Ethiopia's 2006 Legal Education Reform Programme: Aspirations and Standards

Elias N. Stebek ♣

Abstract

Ethiopia's Legal Education Reform Programme (launched in 2006) was based on series of studies which identified the problems in Ethiopia's legal education, the causes and consequences of the problems and the standards that are required to be attained by law schools. After more than a decade, however, the level of compliance with the standards is still an issue of concern. This calls for self-assessment by each law school based on check-list regarding (i) the level of awareness about the standards for Ethiopian law schools, (ii) standards that are partly achieved and should be enhanced, (iii) what has not been achieved and should be pursued, and (iv) the problems that have been aggravated. Such self-assessment requires closer examination into the entry point (i.e., student admission and academic staff employment), inputs, processes, student-learning environment, and outputs. This article discusses the factors that necessitated the 2006 legal education reform programme and examines the core elements of the reform without, however, dealing with the details on achievements and challenges.

Key terms

Legal education · Quality · Standards · LL.B programmes · Reform · Ethiopia

DOI http://dx.doi.org/10.4314/mlr.v13i2.1

This article is licensed under a Creative Commons Attribution-NonCommercial-NoDerivs (CC BY-NC-ND)

Suggested citation:

Stebek, Elias N. (2019), "Ethiopia's 2006 Legal Education Reform Programme: Aspirations and Standards", *Mizan Law Review*, Vol. 13, No. 2, pp. 191-232.

♣ Elias N. Stebek (PhD) Associate Professor, St. Mary's University, School of Graduate Studies. ORCID: 0000-0002-7489-9958

This article is mainly based on Sections 3 to 9 of an assessment report on Ethiopia's Legal Education that was submitted to the University of Warwick, School of Law (on May 24, 2019). The draft review copy of the study was sent to the Higher Education Strategy Center and all law schools on June 18, 2019.

I thank Warwick Law School for initiating and funding the assessment as part of its involvement in the Capacity Building project which was one of the projects under Ethiopia's 2006 Legal Education Reform Programme.

Introduction

Ethiopia's Legal Education Reform Programme aims at the enhancement of quality and standards of legal education and research. It emerged as one of the components of the 2005 Comprehensive Justice System Reform Programme (CJSRP), and was specifically formulated in the 2006 Legal Education Reform Programme which mainly focuses on LL.B programmes. Ethiopia's justice reform pursuits envisage the availability of adequate number of lawyers without compromising quality and standards in legal education. This article highlights the problems in legal education that were identified under the 2005 CJSRP[1] and the 2006 Reform on Legal Education and Training in Ethiopia (hereinafter the 2006 Legal Education Reform).[2] It also presents the *Standards* of legal education reform and some observations thereof.

The Guideline for Standard 5 states that the term 'program' "mainly refers to program of first degree in law (LL.B) whether it is given in regular, continuing or distance education".[3] Such focus is given to LL.B programmes because every graduate programme beyond LL.B merely adds value to what is already attained at the LL.B level by enhancing professional competence and deepening expertise in a specific area of the law. Even though capacity building projects in LL.M and PhD programmes (conducted by the University of Warwick - School of Law and the University of Alabama) were part of the legal education reform programme, their main objective was law school staff development to enhance the quality and standards of LL.B programmes.

This article focuses on the purpose and content of the standards that were expected to be attained in the 2006 Legal Education Reform Programme; and its achievements and challenges are examined in another article which is concurrently submitted to this journal. Sections 1 and 2 briefly indicate current law schools in Ethiopia and highlight the concerns on the quality and standards of legal education stated in the 2005 CJSRP. Section 3 deals with the problems that were identified in Ethiopia's 2006 Legal Education Reform Programme, and Section 4 highlights their causes and consequences. Sections 5 to 9 examine the respective parts of the standards of legal education reform.

Frequently used acronyms:
CJSRP Comprehensive Justice System Reform Programme
JLSRI Justice and Legal System Research Institute

[1] The 2005 Comprehensive Justice System Reform Programme (CJSRP) was based on baseline survey and series of research and workshops towards holistic reform of the justice sector in Ethiopia. It involved joint efforts of justice sector institutions, foreign experts and local experts. It was published in February 2005 by the Ministry of Capacity Building.

[2] *Reform on Legal Education and Training in Ethiopia*, June 2006.

[3] Id., p. 83.

1. Four Generations of Ethiopian Law Schools (1963-2018)

Addis Ababa University School of Law (formerly Haile Selassie I University Faculty of Law) was established in 1963. It was the only law school in Ethiopia until the Ethiopian Civil Service College (Currently Civil Service University) started to offer legal education in 1995 which mainly focused on the civil service. The former Law Faculty of Ethiopian Civil Service University is renamed Institute of Federalism and Legal Studies (IFLS). It only offers graduate programmes, and is not covered in this article.

At present, regular LLB Programmes are offered in 32 universities. The Consortium of Ethiopian Law schools has classified the law schools into three generations based on enrolment of the first cohort of LL.B students.[4] The following table shows the classification of law schools based on the year of student enrolment in LL.B programmes from 1963 to 2015.

List of law schools in Ethiopia, 2018

	1st Generation	2nd Generation	3rd Generation
1	Addis Ababa University (1963)	Arsi University (2007)	Oromia State University[5] (2011)
2	Mekelle University (2001)	Dilla University (2007)	Madda Walabu University (2011)
3	Bahir Dar University (2001)	Wollega University (2007)	Assosa University (2012)
4	Haramaya University (2002)	Wollo University (2008)	Debre Birhan University (2012)
5	Hawassa University (2003)	Debre Markos University (2008)	Adigrat University (2013)
6	Jimma University (2004)	Dire Dawa University (2008)	Aksum University (2013)
7	Gondar University (2005)	Jigjiga University (2008)	Mettu University (2013)
8		Wolaita Sodo University (2008)	Samara University 2013)
9		Mizan Tepi Univ. (2009)	Wolkite University (2013)
10		Arba Minch University (2009)	Bule Hora University (2014)
11		Ambo University (2009)	

Seven law schools (indicated in the table) that launched LL.B Programmes until 2005) are classified into the *first* generation. The law schools that launched LL.B Programmes from 2006 to 2010, and from 2011 onward are respectively classified into *second* and *third* generations. The universities that are established

[4] Minutes, Consortium of Ethiopian Law Schools, Agendum 4 (Meeting held at Jimma, Meskerem 20, 2009 Ethiopian Calendar), September 30, 2016.

[5] Formerly called Public Service College of Oromia

since 2016 are usually categorized as *fourth* generation. 26 of these law schools had graduating class (5th year) regular students who sat for the national LL.B exit exams in May 2018.

During the period from September 2006 to 2010, eleven law schools/law departments were established. This period has witnessed the fastest pace of legal education expansion because eleven law schools launched LL.B Programmes within a period of five years. This pace of expansion continued from 2010 to 2015 during which ten law schools (indicated in the third column of the Table above) were established.

Four law schools (that can be classified into fourth generation) have been established since September 2016. Among the fourth generation law schools, Wachamo University started admission of regular LLB Programme students in September 2016. Moreover, three law schools have been established since 2017: Jinka University (September 2017), Worabe University (September 2017), and Selale University (September 2018).

2. The 2005 Comprehensive Justice System Reform Program on Legal Education Reform

Various findings and recommendations of the Comprehensive Justice System Reform Program (CJSPP) relate to legal education. The major shortcomings in legal education[6] indicated in CJSPP include:

- lack of autonomy in certain law schools (p. 199);
- absence of instructors from classes and failure to organize make-up classes (p. 200);
- involvement of teaching staff in "the development and implementation of the administrative system" as a result of which "the time that can be spent on teaching and research is substantially limited" (p. 200);
- insufficient networking among law schools (p. 201);
- gaps in curriculum (pp. 202-203), teaching methods that are "often limited to lecturing to large classes" (pp. 203-204), gaps in quality control and inadequate facilities (p. 204);
- inability to attract "good and well-qualified instructors at the various law schools" because potential candidates are not attracted by relatively poor salaries and benefits" (p. 205);
- funding "solely based on expected enrolment numbers" and failure to take into account "… the quality of teaching" (p. 205); and

[6] *The Comprehensive Justice System Reform Program Baseline Study Report*, Ministry of Capacity Building, Justice System Reform Program Office, February 2005, pp. 199-205.

- gaps in research and publications even if "the instructors are contractually bound to do research and publication" (p. 205).

The 2005 Baseline Study Report includes recommendations relating to curriculum development, facilities at law schools, upgrading law libraries, ICT services, pedagogy training, class size and staff/student ratio. It also recommends "participatory and practice-oriented methods of teaching such as moot courts, legal clinics, practical attachments, exercises in legal drafting and legal interpretation, field research, problem-based assignments, tutoring by legal professionals"; and reducing the number of part-time instructors so that the permanent staff ratio can steadily increase.[7]

The recommendations stated that "[t]eaching staff must devote more time and energy to research and publication" (*Recommendation 4*), and it, inter alia, indicated the need for improved law libraries, information technology and training in pedagogy and research techniques. It also underlined the need for significant increase in the salary of teachers "so that they can solely concentrate on teaching and research rather than combining different jobs" thereby making it possible to implement the "contractual obligations of teaching staff to undertake research."[8] The *eighth* recommendation states the necessity of quality control through "criteria and systematic assessment methods"; and it underlines the need for "self-evaluation schemes with student participation."[9]

3. Problems in Legal Education Identified under the 2006 Legal Education Reform Programme

Legal education reform is one of the components of the 2002 Justice System Reform Programme[10] and the 2005 Comprehensive Justice System Reform Programme. The 2006 Legal Education Reform Programme embodies four components of reform as its framework: (i) curriculum, (ii) course delivery and assessment, (iii) law school administration, and (iv) research, publications and services.

The legal education and training reform programme was initiated in 2005 by the Ministry of Capacity Building as one of the pillars in Comprehensive Justice System Reform Programme (CJSRP). The Legal Education Reform Programme Technical Committee was chaired by the Director General of Justice and Legal System Research Institute (JLSRI), and its members included all deans of

[7] Id., pp. 277-291.
[8] Id., pp. 281, 282.
[9] Id., p. 288.
[10] Ministry of Capacity Building, *Justice System Reform in Ethiopia: Proceedings of the Workshop on Ethiopia's Justice System Reform*, Africa Hall, 7-8 May 2002.

Ethiopian Law Schools (seven public and three private law schools in 2005) and representatives from the judiciary, Ministry of Justice (currently Federal Attorney General), Ethiopian Bar Association, Ethiopian Women Lawyers Association, Addis Ababa University Faculty of Education, and other stakeholders.

The Steering Committee of the CJSRP was chaired by the Minister of Capacity Building. The periodic meetings of the Technical Committee and the Steering Committee facilitated harmony between the reforms in the various components of the justice system. To this end, the Presidents of Supreme Courts (at federal and regional state levels), the Minister of Justice, the Minister of Education, Commissioner of Anti-Corruption Commission and other stakeholders were represented in the Steering Committee.

It was under such institutional framework that assessment was conducted with regard to problems, opportunities, resources and constraints in Ethiopia's legal education. The assessment involved studies including exposure tours of law school representatives under the coordination of the JLSRI. The exposure tours to various law schools in Europe and the United States were conducted in January 2006. The members of the tour included technical committee members and other members (represented in the Steering Committee) such as representatives from courts. The problems that were identified during the extensive assessment (by the working groups and teams established under the Technical Committee) were classified into the four categories based on the framework indicated in the first paragraph above.

On May 29th and 30th 2006, the Legal Education and Training Reform Document was presented to the Legal Education and Training Reform Program Stakeholders' Seminar[11] which involved the joint meeting of the Steering Committee, Technical Committee and all presidents and vice presidents of (public and private) Higher Education Institutions that offer LL.B programmes.[12] The meeting endorsed the document with some comments which were incorporated in the June 2006 Draft titled "*Reform on Legal Education and Training in Ethiopia*". The June 2006 Draft included Standards,[13] Guidelines,[14] Implications and Assumptions of the Standards,[15] Action Plan[16] and annexes.

[11] The Seminar was chaired by the Minister of Capacity Building and the participants included Presidents and Vice Presidents of law degree program offering Higher Education Institutions, representatives of supreme courts and Justice Bureaux, law school deans, the Legal Education and Training Reform Program Steering Committee, Technical Committee, and other stake Holders. (Venue: Ministry of Capacity Building, Addis Ababa)

[12] Standards for Ethiopian Law Schools (and Guidelines of Interpretation)", *Ethiopian Journal of Legal Education*, Vol. 2, No. 1, January 2009, p. 97, Footnote 1.

[13] *Reform on Legal Education and Training in Ethiopia* , supra note 2, pp. 48-82.

The June 2006 Draft was sent to law schools so that all law instructors and stakeholders could deliberate on the details, and it was further discussed and approved at the *Law Instructors' Workshop* held at the Ethiopian Management Institute on 17th July 2006. The instructors at the workshop were drawn from all law schools in Ethiopia that offer LL.B programs.[17] The two major changes made upon approval by the workshop involved sequence of courses and the increase of the required number of credit hours from 135 Credit Hours (that was suggested in Standard 7/6 of the Draft) to 154 Credit Hours of coursework plus 8 Credit Hours for Exit Exam and 12 Credit Hours for Externship.

The Legal Education Reform Programme (approved at the Workshop) was sent to all law schools for implementation in September 2006 upon endorsement by the Directive of the Ministry of Education. This, inter alia, resulted in the extension of the duration of the regular LL.B programme from four to five years, and exit exam became a requirement (at the end of the 5th year) to all students enrolled since September 2006.

3.1 Problems in curriculum

The 2006 Reform on Legal Education and Training (hereinafter the 2006 Legal Education Reform or the Reform Document) identifies *seventeen* problems[18] with regard to curriculum:

a) The *first* problem relates to inadequacy in *responsiveness*. Six gaps were identified in this regard, namely: (i) inadequate emphasis to "good governance, democratization, economic development and social justice and other constitutional values", (ii) insufficiency of skill-oriented courses; (iii) inadequate attention to ethical, technological, environmental and global concerns, and inadequate number of courses "that shape the ethical expectations and responsibilities of a law graduate", (iv) gaps in gender sensitiveness, (v) "[l]ack of awareness in the importance of effective consultation with stakeholders in the design and review of curriculums with the view to addressing their concerns and needs" and (vi) "[l]ack of adequate efforts to emphasize on local contents in the design and delivery of courses."

b) *Problems 2* and *3* deal with the absence of mission statements and objectives, and the need for clear and comprehensive graduate profile.

[14] Id., pp. 83-98.
[15] Id., pp. 99-103.
[16] Id., pp. 104-114.
[17] *Ethiopian Journal of Legal Education*, Vol. 2, No. 1, *supra* note 12.
[18] *Reform on Legal Education and Training in Ethiopia*, supra note 2, pp. 14-17.

c) The issues that relate to course syllabi, course folders, course sequencing, and related issues are addressed under *problems 4* to *8*.

d) The need for the institutionalization of *co-curricular activities* to which adequate credits should be attached was identified as the *ninth* problem. It included the need for moot courts and clinical legal programs.

e) The *tenth* problem relates to *quality assurance* and the Reform Document states the absence of "standards against which existing law curriculums are assessed", lack of an "external functional body to evaluate the quality of legal education", and gaps in "systematic self-assessment practices in law schools."

f) With regard to the process of admission, the *eleventh* problem states that public law schools "have no or little participation in the process of student admission" and it indicates that they "are forced to admit student population extremely disproportionate to their human and material resource capabilities."

g) *Problems 12* to *17* deal with the generalist approach of the curriculum, administrative issues in course/credit transfer and course exemptions, distance education programs, staff development schemes and "critical shortage of human and material resources."

3.2 Problems in delivery and assessment

The 2006 Legal Education Reform states seven problems in course delivery[19] and four problems in assessment. The *first* problem in course delivery is the gap in *teaching competence and pedagogy* manifested by:

a) dependence /predominantly/ on lecture based, less interactive, and more lecturer dependent teaching;
b) lack of adequate knowledge on teaching methodologies;
c) failure to apply problem solving teaching methods;
d) failure [of instructors] to create student friendly teaching environment;
e) little exposure of teaching staff and students to the real world;
f) failure of lecturers to clearly determine and notify students on his/her role and the role of the students during the course of delivering the subject;
g) insufficient use of teaching materials; and
h) failure to allocate student consultation hours and to use personal tutor system.

According to the observations of the second reviewer of this study, the problem stated under 'c' above as "failure to apply problem solving teaching methods" should not have been presented as 'failure' because there were some

[19] Id., pp. 17-20.

attempts in using the problem-solving teaching method (PBL) in certain law schools. He also noted that the problem indicated under 'd', i.e. "failure [of instructors] to create student friendly teaching environment" is too general because "it does not reflect the reality in all law schools even if it could be true in some law schools". Moreover, the reviewer has indicated elements of generalization in the statements under 'f' and 'h' which respectively deal with the role of students in the process of course delivery and consultation hours. The word 'failure' in the statements 'c', 'd', 'f' and 'h' can thus be interpreted as problems of inadequacy that needed to be addressed.

Attitudinal problems on the part of staff and students were identified as the *second* major problem in course delivery. It was found that "[l]ittle devotion to teaching profession is observed in a significant number of teaching academic staff". The "[w]eak reading and participation culture" on the part of students was also noted.

Even though the problems with regard to course file and syllabus are identified in relation to curriculum, these problems are also indicated as a *third* problem in light of their impact in course delivery. It is indicated that "[a]bsence of course file system that maintains institutional memory by filing course syllabi, handouts, exams, tests, project, etc… of the preceding academic years" adversely affects the quality of course delivery. The gaps in using "sufficiently informative course syllabus", gaps in the course descriptions of various syllabi, failure to periodically review course syllabus, and "[l]ack of clear indicators against which course descriptions and/or course syllabi may be reviewed" are indicated.

The *fourth* set of problems identified under course delivery include resources and teaching-learning environment, inadequacy of infrastructure/teaching facilities, library facility and collections, reading resources, excessive teaching load and large class size, gaps in research fund and experience sharing among law schools. The *fifth*, *sixth* and *seventh* sets of problems respectively refer to Guidelines and Processes, Quality Assurance Mechanisms, and other problems. In addition to the six sets of problems highlighted above, there were two gaps stated under 'miscellaneous'. They are "[a]bsence of special support, delivery and assessment system for disabled/disadvantaged students", and gaps in orientation sessions to students.

With regard to *assessment*, the 2006 Legal Education Reform[20] states four sets of problems that relate to (i) competence and methods, (ii) guidelines and procedures, (iii) transparency and complaint handling, and (iv) the usage of assessment merely for grading rather than using it as a tool in the learning

[20] Id., pp. 20- 21.

process. The gaps stated with regard to competence and methods of assessment are the following:

a) Dependence on the more traditional method of written final exam or group work assessment;
b) Use of little variety of assessment methods;
c) [Gaps in] assessment guidelines and trainings on assessment methods;
d) [Gaps in identifying] assessment methods that can be distinctively applied for skill, knowledge and attitude oriented courses;
e) Inadequate usage of continuous assessment methods or inability to apply such methods due to reasons such as large size class or excessive work load;
f) Non-existence of external examiner system;
g) Inflexible senior thesis requirement; and
h) Absence of a mechanism of assessing students in a summative manner, e.g., absence of exit exam.

The guidelines and procedures that are lacking relate to (i) marking and grading; (ii) "equal participation of students in group seminar/assignments/ presentations"; and (iii) grading the participation or work of students "in legal aid clinic, moot court competition, practical attachment, and role play." Moreover, the Reform Document, *inter alia*, indicates gaps in "transparency on assessment and the methods employed", the need "to inform students in advance about the method/s of assessment to be used during the delivery of the course" and it calls for "transparent and adequate complaint handling mechanisms".

3.3 Problems in law school administration

The first two sets of problems in law school administration that are stated in the 2006 Legal Education Reform are lack of law school autonomy and over-centralization in law school administration thereby "leaving law schools little room for innovation, self-initiative and development." The following problems stated in the Reform Document[21] indicate lack of autonomy of law schools:

a) Budgetary decision making: Law schools have little control over budget preparation, defense, approval, disbursement of appropriations;
b) Library Administration: the libraries, while called law library, are centrally administered by main libraries;
c) Personnel administration: the administration of personnel is done centrally, and law schools have little say on the recruitment, promotion, transfer, and discipline of support staff;
d) Management of physical infrastructure: this is also outside law schools, making it difficult for the law schools to synchronize their needs with their infrastructural capacities. This is particularly grave in the

[21] Id., pp. 21- 22.

management of classes. Classrooms are either too small or too large, and there is a serious shortage of classrooms.

e) Admission of students: law schools are not consulted by admission bodies about the number of students they can accommodate ...

In addition to the gaps in law school autonomy, the 2006 Legal Education Reform Document states the challenges of non-participatory management in the internal management of law schools as the *third* problem in law school administration.[22] This problem, *inter alia*, includes: (i) the inadequate support that deans receive from qualified and able administrative staff, (ii) failure of law schools to "involve students, teachers and other stakeholders in their management" in a manner that is "conducive to participatory spirit, team or group work" [beyond the participation of student and staff representatives in Academic Commission meetings], (iii) lack of "clear set of rules on selection, appointment, and qualifications of law school deans and other leaders of law schools", (iv) lack of "leadership enhancement training in the course of their deanship". As a result of such gaps, law school deans are engaged in routine work thereby failing to provide adequate time and attention to the supervision and follow up of the teaching/learning process very well.

The *fourth* problem relates to inadequate strategic planning and lack of clear roadmaps in development schemes as a result of which law schools are governed haphazardly in the course of responding to exigencies as in the case of staff development in law schools which "responds only to the availability of scholarship opportunities rather than the current and future needs of the law schools." The issues of transparency, feedback and complaint handling that are noted under delivery and assessment have also been indicated as the *fifth* set of problems in law school administration.

The *sixth*, *seventh* and *eighth* sets of problems in the administration of law schools[23] are: (i) ineffectiveness in managing the teaching, research and service functions, (ii) inadequacy of resources, and (iii) the problems that are related to quality assurance mechanisms. The problems that are identified with regard to "management of quality assurance mechanisms" are the following:

a) Law schools do not have clear quality assurance management schemes. Law schools do not prepare self-evaluation (self-study) documents that will allow them to reflect upon their services in general. As a result, problems are left lying around for decades without any action.

b) The lack of or at least the inadequate clarity of staff recruitment, staff development, staff rewarding and staff promotion policy has adverse

[22] Id., p. 23.
[23] Id., pp. 24-26.

effect in the recruitment, promotion and retention of competent and experienced academic staff.

c) Lack of systematic database and absence of mechanisms of institutional memory adversely affect the incremental usage of data information in the day to day activities and management of law schools.
d) There is lack of performance measurement against which the academic and administrative activities of law schools can be evaluated. [24]

3.4 Problems in research, publications and consultancy services

The 2006 Legal Education Reform Document classifies problems in the domain of research and publications into five categories: "(a) cultural problems; (b) problems related to structure and procedures; (c) problems related to resources; (d) problems of competence; and (e) problems of lack of networking and forums".[25] The *first* category of problems[26], i.e. cultural problems, include 'complacence with … work merely as teachers", absence of requiring research outputs as a condition for tenure, inadequate "attempt to work beyond the positive laws," and gaps in incentives of course load reduction for research engagements. The cultural problems indicated also include gaps in "team spirit for research and publications" and in innovative "diversification of publications, problems regarding spheres of focus in research", inadequacy in the use of "research products in the legal professional community and in government institutions, and poor state of constructive feedback", and "inadequate attention to relevance of research to the real life or actual problems of the society."

Thirteen challenges are stated under the *second* category of problems.[27] They include absence of "transparent, efficient, accessible, and predictable research procedure", "inflexible financial processing system", gaps in the clarity of standards "for publishability and vague editorial policies which tend to be more prohibitive than facilitative", lack of "faculty autonomy and/or delegated authority to solicit and negotiate with sources of external funding institutions and to utilize the fund", absence of "publishers specializing in publishing law books; heavy cost of publication, and "[l]ack of strategic planning on research and publications."

Resource constraint, which is one of the problems in the components of legal education reform discussed above, is likewise indicated as the *third* problem in research and publications.[28] The problems in this regard include "[l]ack of research fund allocated at national, state, university, faculty, department levels",

[24] Id., p. 26.
[25] Id., pp. 26-30.
[26] Id., pp. 27-28.
[27] Id., p. 28.
[28] Id., p. 29.

"[p]oor salary scale for teachers –which forces teachers to exhaust their efforts/energy on part-time teaching, distance module writing, tutoring, etc", "heavy teaching load, strained staff-student ratio," inadequate availability of "books, journals, Internet access and network, database, libraries, book allowance, photocopy services, conference fees etc that create conducive research environment", lack of incentives for research including gaps in "acknowledgement, research leave, teaching buy-outs, etc.", and exorbitant publication cost.

The *fourth* set of problems in research and publications relate to the research, writing and editing capacity of academic staff in Ethiopian law schools.[29] The *fifth* category of problems[30] deal with gaps in networking opportunities (with potential stakeholders) and forums such as "colloquia, public lecture, seminars, symposia" that stimulate, facilitate and enhance research. This category of problems also indicates gaps in links with publishers, "access to minutes of debates on bills, *avant projet*, of the legislature", and "access to information in various institutions". The five categories of problems highlighted above apply *mutatis mutandis* to consultancy services by law schools.[31]

4. Identified Causes and Consequences of the Problems

Based on the problems identified above, the 2006 Legal Education Reform indicates comparative experience[32], analyzes the causes and consequences of the problems,[33] and forwards conclusions.[34] According to the Reform Document, the key "causes of the existing poor conditions of law schools in Ethiopia" can be classified into "cultural, ideological, institutional, structural, attitudinal, crisis in value system, and critical shortage of human and material resources."

The *cultural factor* relates to complacency[35] "prevalent in the wider community" which "has prevented law schools from being self-reflective" toward building on what they have. The Reform Document, as an example, states the failure to sustain "the good conditions of the Law School at Addis Ababa University [formerly Haile Selassie I University] in teaching and research in the 1960`s and early 1970`s" owing to factors such as "lack of critical self-reflection."

