andelen underkända vid examinationen kunde vara närmare halvdelen av alla som deltog.

Forfatter

P.O. Träskman är dekanus och professor i straffrätt vid juridiska fakulteten i Lund.

Success in the examination of procedural law

Sari Lindblom-Ylänne and Johanna Niemi-Kiesiläinen



1.1. Successful studying in higher education

Research on studying at university level has shown that students' approaches to learning are related to study success. In other words, the ways students study effect their learning outcomes. Approaches to learning may be roughly divided into two qualitatively different categories.

Superficial learning, on one hand, means that a student simply tries to cope with the course requirements and, therefore, concentrates on routine fact memorisation. Deeplevel learning, on the other hand, is based on an interest in the subject matter of a task, and refers to an intention to maximise understanding (Biggs 1993). The way students approach their learning tasks guide the selection of study strategies so that students who apply deep-level learning are more likely to select more effective and qualitatively better generative study strategies such as summarising and concept mapping. Respectively, students who study more superficially are more likely to choose less effective reproductive strategies such as underlining and verbatim notes (Lonka, Lindblom-Ylänne & Maury 1994; Lahtinen, Lonka & Lindblom-Ylänne 1997). To conclude, deep-level learning has been shown to be associated with qualitatively better learning results because students aim at understanding the learning materials by using generative study strategies.

In addition to students' approaches to learning and their study strategies, also the learning environment has an effect on student learning. Important elements of the learning environment are the teacher and course characteristics. Prosser and Trigwell (1999) have shown that the university teachers' approach to their teaching is associated with their students' approach to their learning and, furthermore, that teachers' approach to their teaching is connected with the quality of students' learning outcomes. Trigwell, Prosser and Waterhouse (1999) further showed that a student-centred approach to teaching, which aims at supporting students' active role in the learning process, is related to deep-level learning. Respectively, a teachercentred approach to teaching, which concentrates on knowledge transmission, is connected with superficial learning.

So far there is not much research on the effectiveness of independent studying on learning outcomes in comparison to the effectiveness of combining independent studying with participating in the instruction provided by universities. However, on the basis of previous research on student learning in

higher education, we may hypothesise that participating in instruction may enhance independent studying and learning outcomes if the teacher's approach to teaching is student-centred and if the course is organised to support students' active role in the knowledge construction. In this way the teacher's student-centred approach to teaching may encourage the students to apply a deep approach to learning, which, in turn, is related to successful studying. Furthermore, we may hypothesise that if a student studies independently, study success requires that he or she spontaneously applies deep-level learning and generative study strategies.

1.2. Studies in procedural law

This study was carried out in one of the core subjects in the law curriculum. The scope of procedural law in the Finnish law faculties is broad. Besides civil and criminal procedure, also enforcement of judgements and basics of insolvency law are included in the procedural law. The examination materials are extensive, including now about 1700 textbook pages. Not only has the scope of materials to be studied given procedural law a reputation of being the most difficult subject in the Finnish law faculties: it also requires a new way of thinking, which some students find hard to get used to.

In the Faculty of Law in Helsinki, the students are given considerable freedom to choose in which order they take even the mandatory examinations. However, the teachers of procedural law recommend that students take examinations of private law, commercial law, family law, and criminal law before procedural law. Thus, because of its reputation, most students prefer to leave

the examination of procedural law quite in the end of their studies. This examination also gives the students more credits than any other mandatory examination. In the curriculum of the Faculty of Law in the University of Helsinki, the examination of procedural law gives 6.5 credits, equivalent of 6.5 weeks (40 hours of work per week). Furthermore, the Faculty of Law relies to a great degree on independent study. In procedural law, at least two courses are offered each semester. Participation to these courses is not, however, mandatory and many students choose to study on their own.

