quality of legal education in Pakistan to deteriorate. Respondent RPBC2 stated that,

As per what I observed, and as per my own opinion this system needs to be improved. There is no check and balance in it. The system is operating but there are lots of loopholes in it. There is no control and there is no impeachment. If there is, then it is not implemented. The PBCLER 2015 was designed, and in my opinion, hardly 30% are implemented. If these rules could be implemented on quality and performance strict checks and introduce impeachment then everything will be fine, but even then there is a lot of improvement required.

This articulation made by RPBC2 implied that the implementation of the PBCLER 2015 was weak, hence he suggested that these rules have lacunas that need to be reviewed. In relation to the poor quality of the legal education system interviewees RHEC1 and RHEC2 also had the same opinion. Both thought that the overall higher education in Pakistan was not satisfactory, particularly the legal education, which was in a very poor state. They claimed that there is a lack of systematic improvement. They were of the opinion that a framework should be developed to recommend improvements. Additionally, RHEC1 also stated that "private law colleges are doing business in legal education and only a few public universities are contributing in legal education in a good way but you can count them on fingers". Likewise, RHEC2 stated that there is a lack of systematic improvement and there is a need for modernization and improvement. RHEC2 also suggested that there should be a framework on the basis of which improvements should be made.

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In addition, the responses of the judges were no different from the opinions of the PBC and HEC members. RJ1 was of the view that the state of legal education in Pakistan is unsatisfactory. He added that the quality of the current law graduates being produced was still not up to the mark, "legal education has never received the due attention it deserved from past governments, and the state of legal education has been more disappointing". Similarly, RJ2 also asserted that "the current legal education needs drastic changes as materials taught in terms of legal education were inadequate for the challenges of practical life". In the same way, the academics also supported these arguments where RA1 stated that:

Legal education in Pakistan with it being a developing country has plenty of room for improvement. It would be inaccurate to say that the current status is perfect or even close to perfect. In my opinion there are many places where faults need to be addressed.

Similarly, RA2 also indicated that the lack of facilities was the main cause of the poor quality of legal education. He further mentioned that:

Our level of legal education is not good, mainly due to negligence and lack of attention by regulatory authorities and lack of facilities provided to law colleges including faculty members which leads to a lack of interest on their part.

The legal education system of Pakistan is in serious crisis and this can be observed by the comments by Yousaf Gillani (2018) he said that "as we have been unable to lay out a clear national policy regarding the syllabus, teaching methodologies and accreditation". Further, he expresses concern over the universities and colleges which are being constantly criticized and questioned about their methods of instruction and examination (Gillani, Y, 2018).

The responses of the respondents on the poor quality of Pakistan's legal education are also supported by the former Chief Justice's comments on the present position of legal education. He observed that "Our legal education is still predominantly confined to a study of obsolete principles and arcane procedures which have little utility in contemporary times". He also asserted, "I must add that weak legal education and awareness is a significant contributory factor in a weak rule of law that we are suffering in Pakistan" (Jamali, A.Z, 2015). This implied that there is no proper monitoring system in Pakistan to control the education system. Numerous educational institutions and universities have been opened in Pakistan at present, but the standard of education is not good at all (Subhani, H.Z, 2018). This condition can be verified by the report of Quacquarelli Symonds (QS) rankings which stated that "Pakistan has the world's weakest higher education system" (News Desk, 2016, May 20). It can be concluded that the present position of legal education is not up to the mark, until and unless imperative steps are taken for improvement.

## 4.2 Opinion on Organisation and Administration of the Legal Education of Pakistan

The organization and administration of a law institute have an important role to play in imparting education. It paves the way for students to be in a conducive environment for their learning. This study also aims to understand this aspect of the legal education being probed, thus, the interviewees were also asked questions about the organization and administration of the law college/institution. RA1 stated that:

The mindset of our country's population has more to do with the issue, than organizational or administrative factors. When a student comes to university to study, there is only one thing on his/her mind, which is to acquire a degree. They do not have an interest in increasing knowledge or grooming themselves.

This was also reiterated by RA2 who stated that "due to inefficient organisational system and lack of monitoring students remain absent. If it has been otherwise, there could be no absentees".

HEC1 also had a similar opinion:

The organization and administration of legal education is the same as the standard of legal education, it is also poor. Practicing lawyers are occupying academic positions. Public sector universities now hiring permanent faculty, and from them we hope to have good academicians.