[29] Id., pp. 29-30.
[30] Id., p. 30.
[31] Ibid.
[32] Id., pp. 33-40.
[33] Id., pp. 42-45.
[34] Id., p. 46.
[35] Id., p. 42.

The *political factor* that has adversely affected legal education in Ethiopia relates to the fact that "politics reigned at the expense of law and legal education" as a result of which the political establishment since 1974 "considered law as a component of the old order".[36] The Reform Document states that although "legal education [prepares graduates who are] vibrant legal professionals with a commitment in the rule of law and democracy," this objective was undermined and legal education was deprived of the requisite attention.[37]

The *third* factor that is indicated as one of the causes for the problems in Ethiopian law schools is *institutional.* This is attributed to factors such as the absence of internal and external review mechanisms (in Ethiopia's education system including legal education) towards ensuring quality and standards. The *fourth* factor that was identified is *structural* owing to fixed budgets irrespective of levels of performance thereby failing to "discourage a law school with poor performance", and in contrast encourage law schools whose performance is commendable.[38]

Attitudinal problems such as gaps in *strategic thinking* are indicated as the *fourth* and *fifth* causes of the problems (in Ethiopia's legal profession at large including academic staff). "[S]ense of indifference, a propensity of externalizing problems and lack of self-evaluation" are regarded as contributory factors, and the teaching staff is generally "reluctant to invest their time and expertise in institution building".[39] With regard to gaps in *strategic thinking* and *value systems*, it is noted that law schools "rarely use carefully designed and result-oriented plans" and "are not usually founded on consciously articulated" values, and they fail to recognize and reward "hard-working and visionary law teachers and leaders" and "meritorious legal professionals."

Resource constraint –which is stated as a critical problem in the preceding sections– is considered as the *sixth* causal factor to the problems thereby manifesting reciprocal and bidirectional cause-effect-cause relationship. The Reform Document underlines that the size of teaching staff, library resources, computer and Internet access[40] do not match up with the student population.

The 2006 Legal Education Reform Document provides an overview of the *consequences*[41] that have resulted from the problems highlighted above. It indicates the lack of a strong and vibrant legal profession which can proactively

[36] Ibid.
[37] Ibid.
[38] Id., pp. 43-44.
[39] Id., p. 44.
[40] Id., pp. 44-45.
[41] Id., p. 45.

match up with the objective realities such as a shift in constitutional order, and the Reform Document expresses concerns regarding "legal professionals with unethical practices." It further indicates gaps in the commitment of law students, law teachers and legal professionals to devote their time to public commitment and engagement thereby contributing to the poor performance of the justice sector. In the realm of performance, the Reform Document notes the consequences manifested in competence levels among LL.B graduates with lower levels of "competence in basic lawyering skills such as writing, speaking and negotiating" and lawyers whose enthusiasm toward community service is weak. As a result, "members of the legal profession have taken a back seat in the struggle for the supremacy of law and constitutional order in the country."

On the basis of the problems that were identified and the causes and consequences of the problems, Part V of the 2006 Legal Education Reform Document[42] came up with 60 (sixty) standards in legal education reform. The standards are meant to serve as benchmarks toward the solution of the problems. These standards have indeed drawn lessons from good practices of various foreign law schools. The standards state thresholds of performance to address the problems that are identified in Ethiopia's legal education. The corresponding Guidelines for the interpretation of the Standards are stated in Part VI.[43]

The preamble of Part V[44] of the Reform Document notes that legal education is "the main gateway to the legal profession, teaching and scholarship" and states the need to address the gaps in curricula. It also states the necessity of addressing the problems in the teaching-learning process and law school management which include "teacher-centered teaching ..., absence of continuous assessment, [inadequate] material resource base, centralized management style", and the "attitudinal, technical and institutional impediments" that hamper "meaningful research activities."

The Standards "aim at providing uniform and quality program of legal education while at the same time allowing law schools the necessary latitude for diversity, flexibility and innovation". The Standards envisage "that law schools shall provide sound legal education that motivates students to protect the interests of the public and the profession, promote democracy, good governance, sustainable peace, equality and social justice and to use law and legal institutions imaginatively to sustain development." The Standards[45] and

[42] Id., pp. 47-81.
[43] Id., pp. 82-97.
[44] Id., p. 51.
[45] Standards for Ethiopian Law Schools (and Guidelines of Interpretation) published in *Ethiopian Journal of Legal Education*, supra note 12, pp. 97-126

Guidelines[46] were published in the *Ethiopian Journal of Legal Education*, Vol. 2, No. 1 (published by Justice and Legal System Research Institute in January 2009).

The Standards in Ethiopian Legal Education are classified into six parts. They are: the General Part (Standards 1 to 4), Curriculum (Standards 5-17), Course delivery and assessment (Standards 18-28), Law school management (Standards 29-48), Research, publications and consultancy services (Standards 49 to 58), and Miscellaneous, i.e. new programs and quality assurance (Standards 59 & 60). It is to be noted that these are minimum standards, and law schools are encouraged to go beyond these thresholds in their pursuits of sustained improvement towards steadily enhanced levels of excellence.

5. Some Observations on Standards for Vision, Mission and Core Value Statements of Law Schools

5.1 The need for realistic vision and clear mission statements

The General Part of the Standards in Legal Education[47] deals with vision, mission, and core values that law schools are expected to formulate and pursue. The vision of law schools (Standard 1/1) is, inter alia, expected to be integrated with the visions of their respective universities and visions at national level. They should also aspire "towards elevating the standard and quality of legal education to the level of leading law schools in other countries, and towards preparing graduates who will have optimum impact in Ethiopia's development, democracy, good governance and social justice." (Standard 1/2)

The vision statement (in *Standard 1*) embodies three elements. The *first two elements* (in Standard 1/1 and the first unit in Standard 1/2) relate to the integration of a law school's vision statement with the University's vision and the elevation of the standard and quality of legal education by aspiring towards the level of leading law schools in various countries. The *third* element (i.e. the last unit in Standard 1/2) shows the aspiration of law schools to bring optimal impact in Ethiopia's pursuits of "development, democracy, good governance and social justice". This shows that the enhancement of quality and standards is not an end-in-itself, because in addition to its intrinsic function of professional development in the graduates, it also envisages the ultimate societal impact.

There are some vision statements, among the ones that are accessible online, that fail to meet the thresholds expected in the Standard on vision statement. For example, the vision statement of one of the first generation law schools reads "The School of Law aspires to become center of excellence in legal education,

[46] Id., pp. 127-136.
[47] *Reform on Legal Education and Training in Ethiopia*, supra note 2, pp. 52-55.

research and community services, celebrated nationally, respected in Africa and renowned globally." The words, 'celebrated', 'respected' and 'renowned' are subjective, and they depend on what others perceive rather than the *envisioned state of being* and *performance* of the law school.

Vision statements balance two elements. On the one hand, they are expected to be ambitious, and at the same time the statements should not be unrealistic because they need to be reasonably attainable. Lagging far behind what was aspired during the timeframe stated in a vision statement adversely affects the reliability of vision and mission statements. An example in this regard can be the vision statement of one of the third generation law schools which reads, "The School of Law aspires to be among the leading School[s] and center[s] of excellence in the area of law by the year 2020."

Other examples include the following four vision statements which focus on ranking and bear the tone of a competitive match:

- "The School aspires to be the best in the nation and globally competent; While striving for academic excellence, it also aims to strengthen administration of justice and law in the country."
- "The College of law aspires to be the most preferable college for the study of law in the country by 2020."
- "The School aspires to be the best Law School in the nation and competent enough internationally. We endeavor for academic excellence and to see the community best served by legal knowledge we create and/or transfer to them."
- "… [The] School of Law aspires to be one of the top three societal problem solving universities in Ethiopia by 2025."

Apparently, law schools are not engaged in competitive matches. They should rather target at mutually shared objectives. The performance and professional attainment of every graduate from any law school (as legal advisor, attorney, public prosecutor, judge, academic, office holder, etc) depends upon the levels of competence, integrity and commitment of graduates from all Ethiopian law schools. The extent to which each law school aspires and achieves higher standards in quality and relevance determines (and reinforces) its potential for further achievements, and this is indeed to the benefit of all law schools and the legal profession at large.

Law schools are thus expected to (at least) attain the minimum quality and standards such as the ones articulated in the 2006 Legal Education Reform Document. After the attainment of these minimum standards, they should compete against their own attainments (toward sustained superior achievements) so that they can steadily raise the standards of performance in student learning, research and services thereby marching in the path of excellence. Vision

statements such as the following can thus suffice without the need to express heights to be achieved that are superior to other law schools:

> Haramaya University, College of law aspires to be a center of quality higher learning and research with community of scholars devoted to producing well-trained, competent, and responsible legal professionals who could make a significant impact in Ethiopia's socio-economic development, democracy, good governance, and social justice.[48]

Three mission statements are presented in *Standard 2* as alternatives so that law schools can use them as tentative samples which can be modified based on their particular circumstances. The first alternative seems to be too general, and uses generic elements thereby compromising content in favour of brevity. It requires law schools to "actively work for the enhancement of democracy, good governance, tolerance, equality, social justice and economic development for the people of Ethiopia through quality programs of teaching, research and public service". The second option reads:

> Law schools shall work for the advancement of the intellectual and social conditions of the people of Ethiopia by providing equitable, accessible and quality legal education through teaching, research and service in order to prepare competent and responsible members of the legal profession who actively contribute towards rule of law, democracy, human rights, good governance, social justice, equality, tolerance and development.

The elements that follow the word "work for" in the first two alternative mission statements (*Standard 2*) show the end in view, while on the other hand, the words "through" (in alternative '1') and "by providing" (in alternatives '2' and '3') indicate the path that can take a law school to its end-in-view. The words 'competent and responsible members of the legal profession' in alternatives '2' and '3' relate to the *cognitive (knowledge/awareness)* and *affective (will/volition)* domains in learning, i.e. competence and professional values. The subsequent phrase (in alternatives '2' and '3') reads: "who actively contribute towards rule of law, democracy, human rights, good governance, social justice, equality, tolerance and development". This phrase represents the behavioural (*connative*) attributes of law professionals upon LL.B graduation and their contribution in the course of applying the *competence* and *professional values* that they have attained.

5.2 Critical thinking as one of the core values and objectives in legal education

The extent to which the fifteen values (stated in *Standard 3*) can be embedded in the moral standards of law graduates, inter alia, depends upon what the

[48] <http://www.haramaya.edu.et/academics/college-of-law/> Last accessed, March 10, 2019.

university administration does and how the teaching faculty actually behaves. Professional values are mainly internalized as individual moral standards through observations and practice rather than instruction. Unfortunately, key offices of various university administrations are pre-occupied with big 'construction projects' that are susceptible to corruption. Such projects are underway to the detriment of space that is *sine qua non* for serene green campuses (free from noise pollution) conducive to higher education.

A case in point is the construction of multi-storey buildings (in the main campus of Addis Ababa University) that has substituted the former serene green background to Yekatit 12 Martyrs' Monument at Sidist Kilo. The 'rationale' may be related with the catchword, 'entrepreneurial university', while in fact this trend substantially reduces open space, and can also breed corruption to the detriment of the core 'soul' of a university, i.e. pursuits of inquiry, reason, truth and knowledge in the context of *integrity*. Entrepreneurial universities generate income through services and innovative activities and not through speculative economic rent gathering.

Deeply held and widely pursued professional values and principles should be the core foundations in the *modus operandi* of law schools in the pursuits of their mission which represents their 'function' and purpose of existence (*'raison d'être'*). Fifteen values are stated under *Standard 3*, and they are indeed clearly articulated. Yet, law schools can further include '*critical thinking*' among the core values in lawyering, even though it is stated among the objectives stated in Standard 4(b). Critical legal analysis is also given due attention in Standard 5(1)(b) which deals with curriculum content.

Critical thinking is a core value and moral character that enables a lawyer to objectively analyze and evaluate issues from different perspectives before arriving at conclusions and judgments. In fact, the quality of legal education cannot be measured by 'rote learning' of legal provisions because the laws that were discussed in class can be changed, or a lawyer can be employed in a jurisdiction whose statutes or case decisions were not discussed during her/his years at law school. The quality of legal education is thus measured by the extent to which it nurtures, sharpens and hones a graduate's self-development in the avenues of thinking, exploring, questioning, interrogating, reasoning, problem solving, and proactively envisaging unfolding realities in addition to the substantive and procedural elements of the laws that were tools and inputs in the learning process.

Critical thinking rectifies the problem of unquestioning complacency that was identified in the 2006 Legal Education Reform Programme[49] as one of the

[49] *Reform on Legal Education and Training in Ethiopia*, supra note 2, p. 42.

cultural root causes of the problems in Ethiopian Legal Education; and it varies from the extremes of conceit and nihilism. Complacency may take the forms of opportunism and apologetic self-deprecation (under regimes such as absolute monarchy or 'Marxist'/'revolutionary' autocracy); and critical thinking rectifies this vice without resort to the other extreme of nihilism.

Complacency may be attributable to an education system which pursues the banking model in education that was criticized by Paulo Freire[50] whereby teachers and textbooks deposit data or information in the minds of students followed by inventories through exams. As Girma W. Selassie observes:

> A student who merely studies the law without uncovering the policy that underlies it could be likened to a person who buys a package without finding out what it contains. ... We certainly cannot teach our students about every conceivable policy. That is impossible. But we can teach them *how to think* in terms of policy.[51]

Girma takes the era of rapid change into account and he underlines that law students who are "future lawyers should not only be able to readily absorb and work with the constantly changing laws but should have the necessary attitude, talent and breadth of knowledge to help craft and engineer them".[52] This, according to Girma, can be realized only if law schools can focus on *making students to think*, as opposed to learning by rote memory. He illustrates his point:

> ... If the law requires that two witnesses should attest all written contracts, ask why documents should be attested and why two witnesses? ... In the process of trying to answer these questions, students get *to think* and know something about … some of the social, economic and political realities of the country – [beyond] a single provision of the law.[53]

In the absence of attention to critical thinking and proactive problem solving in the process of legal education, it can be difficult to attain the objectives that are stated in Standard 4(b) which requires the provision of legal education that prepares "graduates with legal knowledge, and skills that enable them to serve the country with critical, analytical and creative ability as well as professional responsibility."

---

[50] Paulo Freire (1970), *Pedagogy of the Oppressed*, (Translation, 2005: Myra Bergman Ramos), Continuum Publishing Group.

[51] Girma W. Selassie (2007), "Nostalgic Thoughts on Teaching Law in Ethiopia", *Mizan Law Review*, Vol. 1, No. 1, p. 125.

[52] Id., p. 126.

[53] Ibid.

6. Standards for Curriculum Reform

6.1 Program content and graduate profile

Subsections 'a', 'b' and 'c' of Standard 5(1) state the knowledge, understanding and skills that should be acquired. The latter sub-sections (i.e., 'd', 'e', and 'f') deal with values, ethical responsibilities to clients, officers of the courts, other public institutions and the duty to "[p]rotect the interests of the public and the profession". Standard 5(2) states the duty of law schools to "maintain an educational program that prepares their students to address current and anticipated legal problems".

Standard 6 requires law schools to prepare graduates who demonstrate the *knowledge and understanding* stated under Standard 6(a) and the *application* and *problem solving skills* indicated in Standard 6(b). Moreover, it requires the attainment of the research and legal information identification and retrieval skills (Standard 6/c), the skills in analysis, synthesis and critical judgement stated in Standard 6(d), capability for autonomous initiatives in legal tasks, self-learning and independent research (standard 6/e), communication skills and level of proficiency "to read and discuss legal materials which are written in technical and complex language" (Standard 6/f).

The standard on graduate profile further requires law schools to enable graduates to demonstrate the ability "to use, present and evaluate information provided in numerical or statistical form" and to produce a word-processed essay or other text and to present such work in an appropriate form". It also requires demonstration of the ability "to use some electronic information retrieval systems; and to work in groups as a participant who contributes effectively to group's task" (Standard 6/g). In the domain of integrity, Standard 6(h) envisages ethical responsibilities of a legal professional.

The core elements required in graduate profile (under Standard 6) thus embody the *knowledge and skills* required of a law professional, *transferable skills* (such as skills in communication, language proficiency, teamwork and autonomy in performance and sound judgment), and *key skills* which relate to interdisciplinary elements such as the ability "to use, present and evaluate" numerical and statistical information". According the Guideline,[54] the latter key skills do not involve complex statistical or mathematical calculations (that require expert intervention) but "to be able to use and evaluate the information provided as the basis of an argument".

Comparative experience in other countries shows that the elements of a graduate profile are clear and measurable. Lessons can, for example, be drawn

[54] Id., p. 84.

from UK's experience where the Quality Assurance Agency indicates the subject benchmarks in various fields of study including law.[55] The 2007 Subject Benchmarks in Law issued by UK's Quality Assurance Agency[56] classifies areas of minimum level of performance that should be demonstrated by any LL.B graduate into three broad categories: (i) Subject-specific abilities, (ii) General transferable intellectual skills, and (iii) Key skills. Each category contains specific areas of performance.

6.2 Academic achievements and related issues

Standard 7 (entitled 'Academic Achievements) deals with elements that should be put in place so that the graduate profile stated under Standard 6 can be attained. These include quality assurance schemes (Standard 7/1), monitoring academic progress and achievement of students "from the beginning of and periodically throughout their study" (Standard 7/2), and academic advising, adequate information, guidance and academic support (Standards 7/3 & 7/4).

After having fulfilled the standards in Sub-sections 1 to 4 of Standard 7, if it becomes sufficiently manifest that a law student is unable to do satisfactory work, "[l]aw schools shall not (according to Standard 7/5) continue retaining a student" in such a manner that "the student's continuation in school would inculcate false hopes, constitutes economic exploitation or detrimentally affect the education of other students." The practice in various universities, however, shows excessive focus on retention rates and statistical reports in the number of graduates. There are pressures to implement what is known as the Fx scheme. Under this scheme, F grades can be removed after having given tutorials and make-up exams (usually during the summer term) without the need for a student to be registered and attend formal classes with other students. Such tutorials do not involve additional payments to instructors and they can induce some teachers to consider the 'C' grade as the lowest and refrain from giving 'F' because the latter might be removed anyway.

There is also the tendency of universities to exert pressure on law schools to conduct summer and continuous LL.B programmes aside from the regular programmes. Concessions in lowering standards in these programmes can adversely influence the thresholds envisaged in Standard 7(5) because a student who seems to be unable to meet the academic standards of the regular LL.B Programme might excel many students in the special, summer, or continuing

[55] *See*, for example: *Subject Benchmark Statement: Law*, Quality Assurance Agency, UK Quality Code for Higher Education, Part A: Setting and maintaining academic standards, Quality Assurance Agency for Higher Education (July 2015), Section 2.4, p. 7. Available at: http://dera.ioe.ac.uk/id/eprint/23774 (Accessed: 19 December 2018)

[56] Julian Lonbay (2010), *Legal Education in England and Wales, Birmingham Law School*, pp. 15, 16 (citing Benchmark Statement: Law, Quality Assurance Agency, 2007).

programs. There should thus be objective standards in learning outcomes and criterion-referenced grading thresholds, irrespective of the steady decline in the standards of the non-regular LL.B programmes.

Standard 7(6) had set the minimum threshold in LL.B programs to 135 credit hours, and Standard 7(7) states the learning-time weightage per credit hour. As stated earlier (in Section 3), the number of minimum credit hours stated in Standard 7(6) of the Legal Education Reform Programme was raised from 135 to 174 credit hours based on the decision of the Workshop of Instructors from all Law Schools that was held at the Ethiopian Management Institute, 17 July, 2006. It requires 154 credit hours of coursework (graded in Cumulative Grade Point Average),[57] plus 8 credit hours of Exit Exam, and 12 credit hours of externship. The 20 credit hours of exit exam and externship use pass/fail classification based on numeric marking.

The credit hour system was adopted based on US experience since the early years of Addis Ababa University (formerly known as Haile Selassie I University). Standard 7(7) pursues the same tradition and attaches credit hours to courses. According to Standard 7(7), *one credit* represents one class hour per week "for the duration of the semester" [which has sixteen weeks] and it states that "… for every hour of credit; it is expected that the student spend a minimum of two hours per week in supervised study. Each credit hour shall represent 700 minutes."

As indicated in Standard 7(7), the numeric designation in the credit-hour system represents classroom contact sessions. The last sentence in Standard 7(7) equates one credit hour to 700 minutes and this should be interpreted as 50 minutes (per class hour) multiplied by 14 weeks of class sessions in a semester. In addition to class sessions, students are thus required to devote two hours for off-class learning (i.e. reading, assignments etc). In effect, for each credit hour, Standard 7(7) requires law students to weekly devote one hour of class session plus two hours of off-class study. This involves three hours of learning per week for fourteen weeks, i.e., a total of forty two hours of learning per credit hour. Along with summative assessment periods[58] (during the mid-term and the final week of the semester), the total number of learning hours per credit thus represents 45 to 48 hours of learning.

[57] *Course Syllabus Catalogue,* 2008. (Justice and Legal System Research Institute), Prepared by the Curriculum Implementation Committee which was comprised of representatives from law schools of public and private universities.

[58] These assessments are expected to be given in addition to the continuous formative assessment that is conducted in the process of course delivery.

Standard 7(8) states the need to determine the "proportion of time to be given to lectures, tutorials and practical attachment". The remaining three sub-sections of Standard 7 (i.e. 7/9, 7/10 and 7/11) deal with minimum and maximum credit hours per semester in regular and extension LL.B programmes and the need to indicate academic achievement through letter grading.

6.3 LL.B Programme duration

Standard 9(3) is commendable in stating that law schools "shall require the course of study for LL.B degree to be completed in five academic years, each having two semesters." In effect, the duration of LL.B programme was raised from four years to five years thereby reinstating previous practices (that prevailed until early 1990s). Students who join LL.B programmes from advanced standing owing to prior diploma in law can be allowed course exemptions and transfers. However, the duration of study for such students shall not, according to *Standard 16(10)*, be below two years for regular students and four years in extension programmes. LL.B degree study through extension program shall, according to Standard 9/4, "take a minimum of 6 years and a maximum 9 years." Without prejudice to these durations of study and the number of contact hours and off-class reading hours to each course, law schools may have "an eight-week *Kiremt* [summer] program" (Standard 9/5).

Standard 9(6) requires regular attendance and punctuality; and according to Standard 9(7), "the minimum class attendance may not normally be less than 75% of the total course duration." To this end, Standard 9(8) forbids full time students to be employed for "more than 20 hours per week in any week in which the student is enrolled." The number of hours could have been reduced because course work per week for a regular student who, for example, is registered for 16 credit hours will be 16 class hours plus 32 hours of off-class study, i.e. 48 hours per week. The maximum number of hours that a regular student may devote for employment cannot thus (in the normal course of events) be beyond a maximum of ten hours so that the student can give due attention to class sessions and off-class learning.

A similar indicative threshold with regard to law instructors could have been introduced so that they can be on-campus for most parts of the week to enhance their focus on research and be available to student advising. The challenge in this regard is the level of remuneration and benefits which render it difficult for law instructors to settle their basic subsistence bills with the low salary scale at universities which does not match up with the steady rise in house rental rates and price of basic necessities.

6.4 Course offering, syllabus and curriculum review

Standard 10 deals with core, elective and support courses. In addition to these courses, *Standard 11* requires law schools to attach credits to clinical programs

(which can encourage students to actively participate in legal clinics that offer legal aid), moot courts and student participation in law journals. The gaps relating to course syllabi and course files are addressed under *Standard 12* which requires law schools to "ensure the preparation of syllabus for each course they offer" (Standard 12/1) as opposed to the traditional usage of very short course outlines that merely summarize course content and list of readings. Significant alteration of a course outline by an instructor requires prior consultation with the law school (Standard 12/2), and students should be provided "with a course syllabus at the beginning of each course" (Standard 12/4). Law schools shall keep course files (Standard 12/3) that include syllabi, exams and tutorial exercises. The Guidelines for Standard 12 indicates the eight components of a syllabus: (a) course identification, (b) course description, (c) measurable course objectives, (d) teaching method, (e) mode of assessment, (f) attendance policy (g) course outline, and (h) available learning resources.

The revised curriculum was implemented in September 2006. Thus, law schools made use of the sample syllabi that were assessed and approved by series of workshops after they were prepared by teams of law school instructors. The final compiled LL.B course catalogue was distributed to all law schools in 2008. Based on model syllabi, teaching materials were prepared for all required courses and most elective courses. A memo (dated January 03, 2011) that was submitted by the Curriculum Implementation Committee to the Technical Committee (for the Legal Education Reform Programme) indicates that teaching materials are prepared for 67 (sixty seven) courses and they were "assessed at different workshops by assessors and different participants from law schools and other stakeholders". The memo further states that 16 (sixteen) teaching materials were "identified as below standard".[59]

The participation of law schools and stakeholders in syllabus preparation, workshops and expert reviews relating to curriculum reform and the preparation of teaching materials were indeed commendable. However, there were teaching materials that had yet to be upgraded[60] to the levels that were agreed upon by law schools, and there were also plans to publish series of textbooks by using the teaching materials as foundational resources.

Standard 15(1) requires curriculum review "every five years in consultation with stakeholders including students, government and businesses, as the case may be". Sections 2 and 3 of Standard 15 require pre-appraisal of curriculum

[59] *See* Elias N. Stebek (2015), "Legal Sector Reform Pursuits in Ethiopia: Gaps in Grassroots Empowerment", *Mizan Law Review*, Vol. 9, No. 2, p. 273. DOI http://dx.doi.org/10.4314/mlr.v9i2.2

[60] Ibid.

review by law schools "two years before curriculum review to determine whether such review is necessary" and establish "a body responsible for periodic review of its curriculum including review of a course syllabus."

6.5 Admission to law school

Standard 16(1) requires "prior and effective consultation with law schools by a concerned authority" with regard to student placement in public law schools. Until the freshman programme was reinstated in October 2019, the process of admission to public law schools was primarily conducted by the Ministry of Education,[61] with some role given to the universities in assigning students to particular departments. This does not fulfil the standard of participation of law schools that was envisaged under Standard 16(1) of the 2006 Legal Education Reform Document which requires "prior and effective consultation with law schools."