In the preceding examinations the students have become familiar with questions in which they have to apply material norms to given facts. Also in procedural law, case questions are used both in teaching and in examinations but there are some important differences in the methodology. First, unlike in courses on material law, the students have to learn how to solve cases on the basis of procedural norms. To some students, the distinction between material and procedural norms turns out to be confusing in the beginning. Secondly, much more attention is paid to the form of argumentation than in material law courses. The students are expected to distinguish between the elements of the case and to understand the mode of argumentation used in court decisions. Thirdly, the students have to deal with situations in which knowledge of facts is wanting and the case has to be decided by applying evidentiary

A fairly high percentage of the students fail at their first attempt in the examination. The percentage of failing varies between 25 and 40%. In the absence of mandatory participation to the courses or relevant inquiry to

the reasons for failing, we had not been able to assess what these percentages really tell. Do they tell about poor preparation by the students, excessive materials to be studied, about particular problems related to the learning process or about problems related to the method of teaching?

Even tough we could not say that many students who fail repeatedly, we knew that some students have had particularly painful experiences of repeated failure. The authors of this study have frequently during the years counselled students who feel that they are trapped by the examination in procedural law. They have taken the examination several times, failing each time. Notwithstanding further study, their points in the examination seem to go down in subsequent attempts to pass. They feel that their performance is on a downward spiral. One of the students expressed her feelings in the following way: "After the second failure, I started to hate the books so much that nothing goes to my head any more."

Another student had found out that he did fairly well in essay questions, which test the level of knowledge, but failed each time in the case questions, which require application of knowledge. In consultations with these students, the repeated failures almost always concerned students who either have not attended classes at all or have done so several semesters before they have actually started actively to study for the examination. We hope that this study will cast some light on the reasons for repeated failure.

The aim of the present study is to examine what effect participation in lecture courses has on success in the examination of procedural law. We were also interested to find out on what grounds students choose their

way to study and prepare themselves for the examination. Furthermore, the aim is to analyse whether there is a different effect when a traditional lecture course and a problem-based course are compared.

2. Method

2.1. Participants

In order to investigate aspects related to success in the examination of procedural law, students' participation in this examination was analysed during one study year. Each year, six examinations are organized. Together, 267 students took the examination of procedural law from November 2001 to September 2002. During that time, 73 students (27%) failed the examination and took the examination more than once. Of these, 45 students (62%) tried the examination twice, 14 students (19%) three times, six students (8%) four times and eight students (11%) five times. Of the 267 students, over 10 percent had participated in the examination three times or more.

139 students (48%) had participated in lectures when preparing themselves for the examination of procedural law. Of these, 96 students had participated in one course, 39 students in two courses and four students in three courses.

Two experienced teachers participated in the study. Teacher 1 was a professor and Teacher 2 a senior lecturer of procedural law and the second author of this article.

2.2. Materials

To examine how participating in lectures supported independent studying and enhanced learning, two different kinds of courses, Course 1 and Course 2, were compared. Both courses took place before the first examination in November 2001. Thus, they were both organised to support students' independent studying for the examination and to foster understanding of procedural law. The courses had different objectives: Course 1 concentrated on theoretical questions, and Course 2 was organised to help students to answer the case questions of the examination of procedural law. Other courses were also organised, but they had already taken place in spring 2001 before the research began or after the first examination in November 2001.

Course 1 was entitled "Central principles of procedural law". This course could be described as a good traditional lecture course. Course 1 consisted of 28 hours of lecturing; two hours twice a week for seven weeks. The aim of the course was to present and analyse central concepts and principles of procedural law and in this way facilitate studying the material required in the examination of procedural law. Even though there were no particular activating assignments during the lectures, such as group work or pair discussions, the atmosphere of the course was studentcentred. Therefore, students were able to interrupt the teacher and ask questions during the lecture. From time to time, active discussions arose during the lectures. At the end of the lecture course, there was a written two-hour examination based on the content of the course. There were 71 students in Course 1.