Another response emerged from RHEC2, who added:

Generally speaking, in Pakistan where legal education is studied as a professional degree at the undergraduate level, it is offered in evening classes. Only recently, law colleges have shifted over to morning timings with regular professors.

He further mentioned that, "the academic positions are not held by the academicians. These are filled through ad hoc basis. Therefore, they are least interested in setting standards and advancement of the institutions".

Supporting to earlier response, RJ1 stated:

PBC has yet to make efforts towards improving the standards of legal education in the country. They have failed miserably in bringing checks and balances on institutes providing legal education.

This was added by RJ2 who suggested that:

There must be an agency like the Pakistan Medical and Dental Council (PMDC) which can frame rules for the organization and administration of legal education in Pakistan. This is because even though the PBC is available, it is not as effective as it should be.

Respondents RPBC1 and RPBC2 further mentioned that there are several flaws due to the negligence in the implementation of the PBC rules. They said that the PBC

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gives basic instructions regarding the organization and administration of law institutes in the rules, but these rules were not implemented throughout the whole country. It was suggested that if the rules had been dutifully implemented, the organizational and administrative would have been efficient and no such issues would have occurred. Another observation was proposed by respondent PBC1 who added that the PBC made the rules which stated that the building of the campus should be two thousand square yards, the library should be well-equipped, and the law college should be registered as a company. The rule also stated that there should be a board of governors to oversee the quality assurance of the law college. In addition, respondent RPBC2 gave the view that "the organizational system on every level requires improvement. The examination system, the syllabus the admission procedure is not satisfactory".

All these negative remarks made by the interviewees demonstrate a commonality, which is that there are rules for the law institutes to be well equipped but obviously these rules have been violated and yet, the PBC and its Legal Education Committee had not identified these issues hence, the violations committed by such law institutes had not been detected. This is sad because if not addressed duly, all of these implications can affect the quality of the law programs, the quality of the law students and ultimately the poor human capital development for Pakistan. Undoubtedly, such flaws had also been noted by previous studies, such as Hussain, B., (2011) who had asserted that:

"The potential reasons for the low quality assurance processes in Pakistan include lack of qualified human resources; lack of professional development; lack of trust on the part of faculty members in administration and processes due to their inappropriate implementation, inappropriate governance and administrative structure" (Hussain, B, 2011).

Yousaf Gilani, (2018) states that the main reason for the decline of legal education includes the poor quality of administration including untrained teaching faculty coupled with inadequate law college resources, facilities and infrastructure (Yousaf Gilani, 2018). Further, in order given by the Supreme Court, it mentions that:

"One of the principal causes of decline in the standard of legal education is due to proliferation of substandard law degree awarding institutions that are motivated solely by commercial considerations rather than academic excellence" (Civil Misc. Applications No.1939 of 2014...).

It is summarised from the responses that the weak organization and administration contribute to the poor quality of legal education.

### 4.3. Opinion on Other Matters Related to Legal Education in Pakistan (Examination System, Classes, Admissions, etc.)

The findings from the interviews also indicated that there are other factors that may affect the quality assurance of legal education, for instance, the examination system, class size and even admissions criteria.

When posed to the interviewees, the representative from the Higher Commission of Pakistan, interviewee RHEC1 stated:

The examination system is very poor, the majority of law colleges follow annual examinations in which unfair means are used, cheating culture is at its peak. Classes are occupied more than the capacity, if a classroom has a capacity of 20 students, there you can find more than 50 students. Admissions are overloaded just because of getting fees and earning high business. The admission policy is not clear for legal education.

The same observation with regard to the causes leading to the decline of legal education in Pakistan was also noted by RHEC2, who said:

There are problems with affiliated colleges, where most advocates come to teach, and they don't have a professional academic background. They are there on a contract basis, hence there is no regular faculty and mostly visiting faculty. The other thing is they haven't received any professional training for teaching. This leaves a lot of gaps in teaching methodologies, the way classes are conducted and cheating is rampant during exams.