Standard 16(3) states that admission "shall be consistent with educational programs and resources available for its implementation." However, most of the newly established universities were (during the years of extensive university expansion) tempted to open law faculties and admit law students because they considered it relatively easy to buy some Codes of law and textbooks, and thereafter use the teaching materials and syllabi prepared under the coordination of JLSRI from 2006 to 2009. The following are examples accessed online in January 2019:

- At Arba Minch University, "Department of Law was established during the 2009/10 academic year having staff members of 3 lecturers and about 40 students"[62]
- "Debre Berhan University College of Law "started its program with 50 regular & 41 extension students in the L.L.B program, having 4 Academic staff members."[63]
- "Madda Wallabu University School of Law "was launched in 2011 and after its establishment, … with 37 degree regular and 47 extension program students. .., the School had only three fulltime instructors"[64]

[61] The regulatory authority in charge of higher education is currently the Ministry of Science and Higher Education.

[62] Arba Minch University, School of Law, Background of the Program: https://www.amu.edu.et/index.php?option=com_content&view=article&id=132&Itemid=131; Accessed January 01, 2019

[63] Debre Berhan University, School of Law, Overview of the College: <http://www.dbu.edu.et/index.php/2017-05-11-13-34-17/2017-05-11-13-39-18/college-of-law>; Accessed January 01, 2019

[64] Madda Walabu University, School of Law, Message from the Dean: <http://www.mwu.edu.et/home/school-of-low>; Accessed January 01, 2019

At present these law schools have indeed enhanced their academic staff profile and other resources. Yet, the facts shown above indicate how public universities could easily launch LL.B programmes with three or four academic staff members (who are usually graduate assistants) in violation to Standard 16(3) of the Legal Education Reform Document.

Standard 16(4), as noted earlier, states that admission to law school shall be based on reasonable expectation that the student can "achieve the standard required for completion of the program." Former practices at Haile Selassie I University, for example, involved admission to LL.B programmes upon completion of first year on a competitive basis. The freshman programme was introduced at HSIU (currently Addis Ababa University) in September 1969 based on series of studies since the early 1960s.[65] Law school admission procedures (for four-year post-freshman LL.B Programme courses plus one year of service in externship) in September 1970, for example, involved (i) comparing first year CGPA among applicants for admission, (ii) interview, and (iii) impromptu short essay of about a page after interview. During the initial years of the law school, LL.B admission required completion of second year in another field of study and three years of legal education.

Recent developments after the Ethiopian Education Development Roadmap (2018-30) are indeed encouraging because students are not directly assigned to law schools by the Ministry of Education (currently Ministry of Science and Higher Education) as was the case during the last two decades. According to the Draft National Harmonized LL.B Curriculum prepared by the Consortium of Ethiopian Law Schools in November 2019, students are first admitted to freshman programmes in universities, and admission to law schools is made on a competitive basis among social science first year students who have completed the first semester.

6.6 LL.B Exit exam

The exit exam is one of the commendable outcomes of the Legal Education Reform Programme and it duly serves as gate keeper to the legal profession. As Tsegaye Regassa noted:

> The key purpose of the exit exam is to determine if the student (would-be graduate) has developed a *comprehensive personality of law studies* or a *would be legal professional*. It is intended to serve as an instrument of determining whether in the law student there is the synthesis of the required

[65] *See* Wondwosen Tamrat (2019), "Another freshman programme, will it work this time?", *University World News, Africa Edition*, 02 October 2019, Available at: https://www.universityworldnews.com/post.php?story=20190930054657294

knowledge, skills and attitude that qualifies a candidate for the legal profession.[66]

There were critics who argued that it should be the responsibility of universities to certify whether a student has successfully completed the courses offered under the LL.B programme. Others forwarded a counter-argument that owing to the steady decline in quality and standards in legal education, 'exit exam' is expedient. The latter further argued that universities should not shy away from exit exam as long as they can enable their graduates achieve the learning outcomes embodied in the LL.B curriculum.

The National Educational Assessment and Examination Agency (NEAEA) conducts exit exams. Law students who were admitted in September 2006 (under the 2006 curriculum) sat for the exam in March 2011 (Megabit 2003 Ethiopian calendar, i.e., during the Academic Year 2010/2011). During the initial phase, the Technical Committee for Legal Education Reform had formed an Exit Exam Council to support NEAEA. This arrangement encountered problems after the coordination of the legal education reform programme was transferred from JLSRI to the Ministry of Justice.[67] Since the second exit exam (Academic year 2011/2012, i.e. 2004 Ethiopian calendar), the Consortium of Ethiopian Law Schools collaborates with NEAEA in various responsibilities regarding the exit exam.[68]

The level of coordination in the preparation, correction and management of exam results is indeed successful. However, there is extremely high fail rate in non-regular LL.B programmes such as distance learning. This is so in spite of lowering the passing mark to the 'cut-off score' of 30%, 35% or 40%. In principle, the minimum of 50% should have been regarded as the pass/fail cut-off score. The first compromise to lower the threshold started during the first (March 2011) exit exam because a significant number of regular students had an average score below 50%.

It was assumed that the enhancement of quality and standards in legal education (within a few years) would enable the passing cut-off threshold to be steadily raised up to 50%. Unfortunately, however, the pace of enhancement in quality and standards did not match up with the expectations under the legal education reform. Due attention should have been given to enhance the level of attainment of learning outcomes rather than lowering the pass mark cut-off

[66] Tsegaye Regassa (2010), "Between Closure and Opening: Exit Exam in Ethiopian Law Schools – An Essay", *Journal of Ethiopian Legal Education*, Vol. 3, No. 1, p. 16.

[67] Education Strategy Center (2015), *Evaluation of the Law Exit Examination System in Ethiopia*, (Researchers: Abduljebar Abdulahi, Addiswork Tilahun, Belay Hagos, Endawek Tsegaw, Mizanie Abate, Nurilign Mulugeta,Yenehun Birle) Addis Ababa, June 2015, p. 37.

[68] Id., p. 38.

points (to 30%, 35% or 40%), because the latter option seems to have rather lowered the level of preparation (by regular students) towards the exam.

Nevertheless we can say that the exit exam has commendable outcomes because legal education, unlike various fields of study, has a gate keeper against the risk of LL.B degree mills in the name of distance, special, extension, summer etc. programmes. In the absence of such exit exams, inflated grades in some Higher Education Institutions distort preliminary selection processes in short-listing applicants for vacancies thereby adversely affecting graduates from universities that observe non-inflated, fair and proper grading policies. However, the exit exam cannot be said to have fully attained the objectives that were envisaged (under the 2006 Legal Education Reform Programme) if the pass/fail threshold continues to be lowered below 50%. In the absence of *criterion referenced* pass/fail threshold such as 50%, the cut-off pass mark runs the risk of arbitrary decisions.

Series of studies, presentations and workshops were conducted towards developing the Guidelines of the Exit Exam issued in 2010[69] which was revised in 2017. Article 3 of the Revised LL.B Exit Examination Guidelines issued by Education Strategy Center and the Consortium of Ethiopian Law Schools (in March 2017) embodies the following five objectives:

- "Monitoring whether the graduate profile of LL.B curriculum has been achieved;"
- "Monitoring levels of achievement in the learning outcomes of courses under the LL.B curriculum;"
- "Facilitating the efforts of students to revise the core learning outcomes of the courses covered by the exit examination;"
- "Ensuring that only lawyers competent to meet the needs of prospective employers graduate from law schools;" and
- "Creating a constructive competitive spirit among law schools in Ethiopia with a view to encouraging them to give due attention to the quality and standards of legal education;"[70]

According to Article 4.1 of the Revised Exit Exam Guidelines, the scope of the learning domains to be assessed in the exit exam are "(a) Knowledge and comprehension; (b) Application, analysis, synthesis and problem solving; (c) Critique and evaluation; and (d) Written communication (with due attention to accuracy, brevity, clarity and coherence)." The six categories embodied in

[69] Consortium of Ethiopian Law Schools (2010), *LLB Exit Exam Guideline*, Justice and Legal System Research Institute, Article 1.

[70] Education Strategy Center and the Consortium of Ethiopian Law Schools (2017), *Revised LL.B Exit Exam Guidelines*, March 2017.

Article 4.2 of the Guidelines customize Bloom's taxonomy of learning domains[71] in the context of legal education.

In the course of weightage distribution in the allocation of marks for the elements of the exam items, Article 5 of the Revised LL.B Exam Guidelines requires the following:

5.1 The learning outcomes of courses stated in the various syllabi and course materials shall determine the percentage of focus to the domains of learning outcomes stated in the preceding provision.

5.2 Predominantly concept-focused courses shall give more focus to the knowledge and comprehension learning domain.

5.3 Skill courses offer major weight to the presentation, application and problem solving domains;

5.4 Courses that mainly involve substantive and procedural laws fairly include all domains of learning without unduly neglecting any one of the domains.

According to Article 21.1 of the Revised LL.B Exit Exam Guidelines, the exit exam shall be annually administered during the second semester of the final year. Moreover, Article 21.4 allows re-examination once a year during the month of October (Tikimt).

7. Standards for Course Delivery and Assessment

Standards 18 to 28 of the 2006 Legal Education Reform Document deal with course delivery and assessment.

7.1 On-campus engagement of academic staff

Standard 18 requires law schools to "have academic staff with appropriate qualification and research and scholarly experience that ensure effective implementation of the missions and programs of the law school." Moreover, according to Standard 19(1), the number of academic staff members must be sufficient to enable law schools "to meet the standards and meet their goals." The appropriate size of staff is determined by the "number of students [enrolled during an academic year], nature of courses or programs offered, and the academic obligations of the full time staff to teach, conduct research and render community services" (Standard 19/2). Due attention is given to the employment of regular staff so that a law school "may not have part time staff in excess of 25% of the total academic staff." (Standard 19/3).

[71] Benjamin S. Bloom (Ed.) *et al*. (1956). *Taxonomy of Educational Objectives, Handbook I: The Cognitive Domain.* New York: David McKay Co Inc.

There are standards that need further attention owing to the gap between the thresholds enshrined in the standards and the facts on the ground. Standard 20(3) provides that "[s]ubject to reduction due to various responsibilities, course load shall not exceed 12 credit hours per week". These credit hours can take a combination of teaching classes, advising, research engagements or community services. The course load of an academic staff in a law school is expressed in terms of credit hours (i.e., twelve or eight in LL.B and graduate Programmes respectively). This is so because weekly work hours of the academic staff further include off-class tasks of preparation, research, correcting assessments, and other (on campus and off-campus) academic engagements. Instructors in LL.B programmes are thus expected to weekly devote about 24 hours (i.e., double the duration of contact hours) to off-class academic engagements in addition to the contact sessions of 12 hours per week.

In the absence of such commitment, the requirements under *Standard 20 (1&2)*, i.e., the duty to assume "the major part teaching at the law school" and demonstration of effective teaching cannot be realized. To this end, *Standard 20(4)* of the June 2006 Draft stated that "[a]n academic staff may not spend more than 10 percent of his/her time outside law school engagements [without] prior permission." Apparently, this was not meant to imply the 'punch-in, punch-out' model of supervision over academic staff, because autonomy and self-management are salient features of universities and research institutions. Yet, it envisaged not less than 90% of an academic staff's work hours to be dedicated to teaching, advising and pro-bono community services. Upon approval, the words "may not spend more than 10 percent of his/her time" were duly amended, and the phrase reads "may not spend a significant percentage of his/her time outside law school engagements that impair his/her academic duties without prior permission".

Intrinsic fulfilment in the process, outcomes and impact of academic pursuits and gratification in steady self-development are more important to academic staff than the transactional aspects of financial gains. Yet, levels of remuneration and benefits become issues of concern particularly when pay scales are not commensurate with housing, transportation, subsistence and other bills. This, in the Ethiopian setting, is a core challenge in the practical implementation of Standard 20(4) in relation with most university instructors.

After an academic staff member gets into the habit of looking for part time engagements (including law practice), the 'income enhancement' element can be at the wheels thereby adversely eroding focus on academic engagements. These challenges not only adversely affect the length of on-campus engagements, but can gradually create an organizational culture which equates academic tasks with class room sessions. The longer such trends continue, the

more unlikely would new academic staff members pursue the track of full-time academic commitment envisaged under the legal education reform programme.

There are good practices with regard to efforts by various universities to address the housing concerns of their academic staff. Even though steadily rising house rental rates are issues that need deeper policy reform (such as land reform) to address house rental market imperfections, universities are expected to continue paying good attention to these concerns.

7.2 Course delivery and co-curricular student engagement

As stated in Standard 23(1), the course delivery methodology to be implemented at law schools "shall focus on experience and be participatory, practice oriented and problem-based." It shall not be mainly teacher-centred lecture, but would rather engage students through practical issues, cases and problem based learning (PBL). As Duch *et al*, noted, *problem based learning* in undergraduate programmes addresses learning outcomes which particularly include the following:

- Think critically and be able to analyze and solve complex, real-world problems,
- Find, evaluate, and use appropriate learning resources,
- Work cooperatively in teams and small groups,
- Demonstrate versatile and effective communication skills, both verbal and written,
- Use content knowledge and intellectual skills acquired at the University to become continual learners.[72]

According to Standard 23(2), methods of course delivery "shall take the objective situation of the country into consideration, encourage independent thinking, reflect on current views and shall be problem solving". Course delivery "shall be based on a syllabus that meets the specifications indicated in the guidelines and provide students with such syllabus at the beginning of a semester" (Standard 23/3). To this end, the Guideline for Standard 23 requires law schools to undertake:-

a) compulsory pedagogic training that may involve training towards license in teaching;
b) student evaluation every semester;
c) peer class visits;
d) tutorials that focus on real cases; and

[72] Barbara J Duch, Susan E Groh, Deborah E Allen (2001), "Why Problem-Based Learning? A Case Study of Institutional Change in Undergraduate Education", in *The Power of Problem-based Learning*: a practical 'how to' for teaching undergraduate courses in any discipline. BJ Duch, SE Groh, DE Allen (Editors), Stylus Publishing, p. 6.

e) moot court as a compulsory course followed by further electives that may be based on interest and performance.

Law schools shall also ensure the implementation of the co-curricular activities stated under Standard 24. Standards 24(1), 24(2) and 24(3) deal with *co-curricular* activities including moot courts, clinical programmes, internship and externship which enhance skills in writing, oral communications, litigation and student services. Standard 24(4) states the duty of law schools to encourage student participation in *extra-curricular* activities "such as student bar associations, honour courts, societies and clubs".

It is to be noted that co-curricular engagements should be broad-based. In moot court competitions, for example, the current practice in most law schools is to pick outstanding students that can represent the law school based on their academic performance and communication skills. This practice is not in tandem with Standard 24 which envisages the engagement of all students in moot courts. The course titled 'Thematic Moot Court' which was designed under the curriculum (based on the 2006 Legal Education Reform Document) was meant to serve this purpose so that students will register for the course and participate in moot courts whose themes can be determined by the law school. After series of rounds (preliminary rounds, first round, semi-final and final rounds), the students who win intra-law-school moot courts can ultimately represent the law school at a national or international moot court competitions.

7.3 Student learning assessment

Standard 25(a) requires law schools to "[d]esign student assessment mechanisms that fairly, validly, and reliably evaluate the level of knowledge, skills and attitudes of students against the intended learning outcomes". The methods "may be tests, written exams, oral exams, presentation evaluation or other mechanisms depending on the nature and content of the course or training". The processes of assessment adopt "transparent and reliable principles, procedures, and processes" (Standard 25/b), and should be based on regulations that are made known to students and that "implement clear criteria for the marking and grading of assessment".

Standards 25(d), 25(e) and 25(f) state the responsibility of law schools to avail "transparent mechanisms for the resolution of student complaints" and to provide appropriate feedback to students with regard to assessment results in "tests, exams, papers or projects in a way that promotes learning and facilitates improvement" so that students have access to the feedback on the assessments. Standard 25(g) requires law schools to design the appropriate "assessment mechanisms for studies based on independent and supervised research self-study". With regard to the blend of formative and summative assessments and

periodic review on the assessment strategies, Standard 25 (h & i) require law schools to:

- incorporate continuous assessment strategies, ensure that the assessment methodologies blend both the formative and summative assessment methods, and where these have become impractical due to large number of students, assist principal teachers with teaching assistants or tutors; [and]
- assess and evaluate its assessment methods … in order to reflect upon existing or prevailing assessment methods and their impact on the delivery of courses and the achievement of curricular objectives.

In their formative dimension, assessments facilitate the learning process, and do not merely evaluate the level of learning. Assessments further serve a summative function when they are provided in the forms of quiz or final exam. The holistic application of the assessment methods stated in Standard 25 require the attitudes and competence on the part of instructors in using valid and reliable assessments.

To this end, the Guideline for Standard 25 requires law schools to "issue assessment regulations", ensure transparency in student performance assessment by, inter alia, "posting or distributing sample answers"; and "discussing marking breakdown and scaling policy with students." With regard to the numerical point values in letter grading, the Guideline states that law schools "shall have clear, fair, reliable valid and predictable letter grading policy" and states that the "numerical point value of letter grading shall be ...: A= (4), A- (3.7); B+ (3.3); B (3); B- (2.7); C+ (2.3); C (2); C- (1.7); D (1); F(0)."

7.4 Basic information, student support and facilities

The last three standards on delivery and assessment (Standards 26 to 28) deal with cross-cutting issues, i.e., the need for basic information document, student support services, and resources and facilities. According to Standard 26, law schools "shall publish basic information document that provides information" that accurately reflects the actual practices with regard to "[a]dmission data; [c]ost sharing requirements for public law schools and tuition for private law schools; [e]nrolment data and graduation rates; [c]omposition and number of academic staff and administrators; [c]urricular offerings; [l]ibrary resources; [p]hysical facilities; [and p]lacement rates."

These elements of basic information are expected to be available and easily accessible online, an objective which Ethiopian law schools should attain. Some of the elements in Standard 26 are available at the websites of a few law schools in Ethiopia. However, there are gaps in updating information. Most law schools do not have a functional website that provides the basic information stated under Standard 26.

With regard to student support services, Standard 27(1) requires law schools to provide their students "with basic student services, including maintenance of accurate student records, academic advising and an active career counselling service to assist students in making sound career choices and obtaining employment." Where these services are not directly available at law schools, students are entitled to "have reasonable access to such services from the university … or from other sources" (Standard 27/2).

Standards 27(3) and 27(4), inter alia, deal with steps that "minimize student cost sharing obligations" and differential admission procedures on grounds such as disabilities, in accordance with the particulars to be determined by the law school. Such differential admission is subject to the condition embodied in Standard 16(4) mentioned earlier that admission to a law school shall depend on reasonable expectations that the student can pursue "the program for which he/she has applied and achieve the standard required for completion of the program." Where such differential treatment relates to adults, the Guideline for Standard 27 requires support services that "include tutorials and English language proficiency upgrading programs."

The Standards highlighted above are invariably related with the availability and effective management of resources. While the management aspect of resources is discussed in Standards 29 to 48, their availability is stated as a requirement under Standard *28*. Sections 1 to 4 of Standard 28 (titled 'Facilities and resources') require that law schools shall have:

- "facilities such as lecture auditoriums, small-size class rooms for professional skills courses and tutorials, moot court rooms, and other facilities ...";
- law library that is "sufficient in size, location and design … collections, staff, operations, and equipment",
- "sufficient quiet study and research seating" and "space suitable for group study and other forms of collaborative work"; and
- Adequate technological capacities.

The Guideline for Standard 28 states that the physical facilities of a law school "should be under the exclusive control and reserved for the exclusive use of the law school" and where "the facilities are not under the exclusive control of the law school or are not reserved for its exclusive use, the arrangements shall permit proper scheduling of all law classes and other law school activities." As interpreted in the Guideline, adequate physical facilities shall include classrooms that are suitable and sufficient, suitable space for professional skills courses, suitable office rooms and space that is suitable for equipment and records.

The Guideline for Standard 28[4] interprets technological capacities and states what the facilities should include in terms of "sufficient and up-to-date

hardware and software resources and infrastructure" so that they can "support the teaching, scholarship, research, service and administrative needs of the school". The Guideline further requires the availability of "sufficient financial resources to adopt and maintain new technology as appropriate."

There is indeed much to be attained in this regard in all law Ethiopian schools. Basic technological capacities such as computer labs that provide access to uploaded reading resources, subscriptions to law databases, induction and training programmes on the use of open access legal information including open access law journals, active and non-interrupted internet connections, etc are indispensable to attain the capacities envisaged under Standard 28.

8. Standards for Autonomy of Law Schools, Resources and Quality Assessment

Standards 29 to 48 of the Legal Education Reform Document[73] deal with law school management which include issues relating to autonomy of law schools, resources and internal quality assessment.

8.1 Autonomy of law schools

There have been changes in the structure of law schools that contravene the 2006 Legal Education Reform Programme. At present, there are law schools in Ethiopia that have become sub-units under a college (which is usually College of Law and Governance). The Reform Document had, however, envisaged law schools led by a dean (with regard to direction, external relations, networking, fund soliciting and other tasks stated under Standard 30).

Initially, this restructuring did not seem to have substantial impact on law schools where the dean of the college is among the academic staff members of a law school. However, invariably assigning a dean (for a College of Law and Governance) from a law school will be unfair and double standard to other departments in the college. Deanship to the college to which the law school head (or director) is accountable may thus be held by a staff member of another department thereby denying the law school direct access to the Senate and vice presidents of the university. Even where the college dean is a staff member of the law department/school, there can be conflict of interest between the deanship to a wider academic unit *vis-à-vis* differential allegiance to a law school at a sub-unit level.

Law school deans shall serve full-time (Standard 30/1) in the context of autonomy stated under Standard 29, and "shall be selected by the President of the University" among "three candidates recommended by members of the academic staff of the law school" (Standard 30/2). This procedure of

[73] *Reform on Legal Education and Training in Ethiopia*, supra note 2, pp. 66-75.

recommendation and selection has been violated on various occasions. Subject to renewal –which requires "approval of the members of the academic staff"– the law school dean's term of office shall be three years (Standard 30/5 & 30/6). As the Guideline for Standard 30(2) indicates, law school deans are expected to give due attention to effective networking with external stakeholders. In view of the current organizational structure, clarity is required regarding the reference of these standards to both offices, i.e., the Dean of the College of Law and Governance, and the Head of Law School.

8.2 Physical facilities and law libraries

Standards 44 and 45 provide details on physical facilities and law libraries to clarify the general thresholds enshrined in Standard 28 highlighted earlier (in Section 7.4). Standard 45 requires physical facilities to be fulfilled in law schools which include "sufficient quiet study and research seating for their students and staff" and "space that is suitable for group study and other forms of collaborative work". It also requires law schools to "enhance their technological acquisitions that are adequate for their current programs and for program changes anticipated in the immediate future."

Standard 44 requires law schools to "maintain active and responsive law libraries that enhance the educational life of the schools" (Standard 44 /1) and that can "support and supplement their teaching, scholarship, research and service programs" (Standard 44/2). The libraries should "satisfy the demands of law school curriculum, and facilitate the education of law students, support the teaching, scholarship, research and services of the staff" (Standard 44/10). This requires "competent staff, sufficient in number to provide appropriate library and informational services" (Standard 44/9) in law libraries.

To this end, law schools should "ensure sufficient financial support for their law libraries" (Standard 44/3), and "ensure that their law libraries are equipped with contemporary technology" (Standard 44/4). Law libraries shall operate with "sufficient administrative autonomy to direct [their] growth and development … and to control the use of their resources" (Standard 44/5). Law libraries "shall provide suitable space and adequate equipment to access and use all information … in the collection" (Standard 44/12), and they "shall formulate and periodically update a written plan" to develop their collection (Standard 44/11).

8.3 Internal quality assessment

Standard 60 requires internal quality assurance assessment in law schools. This requirement is also embodied in Standard 46(1) which requires law schools to "institute internal quality assurance schemes" and to "develop a self-evaluation (self-study) document at least every five years". These internal quality assessment schemes shall cover "admission policies, program approval and

review, assessment regulations and mechanisms, monitoring and feedback processes, staff selection and development, staff appraisal, research and publications, and internal review" (Standard 46/2).

The Guideline for Standard 46 suggests various administrative framework modalities for internal quality assurance, such as "Staff/Student Consultative Committee, Academic Quality Assurance Committee, Course Review Committee, Curriculum Committee, Examination Board, Feedback Evaluation Committee, Research and Publications Committee". These frameworks are merely indicative, and law schools may use structures of internal quality assessment that are suitable to their particular setting. If, for example, a university has established an office in charge of quality assessment, law schools can benefit from such organs which are likely to include pedagogy and assessment professionals. It is to be noted that the thresholds of quality assessment do not only relate to the Standards embodied in the Legal Education Reform Document, because the Consortium of Law Schools can, according to Standard 60(2) set standards against which the quality of law school performance can be assessed.

9. Standards of Engagement in Research and Publications

9.1 Research engagement of academic staff and employment of research staff

Standard 49(1) requires law schools to "establish recruitment criteria to ensure that each academic staff has a demonstrated capability to engage in research." Moreover, law schools shall hire research staff who undertake research as their "primary area of concern and devotion" (Standard 49/2). Law schools shall also assign a director for research who may be "Associate Dean for Research and Publications" (Standard 49/3). The standard envisages a setting which can attract candidates that have demonstrated capability in research.

Competence in research is expected to develop throughout an academic's lifetime and career, and law schools "shall provide a regular, periodic, and frequent training to their staff on the skills of conducting research, writing research reports, consultancy services, writing skills, preparation of publishable manuscripts". Such training includes "the art of editing so as to enable the staff to produce manuscripts, to review and edit other manuscripts submitted for publication, and discharge other similar responsibilities" (Standard 51). The research and writing competence of an academic is thus expected to be steadily enhanced through staff development pursuits such as the schemes envisaged under Standard 51.

