

## **Legal Education in Jordan**

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### **Introduction:**

The education system in general in the Arab world including Jordan does not further the development of students' analytical skills, problem solving skills, critical thinking and innovation. Legal education is no exception. The need for reforming education within the region as a means to attain sustainable development is well acknowledged by the stakeholders in legal education as well as in the legal profession.

### **Characteristics and Problems of Legal Education in Jordan:**

Several features characterize the legal education in Jordan among of which one should highlight the following:

- 1) Law faculties are a new phenomenon in the country. The first law faculty was established in 1979. Before 1977, Jordanian students graduated from law faculties in Arab capitals such as Cairo, Damascus and Baghdad.
- 2) Today, there are (12) law faculties in Jordan, (4) at public universities and (8) at private ones. While public law faculties suffer from the financial and bureaucratic problems of public universities in general, private law faculties belong to profit-tailored institutions which may pay less regard to academic quality than they do to profit.

- 3) The number of students is increasing. The student-faculty ratio is deficient. In fact, Jordan does not need all the existing law faculties because there are a considerable number of lawyers in the country.
- 4) As with most other disciplines, the admission of students at law faculties is based on their results in the High School certificate. Objective as it may be, the said criterion does not necessarily preclude unqualified students from entering law faculties. Candidates do not sit for any special admission test. (Fine arts and physical education may be the only exception in Jordan.)
- 5) Students of law are undergraduates and therefore they are too young. The grades they obtain in their high school determine which faculties they can join. Therefore, they may find themselves studying law without being willing to be lawyers.
- 6) LL.B. programs are undergraduate programs.
- 7) Pursuing a two-year post graduate professional certification program supervised by the Jordanian Bar Association is required for legal practice. It is open to law graduates holding at least LL.B degrees.
- 8) The curriculum is largely standard in public and private law schools. Most of the courses are mandatory and the number of credit hours required for graduation is generally speaking 132 credits. This number is lower than the credits required for other profession-tailored disciplines such as medicine and engineering. It is generally felt that 132 credits do not help faculties provide more innovative courses such as those in the areas of skill training. In addition, the curriculum stresses the knowledge and memorization of the law over legal analysis. All subjects and modules are given equal weight in terms of credit hours (i.e., three credits) without taking into consideration the importance of the subject. Non-law courses result in reducing the number of credits allocated to law subjects. Use of textbooks is a rarity and

the same for assignments of research and writing. Furthermore, there is a lack of emphasis on language skills in English and classic Arabic which is the written language and which is used in formal forums. Little regard is given to legal drafting and research skills. Finally, clinical education preparing students for the profession is virtually not used in Jordan. The curriculum may provide fundamental knowledge of the Jordanian legal system and how it works, but it is not designed to train students to apply knowledge and skills to solve legal problems.

- 9) Faculty members are required to have a PhD degree. However 20% of the faculty members as a maximum may be LL.M holders. In numerous cases these degrees are accorded by sub- standard universities whether in the region or abroad. A number of faculty members do not have strong academic performance in the first degree (B.A) and therefore they do not meet the standards. Sometimes faculty members face social pressures in order to pass students who may not meet the required standards. Furthermore the salary of law professors is not adequate, and those who practice law in addition to their academic careers can not provide good teaching. The possibility for the professors to participate in international conferences and workshops is very weak because of the budget constraints.
- 10) The weakest aspect of legal education in Jordan is the teaching and learning styles. Teaching is essentially rendered through lectures, i.e. the faculty lectures and students listen. They may take notes and they may not. Discussion is rare and interaction between faculty and students is at its lowest point. Lecturers often do not assign text, nor do they assign research and /or writhing assignments. The Socratic method of instruction known in the common law legal system is not generally followed in Jordan. Instead teaching is based on the delivery – and – absorbing process of conveying information. Students are rarely called upon in class to discuss and analyze laws and judicial decisions assigned to them. They may, therefore, acquire a theoretical knowledge and understanding of the law but they are not able to acquire practical, analytical and critical skills and self learning and research and communication skills. There is no doubt that the mere knowledge of the

law by the student is important but it is not sufficient. Reasoning and critical skills of potential lawyers is more important.