Nonetheless, interviewee RPBC1 had a different opinion about the factors that caused the decline. He mentioned that in his visits to these institutions, "he had noted that in some institutions in the province of Punjab, no classes were taking place at all". In fact, he said that there was no attendance system, no pre-entry test for admission and there was no check and balance in the system. He then mentioned:

There is only one committee for evaluation of the law colleges in Punjab University, which grants affiliation accreditation, annual extension and visits the law colleges from time to time for quality assurance. Currently, there are 633 colleges affiliated with the university, out of them 43 are law colleges. The committee only comprises five people and it is not possible for them to conduct the evaluation. Therefore, it is technically difficult for them to visit the colleges, prepare reports and properly follow up the set standards. Hence, they retain the whole affair in hanged in a balanced situation.

The lack of manpower was cited to be the reason behind the poor efficiency of the committee. Nonetheless, it was asserted that the PBC is striving to improve the flaws. This was stressed by interviewee RPBC1,

Recently the Supreme Court has constituted a think tank, which identified the six areas such as: the law program is switching to 5 years LLB program,

qualified faculty, examinations, there will be proper tests for admission in law colleges as well as Bar entry test, the quality assurance is also on the agenda.

The matter was also verified by RPBC2 who had the same response, "the check and balanced system is weak".

In the interview conducted, it was observed that RJ1 related these issues by referring to a case titled 'Pakistan Bar Council vs Federal Government of Pakistan' (P L D 394 [2007]). It was mentioned that in this reported case, the court had also identified several reasons for the decline of Pakistan's legal education and they include: (i) the rapid growth of substandard law colleges, (ii) the absence of an eligibility criteria for admissions, (iii) the poor quality of the teaching faculty, (iv) inadequate law college resources, facilities, and infrastructure, (v) a preference for commercial rather than academic considerations, (vi) the lack of attention for professional ethics; and (viii) a below-par exam system. RJ2 stated that, this state of affairs calls for an urgent need for the PBC to take action so that the matter can be addressed as quickly as possible. Further, RJ2 said, "I do not think there are any other factors that cause any decline in legal education".

From the academic's point of view, interviewee RA1 was of the opinion that "the admission policies were fine. The public-sector universities had operated on their criteria, just like universities have policies such that if any student possessed a degree in the third division, he/she cannot get admission into the LLB program". Further he added that "the important thing with examinations is that there should be no cheating among students". The other representative of the academics, RA2 seemed to be quite satisfied with the province of Punjab, and the conditions of the legal education within the organizational level. RA2 mentioned, "the main fault is in the admission system". There is indecisiveness about the appropriate curriculum and method of teaching. However, there is a dire need for practical training and the standard method assessment (Ranjah Z.U, 2018). In the absence of so, we have witnessed out-dated modes of examination. For example, every year questions are repeated in the examination. Students instead of relying on their learning rely more on solved papers, guides, notes and memorization of answers. This practice discourages students to do research or go through statutes and reference books (Editorial, 2018). In addition to that, inappropriate sizes of classes and crowding of students also create hindrances in teacher-learner relationships (Talpur, Z.H, 2013).

#### **4.4 Opinion on the Role of the Pakistan Bar Council in the Legal Education**

To generate some input on this aspect, a question was posed to the interviewees and the comments were noted. For instance, interviewee RPBC1, mentioned that:

The PBC is a statutory body, and under the mandate of law, the PBC has to oversee legal education. The PBC is an elected body, and in its scheme, its

committees comprise 22 elected members, they perform part-time honorary functions as members, all are advocates and have shortage of time.

He further mentioned that he wished that legal education, being a very serious affair, could take Pakistan to a higher level, "for this we need to have a legal education directorate at the nation level". He also described the role of the PBC in legal education, stating that there is an accreditation committee and an evaluation committee in the PBC. He suggested that these committees should comprise a committee member who represents every province, a member who represents the academia either from the private or public sector, a member who represents the HEC, a member who is from an affiliating university and a member who represents the administration, such as an executive, to serve as the additional secretary of the legal education committee. RPBC1 also sheds some light on the role of the PBC in legal education. He informed that "PBC is constituting a committee in every province just like law college commissions. That will be permanent committee for every province, which will be reviewed after every year".

Respondent RPBC2 also noted that: The PBC has the same role to play as the provincial Bar Councils since the PBC is a nationwide organization. The rules introduced are also implemented by the provincial bar councils.

However, RPBC2 also acknowledged that there was no representative from academia in the legal education committee and this certainly defeats the purpose of developing a legal education committee by the PBC if the academic aspect is not represented.