One of the critical factors in this regard is the academic's commitment to inquiry and research. It is in this context that Standard 50(1) requires law schools to ensure that the employment contracts of academic staff "indicate that

conducting research and rendering consultancy services is a privilege and a responsibility, a mandate and a duty." Moreover, Standard 50(2) enables law schools to "allow a transfer of 'teaching staff' to 'research staff' under specific circumstances, the details of which shall be determined by law school regulations." Law schools are also required to "create positions for Research Fellows, Senior Research Scholars, Visiting Scholars, or other similar positions that allow the presence of at least one capable research staff on the Faculty with full commitment and devotion to research and publication" (Standard 50/3).

Standard 49(2) requires the employment of research staff which undertakes research as its primary engagement. In this regard Guideline for Standard 49 states that law schools "are said to have complied with the requirement to hire research staff when at least 1/5th of the total number of its academic staff comprises research staff", or if their research staff constitutes 1/10th of their academic staff "with the possibility to hire commissioned researchers and to transfer the labor of the teaching staff to research on the basis of research leave and other similar schemes."

9.2 Resources and incentives to support research and publications

As stated under Standards 52(1) and 52(2), law schools are required to "ensure the allocation of sufficient amount of budget for research" and they "shall make a continuous effort to ensure that research grant is solicited and obtained from governmental and non-governmental sources and utilized for research purposes effectively." Standard 52(3) clearly requires the allocation of sufficient amount of budget for research, and it states the duty of law schools to sponsor the attendance of staff at academic or professional conferences. The responsibility of law schools relating to availing facilities "such as the internet, password to access school resources electronically, school e-mail account, library pass and identity cards that can help satisfy the requirements of the exigencies of research in the school" are stated under Standard 52(4).

Guideline for Standard 52 states that a law school is said to have complied with the standard if its "annual research budget constitutes up to 1/4th of the total budget of the school". Moreover, the Guideline states that a law school is "said to have complied with Standard (52/3) if it sponsors at least one trip of an academic staff to a conference in a year." As the resources of a law school develop, the latter interpretation of Standard 52(3) is expected to be broadened so that law schools can sponsor a higher number of academic staff members.

Incentives to research are addressed in Standard 53. It requires law schools to "prepare meaningful incentive schemes especially by invigorating non-financial schemes in consultation with the appropriate units." This standard is related with Standard 50 which deals with the research duties of academic staff. The Guideline for Incentives in the context of Standard 50(2) –which is equally

relevant to Standard 53– indicates incentive schemes in addition of sabbaticals and research leaves, such as "letter of appreciation, letter of acknowledgement, bonuses, honorarium, book allowances, and other similar forms of incentive schemes"

In addition to these incentives, Section 3 of the Guideline for Standard 50(2) deals with salary scale. It states that law schools "shall raise salary scales in such a way that it can keep [the] academic staff remain focused on their research activities. They shall be paid adequately enough not to want some more part time teaching job in their spare time elsewhere." In the absence of concrete measures in this regard, it is difficult to effectively implement the standards that are set forth with regard to research and publications.

9.3 Publications and research performance evaluation

According to Standard 55(3), law schools "shall ensure that all research products are disseminated through diverse mechanisms of publicizing including by publishing proceedings," and to this effect, they "shall organize at least one annual conference on Legal Research" (Standard 55/4). A workable annual plan is required to be drawn to ensure the publication of a reasonable number of research outputs stated in Standard 56. The sustainability of research and publications requires a corresponding "workable annual plan for ensuring the sustained organization of academic forums in which public lectures, workshops, symposia, colloquia, is made possible." These tasks along with a law school's "expertise, human resource, and competence base" are required to be disseminated through "websites, brochures, flyers, pamphlets, and newsletters that are accessible to all segments of society" (Standard 57).

Standard 58 embodies thresholds of reporting and research performance evaluation. The initial step starts with the duty of "each academic staff to submit reports on their publications or other research engagements every year" (Standard 58[5]). This is followed by the preparation of a document on the research performance of a law school based on "the information gathered from each staff" (Standard 58[6]). The document serves as "baseline information on the state, conduct and management of research in the school and shall serve as a springboard for preparing the [law school's research performance] report." The Legal Education Reform Programme further requires law schools to "have staff appraisal methods that can ensure the staff's progressive productivity in research and publication" and to "sanction failure to do so with threat of not renewing contracts or affecting tenure, if any" (Standard 58[7]).

In addition to these internal schemes and processes, Standard 58 requires the research performance of law schools to be "evaluated regularly by an external panel of reviewers" (Standard 58/1) and this evaluation shall, inter alia, influence "the budget that is granted to them" (Standard 58/2). The report shall include publications, major research engagements, procedures and policies,

budget allocation, research infrastructure and facilities, staffing policy and others (Standard 58/4). As stipulated under Standard 58(3), this periodic evaluation (which requires law schools to submit the report on their research performance to the external panel of reviewers) is conducted every two years.

10. Concluding Remarks

In light of the problems that were identified and the standards envisaged under the legal education reform that was launched in 2006, the *way forward* requires preparation of check list by each law school with regard to (i) the level awareness about the Standards for Ethiopian law schools, (ii) what has been partly achieved and should be enhanced, (iii) what has not been achieved and should be pursued, and (iv) the problems that have been aggravated and that require holistic and strategic engagement. These tasks require political will, commitment of the academia, effectiveness of government organs in charge of legal education reform, engagement of the legal profession and budgetary resources.

The initial step in this regard can be self-assessment by each law school based on the Standards stated in the Legal Education Reform Document. The self-assessment has nothing to do with comparison and ranking because all law schools are engaged in preparing prospective members of the legal profession. A lawyer who graduates from any one of the law schools has a stake in the quality and standards of legal education in all law schools because he/she affects and is affected by the level of competence, commitment and integrity of other lawyers at the legislature, the bench, prosecution services, the bar, enforcement authorities, public offices, and law departments of companies.

Self-assessment by a law school is expected to give due attention to the core dimensions in legal education which include the entry point (i.e, student admission and academic staff employment), inputs, processes, student-learning environment, and outputs. Self-assessment regarding the *entry point* to legal education relates to academic base of students who are admitted to law schools and the role of the law school in the admission process. It further involves the entry point to the law school community as academic staff and research staff, i.e., ensuring that competence standards and employment processes are put in place. This, inter alia, requires significant raise in remuneration and employment benefits to attract and retain academic staff with demonstrated teaching and research competence.

Assessing *inputs* for legal education involves salary scales, resources and facilities including classrooms, library, ICT, internet connection, moot court rooms, offices for staff, space in the law schools, and adequacy of budget to teaching, research and legal aid services. The *process dimension* in self-assessment involves the level of law school autonomy in (financial and

academic) administration, thresholds of course/module delivery (such as the level of problem-based learning) and modes of student-learning assessment. Valid and reliable student-learning assessment requires expressly articulated learning outcomes, curriculum specification and test blueprint to each course/module. It also requires continuous assessment and criterion referenced grading as opposed to the so-called zero per cent attrition rates or over 90% retention rates. The process dimension in relation to moot courts envisages broad-based student participation in moot court rounds within the law school as a prelude to inter-law school competitions at national and international levels.

Self-assessment by a law school with regard to the *student-learning environment* includes university-level (campus-level) concerns such as services (catering, lodging, health care, student support services, etc), noise pollution, the distance of *Khat* shops and *shisha* corners from campus, the university's organizational culture, widely held values and moral standards at the university and the local community, and harmony in the student community. The current trends of polarized ethnic radicalism and violence in various campuses are apparently detrimental to harmony and student-leaning environment. Legal education involves rational discourse that transcends ethnic and religious identities. Thus, peace and order in university campuses and harmony among students are *sine qua non* conditions for the enhancement of quality and standards in education, including legal education. In this regard, law schools in Ethiopia are currently in less favourable social settings than the initial years of the legal education reform programme, i.e., 2005/2006.

The *outcome* dimension in the self-assessment pursuits of law schools can be regarded as the capstone in the self-evaluation process. This dimension includes overall student performance in curricular and non-curricular engagements, the law school's scholarly outputs in research and publications, level of performance of legal clinics, student performance in exit exams, moot court competition at national and international levels, tracer study on the employability of graduates, employer feedback and alumni performance.

The article titled "Legal Education Reform Pursuits in Ethiopia: Attainments and Challenges (2006-2019)" –which is concurrently submitted to this journal– indicates that in spite of various achievements and substantial increase in the number of law schools, the quality and standards in legal education seem to have generally regressed behind the levels that existed during the take-off years of the legal education reform programme. Apparently, Ethiopia's law schools do not need to re-invent the wheel and design another Legal Education Reform Programme. The aspirations and commitment that are expressed in the 2006 Reform Document can indeed be reinvigorated (with additional inputs relating to new problems) thereby addressing the challenges of regression in the quality and standards of LL.B programmes in Ethiopian law schools. ■

Legal Education Reform Pursuits in Ethiopia: Attainments and Challenges (2006-2019)

Elias N. Stebek ♣

Abstract

This article examines attainments and challenges in the pursuits of legal education reform launched in 2006. Achievements and challenges in LL.B programmes are examined based on the standards of the legal education reform programme relating to admission of students to law schools, staff profile, standards of reform relating to curriculum, course delivery, assessment, law school autonomy, research, publications, quality assessment and the requisite resources thereof. There are commendable achievements such as raising the duration of legal education from four to five years, the introduction of LL.B exit exam, and the preparation of a significant number of teaching materials. However, the data, documents and literature discussed and analyzed in this article indicate that the level of quality and standards in Ethiopia's legal education stand below most of the thresholds that were envisaged in the 2006 Legal Education Reform Programme.

Key terms

Legal education reform · Quality · Standards · LL.B programmes · Ethiopia

DOI http://dx.doi.org/10.4314/mlr.v13i2.2

This article is licensed under a Creative Commons Attribution-NonCommercial-NoDerivs (CC BY-NC-ND)

Suggested citation:

Stebek, Elias N. (2019), "Legal Education Reform Pursuits in Ethiopia: Attainments and Challenges", *Mizan Law Review*, Vol. 13, No. 2, pp. 233-283.

♣ Elias N. Stebek (PhD) Associate Professor, St. Mary's University, School of Graduate Studies. ORCID: 0000-0002-7489-9958

This article is mainly based on Section 10 of an assessment report on Ethiopia's Legal Education that was submitted to the University of Warwick, School of Law (on May 24, 2019). The draft review copy of the study was sent to the Higher Education Strategy Center and all law schools on June 18, 2019.

I thank Warwick Law School for initiating and funding the assessment as part of its involvement in the Capacity Building project which was one of the projects under Ethiopia's 2006 Legal Education Reform Programme. I am grateful to Ato Seid Mohammed (who was the Coordinator of Ethiopian Legal Education and Training Reform Programme at the Higher Education Strategy Centre) for assisting me in distributing and gathering questionnaires and for providing me with various data.

Introduction

The initial years of the legal education reform programme (from 2005 to 2009) had witnessed achievements under the coordination of the Justice and Legal System Research Institute. In spite of such successes, institutional restructuring transferred the coordination of the legal education reform programme to the Ministry of Justice in 2010. The task was subsequently transferred to the Higher Education Strategy Centre (HESC). Another restructuring[1] (in 2018) has brought the coordination of the legal education reform programme to the auspices of Justice and Legal Research and Training Institute (JLRTI)[2] which is accountable to the Attorney General's Office under the Executive Organs Proclamation No. 1097/2018, enacted in November 2018.[3] Unlike the initial years of reform, the decline in the momentum of the legal education reform programme has disrupted the continuity of gains and the pace of achievements.

The empirical part of this article is mainly based on questionnaires (gathered from February 2019 to May 2019), interviews and document review. One of the questionnaires was distributed to 25 deans/heads/directors of law schools (i.e., 13 deans, two directors, six heads, two associate deans and two law school representatives). Other questionnaires were collected from 24 law schools (which include responses from 592 *fourth year* law students at 24 law schools) in addition to which there are questionnaires filled by 136 instructors from 18 law schools. The number of respondents is not related with sample size because the summary of the data is not meant to arrive at generalizations. As the items involve basic issues related to quality and standards in legal education, the primary target of the items is insight into the issues addressed thereby drawing the attention of the law schools to the items in the various questionnaires.

Moreover, Guidelines, minutes of the Technical Committee for Legal Education Reform and minutes of the Consortium of Ethiopian Law Schools are consulted. This article does not target at comparing or ranking law schools. The

Frequently used acronyms:

CJSRP	Comprehensive Justice System Reform Programme
HEIs	Higher Education Institutions
HESC	Higher Education Strategy Center
JLRTI	Justice and Legal Research and Training Institute
JLSRI	Justice and Legal System Research Institute

[1] It is currently restructured as Justice and Legal Research and Training Institute after its merger with the Justice Organs Professionals Training Center.

[2] Article 6(3) of the Federal Justice and Legal Research and Training Institute Proclamation No. 1071/2018 provides that JLRTI shall "coordinate and integrate the Justice Reform Program and the Legal Education Reform Program as well as any other programme implemented by the justice sector".

[3] Article 33(8)(d) of the Executive Organs Proclamation No. 1097/2018.

responses to the items in questionnaires have thus been summarized and analyzed by classifying the respondents into the three generations of Ethiopian law schools (based on the classification used by the Consortium of Ethiopian Law Schools)[4] without specific reference to a law school.

The achievements and challenges in legal education reform pursuits are examined in eleven sections. The themes discussed in the respective sections are admission to law schools, curriculum, staff profile, resources (physical resources, library and other resources), delivery and assessment, LL.B Exit Exam, autonomy in the management of law schools, research and publications, clinical programmes and externship, observations of law school representatives, and synopsis of achievements and gaps.

1 Admission to law schools

1.1 Declining standards for admission to public law schools

Article 16(1) of the Standards for Ethiopian Law Schools under the Legal Education Reform Programme[5] stipulates that "[s]tudent placement in public law schools shall take place after prior and effective consultation with law schools by a concerned authority", and Article 16(3) states that admission "shall be consistent with educational programs and resources available for its implementation. However, there were gaps in the effective consultation of law schools in the admission process until the current (2019-20) academic year. As highlighted in Section 2.3, the new Ethiopian Education Development Roadmap has reinstated the freshman programme in undergraduate programmes (October 2019 onward) thereby enabling law schools to admit students on a competitive basis among applicants who have completed their First Semester courses

There are concerns regarding the academic base of students upon admission to law schools contrary to Standard 16(4) which states that admission to law schools "shall depend on reasonable expectations" that the student can "achieve the standard required for completion of the program." According to the observations of various instructors from law schools, the academic base of students upon admission to law school has a declining pattern. Even worse, the standard is further compromised in admissions to summer and special classes in the LL.B Programme that are designed for employees of the civil service at regional and zonal levels, in addition to which other students can be admitted.

[4] The classification is based on designations used by the Consortium of Ethiopian Law Schools. The First, Second and Third generation law schools respectively refer to law schools established from 1963 to 2005, 2006 to 2009, and 2010 to 2015. The law schools established after 2015 are referred to as Fourth generation law schools.

[5] *Reform on Legal Education and Training in Ethiopia*, June 2006.

As a former lecturer in one of the second generation[6] law schools stated, "the cohort that was assigned by the Ministry of Education for social sciences and then assigned to the law school by the University had the lowest academic base among regular students." He stated that:

> Summer programmes are the most problematic. These programmes are expected to take six years, but at times, they are allowed to be completed in five years. In one of the summer programme cohorts, about two hundred students were admitted who came from various public offices. Their standard was very low, most scored C and below, and the challenge is that if a student earns F, he/she can re-sit after a week. This can induce compromise in the level of the exam's difficulty.[7]

Statements of an instructor in one of the first generation law schools substantiate these problems. He stated that "the university's threshold of zero attrition has put pressure on instructors because F grades will be removed anyway by make ups and re-sit exams."[8]

The draft Ethiopian Education Development Roadmap (2018-2030) states the decline in the quality of education at all levels and it discusses the factors thereof.[9] It indicates the decline in English proficiency which is the medium of instruction. The earlier practice of high school education and a national exam at the end of the twelfth grade have thus been duly reinstated effective September 2019. The Roadmap states observations on the declining standards of General Secondary School and college preparatory education:

> Research shows that students who managed to pass the General Secondary School Leaving Examination could not read and write properly in English language –which is a medium of instruction in higher learning institutions in Ethiopia. … Most of the preparatory teachers do not have proper training in teachers' professional development. Preparatory Education is highly constrained by shortages of textbook, teachers with high caliber, supplementary reading materials, laboratory equipment and other teaching aids.[10]

The new Roadmap addresses factors that have adversely affected the quality of education in Ethiopia at primary, elementary and high school levels. These factors include class size, resources, quality and remuneration to instructors, space in school compounds, due attention to teacher education and others. For example, there should have been caution against changing Kotebe Teacher

---

[6] See *ibid*, for the definition of second generation law school.
[7] Anonymity is respected, February 20, 2019.
[8] Anonymity is respected, February 23, 2019.
[9] Tirussew Teferra *et al* (2018), *Ethiopian Education Development Roadmap*, Education Strategy Centre, Ministry of Education, July 2108, pp. 14-17, 24-32, 37-42, 52-59.
[10] Id., p. 53.

Education College (which was one of the pioneers and centres of excellence in teacher education) to what is now designated as Metropolitan University. It is clearly a choice between an HEI that specializes in teacher education *vis-à-vis* adding one more figure to the number of universities in Ethiopia.

In addition to the general decline in the standards of education, the percentage of students in a cohort admitted to law schools with relatively low national exam scores was increasing until 2018. The Report of the Consortium of Ethiopian Law Schools Meeting held at Bahir Dar in June 2016[11] stated the following concerns in its Agendum 7: *Concerns regarding the admission grade requirement to law schools* (**ለሕግ ትምህርት ወደ ዩኒቨርሲቲ የመግቢያ ውጤት በተመለከተ**)፡-

> The grade threshold in the national exam results is steadily lowered for students admitted to law schools. Moreover, the number of students who are admitted to law schools who have law as their 5th and 6th choice is increasing. This adversely affects the quality of legal education and the justice system reform program that is underway. [It is decided that] a request should be made to the Ministry of Education so that students should not be admitted to law schools without their choice, and that high grades in university entrance exams should be considered for admission to law schools.[12]

The following results of a questionnaire distributed to deans/heads/office holders of law schools substantiate these concerns:

Table 1: Summary of responses from law school deans/heads on student admission

No.	Statements submitted to law school deans/heads	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
1	The law school has sufficient participation in student admission	9	8	1+1	4	2	25
2	Most students join the law school based on their interest and choice	3	8	11	3	-	25
3	Most students who are admitted to law school have the academic foundation to pursue legal studies	3	15	4	3	-	25

Out of 25 law school deans/heads/representatives, only *six* agreed or strongly agreed that the law school has sufficient participation in the admission

[11] Report of the Consortium of Ethiopian Law Schools, Bahir Dar, Ginbot 29, 2008 Eth. Cal (07 June 2016).

[12] Author's translation. The original Amharic version reads: "**ወደ ሕግ ትምህርት የሚገቡ ተማሪዎች ውጤት ከጊዜ ወደ ጊዜ ዝቅተኛ እየሆነ መሄዱ እንዲሁም በ 5ኛ እና 6ኛ ምርጫ የሚገቡ ተማሪዎች እየበዙ ነው፡፡ ይህም በሕግ ትምህርት ጥራት ላይ እንዲሁም በተያዘው የፍትሕ ሥርዓት ማሻሻያ ፕሮግራም ላይ ተፅዕኖ እያሳደረ ነው፡፡ የሕግ ትምህርትን ያልመረጡ ተማሪዎች [እንዳ]ይመደቡ እና በመግቢያ ፈተናው ከፍተኛ ውጤት ያመጡ ተማሪዎች ወደ ሕግ ትምህርት እንዲመደቡ ለትምህርት ሚኒስቴር [ጥያቄ እንዲቀርብ ተወስኗል]፡፡**"

of students. As indicated in the table above, only *three* respondents out of 25 agreed to the statement that most students "who are admitted to law school have the academic foundation to pursue legal studies", and the same number of respondents (i.e., only *three* out of 25) believed that most students "join the law school based on their interest and choice".

The responses of 16 law school deans/heads and 136 instructors from 18 law schools in the following table substantiate the declining trend in the level of academic base of students upon admission:

Table 2: Views of 16 deans/heads and 136 instructors on academic base of students upon admission in 2014 and 2018

	5	**4**	**3**	**2**	**1**	**Total**
Academic base of students upon Entry, Oct. 2014	15	44	70	19	4	152
Academic base of students upon Entry, Oct. 2018	3	25	51	53	20	152

Excellent (5); Very Good (4); Good (3); Fair (2);
Considerably lacked academic foundation for 1st year law curriculum (1)

1.2 August 2010 circular on admission to private law schools

According to Standard 16(2) of the 2006 Legal Education Reform Programme, private law schools "shall admit students according to requirements set by the Ministry of Education." Contrary to this standard, however, private HEIs are banned from admitting law students as of September 2010.[13] In its August 2010 letter (circular), the Ministry of Education did not state its reasons and legal authority for doing so. The circular was discriminatory and violates Article 25 of the FDRE Constitution which guarantees equal protection of the law without discrimination. It also violates the Higher Education Proclamation[14] (in force during the period) which envisaged the participation of the private sector in the provision of higher education.

As Aron and Abdulatif noted, if the ban relates to quality, "there should have been a distinction among private Higher Education Institutions (HEIs)" [15] which offer the programmes (in law and teacher education programs) at the required standards *vis-à-vis* the ones that fail to do so. "Moreover, law and teacher education programs of some public universities should have been banned or suspended."[16] Aron and Abdulatif also raised the "query as to why law and teacher education are singled out, while medicine is pertinent to the life of

[13] The circular banned admission of law and teacher education students to private higher academic institutions.
[14] Higher Education Proclamation No. 650/2009.
[15] Aron Degol and Ablulatif Kedir (2013), "Administrative Rule Making in Ethiopia: Normative and Institutional Framework", *Mizan Law Review*, Vol. 7, No. 1, September 2013, p. 27.
[16] Ibid.

citizens, and engineering constitutes one of the pillars for every aspect of Ethiopia's developmental pursuits."

> As quality cannot be sectoral based on private/public dichotomy, any measure of banning or suspension should not have been based on a public/private divide, but on the basis of the quality audits of HERQA (Higher Education and Relevance Quality Agency). Moreover, the ban or suspension should have applied to both public and private higher education institutions in professions such as medicine, engineering, law, teacher education, and others as well.
>
> Graduates from all sectors (whether public or private) serve the same public upon graduation, and such measures should not have taken 'ownership' models of the institutions as yardsticks, but should have rather been based on the quality and standards of educational service delivery. … [17]

This author argues that the desire (during the period) was to directly control teacher education and legal education. The interest of the political leadership of the period on the eve of the 2010 elections seems to have been political control over teacher education with the perceived influence of teachers on their students which can ultimately extend to influence over parents. Likewise, there was interest in political control over legal education that seemed to have been related with the desire to identify the ideological bent of would-be public prosecutors and judges. The following three realities –which subsequently unfolded– substantiate this argument.

First, the rationale of public welfare cannot justify the arbitrary ban against private law schools because enrolment in private HEIs in fields such as medicine and engineering were not banned. The *second* ground that substantiates this author's argument relates to what followed in the subsequent years, during which politically-motivated cells were formed in public universities at all levels. The so-called *five-to-one* (*amist le'and*) cells –that were analogous to the Chinese/Albanian communist tradition of Marxist cells– were formed among students, academic staff and support staff in the guise of follow-up discussion. However, the cells focused on 'indoctrination' and regimented political control against independent and critical thinking. These attempts of 'indoctrination' did not succeed in most law schools.

The *third* factor that indicates the political nature of the ban relates to the fact that there were some public law schools which (in August 2010) had lower standards than certain private law schools. This could have been easily verified by the quality audits that were conducted by HERQA (the Higher Education and Relevance Quality Agency). For example, March 2012 (Megabit 2004 EC) exit

[17] Ibid.

exam results show that the 2010 ban was not based on quality and standards of legal education provision because all students who sat for the exit exam at the law schools of two private HEIs had passed while there were public law schools that had lower exit exam results.[18]

One may argue that the highest fail rates of 50% and 33% during the same year, i.e., in the Megabit 2004 EC (March 2012) LL.B exit exam were from two private law schools while the highest fail rates (during the same year) among public law schools were 8.3% and 4.7%. Such arguments cannot be tenable because the private law schools that had 50% and 33% fail rates do not represent all private law schools. Two private law schools had 100% pass rates that were higher than nine public law schools out of the total number of 14 public law schools that had prepared students for March 2012 LL.B exit exam. Likewise, all students from a private law school, for example, had passed the first exit exam that was conducted in March 2011 (2003 EC). The circular that banned admission of students to private law schools, inevitably brought about decline in resources and academic staff, thereby –during the years that followed– eroding the performance of private law schools that had exemplary achievements.

2. Curriculum

2.1 The need for curriculum specification and test blueprints

One of the achievements of the Legal Education Reform Programme was the 2008 curriculum titled *Course Catalogue.* It was developed by the Curriculum Implementation Committee in which all law schools were represented. The catalogue was based on the syllabi and teaching materials developed by instructors from various law schools under the coordination of JLSRI. The syllabi and teaching materials were assessed by subject experts and discussed at workshops.

Attainment of learning outcomes requires the identification of learning domains and behavioural objectives in each section or unit of a course or module, and weightage should be indicated in points which can ultimately be converted to percentage. Law schools are thus expected to be supported by pedagogy and educational measurement and evaluation experts in their respective universities in developing *table of curriculum specification* and *test blueprints* towards the attainment of the learning outcomes in each syllabus or module description.

Article 2(c) of the LL.B Exit Exam Guideline issued on July 19, 2010[19] states that "Bloom's taxonomy of learning domains shall be customized to assessment

[18] Education Strategy Center (2015), *Evaluation of the Law Exit Examination System in Ethiopia*, Addis Ababa, June 2015, Table 3.5, p. 47.

[19] Consortium of Ethiopian Law Schools (2010), LLB. Exit Exam Guideline, 19 July 2010.

in legal education and the following learning domains shall be the basis of *Table of Specification* and *Test blueprints*":

i. Bloom's learning domains 1 & 2 shall be categorized as *knowledge and comprehension.*
ii. Bloom's leaning domains 3, 4 & 5 shall be classified as *Application, analysis, synthesis and problem solving.*
iii. Bloom's learning domain 6 shall be classified as *Critique and evaluation.*
iv. The fourth learning domain … is *presentation (communication)* skills which in the exit exam will refer to accuracy, coherence, clarity and brevity of essays and legal opinions written during the exit exam.