Course 2 was entitled "Case practices of procedural law". This course was designed on the basis of problem-based learning. The principles of problem-based learning emphasise students' responsibility for their own learning, an intertwining of theory and practice, a focus on the processes of knowledge acquisition rather than on the products of such processes, a change in staff role from that of instructor to that of facilitator, and a change in focus from staff assessment of outcomes of learning to student self- and peer assessment. Course 2 consisted of 24 hours of activating lectures (three hours once a week) and group work between the lectures. Each session started with a short introduction and with the analysis of the case distributed in the previous week. Students were invited to comment the case. Then, the next case was distributed to students. They read it and were assigned to small groups to discuss the case. They were instructed to identify the basic concepts and areas of law they need to learn to solve the case. The group discussions took 10-15 minutes. Since there was only one teacher in the classroom, the group discussions were only occasionally observed by the teacher. Next, the problems were identified in a discussion with the whole class. Each

group was invited to report on their findings. The teacher wrote the reported findings down on a transparency, added missing points and commented on the relationships among the concepts. After that, a lecture on the substance needed for the problem solving followed. During the week, the students solved the case in groups of two to three students and returned to the teacher before the next lecture. She read them and gave feedback on the case at the beginning of the lecture. The cases covered, in principle, all areas of procedural law and thus most of the examination material. There were 54 students in Course 2. Of the 116 students who participated in Courses 1 and 2, 17 students participated in both courses.

By taking a course on procedural law, students receive extra points that help them to pass the examination. In Course 1, the points were given on the basis of the two-hour course exam. In Course 2, the students could earn points by good group work between the lectures, but to get the maximum points, they also had to take the course exam in the end of the course. If a student passes a course with an excellent grade, he or she receives three points. A good grade gives a student two points and a satisfactory grade one point. The maximum amount of extra points students can gather for the examination is 41/2. Thus, if a student passes two courses on procedural law with excellent grades, he or she cannot use the six extra points, but only the maximum amount of 4½ points. The maximum points from the examination of procedural law are 70, and 35 points are needed to pass the examination.

The examination measures both skills in case solving and understanding and memorising the basic concepts. Therefore, the exami-

nation consists of two parts. For the first 3½ hours of the five hour exam, students are allowed to use law books while solving four cases. In the case questions, the students are presented a fairly complicated procedural setting in which they have to identify the problems, find the relevant norms, apply them and give their arguments. During the last hour and a half, the law books are put aside and the students are given three theoretical question, based on the text books.

The 66 students, who took in the first examination in November 2001, were given a questionnaire after the examination. The questionnaire focused on examining 1) the reasons for the decision to participate in the voluntary course, 2) the goals the students set for the course and for the examination, 3) the reasons why the course was considered useful, 4) how the students prepared themselves for the examination, 5) how well the students thought they did in the examination, and finally, if the students did not participate on the lectures, why they choose to study independently. 45 students (68 %) returned the questionnaire. Of these, 34 students had participated in one or both courses described above.

The two teachers completed the Approaches to Teaching Inventory (Prosser & Trigwell 1999) after the course. The inventory is composed of 16 items. The inventory contains two scales representing two different approaches to teaching: the conceptual change/student-focused approach and the information transmission/teacher-focused approach. Teachers who adopt a student-focused approach aim at changing students' views or conceptions of the phenomena they are studying. These teachers further emphasise the importance of students constructing their

More about the principles of problem-based learning: e.g., Savin-Baden, Maggie: Problem-based learning in higher education: Untold stories. Open University Press Suffolk UK, 2000. More about problem-based learning in law: e.g., Lindblom-Ylänne, Sari, Pihlajamäki, Heikki & Kotkas, Toomas: What makes a student group successful? Student-student and student-teacher interaction in a problem-based learning environment. Learning Environments Research, in press and Pihlajamäki, Heikki & Lindblom-Ylänne, Sari, this issue.

own knowledge. Teachers who adopt a teacher-focused approach, on the other hand, concentrate on transmitting information about the discipline to the students. In the latter scale, the focus is on facts and skills, but not on the relationships between them. The two scales contain two subscales, intention and strategy subscales.

3. Results

3.1. Reasons to participate in courses

About two thirds of the students who participated in lectures believed that participation would facilitate passing the examination. About one fourth of the students wanted to deepen their understanding of procedural law. Finally, a small number of students took a course because of a fellow student's advice.

Nine out of 11 students, who decided to study independently for the examination, did not participate in a course because it did not fit to their schedule. Two students did not consider the courses useful for themselves. We have to note, however, that the students who did not participate in the courses, had a very low response rate to the questionnaire.

The 34 students had set different goals for their participation in the courses. More than half of the goals concerned an emphasis to learn as well and as much as possible during the course. About one fourth of the goals were related to an intention to learn to write good examination answers and to achieve a high course grade, respectively.