Both interviewees, RHEC1 and RHEC2, had the same opinion that the PBC could be responsible for the failure of legal education in Pakistan. Despite this, RHEC1 suggested something more positive by saying that these days, the PBC is active because the Supreme Court intervenes in legal education (Civil Misc. Applications No.1939 of 2014). This is also because the Supreme Court is actively participating in court cases involving legal education in Pakistan. Another positive step taken by the PBC, was that a few years ago in 2015, the PBC had also introduced the legal education rules. Nonetheless, RHEC2 felt that when there are issues in the examination, it indicates that the curriculum has not been improved. It also indicates that training had not been provided to the teachers, thereby existing gaps are multiplied. It proves both rules and regulations were neither followed nor revised. All of these responsibilities are related to the PBC agency, and it seems obvious that all these problems exist because there was a lack of involvement on the part of the PBC.

In response to the role of the PBC, RJ1 stated that the PBC has yet to make any effort toward improving the standards of legal education in the country. It was claimed that the PBC had failed miserably in bringing the checks and balances on law institutes

providing legal education. Almost echoing what was said by RJ1 earlier, RJ2 also reiterated that the PBC has played a less than effective role as the organization overseeing the quality of legal education. Further, RJ2 said that PBC does not have any interaction with universities or colleges directly. The PBC should be a watchdog over the quality of legal education.

Given all that has been mentioned so far, RA1 also had the opinion that the PBC's function is to highlight which subjects need to be taught to law students because PBC is the agency that issues the license for practice. Practically, the agency only guides but it is not the expert on teaching nor learning processes and yet, it is trying to exceed more than its actual role. RA1 does not think that this is fair. He thinks that legal education should be everyone's right, but the license to practice law is not everyone's right. Nonetheless, the important role of the PBC was recognized by RA2 who informed that the PBC has a very important role to play because legal education falls under its authority.

Overall, it can be deduced that the legal education system in Pakistan is experiencing a number of serious weaknesses. First is the role of the PBC, as described by Zia Ullah Ranjah (2018) who said, "The PBC has failed to put in place a quality examination for entry into the legal profession. The Bar Councils are engaged more in bar politics than in regulating the legal profession" (Ranjah Z.U, 2018). This claim is further supported by Mehwush Malik (2016), who states that "the Pakistan Bar Council, the regulator of lawyers, recognizes and acknowledges that legal education in Pakistan requires reforms and needs to be modernized" (Mehwush Malik, 2016). Moreover, the PBC has yet to make any effort towards improving the standards of legal education in the country. The PBC has failed miserably in bringing checks and balances on institutes providing legal education (Zaka.S, 2017). As revealed in the data collected, overall, the decline of legal education in Pakistan has been attributed to the poor monitoring of the PBC.

#### **4.5 Opinions on the Role of the Higher Education Commission in Legal Education**

Besides the PBC, another agency guarding the interest of the legal education in Pakistan is the HEC. It is the highest agency in the country to oversee higher education in the country. When the interviewees were asked to give their view on the role of HEC in the legal education, RPBC1 asserted that the quality assurance of higher education or professional education, in Pakistan, is certainly the responsibility of the HEC. He stated that "the HEC is also responsible of the total failure of the legal institution". He further added that the reason behind the HEC's failure "is the over load of work". However, this observation was defended by RPBC2 who viewed the role of the HEC as "nothing".

In response to this question, the representative from the Higher Education Commission of Pakistan, RHEC1 stated that the HEC is overseeing all the subjects

being offered at the higher education level. Unfortunately, HEC does not have any particular mechanism for overseeing the specific quality of legal education alone. It appears that in the past, legal education was imparted to the affiliated law colleges governed by a board of governors. This means that the respective universities had to look after the quality themselves. This means that the HEC does not have control over the law colleges directly. But today, there have been some changes where the current policy of the HEC allows it to oversee all the private law colleges that are affiliated with universities. This made it easier for the HEC to monitor such law colleges. In this regard, RHEC2 mentioned that the HEC is not a professional body; it is only an agency that provides guidelines to be implemented. Further, the legal education does not receive these guidelines from the HEC and the reason can be attributed to the weak role of the HEC. RHEC2 further said that, perhaps, there is also a lack of coordination between the PBC and the HEC. This, therefore indicates that HEC should involve the PBC in decisions it makes for higher education per se. In support of the weak role of the HEC, Zia Ullah Ranjah also noted that, "for years, the government and Higher Education Commission have ignored the importance of proper legal education and training of lawyers and judges. Furthermore, nothing has been done so far as policy or legal framework to regulate legal education" (Ranjah Z.U, 2018).