The words '*Table of Specification* and '*Test Blueprints*' have been omitted in Article 4.1 of the Revised LL.B Exit Exam Guidelines (issued in 2017)[20] which has abridged Article 2(c) of the 2010 Guideline cited above. Yet, Article 5 of the Revised LL.B Exam Guideline (which has adopted the former Article 3 of the 2010 Guidelines) clearly indicates the weightage variation that is required to be made among concept-focused, skill-focused, substantive law and procedural law courses. It states that "[p]redominantly concept-focused courses shall give more focus to the knowledge and comprehension learning domain"[21] while "[s]kill courses offer major weight to the presentation, application and problem solving domains".[22] It requires the inclusion of "all domains of learning without unduly neglecting any one of the domains" in all "[c]ourses that mainly involve substantive and procedural laws."[23]

Curriculum specification –which is the basis for test blueprints– is not expected to be solely left to the discretion of law instructors. Training is expected to be provided to law instructors by the university's experts on pedagogy, measurement and evaluation. Expert feedback should also be provided by the university's Testing Centre (if available) or the university's pedagogy and measurement experts.

In the modular approach, focus is given to student learning hours. For example, a module of 5 ECTS (European Credit Transfer and Accumulation System), which is offered daily (in block) for about three weeks involves (5 x 25 Hrs) 125 hours of learning including class sessions. Likewise, modules that have 3.5 and 7 ECTS can be covered in two and four weeks respectively. However, the block delivery system assumes that students devote their full time to learning

[20] Education Strategy Center and the Consortium of Ethiopian Law Schools (2017), *Revised LL.B Exit Exam Guidelines*, March 2017.
[21] Id., Art. 5.2
[22] Id., Art. 5.3
[23] Id. Art. 5.4

(i.e. about forty hours per week) and conduct pre-class class reading. It also assumes that only one module is offered to a class at a time.

Weightage for the learning domains varies depending on the nature of courses or modules. For example, courses/modules such as jurisprudence give more weightage to the domain of comprehension and critique while skills courses/modules such as pre-trial skills or appellate advocacy allocate more weightage to problem solving and presentation. The following Table shows examples of variation in the weightage apportionment to learning domains in law courses that were offered at St. Mary's University College Faculty of Law (Currently St. Mary's University) during the Academic Year 2009/2010 (2002 Ethiopian Calendar). The curriculum specifications and test blueprints were prepared by course instructors, and feedback was received from the Testing Centre:

Table 3: Sample for variation in the total weightage of learning domains

Course/ Module	Knowledge & Comprehension (%)	Analysis, synthesis, Application & Critique (%)	Presentation (%)	Total /100
Appellate Advocacy and Appellate Moot Court	27	21	52	100
Banking, Negotiable Instruments and Insurance	42	38	20	100
Employment and Labour Law	42	37	21	100
Environmental Law	41	31	28	100
International Trade Law	60	18	22	100
Jurisprudence	50	38	12	100
Law of Persons	43	37	20	100
Law of Property	40	42	18	100
Pre-trial Skills and Trial Advocacy	28	20	52	100
Tax Law	56	26	18	100

Curriculum specification is prepared based on the weightage apportionment to learning domains. For example, the following curriculum specification (that was prepared based on the weightage indicated in the Table above) refers to the first unit of Law of Persons (which carries 20% of the course's 100 points):

Table 4: Sample for Table of Curriculum Specification

Content **Unit 1** *(Weeks 1 -3)* **Acquisition of physical personality** (20%)	**Knowledge and Comprehension** (%)					**Analysis, Synthesis, Applica-tion & Critique** (%)		**Presentation** (%)			**Total /100**
	Material facts & Issues	Subject Knowledge	Relevant laws	Theories & concepts	Critiques raised by others	Analysis & reasoning	Problem Solving	Clarity	Brevity	Coherence	
Section 1: Introductory concepts		2	1	1		1	1				6
Section 2: Acquisition of legal personality	1	1	1	1		3	3	2	1	1	14

The elements stated above are not mechanical and regimented because, as Atkin notes. "[t]he effective curriculum developer begins with general objectives. He then refines them through a series of successive approximations. He doesn't start with a blueprint, and he isn't in much of a hurry to get his ideas represented by blueprint".[24] Curriculum specifications and test blueprints are thus dynamic and they serve as instruments to achieve the general objectives of the course or module and ensure the attainment of the specific learning outcomes in each unit.

2.2 Curriculum review and LL.B graduate profile

The 2008 LL.B curriculum envisaged review every five years, and accordingly, there has been review in 2013, which brought about a harmonized curriculum titled "National Modularized Curriculum of the LL.B Program in Laws, April 2013". The strong features of a modular curriculum lie in its shift from teacher-centred class session credits per week (i.e. Credit Hours) to student-centred learning credits. Student learning in ECTS includes class sessions and off-class self-study including assignments and group work. One ECTS represents about 25 hours of learning.

This requires details regarding specific outcomes, thematic elements, tasks and activities accompanied by interactive module delivery and continuous assessment. Modular curricula envisage due attention to learning outcomes and

[24] J. Myron Atkin (1968), "Behavioral Objectives in Curriculum Design: A Cautionary Note", *The Science Teacher*, Vol. 35, No. 5 (May 1968), p. 29.

their corresponding learning domains in each unit/section of the courses/ modules. In the absence of such details (on the various learning domains), block module delivery would merely shorten the duration of learning (from 16 weeks to two or three weeks) without the depth and breadth that justifies the concentration of the delivery into a block of limited weeks. It can also induce non-academic engagement of academic staff after having covered block modules, and in due course, the modular block teaching system can bring about the relegation of academic pursuits onto the back seat unless all elements of a module are clearly spelled out and implemented.

On the positive front, block modules enable students to focus on a single module at a time. However, modular curricula require lesser class size (conducive to continuous assessment and interactive student learning) and highly organized reading packages to each module. Shortages in reading resources and large class size in various courses (that require smaller class size) were inconsistent with the modular approach envisaged under the 2013 modularized curriculum.

These problems are, inter alia, attributable to the tension between expansion of law schools and enhancing the quality of legal education. Ethiopia's First Growth and Transformation Plan (GTP I) included a strategy for higher education which envisaged expansion of HEIs. The targets (for higher education) included the following to be attained until 2014/2015:[25]

a) The number of university teachers was expected to reach 23,000 out of which 75% were expected to hold masters degrees and 25% PhD degrees;
b) The number of intake for post graduate programmes (second degree and PhD) was expected to reach 16,100;
c) The average graduation rate for undergraduate programmes was expected to be 93%;
d) Gross admission to undergraduate programmes based on the program mix of 70:30 in favour of the sciences and technology was expected to be raised from 185,788 in 2009/2010 to 467,000 in 2014/2015.

These pledges continued during the Second Growth and Transformation Plan (2015/16-2019/20) which stated that the "number of public higher education institutions and their admission capacity will be increased". [26] The targets in

[25] Federal Democratic Republic of Ethiopia, *Growth and Transformation Plan, 2010/11-2014/15*, Volume 1 Main Text, Ministry of Finance and Economic Development, November 2010, Addis Ababa, p. 89.

[26] Federal Democratic Republic of Ethiopia, *Growth and Transformation Plan II (GTP II), 2015/16- 2019/20*, Volume 1 Main Text, National Planning Commission, May 2016, Addis Ababa, p. 189.

GTP I and GTP II were accompanied by the pursuits of changing the curricula in HEIs to modular approaches. In spite of these expectations, however, the Education Development Roadmap (2018) states the following findings:

> Modular approach demands changing the old structure of curriculum (knowledge-based) to give way to a new one, *competency-based* type of curriculum –which stresses identification of professional/vocational skills, job-specific skills and transferable skills a graduate may have after completing the curriculum. The findings of the desk review and the field study revealed [that] the competences are not well identified, organization of modules [is] found weak...[27]

Modular curricula require modules that are carefully prepared so that students can be availed with specific readings, tasks and other elements in a module. However, the 2013 Modularized Curriculum has gaps in the effective articulation and implementation of elements in modular curricula. It seems to have aimed at two conflicting objectives at the same time, i.e., the preparation of a revised curriculum and at the same time accommodating a catalogue of all modules in the curriculum.

Due focus could have rather been given to the first thirteen elements that are embodied in the April 2013 Harmonized Modular Curriculum; and the remaining parts of the curriculum could have been compiled in a separate handbook for each module or thematic categories of modules. The attempt to combine a curriculum and a handbook for all modules has weakened the core elements in the curriculum.

The compilation of all modules in one curriculum has adversely affected the contents of the modules. The readings merely state a list of references rather than distinct reference to textbooks, articles, book chapters, etc. that are required readings. In spite of these gaps, however, the level of integration (both horizontal and vertical) is carefully addressed in the April 2013 Harmonized National Curriculum which is expected to be steadily refined and improved commensurate with modular curricula. For example, the features of the modular approach (such as the learning hours represented in each ECTS, the percentage between contact sessions and off-class learning, etc) have not been explained. Moreover, the extent to which modules are offered sequentially in block (as opposed to concurrent/parallel) arrangement has not been clarified.

Standard 5(2) of the Legal Education Reform Programme states the duty of law schools to "maintain an educational program that prepares their students to address current and anticipated legal problems". This standard envisages legal education which targets at capacitating law graduates to solve existing legal

[27] *Ethiopian Education Development Roadmap, supra* note 9, p. 56.

problems and to proactively deal with anticipated legal problems. In response to one of the problems sated in the Legal Education Reform Document and the 2005 Comprehensive Justice System Reform Programme (i.e. the 'generalist' nature of Ethiopia's legal education), Standard 5(3) encourages law schools to "offer an educational program designed to emphasize certain aspects of the law." There have been achievements to formulate clusters of elective courses to facilitate such pursuits of focus on certain aspects of the law. However, gaps in the availability of teaching staff and other resource constraints have not yet enabled law schools to attain this objective in LL.B programmes.

Standard 6 requires law schools to prepare graduates who demonstrate the *knowledge and understanding* stated under Standard 6(a) and the *application* and *problem solving skills* indicated in Standard 6(b). Moreover, it requires the attainment of research and legal information identification and retrieval skills (Standard 6/c), skills in analysis, synthesis and critical judgement stated in Standard 6(d), capability for autonomous initiatives in legal tasks, self-learning and independent research (standard 6/e), communication skills and level of proficiency "to read and discuss legal materials which are written in technical and complex language" (Standard 6/f).

The standard on graduate profile further requires law schools to enable graduates to demonstrate the ability "to use, present and evaluate information provided in numerical or statistical form" and to produce a word-processed essay or other text and to present such work in an appropriate form". It also requires demonstration of the ability "to use some electronic information retrieval systems; and to work in groups as a participant who contributes effectively to group's task" (Standard 6/g). In the domain of integrity, Standard 6(h) envisages ethical responsibilities of a legal professional.

The core elements that are required in graduate profile are thus embodied in Standard 6. First, it embodies the *knowledge and skills* required of a law professional, and *secondl*y it includes *transferable skills* such as skills in communication, language proficiency, teamwork and autonomy in performance and sound judgment. Thirdly, the graduate profile embodies *key skills* which relate to interdisciplinary elements such as the ability "to use, present and evaluate" numerical and statistical information which according the Guideline (p. 84) does not involve complex statistical or mathematical calculations (that require expert intervention) but "to be able to use and evaluate the information provided as the basis of an argument".

The graduate profile in the April 2013 revised modular curriculum[28] has a relatively narrow scope as compared to the benchmark envisaged in Standard 6. The 2013 revised modular curriculum focuses on tasks that can be performed by

[28] *National Modularized Curriculum of LL.B Program*, April 2013.

graduates rather than the competence, skills and professional values to be attained upon LL.B graduation. It does not adequately cover the subject specific abilities, application and problem solving skills, and the transferable skills and key skills that were embodied in Standard 6 of the Legal Education Reform Document. Section 4 of the April 2013 modular curriculum reads:

> After completing the program of study, LL.B graduates will acquire knowledge and competence which would enable them to:
> - work as judges and prosecutors at various levels of the Federal and State court structures in Ethiopia;
> - serve as public defenders for persons accused of committing crimes;
> - practice law individually or along with other legal professionals at any level of the court structures in the country, depending on the class of license issued;
> - provide services as legal advisors to business organizations, governmental agencies or non-governmental organizations;
> - render high-quality research service to organizations as consultants or permanent employees;
> - engage in teaching at Law Schools in higher education institutions across the nation; and
> - work individually or in establishments with a view to enhancing individual and group rights, the rule of law, good governance, and the deepening of constitutionalism and democratic values through research, education, advocacy and awareness-raising enterprises.

Unlike the elements that are stated in Standard 6 of the Legal Education Reform Document, the graduate profile only embodies five words "will acquire knowledge and competence" and proceeds to the potential areas of placement or employment after graduation. Some of the elements that should also have been included in the graduate profile are stated in Section 3 of the April 2013 modular curriculum which states the objective of providing "basic legal training to the students" and the aspiration of the programme to prepare professionals:-

- "… with basic knowledge of major national legislations and procedures, along with the skills of legal interpretation required to solve legal problems;"
- who can "undertake the technical aspects of drafting and revising laws;
- with enhanced "critical thinking abilities …[who] understand and implement laws as judges, practicing lawyers, prosecutors, public defenders or academicians
- "who can deliver legal advice in public and business laws either by working for particular firms or individuals seeking such advice;"
- "who will be able to speak to and advise clients with professionalism, understanding and responsibility;"
- … "who can research and publish" …; and

- … "who serve society with the highest heed to ethical values, who strive to defend rights and liberties and uphold the fundamentals of rule of law."

Although the objectives in Section 3 of the 2013 Modular Curriculum embody a relatively better substantive content than the graduate profile (under Section 4), most of the elements focus on *placements* rather than the elements and levels of knowledge, understanding, skills, attitude, etc. that can be demonstrated upon graduation in tandem with Standard 6 of the 2006 Reform Document. Moreover, there could have been reference to legal education rather than legal training. 'Education' is a wider concept that targets at six domains of learning which according to Bloom,[29] includes *knowledge, comprehension, application, analysis, synthesis* and *evaluation*. Apparently, a law school can, in addition to legal education, offer training with specific outcomes in view.

The graduate profile embodied in Section 6 of the November 2019 Draft LL.B curriculum has not changed the content of the text quoted above other than stating some more tasks such as serving "as legal drafting professionals, legal practitioners, arbitrator, contract administrator". The same holds true for the Objectives of LL.B Programmes stated under Section 4 of the Draft November 2019 curriculum which has adopted the content in Section 3 of the 2013 modularized curriculum with some changes such as the ability to prepare memorandums, delivery of effective legal advice and consultancy services.

The introductory statement at the beginning of Section 4 of the Draft November 2019 LL.B curriculum, inter alia, states that "[t]he general objective of the undergraduate program is to produce competent, entrepreneur and responsible legal profession[al]s … equipped with basic legal knowledge, skill and professional ethics to serve the society." The term '*entrepreneur*' is a new element that was neither embodied in the 2008 Course Catalogue nor the 2013 Modularized Curriculum. The term is further used in the first paragraph of the background which embodies the phrase "producing competent, entrepreneur & responsible legal professionals".

The interpretation of 'legal *entrepreneur*' needs caution because the term usually denotes innovative professional service or process by starting one's own law firm/office or enhancing the avenues and modalities of professional services to the wider public (including the grassroots) commensurate with the technological advances that are underway. The entrepreneurial approach to the legal profession indeed represents creativity, diligence, proactive vision, strategic thinking and problem solving skills. Yet, it should not be mixed up with fixation on monetary gains through unethical pursuits in the guise of 'entrepreneurship.'

[29] Benjamin S. Bloom (1956), *Taxonomy of Educational Objectives, Handbook I. The Cognitive Domain*. New York: David McKay Co Inc.

2.3 New admission policy under the Draft 2019 LL.B Curriculum

The most significant curriculum reform in reversing the gears of regression in student admission is made under the November 2019 Draft Harmonized LL.B Curriculum relating to law school admission. The second paragraph of the background states that "[t]he need to address emerging legal issues and the adoption of the new Ethiopian Education Roadmap with its inclusion of the freshman program has necessitated the revision of the 2013 Harmonized curriculum of the LL.B program." Accordingly, Section 7 of the 2019 Draft LL.B Curriculum states that "[s]tudents who completed the national preparatory /High School education and freshman first semester courses" and who "wish to join the schools of law will be selected from a list of students assigned to the social sciences streams on a competitive basis." The two criteria for admission stated under Section 7 are (i) "Freshman first semester GPA: 2.75 and above for Female and Persons with Disability; and 3.0 and above for Male Students", and (ii) "National Higher education entrance exam result Score 50% and above".

Section 7 further stipulates the following weightage that should be applied by the law school's Admissions Committee in charge of the admission process:

1. First Semester GPA: 50%
2. Comprehensive Law School entrance exam: 30%
3. National Higher education entrance exam result: 20%
4. Affirmative Action: 5% (from the total score)

Law schools may "reduce eligibility criteria where the number of applicants is below one section based [on] applicable standards of [the] respective law school." This does not allow law schools to significantly lower the criteria for admission because the phrase "based [on] applicable standards" requires determination of class size and minimum criteria under such exceptions.

3. Staff Profile

The following table shows the staff profile (Male, Female) of 28 law schools (in January 2019). Academic staff members of the law schools on study leave are not included. As the data in Table 5 shows, the percentage of female academic staff is very low. The highest female to male ratio among the academic staff is 8:24 (i.e. 1:3) at Hawassa University Law School. It is difficult to use the number of instructors in Table 5 to compute student-staff ratio for the LL.B regular programme[30] where the academic staff is assigned to teaching responsibilities in LL.M or other programmes that are not included in this assessment.

[30] The total number of regular LL.B Students, Year 1 to Year 5 for three academic years is indicated in Tables 6 to 8.

Table 5: Staff Profile (January 2019)

		Academic Rank						Academic Qualification			
		Graduate Asst / Asst. Lecturer (M,F)	Lecturer (M, F)	Asst. Prof. (M, F)	Assoc. Prof. (M, F)	Professor (M, F)	Total	LL,B	LL.M	PhD/SJD	Total
	1st Generation										
1	Addis Ababa University	1+1	6+1	16+1	12,-	1.-	**39**	3	17	19	39
2	Mekelle University	-	16+ 6	20, -	3, -	-	**45**	-	39	6	45
3	Bahir Dar University	-	14+ 5	4, -	3, -	-	**26**	-	23	3	26
4	Haramaya University	5+3	16, -	1, -	-, -	-	**25**	8	17	-	25
5	Hawassa University	1+2	15+ 6	8, -	-, -	-	**32**	3	26	3	32
6	Jimma University	3, -	16+ 2	3, -	-, -	-	**24**	3	20	1	24
7	Gondar University	2+1	18+ 1	7, -	1, -	-	**30**	3	24	3	30
							221				
	2nd Generation										
8	Arsi University	2, -	12+1	2, -	-	-	**17**	2	13	2	17
9	Wollega University	-, 2	16	-	-	1.-	**19**	2	16	1	19
10	Wollo University	2+1	14+ 2	2, -	-	-	**21**	4	16	1	21
11	Wolayita Sodo Univ.	7+1	10+ 2	2, -	-	-	**22**	?	12	3	
12	Debire Markos Univ.	2+1	13, -	1, -	-	-	**17**	3	14	-	17
13	Ambo University	1, -	15+ 2	3, -	-	-	**21**	1	19	1	21
14	Jigjiga University	4+1	19+ 1	2, -	-	-	**27**	5	20	-	25
15	Mizan Tepi University	4+2	11+4	-	-	-	**21**	6	15		21
16	Dilla University	4, -	8+4	-	-	-	**16**	4	12	-	16
17	Dire Dawa University	4+1	8+2	2	-	-	**17**	5	12	-	17
18	Arba Minch University	4, -	8+1	-	-	-	**13**	4	9	-	13
							211				
	3rd Generation										
19	Oromia State University	-	9+1	2, -	-	-	**12**	-	12	-	12
20	Madda Walabu Univ. [31]	2, -	15, -	-	-	-	**17**	?	11		
21	Assosa University	9, -	8, -	-	-	-	**17**	9	8	-	17
22	Debre Berhan Univer.	-, 2	15+ 1	1, -	-	-	**19**	2	16	1	19
23	Adigrat University	13+2	4+5	1+1	-	-	**26**	17	8	1	26
24	Aksum University	1+1	11+1	-	-	-	**14**	2	12	-	14
25	Mettu University	6+1	8, -	-	-	-	**15**	7	8	-	15
26	Samara University	5+1	8+1	-	-	-	**15**	6	9	-	15
27	Wolkite University	8, -	13+2	-	-	-	**23**	8	15	-	23
28	Bule Hora University	-	5, -	1, -	-	-	**6**	8	4	-	12
							164				
Law schools that have enrolled LL.B Programme students since September 2016											
29	Wachamo University [32]	October 2016									
30	Jinka University	October 2017									
31	Worabe University	October 2017									
32	Selale University	October 2018									

[31] LL.B data has not been submitted.

[32] The law school had nine instructors in January 2019.

Even though LL.M programmes enhance the quality and standards of LL.B programmes through staff development, there should be prime focus on the LL.B programmes because the latter prepares legal professionals, while LL.M programmes build up expertise from what is already attained at the LL.B level. There should thus be due attention to the assignment of senior and experienced staff to LL.B programmes as well. It is to be noted that graduate programmes are largely conducted by the senior academic staff of the law schools (and part time external staff) thereby resulting in shift of focus to graduate programmes contrary to Standard 59 of the 2006 Legal Education Reform Programme which reads:

1. Law schools shall not launch new programs that would deplete the human and material capabilities of the LL.B program.
2. Reasons for prohibition in this standard include:
   a) Lack of sufficient full-time faculty to conduct the LL.B program;
   b) Lack of adequate physical facilities, which has a negative and material effect on the education students receive; and
   c) Lack of an adequate law library to support both an LL.B and another program.

[3]. Without prejudice to this Standard, law schools may run short-term trainings/short-term courses, distance education, continuing legal education (continuing short term workshop), LL.M and LL.D programs.[33]

The data on the number of students during the Academic Years 2015/16 to 2017/18 in each law school are indicated in Tables 6 to 8. The staff profile that is shown in Table 5 above can hardly show staff-student ratio unless due attention is given to LL.B programmes. The option of conducting distance LLB or graduate programmes under separate units equally harms quality because the standards envisaged in the legal education programme cannot be met under such schemes detached from a law school. The following three tables respectively show the summary of data on the number of students in the first, second and third generation law schools during three academic years (2015/16, 2016/17 and 2017/18).

[33] Legal Education Reform Programme, *supra* note 5, pp. 80, 81.

Table 6: Summary of the total number of LLB Programme students in 1st Generation law schools

University		Total Number of LL.B Programme Regular (Reg.) and Non-regular (Non-reg.) Students (First Year to Fifth Year)								
		2008 E.C Academic Year: 2015/16			2009 E.C Academic Year: 2016/17			2010 E.C Academic Year: 2017/18		
		Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
1	Addis Ababa	342	275	**617**	299	217	**516**	299	161	**460**
2	Bahir Dar	392	328	**720**	404	237	**641**	405	218	**623**
3	Hawassa [34]	410	Data NA	**410**	388	473	**861**	394	405	**799**
4	Haramaya	350	-	**350**	331	-	**331**	336	-	**336**
5	Jimma	440	405	**845**	388	315	**703**	345	195	**540**
6	Mekelle	472	33	**505**	456	33	**489**	446	-	**446**
7	Gondar	459	-	**459**	430	-	**430**	429	-	**429**
	Total	2,865	1,041	**3,906**	2,696	1,275	**3, 971**	2,654	979	**3,633**

Table 7: Summary of the total number of LLB Programme students in 2nd Generation law schools

University		Total Number of LL.B Programme Regular (Reg.) and Non-regular (Non-reg.) Students (First Year to Fifth Year)								
		2008 E.C Academic Year: 2015/16			2009 E.C Academic Year: 2016/17			2010 E.C Academic Year: 2017/18		
		Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
1	Ambo	253	119	**372**	241	-	**241**	228	40	**268**
2	Arba Minch	230	-	**230**	253	-	**253**	259	-	**259**
3	Arsi	293	34	**327**	236	-	**236**	211	-	**211**
4	Debre Markos	235	95	**330**	265	76	**341**	284	104	**388**
5	Dilla	279	88	**367**	275	88	**363**	235	62	**297**
6	Dire Dawa	291	-	**291**	290	-	**290**	349	-	**349**
7	Jigjiga	153	215	**368**	132	215	**347**	137	348	**485**
8	Mizan Tepi	228	148	**376**	252	130	**382**	317	221	**538**
9	Wolaita Sodo	320	223	**543**	263	223	**486**	262	110	**372**
10	Wollega	183	-	**183**	173	-	**173**	176	-	**176**
11	Wollo	240	130	**370**	233	130	**363**	229	124	**353**
	Total	2,705	1,052	**3,757**	2,613	862	**3,475**	2,687	1,009	**3,696**

[34] Hawassa University Law School's Data has not been submitted to HESC, and the data for two years (Academic Years 2016/17 & 2017/18) are taken from the reports. The data (of regular students) for the Academic Year 2015/16 are obtained from the Law School. The data for non-regular students during the Academic Year 2015/16 (2008 Ethiopian Calendar) are not provided.