The result is the decline of the legal education and the legal profession as well.

### **The Required Changes:**

To enhance the legal education in Jordan and to improve the quality of the students who study law and, ultimately, the lawyers who practice in Jordan fundamental changes are needed:

1) The contemporary law practice expands in scale as well as in scope; legal practice increasingly competes at an international level that transcends geographic borders.

2) The multitude of laws and jurisprudence.

- a. The need to know more about other legal systems.
- b. The need to have a solid command of the English language.\
- c. The need for a critical legal mind.
- d. Need for practical training, legal argument, brain storming, interactive and participatory learning. Participation of the law students is not only expected; it should also be solicited by the instructor.
- e. Treating law as a professional field quite like medicine and applying strict conditions of admission.
- f. LL.B should become a postgraduate program.

### **Proposed Steps:**

First of all there is a need to increase the number of credit hours required for a law degree to 141 which will allow incorporating new courses in the syllabus such as legal writing, research, new courses in English, and a course on clinical legal education and another one on ethics.

The curriculum should prepare the student for the profession. The training through the Judicial Institute and through the Jordanian Bar Association is not an alternative to the

training during the study of law. Access to technology should be accentuated and the same applies to library collections. Online databases and the reputable legal journals could be shared by different universities. The materials with which students work regularly should be digital and electronic methods of work instead of the actual printed paper. Students still take notes in class by hand. We want them to type into their computers. In addition the curriculum should contain a class in ethics or professionalism. Ethics should be an integral part of law school training. Curriculum should be regularly scrutinized and updated in order to be continually appropriate to students and future career. It must aim to provide students with appropriate knowledge combined with relevant practical experience.

Enriching the teaching needs more and more diversification in faculties' qualifications and backgrounds. Courses with practical emphasis should be taught by lecturers not only with enough theoretical foundation but also with professional skills as well. Law faculties should engage promising scholars committed to multi-disciplinary research and teaching and to public service as well. The duty of those chosen should be able to provide the students with the best kind of education and to prepare them for success in legal practice, business, public service, teaching and other areas.

There is a need for introducing teaching styles that support the development of appropriate thinking and oral and problem solving skills. Students should be asked more and more to submit essays, to make presentations at classes and to write judicial forms, affidavits and judgments and to visit courts and watch legal proceedings. There is also a need for more and more courses involving problem solving as part of lectures as well as of examinations. Law faculties should use new teaching methods, especially interactive teaching and self learning methods which develop students' creative and analytical skills as well as their legal talent.

Again, there is a need also for refocusing law school teaching methodologies from code memorization to interactive methods that stimulate thinking and analysis such as research paper writing, pleadings, legal consultations and mootings.

We are in need of a wider range of assessment methods to fully test some higher levels of academic and critical abilities.

The current training program of professional certification which depends on placing a trainee under the supervision of a sole practicing lawyer is a poor way of professional training.

Law faculties are in need of a complete accreditation system. In 2001 an Accreditation council was established at the Ministry of Higher Education and Scientific Research. The General Accreditation criteria Regulation came into force in 2002 and it is applicable to all private universities. This regulation should be extended to the public universities as well in order to enhance the quality of law faculties whether public or private.

### **Reform of Legal Education**

Having set out the problems and characteristics of legal education in Jordan, one should also point out that these problems have been identified by the government and at the university and faculty levels as well. Reform is underway and significant steps have already been taken towards enhancing higher education in general including legal education. These reform plans and measures include have included so far:

- regular review and improvement of LL.B and LL.M. curricula;
- introducing quality assurance concepts and measures at university and faculty levels;
- laying down strategic plans for the academic institutions, taking into account the input of the market and stakeholders;
- enhancing teaching and learning through continuing training and sponsoring scholars to be trained in reputable universities;
- enhancing competition between law schools;
- increasing interaction and cooperation between law schools, and between law schools and professional institutions;
- encouraging more exposure to international academia and professional organizations.