Showing support for the negative responses provided above, RJ1 stated that, "the HEC's role is like a facilitator to provide a podium to all public and private sector institutions and the members of the Legal Education Committee of the PBC, it does not have any concern with legal education directly". This opinion was also echoed by RJ2 who said, "The HEC does not have any concern with legal education directly. HEC is a regulatory body of universities, it does not have any concern with legal education directly".

Taking all these negative responses into consideration, perhaps, there is a need for the HEC to be working more closely with the PBC. It is also timely now, as a result of this feedback, for the PBC to be more attentive to the quality of legal education in Pakistan by taking more proactive initiatives rather than just waiting for the HEC to give instructions. Training is certainly needed for the legal education committee of the PBC to be well versed in higher education matters as well as for the HEC to have a representative from the affinity to serve on its committees too.

Despite the negative responses, the concerns of the HEC were appreciated by others such as the academicians. This is possible because they were also a part of the HEC, being in higher education. Responding to the role played by the HEC, interviewees RA1 and RA2, stated that the basic legal education is LLB but HEC does not have any special involvement. But at the postgraduate level, which is LLM and Ph.D., the HEC does have a significant involvement for it has the authority to control the

standard and quality of these programs. In other words, the sole ownership of legal education should be the priority of the PBC. RA1 stated that public-sector universities do have LLM and Ph.D. programs, which have a check and balance system, which is ingrained within the university itself. But when private institutions start LLM programs, only the HEC has the authority to control their standards. This role of the HEC is main, while that role does not come under the Pakistan Bar Council or any other bar council for that matter. A similar response was given by RA2, where he stated that "definitely, there is a role of Higher Education Commission, as legal education is part of higher education". In addition, he suggested that "the HEC should form a committee and visit us, to take note of our faults, so we can all fall under the same umbrella". Further, this was supported by Sheraz Zaka, who stated that "there is no effective audit inspection by the PBC or the HEC on the institutions imparting legal education" (Zaka.S, 2017).

These next set of questions were posted only to the academicians because they know closely the academic activities of law colleges/institutions.

#### **4.6 Satisfaction with the Teaching and Learning Methods Adopted in the Law College/Institution**

The teaching and learning method is a key factor in improving an education system. When the interviewees were asked about their satisfaction with the teaching and learning methods adopted in the college/institution, the responses were very positive. The response from RA1 was, "The education system is dependent on the cultural conditions of a country. Suppose a student from the rural regions of Punjab, comes to study and I start teaching him/her in Oxford-style English, then what will the student learn? So to teach a student, I have to meet their level, whether be it in Urdu or Punjabi. So we can't negate culture".

In this regard, RA2 seemed quite satisfied with the teaching and learning method adopted in his law college. He stated, "Alhamdulillah, the teaching in our faculty is excellent. Our teaching level is quite high as well".

#### **4.7 Profile of the Teachers in the Law Colleges/Institutions**

Teachers' representation in an education system is highly valuable. When the two academicians were asked about the present profile of the teachers, RA1 responded that "as an institution, as in the case of the Punjab University, which is a government university, they had a very small number of permanent staff, but their visiting faculty was quite big". It was mentioned that "a little more than 80 members of their staff were visiting lecturers and only around 10 to 12 of them were permanent staff". This ratio of the permanent faculty and the visiting faculty was quite surprising. RA2 revealed that the board of governors appoints all the faculty members in the affiliated law colleges. All the faculty members were appointed for a trial basis of six months and if the faculty members satisfy the college administration in the mock trial, the college administration then hires him/her as a permanent staff.

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These comments again highlight that the PBC has an iron rule here where permanent teaching staff who are in academia are not encouraged or even extended while the visiting faculty, obviously made up of the practicing lawyers are in big numbers. This is not healthy even though the input of the legal practitioners may be relevant and beneficial to the law students, lawyers should just focus on practicing law and academicians focus on teaching and the research and curriculum review, all of which only permanent staff can manage and do well because it is their expertise and their purpose as a teacher. The PBC needs to ensure that the advocates do not serve as part-time teachers because they cannot offer their 100% to the law programs or the teaching. There should be efforts to train the teachers and to have them be fully committed to their profession so that they can do their job well.