Table 8: Summary of the total number of LLB Programme students in 3rd Generation law schools

University		Total Number of LL.B Programme Regular (Reg.) and Non-regular (Non-reg.) Students (First Year to Fifth Year)								
		2008 E.C Academic Year: 2015/16			2009 E.C Academic Year: 2016/17			2010 E.C Academic Year: 2017/18		
		Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
1	Adigrat	140	-	**140**	204	-	**204**	270	-	**270**
2	Aksum	169	-	**169**	189	-	**189**	222	-	**222**
3	Assosa	109	-	**109**	175	-	**175**	217	-	**217**
4	Bule Hora	118	-	**118**	168	-	**168**	200	-	**200**
5	Debre Berhan	212	-	**212**	225	22	**247**	224	-	**224**
6	Madda Walabu	109	34	**143**	156	32	**188**	235	32	**267**
7	Mettu	94	-	**94**	130	-	**130**	180	-	**180**
8	Oromia State[35]	31	220	**251**	-	69	**69**	18	112	**130**
9	Samara	113	38	**151**	143	37	**180**	154	34	**188**
10	Wolkite[36]	192	23	**215**	221	17	**238**	216	15	**231**
	Total	1,287	315	**1,602**	1,611	177	**1788**	1,936	193	**2,129**

The tables show that a total of (2,654+ 2,687+ 1,936 =) **7,277** *regular* students and (979+ 1,009+ 193 =) **2,181** *non-regular* students were enrolled in twenty eight law schools during the Academic Year 2017/2018. The total of *regular and non-regular* students enrolled during the academic year in 28 law schools other than the new law schools established since September 2016 (i.e. fourth generation law schools) is **9458**. Yet, Table 17 (in Section 6) shows that over 80% of the students enrolled in the non-regular programmes do not pass the exit exam in most law schools.

As indicated earlier (in Table 5), the total number of staff in 28 law schools – classified under three generations was –(221 + 211 +164=) **596** in January 2019. The challenge in staff-student ratio does not thus lie in the number of academic staff members but in relation with the level of conducive environment that enables law schools to attract and retain competent and experienced staff and the working conditions (including remuneration and facilities commensurate with the steadily rising cost of living) that can enable faculty members to devote their full time to the learning-teaching process, research and community services.

[35] Data for second year and above have not been submitted although the table shows that the total number of students is 450.

[36] The figures for 2008 E.C (1st year and 2nd Year), for 2009 E.C (1st Year) and non-regular students during the years 2008 E.C and 2009 E.C were missing in the data submitted to HESC.

According to the Reform Document, there is a 'strained staff-student ratio'[37] which adversely affects the engagement of academic staff in research. The Reform Document notes the absence of clear standards in student-staff ratio, and it cites the staff-student ratio of 19:1 in USA[38] as an example. The Document further indicates that the "size of teaching staff does not match with the student population" in Ethiopia.[39] At the initial phase of the legal education reform, Standard 19(4) envisaged the student-staff ratio of 30:1 (thirty to one) or less in LL.B programmes so that it can be progressively improved to match up with the good practices in quality legal education.

Currently, most US law schools have student-staff ratio far below 19. According to a ranking among US law schools in Student-Faculty (S/F) Ratio in spring 2019, the highest in the ranking with the minimum S/F ratio was University of Hawaii (3.5) and the law school with the lowest (189th) ranking had S/F ratio of 17.[40] However, law schools in the Global South have relatively higher S/F ratio. For example the 2017 Teaching Learning Report of the University of Cape Town in South Africa shows that the ratio for weighted FTE (Full Time Student Equivalent) to full-time academic staff at the Faculty of Law increased from 34.4 in 2013 to 38.8 in 2017[41] owing to "increasing FTE enrolments in the period 2013-2017, while the FTE academic staff has remained largely unchanged." [42]

4. Physical Resources, Libraries and Other Resources

The Legal Education Reform Programme envisages the prior fulfilment of the minimum standards before launching LL.B Programmes and their progressive enhancement beyond the thresholds that are stated in the Reform Programme. Unfortunately, there was rush towards expansion of universities which seems to have put the government and other stakeholders into the trap of higher targets, quest to report achievements and shying away from the demands of quality and standards. As an office holder (at a public regulatory agency) whose anonymity is respected observes, "once the construction work of premises and campus infrastructure is complete, a public university is declared before the fulfilment of the required standards in resources, facilities, library, academic staff and others". He further noted that "prior to fulfilling these standards, new public

[37] Legal Education Reform Programme, *supra* note 5, p. 29.
[38] Id., p. 37.
[39] Id., p. 44.
[40] Available at: < https://www.ilrg.com/rankings/law/index/1/asc/SFRatio>, Accessed: 29 July 2019.
[41] University of Cape Town, *2017 Teaching and Learning Report*, Senate Meeting, September 28, 2018, p. 17.
[42] Ibid.

universities launch their programmes without the procedures of pre-accreditation and accreditation which should have applied not only to private Higher Education Institutions".[43]

The responses of 25 deans/heads of law schools in Table 9 below indicate that there are law schools that do not have their own libraries. Among the 10 law schools that have libraries, only *three* deans/heads of law schools agree that the law library has adequate number of reference books and journals other than the teaching materials that were prepared in the course of the Legal Education Reform Programme. There are good practices in providing textbooks from bookstore which can be returned by students upon the completion of the course. 18 out of 25 deans/heads of law school either agree or strongly agree that this facility is available at their respective law schools.

The data regarding the number of respondents who strongly agree, agree, who are neutral, who disagree and strongly disagree are *ordinal* (i.e. numbers used to state order in a series or sequence) and not cardinal (i.e. expressions of how many of something). As *ordinal* values represent order or sequence of something, the values between 1 to 5 (in the questionnaire items) indicate the views/attitudes of respondents to particular statements and scores from 1 to 5 are given as series of scores higher than the other.

The figures that are presented in Tables 9 and11 (to indicate the specific number of responses for each item) are respectively followed by tables 10 and 12 which show the mean values for all responses relating to each item. Although, *mean* values are not expected to be taken as a central tendency in terms of average, they indicate the overall tendency relating to attitudes of respondents to a given statement or question in the questionnaires.

Table 9 shows the responses of deans/heads of 25 law schools to statements regarding physical facilities and resources. The responses from 15 law schools are positive regarding the availability of classrooms designated to law schools even though only *nine* believe that the class rooms are adequate. The availability of LCD projectors in most classrooms is confirmed only by *six* out of 25 deans/heads of law schools. 15 out of the 25 law schools headed by the respondents have moot court rooms. However, only *six* out of 15 deans/heads of law schools consider the moot court rooms as adequate. The responses to Statement 15 indicate that 19 out of 25 respondents believe that office space for academic staff is inadequate. Statement 17 relates to resources in addition to which it is also related with research. Only *six* deans/heads of law schools out of 25 either agree or strongly agree that their law schools have adequate internet connection.

[43] Interview, October 5, 2018.

Table 9: Summary of responses to questionnaire items on physical facilities and resources

No.	Statements	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
4	The law school has its own library: Yes 10 No 15						
5	If yes, the library has adequate number of collections, i.e. reference books and journals in addition to teaching materials	2	3	2	3	-	10
6	Textbooks are provided to students from bookstore to be returned after the course/module	3	3	1	9	9	25
7	There are classrooms designated to the law school	4	4	2	11	4	25
8	Classrooms are adequate	4	8	4	7	2	25
9	There are LCD projectors in most classrooms	6	9	4	4	2	25
10	The law school has moot court room: Yes 15 No 10 If yes, the moot court room is spacious and adequate	3	2	4	6	-	15
15	Office for staff is adequate	8	11	2	4	-	25
17	Internet connection at the law school is adequate	6	10	3	4	2	25

As indicated in Table 10 (below), the mean value for the six statements under Numbers 6, 7, 8, 9, 15 and 17 (Table 9) ranges between 2.08 (on the availability of office for staff) to 3.72 regarding the opportunity of students to borrow textbooks that will be returned upon the completion of the course or module.

Table 10: Mean for the responses to questionnaire items on physical facilities and resources

	No. of respondents	Minimum value	Maximum value	**Mean**	Standard Deviation	Variance	Skewness	
							Statistic	Std. Error
Textbooks are provided to students from bookstore to be returned after the course/module	25	1.00	5.00	**3.7200**	1.40000	1.960	-.940	.464
There are classrooms designated to the law school	25	1.00	5.00	**3.2800**	1.36991	1.877	-.553	.464
Classrooms are adequate	25	1.00	5.00	**2.8000**	1.25831	1.583	.136	.464
There are LCD projectors in most classrooms	25	1.00	5.00	**2.4800**	1.26227	1.593	.589	.464
Office for staff is adequate	25	1.00	4.00	**2.0800**	1.03763	1.077	.802	.464
Internet connection at the law school is adequate	25	1.00	5.00	**2.4400**	1.26095	1.590	.689	.464

5. Course Delivery and Assessment

Article 21(6) of the Higher Education Proclamation No. 650/2009 (which was in force during the years covered in this study) provided that "… the teaching learning process shall be continuously updated in its design, delivery methods, and instruments of assessment".[44] The views of the deans/heads with regard to issues that are relevant to course delivery are the following:

Table 11: Summary of responses to the questionnaire items on course delivery

Statements	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
Most instructors use problem-based learning in course delivery	2	5	13	5	-	25
There is pedagogy training for newly employed instructors	2	3	4	13	3	25
There is periodic pedagogy training for all academic staff	6	5	5	8	1	25

The level of focus given to pedagogy training for newly employed instructors deserves appreciation. 16 respondents out of 25 have confirmed that pedagogy training is offered to new academic staff. In terms of overall performance in Ethiopian law schools, however, the mean (3.48) shown below (in Table 12) can indeed improve when the practice is scaled up in all law schools. Good practices in this regard include the inclusion of pedagogy as a course in LL.M Programmes (such as Addis Ababa University School of Law). With regard to course delivery, however, only *five* deans/heads of law schools confirmed that most instructors use problem-based learning in course delivery.

Problem-based learning (whereby case problems, hypothetical cases and debatable perspectives are used as tools for student leaning) is believed to be effective in legal education as opposed to a predominant usage of the lecture method. Under problem-based learning (PBL), complex real-world problems facilitate student learning of concepts and principles as opposed to direct presentation of facts and concepts.[45] In addition to course content, PBL can promote the development of critical thinking skills, problem-solving abilities, and communication skills. It can also provide opportunities for working in groups, finding and evaluating research materials, and life-long learning.[46]

[44] Article 20(6) of the Higher Education Proclamation No. 1152/2019 has identical content.
[45] *See*, for example, Barbara J. Duch, Susan E Groh, & Deborah E. Allen (Eds.), (2001). *The power of problem-based learning*. (Sterling, VA: Stylus Publishing).
[46] *See*, ibid.

Table 12: Mean for the responses to Questionnaire 4, Items on course delivery

	No. of respondents	Minimum value	Maximum value	**Mean**	Standard Deviation	Variance	Skewness	
							Statistic	Std. Error
Most instructors use problem-based learning in course delivery	25	1.00	4.00	**2.8400**	.85049	.723	-.557	.464
There is pedagogy training for newly employed instructors	25	1.00	5.00	**3.4800**	1.12250	1.260	-.907	.464
There is periodic pedagogy training for all academic staff	25	1.00	5.00	**2.7200**	1.27541	1.627	-.080	.464

The Education Development Roadmap, cited earlier (in Sections 1.1 and 2.2), states that the methods of course delivery –employed in most higher education institutions in Ethiopia– "were highly dominated by the traditional lecture method". With regard to transferable and key skills, it states that "computer skills, research skills; and oral and written communication in English are identified as major deficiencies of the graduates of HEIs.[47]

According to a Draft Regulatory Framework that was prepared in relation with the Legal Education Reform Programme, it was envisaged that "the Higher Education Relevance and Quality Agency in concert with the Consortium of Law Schools shall carry out pre-approval, pre-accreditation, accreditation and renewal of accreditation of Law Schools." Self-study and periodic external evaluation were envisaged as preconditions for renewal of accreditation permit. Article 14 of the Draft was meant to regulate these schemes. It reads:

a) Law Schools shall conduct self-study every five years according to Guidelines of Institutional Self-Evaluation issued by the Agency and Minimum Standards for Ethiopian Law Schools.
b) The Agency in concert with Consortium of Ethiopian Law Schools shall conduct periodic institutional audit pursuant to Institutional External Audit Guidelines issued by the Agency and Minimum Standards for Ethiopian Law Schools.
c) Accreditation permit is deemed to have been revoked where the Ministry rejects the request for renewal of accreditation based on Institutional External Audit report submitted in accordance with Article 15(b).

In the course of self-study, law schools were expected to conduct survey, and 35 (thirty five) items were suggested in the sample, among which the following six items relate to course delivery:

[47] *Ethiopian Education Development Roadmap,* supra note 9, p. 56

- Number of instructors who have pedagogical training
- Course load policy of the law school (regular and extension)
- Delivery methodology
- Good practices
- Frequency of using attendance sheet by instructors, and
- Frequency of administering student evaluation forms.

Many of these items were used in the questionnaires distributed to 4th year students. The questionnaires were sent to 28 law schools, and the following table (i.e., Table 13) shows the number of respondents from 24 law schools (out of 28 law schools which received the questionnaires), and it shows the breakdown of the numbers of respondents shown in Tables 14, 15 and 16.

Table 13: The number of respondents (4th year students) from 24 law schools

	1st Generation Number of respondents			**2nd Generation** No. of respondents			**3rd Generation** Number of respondents	
1	Addis Ababa Univ.	26		Arsi University	-		Oromia State Univ.[48]	-
2	Mekelle University	9		Dilla University	21		Madda Walabu Univ.	13
3	Bahir Dar University	13		Wollega Univ.	16		Assossa University	25
4	Haramaya University	54		Wollo University	13		Debre Birhan Univ.	34
5	Hawassa University	34		Debre Markos U.	15		Adigrat University	6
6	Jimma University	34		Dire Dawa Univ.	17		Aksum University	12
7	Gondar University	41		Jigjiga Univ.	12		Mettu University	47
8				Wolayita Sodo U.	-		Samara University	19
9				Mizan Tepi U.[49]	54		Wolkite University	24
10				Arba Minch U.	15		Bule Hora University	-
11				Ambo University	38			
Total no. of respondents		**211**			**201**			**180**

Summary of the responses regarding eight items on delivery and assessment are shown in the three tables below. The respondents are 592 (i.e., 211+ 201+ 180) fourth year law students from 24 law schools. As indicated in Footnote 49, however, five out of the eight items indicated in the following three tables have 538 respondents while the remaining three items have 592 respondents. The questionnaires to 4th year students were distributed to all (i.e. 28) law schools established until 2015. Fourth year students were selected as respondents based on length of stay at law school. *Fifth year* students have not been chosen as respondents due to their engagement in externship and other commitments.

[48] Formerly called Public Service College of Oromia.

[49] Mizan Tepi University Fourth Year students have not filled the second page of the Questionnaire, and thus the number of respondents for the last two items of Table 14, for both items in Table 15 and for the second item in Table 16 are 592-54, i.e. 538.

Table 14: Summary of responses for items on course delivery and assessment

All instructors (5); Most instructors (4); Many instructors (3); Few instructors (2); None (1); No Response (NR)

	5	4	3	2	1	NR	Total
Delivery methodology: Lecture only							
Respondents from seven law schools, 1st generation	39	75	33	36	17	11	211
Respondents from nine law schools, 2nd generation	33	61	52	47	2	6	201
Respondents from eight law schools, 3rd generation	25	53	47	40	7	8	180
Sub-total	**97**	**189**	**132**	**123**	**26**	**25**	**592**
Lecture and other methods are used such as problem based methods that encourage class discussion							
Respondents from seven law schools, 1st generation	18	52	38	69	17	17	211
Respondents from nine law schools, 2nd generation	13	57	46	69	12	4	201
Respondents from eight law schools, 3rd generation	10	45	55	56	7	7	180
Sub-total	**41**	**154**	**139**	**194**	**36**	**28**	**592**
Instructors conduct progressive assessment							
Respondents from seven law schools, 1st generation	16	49	45	57	38	6	211
Respondents from eight law schools, 2nd generation	14	45	35	33	16	4	147
Respondents from eight law schools, 3rd generation	27	54	40	34	16	9	180
Sub-total	**57**	**148**	**120**	**124**	**70**	**19**	**538**
Instructors show and discuss corrected papers							
Respondents from seven law schools, 1st generation	8	28	27	75	66	7	211
Respondents from eight law schools, 2nd generation	10	26	22	52	30	7	147
Respondents from eight law schools, 3rd generation	27	49	35	42	22	5	180
Sub-total	**45**	**103**	**84**	**169**	**118**	**19**	**538**

Table 15: Summary of responses for items on group assignments and grading

Always (5); Usually (4); Sometimes (3); Rarely (2); Never (1); No Response (NR)

	5	4	3	2	1	NR	Total
Frequency of group assignments and group work							
Respondents from seven law schools, 1st generation	46	74	51	20	12	8	211
Respondents from eight law schools, 2nd generation	53	51	25	8	5	5	147
Respondents from eight law schools, 3rd generation	71	58	23	8	7	7	180
Sub-total	**170**	**183**	**99**	**36**	**24**	**20**	**538**
There are mechanisms used towards differential grading of group members who have submitted joint work (based on their varying levels of contribution and performance)							
Respondents from seven law schools, 1st generation	31	33	73	34	29	11	211
Respondents from eight law schools, 2nd generation	16	47	37	17	20	10	147
Respondents from eight law schools, 3rd generation	29	36	61	20	17	11	180
Sub-total	**76**	**116**	**171**	**71**	**66**	**32**	**538**

The responses on the frequency of attendance sheet usage and whether instructors submit grades to the Registrar *within a week* were as follows:

Table 16: Summary of responses for items on student attendance and grade submission
All instructors (5); Most instructors (4); Many instructors (3); Few instructors (2); None (1); No Response (NR)

	5	4	3	2	1	NR	Total
Instructors use attendance sheet frequently							
Respondents from 7 law schools, 1st generation	41	63	45	35	13	14	211
Respondents from 9 law schools , 2nd generation	32	84	50	28	3	4	201
Respondents from 8 law schools, 3rd generation	43	58	35	25	12	7	180
Sub-total	**116**	**205**	**130**	**88**	**28**	**25**	**592**
Instructors submit grades to Registrar within a week							
Respondents from7 law schools, 1st generation	10	26	28	61	75	11	211
Respondents from 8 law schools, 2nd generation	9	17	26	47	39	9	147
Respondents from 8 law schools, 3rd generation	32	38	37	30	32	11	180
Sub-total	**51**	**81**	**91**	**138**	**146**	**31**	**538**

The data in Tables 14 to 16 indicate the need for sustained improvement in course delivery and assessment. The responses in Table 14 show unduly high reliance on lectures (which should be accompanied by other methods such as problem-based learning), gaps in progressive assessment and gaps in discussing corrected papers. Although the frequency of group work that can be observed in Table 15 is commendable, there are gaps in individualizing assessments. For example, students in a team can be required to include a statement (declaration) which indicates the contribution of each member in the preparation and write up of the group assignment; and individual presentations can be required thereby making differentiated numerical grading possible.

With regard to the data (in Table 16) that indicate the frequency of attendance sheets and the submission of grades to the Registrar, the items are not meant to assess law schools based on these thresholds irrespective of class size and the course loads of instructors. For example, the minimum class size of third year students during the Academic Year 2017/18 (i.e. 2010 Ethiopian Calendar) –who are currently respondents of this study as 4th year students– was 18 (at Jigjiga University) while there were law schools that had a class size of fifty to sixty students in a section. An instructor assigned to this cohort indicated as an example, i.e. the cohort of 4th year law students at Jigjiga law school, can easily identify students who are absent, and take note of it thereof.

However, large class size requires some means of checking absence because class attendance and participation are among the core means of student learning. Such schemes do not of course envisage formal calling of names in class (as in primary school attendance monitoring). The attendance sheet can, for example, be given to the class representative so that s/he can easily indicate students who are absent (through seat arrangements that are stable during the semester); or the

attendance sheet can be circulated (while the class is in progress) so that students can either put tick marks or use their initials to indicate their presence.

Likewise, the reasonable timeline for submission of grades can be a week, or may be extended to ten or fifteen days depending upon class size, nature of the final exam and number of sections that the instructor is assigned to during a semester. The questionnaire items on attendance and submission of grades are thus expected to be used (and evaluated) by each law school in the course of self-assessment with due attention to factors such as class size.

6. LL.B Exit Exam

The LL.B Exit Exam Guideline was drafted with the participation of law schools and the National Educational Assessment and Examination Agency (Ministry of Education). It was issued on 19 July 2010 by the Consortium of Ethiopian Law Schools, and it was revised in March 2017.[50] According to Article 6 of the Revised LLB Exit Exam Guideline, the exam is classified into four parts, namely: (i) private laws (ii) public laws, (iii) laws of procedure and evidence, and (iv) miscellaneous laws, i.e. laws covered in courses other than the ones stated in Parts I to III. Article 8.1 of the Revised Guideline indicates the list of laws/courses that are classified under these four categories.

Article 4.2 of the Revised LL.B Exam Guideline, indicates sample verbs (used by Bone, 1999)[51] to show how "the learning outcomes of a syllabi and course materials represent the following learning domains in addition to which presentation in writing is taken into account":

Taxonomy Categories	Sample verbs stating specific learning outcomes
Knowledge	Identifies, names, defines, describes, lists …, selects, outlines
Comprehension	Classifies, explains, summarizes, converts, predicts, distinguishes between
Application	Demonstrates, solves, modifies, arranges, relates
Analysis	Differentiates, separates, infers
Synthesis	Combines, creates, formulates designs, constructs, revises
Evaluation	Judges, criticizes, compares, justifies, concludes, supports

[Source: Alison Bone (1999)]

The learning domains that are assessed in LL.B exit exam are clarified under Article 4.1 of the Revised LL.B Exit Exam Guideline. These domains are "(i) Knowledge and comprehension; (ii) Application, analysis, synthesis and problem solving; (iii) Critique and evaluation; and (iv) Written communication

[50] *Revised LL.B Exit Exam Guidelines*, supra note 20.

[51] Alison Bone (1999), *Ensuring Successful Assessment* (National Centre for Legal Education, University of Warwick), cited in the Guideline under the table.

(with due attention to accuracy, brevity, clarity and coherence)." According to Article 10 of the Revised LL.B Exit Exam Guideline, the weightages allotted to the four parts of the exit exam are 30% to private laws, 35% to public laws, 20% to procedural laws and skills courses, and 15% to other laws/courses not classified under Parts I to III. Each part of the exam is graded out of 100 points after which conversion is made according to the weightage allocated to each part of the exit exam.

Marking out of one hundred naturally envisages pass mark of at least half of the total marks, and scores less than 50(fifty) points are apparently fail grades unless exception is allowed to a certain range such as 45 to 49 which can be considered as satisfactory if the total average is above 50 (fifty) out of one hundred. However the pass/fail cut-off score of the exit exams has consistently been lowered owing to the number of regular students who score average marks below 50 in the exit exams.

The challenges related with high percentage fail rates in LL.B exams need remedies that can address the root causes of the problems rather than resorting to short-term measures of lowering cut-off scores for pass/fail thresholds. Lowering the cut-off score has enabled most regular students to pass the LL.B exit exam. Yet, the fail rate in the non-regular LL.B programmes (such as extension/evening, special, distance, etc. programmes) is very high in all law schools in spite of such low thresholds. A student who scores below 50 marks out of one hundred in any one of the four exit exam categories has apparently failed. Thus, the cut-off score threshold is expected be raised to at least 50%.

The 2017/2018 political realities in various parts of Ethiopia have affected the performance of some law schools. As Capital (a newspaper published in Ethiopia) noted, "[t]he rate of law students who failed their exit exams trended upward [in 2018]. ... Jigjiga had a whopping 58% of their students fail".[52] As Table 22 indicates, the percentage of fail at Mettu University was 57% in 2018.

In contrast to Wolaita Sodo University's fail percentage of 25.4% (in 2018), no regular student failed in March/April 2016 during which 110 students had taken the exam, and only 3 out of 48 students failed during the April 2017 exit exam. Likewise, 42 and 38 students sat for the exam (in March/April 2016 and April 2017) at Wollega University Law School during which students who failed were 2 and 3 respectively. The same holds true for Mizan Tepi University where all (forty) students passed in March/April 2016 and three out of thirty-three students failed in April 2017. These realities indicate that political stability in university campuses is among the factors that determine the level of student performance in LL.B exit exams.

[52] Capital, *More students fail law exit exam*, July 2, 2018.

The figures (in Table 17 below) indicate the number of students who passed the LL.B exit exam conducted in May 2018, based on 40% cut-off score:

Table 17: LLB Exit Exam result (May 2018)

May 2018 LL.B Exit Exam Result; Pass mark 40%									
Law School/Department		**Regular**					**Non-Regular**		
		Number of students					**Number of students**		
		No. of examinees	**Pass**	**Fail**	**Fail %**		**No. of examinees**	**Pass**	**Fail**	**Fail %**
1st Generation									
1	Addis Ababa University	47	45	2	4.2		82	58	24	29.2
2	Mekelle University	121	117	4	3.3		33[53]	11	22	66.6
3	Bahir Dar University	45	39	6	13.3		325	17	318	97.8
4	Haramaya University [54]	78	70	8	10.2		63+59	2+2	61+57	96.7
5	Hawassa University	148	138	10	6.7		211	22	189	89.5
6	Jimma University	92	88	4	4.3		138	12	126	91.3
7	Gondar University	85	79	6	7		7	1	6	85.7
2nd Generation									
8	Arsi University	69	69	-	0		Re-sit 22	6	16	72.7
9	Wollega University	51	38	13	25.4		127	2	125	98.4
10	Wollo University	47	31	16	34		2	2	-	0
11	Wolaita Sodo Univ.	59	44	15	25.4		162	15	147	90.7
12	Debre Markos Univ.	52	39	13	25		-	-	-	
13	Ambo University	57	43	14	24.5		-	-	-	
14	Jigjiga University[55]									
15	Mizan Tepi University	31	25	6	19.3		63	2	61	96.8
16	Dilla University	48	39	9	18.7		62	10	52	83.8
17	Dire Dawa University[56]									
18	Arba Minch University	52	50	2	3.8		103	4	99	96.1
3rd Generation									
19	Wolkite Univ. (1st Batch)	36	34	2	5.5		-	-	-	
20	Adigrat University	46	45	1	2.1		-	-	-	
21	Mettu University	33	14	19	57.5		-	-	-	
22	Assosa University	40	31	9	22.5		-	-	-	
23	Samara University	27	19	8	29.6		-	-	-	
24	Aksum University	29	11	18	62		-	-	-	
25	Debre Berhan Univ.	40	36	4	10		11	3	8	72.7
26	Madda Walabu Univ.	25	21	4	16		-	-	-	
27	Oromia State Univ.[57]						558	21	537	96.2

[53] In-service Programme

[54] Evening Programme and Distance Learning Programme (63+59)

[55] Data is not submitted by the law school.

[56] The data submitted by the law school does not include data for May 2018 Exit Exam.

Even though the pass rate in the exit exams (at cut-off scores of 35% or 40%) is high in the regular programme as compared to the non-regular programme, there is a declining trend in overall performance. Owing to the decline on the level of performance in exit exams during the three years between (2011/12 to 2013/14), a study (regarding the factors thereof) was made by the Education Strategy Center (ESC) –currently Higher Education Strategy Center (HESC)– in June 2015. The factors for the decline in exit exam results were found to be attributable to resources, course delivery, and other factors.

Assessment was made regarding the validity of LL.B exit exam by the Education Strategy Center (ESC) "to determine whether the exit exam has relationship with similar measures of academic performance such as cumulative grade point averages".[58] A strong correlation was found "between cumulative GPA and exit exam results" during the Academic Year 2013/14.

> [The correlation was found to be] "Addis Ababa University (r=.80), Bahir Dar University (r=.87), Dire Dawa University (r=.71), Hawassa University (r=.55), University of Gondar (r=.70), and Wellega University (r=.84). All these results revealed that the exit exam has concurrent validity. ... From these data it could be concluded that the law exit exam demonstrated validity in the sense that it measures what it intends to measure. Such a finding is also in line with the finding of Fekadu (2013) which found a high positive correlation between CGPA and Law Exit Exam results (r=.82, n=94)."[59]

As the June 2015 Education Strategy Center (ESC) study indicates, the exit exams conducted since March 2012 "showed that the number of examinees who could pass the exit exam declined from 96.5% [2011/12] to 68% in [2012/13] and to 47.5% in [2013/14]."[60] The study states the following findings with regard to the exit exam results for the academic year 2013/2014:

> The … majority of the regular students who sat for the 2006 EC [2014] exit exam, or about 91%, [passed] the exam while the majority … in the other programs such as extension, summer, and distance programs could not pass the exit exam. The study shows about 93% of students in the distance mode of learning, 80% in the extension program, and 73% in the summer in-service program did not pass the 2006 EC [2014] law exit exam. Besides, about 99% of students who had second chance of sitting for the exam, or allowed to sit for re-exam, could not pass the exam. From this data, one

[57] The report does not classify students into regular and non-regular.
[58] Evaluation of the Law Exit Exam System in Ethiopia, *supra* note 18, p. 130.
[59] Ibid.
[60] Id., p. 47.

could see that the majority of students in the non-regular mode of delivery could not pass the law exit exam in 2013/14 academic year or in 2006 EC.[61]

HESC's study identifies five major factors for poor performance in non-regular programs. They are (i) lenient admission criteria, (ii) treatment of non-regular students less favourably than regular students, (iii) lenient standards of evaluation in exams thereby retaining students who should have been dismissed before their eligibility to exit exam, (iv) lack of commitment and hard work and prime attention to the LL.B degree to be obtained rather than the knowledge and skills to be acquired, and (v) lack of full time engagement for legal study and exit exam preparation.[62]

The study further identifies other major problems that contribute to the general decline in the exit exam performance of law students in regular and non-regular LL.B programmes. *First*, it states that "poor performance of students could [inter, alia] be attached to the country's educational policy which seems [to focus] on quantity rather than quality". According to the study, the "educational system does not require students to work hard" because grade points for admission to universities and specific fields of study are getting lower." It further notes that "the number of students with weak academic performance will increase which in turn affects the teaching learning process as the system requires instructors to go down below standard in delivering the course and grading to minimize the dropouts".[63]

The *second* factor relates to lack of reward mechanism for excellent scores in the exit exam, and declining job opportunities upon graduation irrespective of exit exam scores thereby adversely affecting motivation and performance. Low cut-off point percentage for passing is identified as the *third* factor "that negatively affects the psychological preparedness and effort of students and contributes for the poor performance, as students need less effort to pass the exam."

The *fourth* factor is the poor academic background upon admission to law schools. The study recalls the experience of Dilla University during two academic years. First year law school placement was inappropriate because students "were first admitted in the social science field, then they were assigned to law schools without taking into consideration their interest and results." In effect, most students from these two cohorts could not pass the exam "since they lacked competence".[64]

[61] Id., p. 124.
[62] Id., pp. 125, 126.
[63] Id., p. 127.
[64] Ibid.

According to the study, the *fifth* factor includes set of factors that are related with the standards and quality of legal education. These set of factors include academic staff (in various law schools), quality of teaching materials, inadequate preparation on how students can address questions in the exit exam, large class size, transparency in complaint handling mechanisms, gaps in the provision of teaching materials to students during their summer/kiremt break, and gaps relating to books and references.[65]

Exit exams envisage *inputs* (curriculum, resources, admission practices, etc.) and *processes* that include delivery, assessment, research and effective law school management commensurate with the Standards embodied in the Legal Education Reform Programme. It is to be noted that LL.B exit exams are not ends on themselves, and are rather instrumental to standards of performance that address the problems in legal education in Ethiopia that were identified in the 2005 Comprehensive Justice System Reform Programme (CJSRP) and the 2006 Legal Education Reform Programme.

Feedback is indeed indispensable in the process of steadily enhancing the quality and standards of performance in legal education. To this end, Standard 17(2) of the Legal Education Reform Programme requires law schools to "devise appropriate mechanism to obtain periodic feedback from employers of their graduates and alumni." This calls for pursuits on the part of law schools to conduct studies such as tracer studies which show employability and performance levels of graduates. They should also gather and analyze feedback from graduates, employers and other stakeholders. This is meant to monitor the relevance and validity of the elements in their programmes so that the feedback can facilitate sustained improvement.

7. Autonomy and Management of Law Schools

The Higher Education Proclamation[66] defines academic unit as "a college, faculty, school, an institute, a department or a centre established as a constituent unit of [a higher education] institution". Article 17 of the Proclamation titled "Autonomy of Academic Units of Public Institutions" provides the following:

1) Every institution shall have academic units with the minimum necessary hierarchical governance structures and with appropriate nomenclature that shall be based on reasonable and justifiably clustered disciplines or fields or branches of a discipline.

[65] Id., p. 128.

[66] Article 2(4), Higher Education Proclamation No. 1152/2019. (It is identical with Article 2(4) of the former Higher Education Proclamation No. 650/2009).

2) Subject to rules, standards and procedures established by the institution, consistent with this Proclamation, academic units of a public institution shall have the necessary autonomy in administration and finance as well as in academic affairs.
3) Presidents shall ensure that academic units are provided institutionally with the necessary support and enabling systems and resources to fulfil their responsibilities as autonomous units.[67]

This provision requires 'minimum hierarchical governance structures'. With regard to the issue of clustering within an academic unit, legal education is already a wide discipline that has various clusters of specialized fields of legal study. The greater the number of institutes and departments under a college, the more hierarchical would academic and financial administration become. The current setting in Ethiopian law schools shows that law schools/departments are academic sub-units (which cannot participate in the university senate) and they do not operate with due autonomy contrary to the autonomy that is envisaged in the legal education reform programme and the Higher Education Proclamation.

The various challenges in law schools include gaps in autonomy and management. The problems in this regard indicated in the 2006 Legal Education Reform Document, *inter alia*, included (i) lack of autonomy of law schools within the universities, (ii) over-centralized university administration, and (iii) gaps in participatory management within the law school's administration. The problems relating to lack of autonomy within the university and over-centralization in decision making have been aggravated as compared to the level of these problems in 2006. The structural relegation of a law school onto a department under a college (such as college of law and governance) disempowers law schools and puts them into a setting worse than the realities that prevailed in 2006. The data obtained from the responses of 25 deans/heads of law schools in February 2019 indicate the challenge:

Table 18: Summary of responses to questionnaire items on law school autonomy

No.	Statements submitted to law school deans/heads	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
20	Law school autonomy in academic administration is adequate	9	5	3	7	1	25
21	Law school autonomy in financial administration is adequate	14	5	2	4	-	25
22	The law school has internal quality assurance schemes	4	4	3	11	3	25

[67] Id. Article 17 of Higher Education Proclamation No. 1152/2019 (It is identical with Article 18 of the former Higher Education Proclamation No. 650/2009).

The majority of deans/heads of law schools (i.e. 14 out of 25) have positive responses relating to internal quality assurance schemes. However, only *four* deans/heads of law schools agreed to the statement that autonomy in financial administration is adequate, while *eight* deans/heads (out of 25) agreed or strongly agreed that their law schools have adequate autonomy in academic administration.

8. Research and Publications

Achievements in research and publications depend upon the competence and commitment of the academic and research staff. Research outputs require the recruitment of staff with demonstrated competence for research. Another factor relates to contract of employment which requires research as one of the duties of an academic staff. Moreover, Standard 49 requires law schools to recruit staff whose prime focus is research, in addition to the academic staff primarily engaged in teaching (along with engagement in research and services). If, for example, academic staff devotes the proportions of 64%, 24% and 12% to teaching, research and services, this is reversed in the case of research staff with about 65% allocated to research and the remaining to teaching, student advising and services.

Standard 52 of the Legal Education Reform Programme states the level of attention that must be given to the allocation of resources for research. To this end, the Guideline for Standard 52 stipulates that the annual budget for research shall constitute up to one-fourth (25%) of the total budget of the law school. Various incentives including reform in salary scales have also been envisaged in the reform programme so that academic and research staff can focus on research activities without the need for part time jobs elsewhere.

The legal education reform programme envisages workable annual plans in research and publications, attainments, reporting and evaluation. Based on the evaluation of the productivity of staff in research and publications, Standard 58, *inter alia*, envisages the non-renewal of contract of employment as one of the possible sanctions against failure in scholarly outputs. Research performance, according to Standard 58(3) is expected to be reported for periodic evaluation (every two years) by external panel of reviewers. This merely becomes wish list in the absence of the inputs toward such scholarly outputs.

The gaps in this regard are apparent in view of the number of law journals that are published in Ethiopia, interruptions, prolonged delay, and the gaps in peer reviewed textbook preparation and publication. There are only few journals for a country that has 32 law schools. The law journals published (until 2018) in Ethiopia (based the publication sequence of their first volumes) are the following:

Table 19: Law journals in Ethiopia published until 2018

Peer reviewed law Journals	Institution	First Year of Publication	Volumes (until 2018)	No. of issues
Journal of Ethiopian Law[68]	AAU School of Law	Summer 1964	30	41
Mizan Law Review[69]	St. Mary's University, Center for Law in Sustainable Development	June 2007	12	23
Jimma University Journal of Law	Jimma University School of Law	October 2007	9	9
Journal of Ethiopian Legal Education	Justice and Legal System Research Institute	July 2008	4	6
Mekele University Law Journal	Mekelle University School of Law	April 2010	5	5
Bahir Dar University Journal of Law[70]	Bahir Dar University School of Law	May 2010	7	14
Hramaya Law Review[71]	Haramaya University School of Law	2012	7	7
Oromia Law Journal[72]	Oromia Justice Sector Professionals Training and Legal Research Institute	2012	7	7
Hawassa University Journal of Law[73]	Hawassa University, School of Law	July 2017	2	2

Two issues of *Journal of Ethiopian law* were annually published from Volume 1 to 9 (1964 to 1973), with the exception of Volume 5 (1968) that had three issues. The only interruption in publication during this period (i.e., 1964 to 1973) was in 1971. There was an interruption of six years from 1974 to 1980, after which Volumes 11 to 14 were published from 1980 to 1989. Volume 10 has not been published. Volumes 15 to 30 (i.e. sixteen volumes) have been published from 1992 to 2018 out of which Volumes 22 and 23 have two issues each.

In addition to *Journal of Ethiopian Law*, Addis Ababa University School of Law publishes thematic series. Other periodic publications in Ethiopia include *Ethiopian Bar Review* (with interruptions) published by Ethiopian Lawyers Association, and *Wonber* (a periodical) published by Alemayehu Haile Memorial Foundation. Among the journals in the Table above, *Ethiopian Journal of Legal Education* has not been published since 2011. Justice and Legal System Research Institute was publishing the journal by coordinating law schools and facilitating the publication –under rotating editorial board membership and

[68] https://home.heinonline.org/titles/Law-Journal-Library/Journal-of-Ethiopian-Law/?letter=J
[69] https://www.ajol.info/index.php/mlr
[70] http://www.bdu.edu.et/pages/journal-law
[71] https://www.ajol.info/index.php/hlr/index
[72] https://www.ajol.info/index.php/olj/index
[73] http://www.hu.edu.et/hu/index.php/research/hu-journal/journal-of-law.html

editorial team chairpersonship– among members of the Consortium of Ethiopian Law Schools. The publication was expected to be transferred to the Consortium of Ethiopian Law Schools and ultimately to the Association of Ethiopian Law Schools. However, the decline in the pace of implementing the standards for legal education reform and changes in the institutions that coordinate legal education reform have caused a long period of interruption in the publication of the journal.

The performance of law schools in the publication of law journals reflects the level of outputs in research and publications. There are various factors that have weakened the level of performance of law schools in research and publications. These factors include gaps in the implementation of Standard 49(1) which requires demonstrated research capability as a condition for employment as academic staff in a law school, gaps in the implementation of the publication requirement as a condition for renewal of employment contracts, failure to employ adequate number of research staff, insufficient research grants, and the low salary scale that makes it difficult for academic staff to devote adequate time to research.

The following responses of deans/heads of law schools (to questionnaire items 16, 18 and 19) show the gaps in the attention given to the employment of research staff, subscription of databases and gaps in research grants that are indispensable in research and publications at law schools:

Table 20: Summary of responses to questionnaire items on research staff, databases and grants

No.	Statements submitted to law school deans/heads	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
16	There is research staff in addition to teaching staff	13	8	2	-	2	25
18	The law school or the university has subscribed databases that are relevant to legal education	10	8	5	1	1	25
19	The level of research grants at the law school is adequate	10	10	3	1	1	25

The responses show that research staff is not employed (in addition to teaching staff) in most law schools and there is shortage of databases subscribed by the law schools. Only two deans/heads of law schools out of 25 respondents considered research grants to be adequate. In addition to these factors, adequacy of office (Questionnaire Statement 15) and internet connection (Questionnaire Statement 17) are cross-cutting concerns that were indicated earlier in Section 4 (Tables 9 and 10). As stated in Section 4, only *six* deans/heads of law schools out of 25 regarded internet connection (Questionnaire Statement 17) as adequate, and it is a factor that is crucial in research.

9. Clinical Programs and Externship

One of the gaps identified in 2006 with regard to LL.B curriculum was the level of attention given to skills courses. Clinical programs and externship are among the courses that have been introduced under the 2006 Legal Education Reform Programme. There are good practices in relation to legal aid although law schools have not yet attained the standard envisaged under *Standard 24* regarding legal clinics. The Guideline for Standard 24 clarifies the following three areas of activity for the engagement of law students in clinical programmes and community services:

a) The legal aid clinical programs in Standard [24] may include legal aid programs rendered by senior students under the supervision of academic staff with prior professional experience as judge, prosecutor, practicing lawyer or legal advisor.
b) The spheres of activity shall be determined by interest of students, demand for the clinical service in the community close to the law school, availability of cases, and the inability of clients to retain a lawyer that can handle the case for remuneration.
c) Sample of areas of activity may be domestic violence, prisoners' parole and restorative justice clinic, public interest litigation, environment protection, land possession disputes, etc.

Mizanie *et al* state that "[l]egal aid centers of law schools have carried out commendable tasks, [and] many of them have faced challenges in the process. Legal aid centers of some law schools are not funded by their respective Universities" as a result of which "they are compelled to look for external funding which has been unsustainable".[74] They note that "no law school in Ethiopia has established a legal clinic *per se,* let alone specialized legal clinics" and state that "various law schools have legal aid centers":

> Legal aid centers –established primarily with community service objective in mind and with an incidental aim of exposing students to the practice of law– cannot be taken as legal clinics although there are possibilities to use them as legal clinics with the necessary improvements. Legal aid centers … lack important features of legal clinics, and they provide non-course-credit earning legal services through selected volunteer students and lawyers employed for this purpose.[75]

In spite of these gaps, the good practices in legal aid at Mekelle University Law School can, for example, be scaled up in other law schools. Clinical legal

[74] Mizanie Abate, Alebachew Birhanu, and Mihret Alemayehu (2017), "Advancing Access to Justice for the Poor and Vulnerable through Legal Clinics in Ethiopia: Constraints and Opportunities", *Mizan Law Review*, Vol. 11. No. 1, p. 11.
[75] Id. p. 22.

education is conducted at two centres, i.e., the Legal Aid Center and the Human Rights Center (with regard to child rights). Credit hours are attached to the legal clinic courses. As stated in a study (submitted to the Ethiopian Lawyers Association) by this author:

> Orientation sessions are offered to students before they are engaged in rendering clinical legal aid services which include the laws that are relevant to the clinical course that the student is registered for. The other themes that are included during the orientation session relate to professional ethics with regard to issues such as confidentiality, and hands on orientation on crucial skills such as interviewing, identifying material facts, counseling, preparation of pleadings and other services. The students are thereafter assigned to the various centres such as the University's Legal Aid Centres and other centres coordinated under this centre, i.e. Mekelle Prison Legal Aid Center, Legal Aid Centres at police stations and other centres … .[76]

Students are required to "register for a clinical legal aid program course (of 3 credit hours) based on their own choice".[77] They "will not write pleadings as soon as they are assigned, and they are coached while they write pleadings" by a supervisory attorney who is "assigned among instructors for the purpose of mentoring and supervision".[78]

There are challenges that are encountered in legal aid where law students do not speak the working language of the courts. The challenge in language also applies to externship because the extern may not speak the working language of courts and other justice sector offices in a regional state where the law school is located. As Misganaw observes, this challenge can also relate to supervision by the law school because "staff members may not speak the language [of the local community] in which their students are conducting externship".[79] In response to this challenge, law schools usually assign students to externships at locations that are close to their primary residence. On the positive front, such assignments address the problem of language barrier, while at the same time the distance of

---

[76] EN Stebek (2015), "Elements and Enablers of Effective Legal Aid Clinics: Attempts of Legal Education Reform 2006, and Challenges" (Submitted to the Ethiopian Lawyers' Association), footnotes omitted, p. 8. Presented at Panel Discussion on "*The Role of Law Schools in Improving People's Right to Access to Justice",* organized by Ethiopian Lawyers' Association and Ethiopian Young Lawyers Association May 15, 2015, Ghion Hotel, Addis Ababa.

[77] Id., p. 9.

[78] Ibid.

[79] Misganaw Gashaw (2015), "Enforcing 'Externship' in the Ethiopian Legal Education: A Critic Touching the Simulation", *The International Journal of Humanities and Social Sciences*, Vol. 3, Issue 9, September 2015, p. 69.

the externship form the law schools adversely affects the quality and frequency of follow up and supervision.

Lack of "comprehensive and clear handbook that regulates" externship programmes is the *second* major challenge and lessons should be drawn from other countries where "the program is administered by a separate body".[80] The *third* and *fourth* challenges relate to resources and partnerships. Externship requires resources and it envisages a pre-existing relationship in the form of Memorandum of Understanding between the law school and the host institution in the absence of which the latter would not feel responsible "to admit, supervise and assign appropriate tasks for extern students".[81]

Misganaw indicates that in the absence of guidelines and their effective implementation, it becomes difficult to assign students "to tasks that enhance their educational objectives in the externship program" and law schools do not have the "mechanism of assuring [that] the work assigned to students is likely to help achieve educational objectives." At the end of the externship, the performance of students is assessed based on the evaluation that they receive from the host institution, and their report to the law school involves presentations. However Misagnaw notes that "law schools often receive exaggerated results from hosting organizations and instructors, who supervise or read the reports of the student extern."[82]

He states the good practices in foreign law schools whereby "student placement, supervisor choice, networking [with] the hosting institutions, monitoring the program etc." are given due attention which include "[d]ividing the externship programme into specialized areas of the law" such as "judicial externship, legislative externship, not-for profit, externship on family law, criminal law, tax law, corporate law etc. … depending on the availability of hosting institutions".[83] According to Misganaw, this, inter alia, requires "the preparation of comprehensive handbook for the externship", formal relationships with host institutions and "separate structures that manage the externship program" which may take the forms of "Career Development Office (CDO) or externship program coordinating office".[84]

[80] Id., p. 61.
[81] Id., p. 69.
[82] Ibid.
[83] Id., p. 73.
[84] Ibid.

10. Observations of Law School Representatives on Networking, Law School Admission and Consolidation of Law Schools

The core themes in this article[85] were presented and discussed at a workshop of the Consortium of Ethiopian Law Schools on April 14, 2019. The workshop had 35 participants[86] from 26 law schools, HESC, Justice and Legal System Research and Training Institute (JLRTI), and Ethiopian Law Schools' Student Union.

[85] Presentation and Discussion at the Consortium of Ethiopian Law Schools' Workshop; hosted by Haramaya University, School of Law; Venue: Samrat Hotel, Dire Dawa (April 13-14, 2019). Title of the presentation on April 14, 2019: "Assessment of Legal Education Reform Programme in Ethiopia (2005-2018): Achievements and Challenges"

[86] List of Participants:

	Name	Institution
1	Abebe Assefa	University of Gondar, School of Law, Dean
2	Alebachew Birhanu	Bahir Dar University, School of Law, Director
3	Alemu Taye	Debre Markos University, School of Law, Dean
4	Demelash Shiferaw	Addis Ababa University, School of Law, Head
5	Dersolign Yeneabat	Arba Minch University, School of Law, Dean
6	Elias Nour	St. Mary's University, Center for Law in Sustainable Development
7	Endalamaw Chekol	Wolkite University, School of Law
8	Ephreim Lakew	Higher Education Strategy Center, Researcher
9	Filata Gigiso	Hawassa University, School of Law, Dean
10	Gizachew Girma	Dire Dawa University, School of Law
11	Habtamu Simachew	Wollo University, School of Law, Dean
12	Haftu Tekeleab	Axum University, School of Law, Head
13	Hailu Nega	Mizan Tepi University, School of Law, Dean
14	Honelign Hailu	Debre Berhan University, School of Law, Dean
15	Israel Woldekidan	Samara University, School of Law
16	Iyasu Teketel	Dilla University, School of Law, Dean
17	Kahsay Giday	Mekelle University, School of Law, Head
18	Kenate Hora	Ambo University, School of Law, Dean
19	Kibrom Mekonnen	Jimma University, School of Law, Head
20	Mesfin Eshetu	Justice and Legal Research and Training Institute, Senior Researcher
21	Mikias Melak	Ethiopian Law Schools' Student Union, President
22	Moges Zewdu	Haramaya University, School of Law, Associate Dean
23	Mululken Kassahun	Mettu University, School of Law, Dean
24	Muuz Abraha	Adigrat University, School of Law, Dean
25	Negese Gela	Bule Hora University, School of Law, Dean
26	Ne'ema Abrar	Jigjiga University, School of Law, Vice Dean
27	Richard Wentzell	Haramaya University, School of Law, Dean
28	Salahadin Towfik	Jigjiga University, School of Law, Dean
29	Seid Mohammed	Higher Ed Strategy Center, Legal Education Reform Pr. Coordinator
30	Sitelbenat Hassen	Dire Dawa University, College of Law, Dean
31	Solomon Girma	Madda Walabu University, School of Law, Dean
32	Tamrat Talegeta	Arsi University, School of Law
33	Teketel Labena	Wolaita Sodo University, School of Law, Dean
34	Yared Tessema	Assosa University, School of Law, Dean
35	Yibeltal Alemu	Haramaya University, School of Law

Various observations and reflections were forwarded by participants. It was noted by a participant that competition among law schools can facilitate the enhancement of overall quality and standards in legal education as long as it is conducted in the context of *cooperation* and *networking*. Yet, it was stated during the discussion that law schools should meanwhile take their shared aspirations into account because they all serve the same legal profession. The competence and integrity of a graduate from a certain law school has relevance to lawyers who graduate from other law schools because they ultimately join the legal profession in various capacities as legal advisors, attorneys, public prosecutors, judges and other engagements. Vision statements such as expressions of aspiration to be the best law school in Ethiopia by the year 'x', etc. should thus be avoided because such statements fail to consider objective standards and perceive education as a competitive match. Legal education is rather a cooperative engagement in which all actors can be winners in the course of which their ranks are bi-products of their attainments rather than *a priori* claims. This does not, however, mean that law schools cannot use phrases such as 'among the leading law schools', 'among centres of excellence', etc., because the qualifier 'among' hedges the tone in such statements.

The challenges in the *admission* of students to law schools and their possible solutions were reflected upon. Incidences of admission were recalled during which students were assigned to law schools by the universities (among students who were assigned by the Ministry of Education to universities under the general category of social sciences). These incidences resulted in the admission of cohorts with relatively low academic base and lower national exam results. It was noted that students assigned to law schools should have the academic foundation that would enable them to pursue legal education which –at entry point– requires certain levels of competence and skills in writing, oral communication and sound academic base. Even though legal education nurtures and enhances these skills, there should be the foundation to effectively pursue the courses, deliver oral arguments and prepare written assignments.

Change in the programme duration of undergraduate education in various fields (that had a three-year duration) to four years (based on the new roadmap for education development) was appreciated. It was noted that this can considerably narrow down the gap between the five-year duration in LL.B programmes and the three-year duration in various BA programmes. This can enable law schools to revisit the admission procedures to legal education and admit students on a competitive basis among First Year students who apply to join law schools.

Under this option, the remaining four years can be allocated for three and half years of law courses and half a year of exit exam and externship. The potential implications of the education reform roadmap were discussed and their positive contribution in elevating the quality of education at primary and

secondary schools was believed to have positive effect in higher education at large including legal education.

With regard to the issue that was raised during the presentation relating to the problems in the 'banking model' of 'teaching', it was stated that lectures should not be the sole method of teaching analogous to depositing data in the minds of students followed by inventories during exams. It was stated, during the discussion, that most classes use the classical lecture-focused mode of teaching. Addressing this problem and ensuring the implementation of effective course/module delivery methods requires resources, facilities and infrastructure which should be progressively availed at law schools.