The Supreme Court provided minimum requirements for the faculty members of law teaching institutions as the Heads of Law Departments and Deans of law colleges were required to either have a Ph.D. (with a minimum of eight years of teaching experience or legal practice in the High Court), or a Masters Degree (with a minimum of fifteen years of teaching experience or practice in the High Court) or to be a retired judge of the Supreme Court, High Court or a retired District & sessions judge (with five years of judicial service to his credit). Further requirements were also provided for the permanent and temporary faculty members of law teaching institutes. The court directs that, at least five permanent faculty members (having a master's degree in law with 5 years of law teaching experience/practice experience in High Court or having a bachelor's degree in law with 10 years of law teaching experience/ practice experience in High Court). Further, there shall be at least five visiting faculty members having 5 years of standing as Advocates of the High Court. The above standard ratio of permanent and visiting faculty shall be followed to meet the needs of up to 100 students (Civil Misc. Applications No.1939 of 2014).

According to Yousaf Gillani (2018), the main reason for the decline of legal education includes the poor quality of teaching faculty coupled with inadequate law college resources, facilities and infrastructure (Gillani. Y, 2018).

#### **4.8 Provision of the Mock Court and the Clinical Legal Education in the Law Colleges/Institutions**

Earlier, it was also mentioned that the mock court and Clinical Legal Education are important aspects of legal education because both prepare law students for their law profession in courts. When the question about the provision of mock courts and Clinical Legal Education by the law college/institution was posed to the two academicians, interviewee RA1 replied positively, "Yes, in the Punjab University Law College we have "Law Moots". This is also conducted in affiliated colleges, but I think there is a need to improve this practice. We don't have Clinical Legal Education". A similar reply came from RA2, "we do perform mock trials because

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mock trials give students the ability to learn how a courtroom session is conducted. Clinical Legal Education is implemented in many other countries but not here, I will try to implement it here as well."

All the law colleges/institutions were supposed to have provided Mock Courts and Clinical Legal Education opportunities for the students but the responses of the academicians show that Clinical Legal Education has not been implemented. Nonetheless, the mock courts are in place, as noted by their responses.

As per the above opinions of the stakeholders, this can be summarised that it is the responsibility of PBC to oversee the quality of the law institutes offering the law program and other criteria. Fees had been paid by the respective law institutes to the PBC for the law program in terms of recognition and affiliation. However, some standards such as Mock Courts and clinical legal education are not practiced. On the contrary the law institutes had not been inspected regularly by the inspection team of the PBC. It is possible that the agency does not have adequate facilities for it to conduct its duties. Hence, most of the recommendations made by the interviewees such as including a directorate at the federal and the provincial level, to create a committee made up of experts and others are all good for the PBC to consider.

#### **4.9 Research Works conducted in the Law College/Institution for the Improvement of Legal Education in Pakistan**

In general, the higher education system is based on research works, thus the academicians were asked about the research works being conducted in the law colleges/institutions. RA1 mentioned, "There is research work at the LLM programme as the programme itself is research oriented, students in LLM are required to write a dissertation, which we also call a thesis. However, nothing is done at the undergraduate level". RA2 stated that, "there is no research work at the LLB programme".

These two responses highlight that the academicians were aware that research work ought to be done at the postgraduate level such as the LLM program. Both these responses helped to establish the fact that there is no research work done at affiliated law colleges. Further, it can be concluded that the research contribution to legal education is almost none, there is no culture developed in the legal arena (Sial, A.Q. 2009).

#### **5. Stakeholders' Recommendation for Improvement of Legal Education**

With so many gaps identified in the legal education system in Pakistan, the eight interviewees were also asked to suggest recommendations for the betterment of Pakistan's legal education. Here, the respondents contributed their valuable suggestions.

One important recommendation was made for the establishment of a directorate at the federal level. This was suggested by RPBC1 and RHEC2, who stated that:

There should be one directorate at the federal level and it should have sub-directorates at the provincial level for legal education, including academicians, senior lawyers, and executives from the HEC. The Higher Education Commission and the Pakistan Bar Council Committees to arrange regular interactions, students' enrolment, attendance, and examination should be understood, removal of loopholes, there are lots of differences between documents and faculty on the ground, so both agencies should remove this conflict. Law colleges/institutions should be headed by academicians. College teachers should be given training in teaching methods before entering this field because good lawyers do not mean good teachers. Offer scholarships for students and teachers. Amendment and improvement in legal education rules.

Interviewee RHEC2 also asserted that:

There should be more regular faculty appointments to be selected based on merit. The five-year program should be successfully implemented. The curriculum should be reviewed every five years and the curriculum development committee should involve people with academic backgrounds. Foreign teachers could also be involved in this process. The scope of this field is very wide, even at an international level, as we also teach international law here.

However, RPBC2 provided another perspective,

"First, suggestion is to implement the 5 year LLB programme. Second, quality based examination system, bring it to high standards, so that only committed people, they want to be lawyer can become part of it".

Interviewee RA1 proposed,

To improve the quality of legal education, it would be better to introduce legal education from secondary education, in 12th grade, law should be offered as a subject, much like any other subject. The exam paper should also be made a little more challenging so that students have to work harder because the exam is more technical. Last thing, our curriculum is not research-oriented and at an undergraduate level it should be made a little more research-oriented.

RA2 suggested that the faculty should be well-trained. Further, he mentioned, "The faculty members should understand the subjects very well so that when teaching takes place, students understand everything very well". In addition, RA2 emphasized on students' attendance.

In contrast, RJ1 and RJ2 recommended that the HEC and the PBC need to both be responsible for the legal education offered in Pakistan. Both maintained that these two agencies are not putting in enough effort for improvement, therefore, both

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agencies should be asserting more emphasis on the quality checks over colleges and both should be working together for the improvement and the betterment of the legal education system.

All these recommendations pointed to the need for both agencies to work together for the betterment of legal education in Pakistan.

## 6. Conclusions

Legal education in Pakistan is currently experiencing a crisis. It needs to be revamped and further improved for the betterment of the country's laws, law practitioners, law students, and law education providers (institutions). The primary data results indicate many flaws in legal education in Pakistan. The qualitative results revealed that all the stakeholders are not satisfied at a large scale with the quality of legal education as well as administrative issues. The participants observed their dissatisfaction overall with legal education due to the lack of proper mechanisms by the governing authorities. Past literature and the perception of stakeholders identified the flaws and made recommendations. The main recommendation that emerged from the interviews is to establish an independent 'Directorate' to oversee legal education. The Directorate should include legal experts and senior academicians. The PBC also needs to include the academicians in its legal education committee. Similarly, the HEC was advised in the recommendations of stakeholders to have more concentration on the quality of legal education.

It can be concluded that the majority of the stakeholders are dissatisfied with the current position of legal education. It is worth mentioning that even though PBC and HEC are consistently introducing reforms in legal education, unfortunately, these reforms are unable to create satisfaction among the stakeholders. Contrary to expectations, this research did not find any significant difference between the role of PBC and HEC in the improvement of Legal education in Pakistan. The data analysis indicated the flaws and weak implementation of rules and quality assurance standards. It is recommended that the steps should be taken by PBC and HEC on an urgent basis to improve the quality of legal education in the country.

This study is also restricted by the number of participants involved. Eight participants, who were also stakeholders, were interviewed. There are many members in the different committees of the PBC and the HEC but the current study only involved members of the PBC and HEC committees who were involved with legal education, including judges and academicians. The number of samples from each sector was also restricted to only two to ensure there was a balanced discussion. Thus, the findings cannot be generalized to the whole populace. This study focused on issues related to the current legal education of Pakistan, and the quality assurance mechanism. Issues not within this research such as pedagogical approaches, faculty performance evaluation, student performance evaluation, and administrative issues

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related to legal education were not evaluated. Hence, future research can consider evaluating these aspects of legal education. Future research may also want to concentrate on teacher training or the role of the judiciary in legal education in Pakistan.

### Acknowledgements

The authors thank the interviewees who spent their time on this research. The authors also thank the anonymous reviewers and editors for their valuable contributions.

### Funding

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

### Author Contributions

Sardar Ali Shah and Saroja Dhanapal conceived the study and were responsible for the design and development of the data analysis. Sardar Ali Shah was responsible for data collection and analysis and also for data interpretation; he was also responsible for writing all the contents. Saroja Dhanapal supervised the research and did the proofreading. Kazim Sayed was added as a co-author due to his participation in formatting and he added some additional material in Literature Review.