Requiring *student learning portfolio* to be prepared by students was stated during the presentation so that they can –in modular learning– record their leaning hours along with a brief statement of the learning task done. There are challenges in this regard because the current class size in most law schools is over forty students, and it can at times go up to sixty to seventy students in a class. Dividing classes into lower class size was thus suggested for courses that need higher levels of class interaction and case problem discussion.

It was noted that there should be more awareness in law schools about the 2006 Legal Education Reform Document and the Standards therein. The enhanced empowerment and broader activities by the *Consortium of Ethiopian Law Schools* is expected to address the gap in this regard. The benefits and challenges relating to the Association of Ethiopian Law Schools were discussed. It was observed that the strength and effectiveness of any association are determined by its elements, and mere formation of an association cannot be effective unless the standards and performance in law schools are enhanced.

Ethiopian law schools are thus expected to enhance the quality and standards in legal education and at the same time strengthen their networking and concerted efforts. It is such objective realities that can transform the Consortium of Ethiopian Law Schools onto an association which is long overdue. However, there must still be a focal office at a government agency that follows up, finances and assists the legal education reform programme. Budgetary and other support that is being given to the Consortium of Ethiopian law schools since its establishment should be maintained and enhanced after the establishment of the Association of Ethiopian Law Schools.

A question was raised during the discussion as to who would set the thresholds under the current realities of declining standards in higher education which seems to involve *race to the bottom*. It was noted that the standards are objective thresholds that are required by the graduate profile of an LL.B graduate and, more specifically, the standards should be determined by the learning outcomes that are required to be attained upon the completion of each course or module. Any attempt to subjectively lower standards through

haphazard and reflexive expansion of higher education (including legal education) without the corresponding inputs, processes and through pledges such as one hundred per cent or over ninety per cent retention rates are disservice to legal education and the legal profession at large.

The concern regarding what is to be done when law schools are not up to the standard was raised. It was believed that law schools that are not up to the standard should not have been established by universities. Even though universities are tempted to open law schools by merely buying a few codes of law from Berhanena Selam Printing Press and duplicating first year law teaching materials, their desire to enhance statistical reports of new programmes adversely affects the justice sector at large because it is today's legal education that determines the prospective competence, integrity and performance in Ethiopia's justice system. It was noted that universities should rather focus on potential avenues of specialization based on their comparative advantages thereby working towards consolidation of law schools rather than further expansion. It was believed that this path of consolidation can bring some neighbouring law schools together under the auspices of the law schools that are relatively stronger in terms of resources, staff, facilities and other factors.

11. Synopsis of Achievements and Gaps

The Standards for Law Schools in Ethiopia were formulated to address the problems in Ethiopia's legal education. The realities at the grassroots that can easily be observed and the analysis and discussion in this article indicate that the problems in legal education in Ethiopia that were identified in 2005 and 2006 are partly addressed while most of the problems are aggravated.

A joint study (conducted by the Justice and Legal Research and Training Institute –JLRTI, Federal Supreme Court, Federal Attorney General and Higher Education Strategy Center substantiates this point. The problems in legal education that are identified in the study include (i) admission of students with low national exam results,[87] (ii) problems in the retention of experienced academic staff, (iii) limited areas of staff development through LL.M and PhD programmes, (iv) gaps in networking with justice sector institutions, (v) inadequate number of academic staff (with experience in legal practice) to effectively conduct skill courses, (vi) shortage of law textbooks and references, (vii) gaps in the pedagogical skills of newly employed instructors, (viii) lower attention of social sciences (including legal education) in the education policy,

[87] የፌዴራል የፍትሕና ሕግ ምርምርና ሥልጠና ኢንስቲትዩት ፤ ፍትሕ ሥርዓት ማሻሻያ ፕሮግራም በፌዴራል ተቋማት ያለበትን ደረጃ ለመለየት የተካሄደ ዳሰሳዊ ጥናት ፤ ነሐሴ 2010 ዓ.ም ፤ አዲስ አበባ። [Federal Justice and Legal Research and Training Institute, Assessment of the Status of Justice System Reform Program in Federal Institutions, August 2018, Addis Ababa], p. 146.

and (ix) gaps in course delivery methodology.[88] The study further states the problems caused by "opening of law schools in large numbers without due attention to standards thereby resulting in a steady decline in the quality of legal education".[89] These problems necessitate the reinvigoration of the legal education reform programme.

11.1 Achievements

One of the significant achievements of the 2006 Legal Education Reform Programme is the extension of the duration of study in LL.B programmes to five years in accordance with Standard 9(3). Standard 16(5) reiterates the five-year duration of the LL.B programme. This was not an arbitrary increase because the standard merely reinstates the earlier duration of LL.B study at the Faculty of Law, Addis Ababa University. The duration of five years is rather modest as compared to the six-year duration until the Mid-1970s at Addis Ababa University (formerly Haile Selassie I University) School of Law. This duration included the university's First Year Programme, four years of legal education and one year of Ethiopian University Service as intern in a legal department of an institution.

Although the pace of improvement does not meet the thresholds that were envisaged in the 2006 Legal Education Reform Programme, the following have been achieved:

a) The revised curriculum (in the 2008 Course Catalogue, the 2013 National Modularized Curriculum and the 2019 Draft National Harmonized LL.B Curriculum) address the gaps relating to skill courses and other curricular concerns that were identified in 2005 and 2006. Achievements in this regard include clinical programmes and externship.
b) The preparation of teaching materials for all required courses and for most electives in the LL.B programme deserves appreciation, although it was believed that substantial number of the teaching materials needed improvement, and revision.[90] However, the pace of the reform has steadily declined, as a result of which various tasks did not continue relating to (i) teaching materials that deserved to be developed onto textbooks, and (ii) teaching materials that had to be upgraded up to the requisite standards.

---

[88] Id., p. 147.

[89] Ibid. (It reads: "የሕግ ትምህርት ቤቶች (ትምህርት ክፍሎች) በብዛት መከፈታቸው ያለምንም ስታንዳርድ ከመሆኑ ጋር ተያይዞ የትምህርት ጥራት ከጊዜ ወደ ጊዜ እያሽቆለቆለ [ሄዷል])"

[90] *See* Elias N. Stebek (2015), "Legal Sector Reform Pursuits in Ethiopia: Gaps in Grassroots Empowerment", *Mizan Law Review*, Vol. 9, No. 2, pp. 273-274. DOI http://dx.doi.org/10.4314/mlr.v9i2.2

c) The introduction of LL.B Exit Exam is one of the achievements in the Legal Education Reform Programme even though the pass/fail cut-off score has been under 50% (since the first Exit Exam was launched in March 2011) owing to gaps in the standard of learning outcomes that is being attained upon the completion of the 5th year.

d) The recent Education Development Roadmap and the subsequent revision of law school admission procedures under the Draft 2019 National Harmonized LL.B Curriculum enables law schools to admit students on a competitive basis among freshman students who apply for admission upon completion of their first semester. This facilitates the application of Standard 16(4) which requires that admission of students "shall depend on reasonable expectations" that the student can "achieve the standard required for completion of the program".

e) The establishment of the Consortium of Ethiopian Law Schools has enabled law schools to discuss and address shared concerns regarding Exit Exam and other issues.

f) The clinical programmes that are underway and the legal aid that is being offered to the indigent by law schools are successful in spite of the challenges and the need for substantial improvement stated under Section 9.

g) The Legal Education Reform Programme has enabled certain law schools to be availed with physical facilities (designated to the law school) and it has also created enhanced awareness on the part of university management regarding the role of legal education as a component element of Ethiopia's pursuits of justice system reform and rule of law.

11.2 Gaps in the pace and attainments of legal education reform

In spite of the achievements indicated in the preceding paragraphs, most of the problems identified and the Standards stated in the 2006 Legal Education Reform Programme have not been attained. The gaps in this regard include the following:

a) The curriculum reform has not made adequate progress including the preparation of *curriculum specification* and *test blueprints* for each course or module. Modularized delivery based on block teaching system (and ECTS credits) should invariably be accompanied by module introduction, themes, tasks and readings to each module.

b) There is tension between pursuits of expansion of law schools and the need for due attention to the quality and standards that were envisaged under the 2006 Legal Education Reform Programme. This major problem requires due attention to consolidation and enhancement of quality and standards rather than further expansion of law schools.

c) Wisdom and pragmatism require consolidation which can enable neighbouring universities to specialize in their comparative advantages in view of staff profile, physical facilities, university-industry linkages and other factors rather than rushing to launch a multitude of undergraduate and graduate programmes. Such pursuits are expected to even lead to the merger of some law schools. As the Minister of Science and Higher Education noted at a conference, the Ministry aspires to work toward differentiation in the focus of universities and areas of specialization.[91] Such initiatives can indeed facilitate the merger of some Ethiopian law schools.

d) There are gaps in attracting and retaining academic staff who devote their full working hours for teaching, research and law school services mainly owing to extremely low remuneration and benefits which do not meet living expenses.

e) The standards for course/module delivery and assessment have not been adequately achieved. Effective delivery and assessment require problem-based learning (PBL) as the predominant mode of delivery, periodic training in pedagogy, measurable learning outcomes, curriculum specification and test blueprints, continuous assessment and criterion-referenced grading (rather than action plans that promote zero attrition rates or over 90% retention rates).

f) Resources and autonomy in law school administration envisaged in the Legal Education Reform Programme have not been achieved. On the contrary, autonomy has regressed in the law schools which are brought under a college (such as College of Law and Governance) thereby relegating law schools to academic sub-units that are not directly represented in the University Senate.

g) The level of attention provided to research and publications in most law schools is not adequate. This is, *inter alia*, reflected in the extremely low number of publications by staff and the interruptions in the publication of law journals. The challenges include (i) the inability to attract and retain academic staff with demonstrated research competence, (ii) lack of research staff primarily engaged in research, (iii) low salary scales (iv) inadequate budget and research grants to law journals and other publications, and (v) failure to enforce the research obligations of academic staff. The challenges relating to research and publications equally apply to consultancy services that were envisaged to be provided by law schools.

[91] Professor Hirut W/Mariam, Opening remarks to International Conference on Private Higher Education in Africa, Ethiopian Aviation Academy, Addis Ababa Ethiopia, July 25, 2019.

12. Concluding Remarks

Law schools are learning platforms that nurture, prepare and hone *professionals in law* who can think, analyze, present, proactively project, argue, and agree/disagree based on critical inquiry, truth, reason and shared destiny. In the absence of effective learning, law schools cannot meet the mission stated in the Legal Education Reform Programme (Standard 2/2), i.e., "prepare competent and responsible members of the legal profession who actively contribute towards rule of law, democracy, human rights, good governance, social justice, equality, tolerance and development." Such vision transcends the cognitive domains of knowledge and skills, because the societal contributions stated in Standard 2/2 further involve volition and the behavioural domain which include integrity and responsibility that are *sine qua non* factors in "social trustee professionalism"[92] in addition to expertise in law.

This requires remedial pursuits in addressing problems and gaps accompanied by proactive schemes that enhance quality and standards in all learning domains. Such pursuits aim at legal education that does not merely provide grades and award degrees, but rather prepares *competent*, *committed* and *responsible* professionals. Mere discussion and decisions at various meetings including the Consortium of Ethiopian Law Schools is inadequate unless each law school is actively engaged in bringing about solutions to its challenges and gaps. The viability and performance of the Consortium of Ethiopian Law Schools are determined by the competence, responsibility and commitment of member schools which constitute its foundation. The standard and efforts of each law school can then nurture and enhance synergy at the level of the Consortium which can facilitate and harmonize the efforts of all law schools.

In addition to addressing the gaps and challenges at the grassroots, there is the need to enhance the Consortium's activities beyond periodic meetings because the tasks of coordination (such as following up the performance and challenges in law schools), experience sharing, networking, performance evaluation and feedback provision are daily activities that necessitate an office, adequate budget and a secretariat. These engagements of the Consortium are expected to be assisted by the provision of an office and secretariat support to the Consortium under the government institution that implements the Legal Education Reform Programme.

[92] *See*, for example, Rachel F. Moran (2018), "The Three Ages of Modern American Lawyering and the Current Crisis in the Legal Profession and Legal Education", 58 *Santa Clara Law Review* 453 (2018), pp. 516, 517 and 522. Available at: https://digitalcommons.law.scu.edu/lawreview/vol58/iss3/4

As noted in the introduction, there are recent developments that have transferred the task of following up the Legal Education Reform Programme to Justice and Legal Research and Training Institute (JLRTI, former JLSRI). According to Article 5(4) of the Federal Justice and Legal Research and Training Institute Establishment Proclamation No. 1071/2018, JLRTI's objectives include "coordinating, integrating and ensuring the effectiveness of justice system and legal education reform programmes as well as any other reform program carried out in the justice sector". This is reiterated in Article 6(3) of the Proclamation and other provisions. However, transferring the task of following up the legal education reform programme to JLRTI is expected to be accompanied by *caveats* against loss of institutional memory. This requires the continued engagement of HESC on various pertinent issues such as student admission, exit exam, law school autonomy and other concerns.

Although there were expectations that an *Association of Ethiopian Law Schools* would take over the implementation of the Legal Education Reform Programme, harmonized efforts and synergy are required from JLRTI, HESC and the prospective Association of Ethiopian Law Schools. It is such coordinated engagement that can overcome the challenges and optimize the opportunities in the enhancement of quality and standards in legal education. In the absence of such focused institutional engagements –accompanied by the empowerment of law schools– the institutional memory and continuity of legal education reform may steadily decline.

Legal education that merely focuses on technical skills and the instrumental dimension considers "the lawyer as rhetorician rather than as person of learning".[93] The "vocational or the instrumental side"[94] of legal education may indeed prepare a skilled communicator (in oral and written arguments) based on the literal readings of the law. However, this becomes shallow in preparing a prospective member of the legal profession unless holistic attention is given to the intellectual, technical and ethical dimensions in legal education. Law schools should thus transcend fixations on the number of graduates and instead focus on the attainment of their mission, learning objectives and graduate profile envisaged in the 2006 Legal Education Reform Programme. Indeed, they have no option, but to either continue through the path of regression or reinvigorate the legal education reform programme by enhancing their attainments and addressing challenges and gaps. ■

[93] Peter L. Strauss (1985). "The Metamorphosis of Legal Education", *New York Law School Law Review*, Vol. 30, pp. 637, 638.
[94] Ibid.

ANNEXED DATA

Number of LLB Programme Students in 28 Law Schools (2015/16 - 2017/18)

DOI http://dx.doi.org/10.4314/mlr.v13i2.3

Annex 1

Number of LLB Programme students (2015/16- 2017/18) in seven '1st Generation' law schools (Established 1963-2005)

Addis Ababa University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	106	47	**153**	45	39	**84**	51	22	**73**
Second Year	51	37	**88**	103	33	**136**	44	29	**73**
Third Year	52	52	**104**	56	32	**88**	101	32	**133**
Fourth Year	48	67	**115**	48	46	**94**	58	34	**92**
Fifth Year	85	72	**157**	47	67	**114**	45	44	**89**
Total	342	275	**617**	299	217	**516**	299	161	**460**

Bahir Dar University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-regular	**Total**	Reg.	Non-reg.	**Total**
First Year	94			101			104		
Second Year	88			77			96		
Third Year	47			83			77		
Fourth Year	96			47			83		
Fifth Year	67			96			45		
Total	392	328	**720**	404	237	**641**	405	218	**623**

NB- The data submitted does not indicate the breakdown of non-regular students

Hawassa University[1]

Class Year	**Number of LL.B Programme Students:** Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	58	29	**87**	61			64	-	64
Second Year	66	-	**66**	61	27[2]		57	-	57
Third Year	146	-	**146**	71			52	29	81
Fourth Year	54	Data not available	**54**	152			71	-	71
Fifth Year	57	-	**57**	43	48+ 398[3]		150	376	526
Total	381		**410**	388	473	**861**	394	405	**799**

Haramaya University

Class Year	**Number of LL.B Programme Students:** Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	73		73	59		59	77		77
Second Year	58		58	73		73	59		59
Third Year	69		69	58		58	73		73
Fourth Year	72		72	69		69	58		58
Fifth Year	78		78	72		72	69		69
Total	350		350	331		331	336		336

[1] Data has not been submitted to HESC, and the data in the table is taken from the Nine-Month Report of Hawassa Law School, Megabit 2010 Ethiopian Calendar (March 2018), p. 4, and the law schools' report dated 14/07/2009 Ethiopian Calendar, i.e. March 22, 2017.

[2] Twenty seven (second year) students in 2009 Ethiopian Calendar and twenty-nine (3rd year) students in 2010 Ethiopian Calendar students are considered as "Special Regular" in the reports indicated in Footnote 108. However, there is no category that can be referred to as "Special Regular" unless students are on campus full-time.

[3] Weekend and Summer (Kiremt) non-regular programmes

Jimma University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	75	50	**125**	80	-	80	81	-	81
Second Year	80	65	**145**	65	50	**115**	58	-	58
Third Year	95	80	**175**	70	65	**135**	57	50	**107**
Fourth Year	81	120	**201**	92	80	**172**	57	65	**122**
Fifth Year	109	90	**199**	81	120	**201**	92	80	**172**
Total	440	405	**845**	388	315	**703**	345	195	**540**

Mekelle University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	51	-	51	100		100	77	-	77
Second Year	121	-	121	51		51	91	-	91
Third Year	123	-	123	106		106	50	-	50
Fourth Year	78	33	111	122		122	105	-	105
Fifth Year	99	-	99	77	33	110	123	-	123
Total	472	33	**505**	456	33	**489**	446	-	**446**

University of Gondar

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg	Total
First Year	106	-	106	93	-	93	87	-	87
Second Year	90	-	90	85	-	85	95	-	95
Third Year	87	-	87	80	-	80	85	-	85
Fourth Year	85	-	85	87	-	87	77	-	77
Fifth Year	91	-	91	85	-	85	85	-	85
Total	459	-	459	430	-	430	429	-	429

Annex 2

Number of LLB Programme students (2015/16- 2017/18) in eleven '2nd Generation' law schools (Established 2006-2010)

Ambo University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	49	-	49	48	-	48	33	40	**73**
Second Year	41	-	41	49	-	49	48	-	48
Third Year	57	-	57	41	-	41	49	-	49
Fourth Year	46	-	46	57	-	57	41	-	41
Fifth Year	60	119	**179**	46	-	46	57	-	57
Total	253	119	**372**	241	-	**241**	228	40	**268**

Arba Minch University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	45			73			65		
Second Year	40			43			64		
Third Year	55			38			43		
Fourth Year	47			52			40		
Fifth Year	43			47			47		
Total	**230**			**253**			**259**		

Arsi University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	30	-	30	40	-	40	50	-	
Second Year	40	-	40	26	-	26	34	-	
Third Year	69	0	69	34	-	34	24	-	
Fourth Year	67	-	67	69	-	69	34	-	
Fifth Year	87	34	**121**	67	-	67	69	-	
Total	293	34	**327**	236		236	211		211

Dire Dawa University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	70		70	70		70	109		109
Second Year	50		50	61		61	77		77
Third Year	63		63	49		49	58		58
Fourth Year	50		50	61		61	44		44
Fifth Year	58		58	49		49	61		61
Total	291		291	290		290	349		349

Dilla University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	Total	Reg.	Non-reg.	**Total**
First Year	68	-	68	51	-	51	42	-	42
Second Year	78	-	78	55	-	55	35	-	35
Third Year	50	62	**112**	75	-	75	42	-	42
Fourth Year	44	26	**70**	50	62	**112**	68	-	68
Fifth Year	39	-	39	44	26	70	48	62	**110**
Total	**279**	**88**	**367**	**275**	**88**	**363**	**235**	**62**	**297**

Debre Markos University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	43	-	43	82	-	82	57	28	85
Second Year	57	76	133	43	-	43	82	-	82
Third Year	45	-	45	57	76	133	43	-	43
Fourth Year	38	-	38	45	-	45	57	76	133
Fifth Year	52	19	71	38	-	38	45	-	45
Total	235	95	**330**	265	76	**341**	284	104	**388**

Jigjiga University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	23	117	**140**	48	-	48	32	140	**172**
Second Year	19	-	19	20	117	**137**	46	119	**165**
Third Year	23	-	23	18	-	18	18	-	18
Fourth Year	25	98	**123**	22	-	22	18	-	18
Fifth Year	63	-	63	24	98	**122**	23	89	**112**
Total	153	215	**368**	132	215	**347**	137	348	**485**

Mizan Tepi University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	87	-	87	65	32	97	109	38	147
Second Year	33	-	33	87	-	87	62	32	94
Third Year	35	53	**88**	33	-	33	83	-	83
Fourth Year	33	45	**78**	31	53	**84**	32	53	**85**
Fifth Year	40	50	**40**	36	45	**81**	31	53	**84**
Sixth Year	NA	-	-	NA	-	-	NA	45	45
Total	228	148	**326**	252	130	**382**	317	221	**538**

Wollega University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	18	-	18	21	-	21	25	-	25
Second Year	27	-	27	25	-	25	24	-	24
Third Year	50	-	50	42	-	42	42	-	42
Fourth Year	43	-	43	43	-	43	43	-	43
Fifth Year	45	-	45	42	-	42	42	-	42
Total	183	-	183	173	-	173	176	-	176

Wollo University

Class Year	**Number of LL.B Programme Students:** Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	53	-	53	59	-	59	51	-	51
Second Year	36	130	**166**	56	-	56	44	-	44
Third Year	45	-	45	34	130	**164**	56	-	56
Fourth Year	40	-	40	44	-	44	34	124	**158**
Fifth Year	66	-	66	40	-	40	44	-	44
Total	240	130	**370**	233	130	**363**	229	124	**353**

Wolaita Soddo University

Class Year	**Number of LL.B Programme Students:** Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	Total	Reg.	Non-reg.	**Total**
First Year	50	-	50	50	-	50	50	110	**160**
Second Year	50	-	50	57	-	57	50	-	50
Third Year	59	-	59	46	-	46	57	-	57
Fourth Year	51	223	**274**	59	-	59	46	-	46
Fifth Year	110	-	110	51	223	**274**	59	-	59
Total	320	223	**543**	263	223	**486**	262	110	**372**

Annex 3

Number of LLB Programme students (2015/16- 2017/18) in ten '3rd Generation' law schools (Established after 2010/11)

Adigrat University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	45	-		72	-		74	-	
Second Year	49	-		38	-		66	-	
Third Year	46	-		48	-		36	-	
Fourth Year	-	-		46	-		48	-	
Fifth Year	-	-		-	-		46	-	
Total	140	-		204	-		270	-	

Aksum University

Class Year	Number of LL.B Programme Students Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	102	-		60	-		44	-	
Second Year	38	-		64	-		55	-	
Third Year	29	-		36	-		60	-	
Fourth Year	-	-		29	-		34	-	
Fifth Year	-	-		-	-		29	-	
Total	169	-		189	-		222	-	

Assosa University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	35	-		75	-		45	-	
Second Year	34	-		26	-		72	-	
Third Year	40	-		34	-		34	-	
Fourth Year	-	-		40	-		26	-	
Fifth Year	-	-		-	-		40	-	
Total	109	-		175	-		217	-	

Bule Hora University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	60	-		58	-		50	-	
Second Year	58	-		57	-		54	-	
Third Year	-	-		53	-		52	-	
Fourth Year	-	-		-	-		44	-	
Fifth Year	-	-		-	-		-	-	
Total	118	-		168	-		200	-	

Debre Berhan University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	Total
First Year	50	-	50	50		50	52	-	52
Second Year	46	-	46	48	-	48	40	-	40
Third Year	41	-	41	46	-	46	48	-	48
Fourth Year	41	-	41	40	-	40	44	-	44
Fifth Year	34	-	34	41	22	**63**	40	-	40
Total	212	-	212	225	22	**247**	224	-	224

Madda Walabu University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			2016/17 (2009 E.C)			2017/18 (2010 E.C)		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	24		24	80		80	100	-	100
Second Year	24		24	24		24	80	-	80
Third Year	10		10	24		24	24	-	24
Fourth Year	19		19	9		9	22	-	22
Fifth Year	32	34	**66**	19	32	**51**	9	32	**41**
Total	109	34	**143**	156	32	**188**	235	32	**267**

Mettu University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	48	-		36	-		50	-	
Second Year	12	-		48	-		36	-	
Third Year	34	-		12	-		48	-	
Fourth Year	-	-		34	-		12	-	
Fifth Year	-	-		-	-		34	-	
Total	94	-		130	-		180	-	

Oromia State University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total	Reg.	Non-reg.	Total
First Year	31	220	251	-	69	69	18	112	**130**
Second Year									
Third Year									
Fourth Year									
Fifth Year									
Total [4]									450

Samara University

Class Year	Number of LL.B Programme Students: Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	41	38	**79**	40	-	40	42	-	42
Second Year	21	-	21	36	37	73	36	34	**70**
Third Year	26	-	26	18	-	18	34	-	34
Fourth Year	25	-	25	25	-	25	17	-	17
Fifth Year	-	-	-	24	-	24	25	-	25
Total	113	38	**151**	143	37	**180**	154	34	**188**

[4] The breakdown of the data has not been provided although the table shows that the total number of students is 450.

Wolkite University[5]

Class Year	**Number of LL.B Programme Students:** Regular (Reg.) and Non-Regular (Non-reg.)								
	2015/16 (2008 E.C)			**2016/17 (2009 E.C)**			**2017/18 (2010 E.C)**		
	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**	Reg.	Non-reg.	**Total**
First Year	38	23	**61**	51	-	51	55	-	55
Second Year	34	-	34	45	17	**62**	42	-	42
Third Year	40	-	40	42	-	42	40	15	**55**
Fourth Year	38	-	38	40	-	40	40	-	40
Fifth Year	42	-	42	43	-	43	39	-	39
Total	192	-	**215**	**221**	-	**238**	216	-	**231**

[5] The figures for 2008 E.C (1st year and 2nd Year), for 2009 E.C (1st Year) and non-regular students during the years 2008 E.C and 2009 E.C were missing in the data submitted to HESC.