### Disclosure Statement

The authors do have not any competing financial, professional, or personal interests from other parties.

### References

1. Azam, M. M., (2005). Reforming Legal Education in Bangladesh. *Journal of Legal Education, Educ* (4, 2005) 550–570.
2. Civil Misc. Applications No.1939 of 2014, 5959 of 2016, 4095, 1793, 2876, 2996, 3014, and 6672 of 2018 in Constitution Petition No.134 of 2012 and Civil Misc. Applications No.3034, 3048, 3051, and 6247 of 2018 in Civil Misc. Application No.1864 of 2010.
3. Constitution Petition No.134 of 2012 and Civil Misc. Application No.1864 Of 2010, in Constitution Petition No.9 of 2005 and Civil Misc. Applications No.1939 of 2014, 5959 of 2016, 4095, 1793,2876, 2996, 3014, And 6672 of 2018, In Constitution Petition No.134 of 2012 and Civil Misc. Applications No.3034, 3048, 3051, and 6247 of 2018, in Civil Misc. Application No.1864 of 2010.
4. Creswell, J. W., Creswell, J. D., (2017). *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage Publications, London, United Kingdom.
5. Editorial (2018, January 23). Standard of Legal Education, *The Nation*. Accessed on 08/6/2023, Retrieved from: <https://nation.com.pk/23-Jan-2018/standard-of-legal-education>.

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6. Gillani, Y., (2018, November 10). Fragmented Framework of Legal Education in Pakistan. Courting The Law. Retired on May 8, 2021, from: <http://courtingthelaw.com/2018/11/10/commentary/fragmented-framework-of-legal-education-in-pakistan/>.
7. Griffith, J., (2004). Relation of Principal Transformational leadership to school staff job satisfaction, staff turnover, and school performance. *Journal of Educational Administration*, 42(3), 333-356. <https://doi.org/10.1108/09578230410534667>.
8. Gurpur, S., Rautdesai, R., (2014). Revisiting Legal Education for Human Development: Best Practices in South Asia. *Procedia-Social and Behavioral Sciences*, 157, 254-265.
9. Hussain, B., (2011). Quality Assurance Processes for Teaching in Research-led Universities: Implications for Pakistan (Doctoral dissertation, Research Space@ The University of Auckland).
10. Imam, S., (2021). An appraisal of legal education: challenges & prospects. *Journal of Law & Social Studies*, 3(2), 113-123. <https://doi.org/10.52279/jlss.03.02.113123>.
11. Jamali, A.Z., (2015). Improving the Quality of Legal Education, International Conference on Legal Education Continuum of Education in the Legal Profession: Enhancing Quality. SZABUL. December 4-6, 2015, Karachi, Pakistan.
12. Jamin, C., Van Caenegem, W., (2016). The Internationalisation of Legal Education: General Report for the Vienna Congress of the International Academy of Comparative Law, 20–26 July 2014. In *The Internationalisation of Legal Education* (3-34). Springer, Cham.
13. Kalanauri. Z.I, (d.n). Background Paper on The Review of Legal Education in Pakistan. Accessed on 17/5/ 2023. Retrieved from: <http://www.zklawassociates.com/wp-content/uploads/2012/03/Background-Paper-on-the-Review-of-Legal-Education-in-Pakistan-.pdf>.
14. Khan, I., Fujimoto, Y., Uddin, M., Afridi, M., (2023). Evaluating sustainability reporting on GRI standards in developing countries: a case of Pakistan. *International Journal of Law and Management*, 65(3), 189-208. <https://doi.org/10.1108/ijlma-01-2022-0016>.
15. Malik, M., (2016). Position Paper on “The state of legal education in Pakistan and the case of reforms in legal education”, Legal Aid Society, Karachi, Pakistan.
16. Mushtaq, S., Yasin, G., Lak, T., (2023). Impediments of online learning and teaching during Covid pandemic: a case of university students in Punjab, Pakistan. *Annals of Social Sciences and Perspective*, 4(1), 103-120. <https://doi.org/10.52700/assap.v4i1.247>.
17. Nawab, A., Sharar, T., (2022). Coordination in planning and implementing professional development programs for teachers: a much-needed component in rural areas. *Sage Open*, 12(1), 215824402110684. <https://doi.org/10.1177/21582440211068489>.