A great majority of the 34 students found the course useful. The students felt that they had learned a lot about procedural law and about how to write good answers. Only two students did not consider the course useful for themselves.

3.2. Teachers' approaches to teaching

The results of the Approaches to Teaching Inventory showed that both teachers' approach to teaching was clearly student-focused instead of teacher-focused. The student-focused approach to teaching is characterised by an intention to help students to develop and change their worldviews or conceptions of phenomena they are studying. Furthermore, a student-focused teacher understands that is it not possible to transmit a new worldview or conception to the students. The student-focused approach is contradictory to a teacher-focused approach, which concentrates on transmitting information to the students and which leaves the students a passive role in the learning process. There were not any differences among the teachers in their approach to teaching. Thus, it may be said that despite the teachers had designed very different kinds of courses, their way of seeing and defining teaching was similar.

3.3. The number of attempts was related to success in the examination

The results showed that the first attempt was usually the best one, in other words, students who took the examination for the first time achieved significantly higher grades and total

points than students who took the examination for the second time.²

Table 1 shows in detail how the number of attempts needed to pass the examination of procedural law affected the grades.

3.4. Participation in the courses facilitated success in the examination

The grade correlated with the number of courses taken before the examination (r=0.197, p=0.01). Furthermore, the average grade of the students who participated in

2 Four one-way ANOVA designs were applied to examine the effects of the number of attempts on success in the examination. The independent variable was the number of attempts and the dependent variables were grade, total points achieved in the examination, points from the theoretical questions and points from the case questions. All the main effects of the number of trials were significant, except on points from the theoretical questions (Grade: F(4,248) = 4,84, P = 0.001; Total points: F(4,249) = 4,47, P = 0.002; Points from theoretical questions: F(4,247) = 2,05, P =0.088; Points from case questions: F(4,248) =3,55, P = 0.008). Tukey's post hoc tests with its significant procedure ($\acute{a}=0.05$) were used for comparisons among the number of attempts and different aspects of examination success. The comparisons showed that students, who took the examination for the first time, achieved significantly higher grades and total points than students who took the examination for the second time. Furthermore, the comparisons showed that students, who took the examination for the first time, achieved significantly higher case points than students who took the examination for the third time. Thus, the higher the numbers of attempts, the lower grades were achieved. However, the number of attempts did not seem to affect success in the theoretical questions as much as in the case questions.

courses (1.5) was significantly higher than of those students who did not participate (1.2).³ Thus, the more courses students had taken the higher grades they achieved.

Table 2 shows comparisons of success in the examination among those who participated in courses and who did not. The results showed that students who participated in Course 2 achieved significantly higher grades and total points than students who did not participate in Course 2. Furthermore, students who participated in both Course 1 and Course 2 achieved significantly higher grades than students who did not participate in these two courses.⁴

³ This difference was measured by an Independent Samples T-test [t(257)=-2.78, p=0.006)].

⁴ One-way ANOVA designs were applied to examine the effects of the participation in courses on success in the examination. The independent variable was participation in courses and the dependent variables were grade, total points achieved in the examination, points from the theoretical questions and points from the case questions. The main effects of the participation in courses were significant on Grade and Total points (Grade: F(3,255) = 4.07, P = 0.008; Total points: F(3.255) =4,26, P = 0.006). Gabriel's post hoc tests with its significant procedure (x = 0.05) were used for comparisons among participation in the courses and different aspects of examination success. The comparisons showed that students who participa ted in Course 2 achieved significantly higher grades and total points than students who did not participate in Course 2. Furthermore, the comparisons showed that students participated in both courses achieved significantly higher grades than students who did not participate in these courses.

Table 1. Success in the examination of procedural law in relation to the attempts needed to pass the examination (N=267). The standard deviations are presented in parentheses.⁵

Number of attempts to pass the exam	Frequency	Percent	Average grade (max 3)	Average total points (max 70)	Average points from theoretical questions (max 30)	Average points from case questions (max 40)
1	194	73	1.44 (0.83)	40.48 (6.35)	15.96 (3.67)	23.13 (4.05)
2	45	17	1.00 (0.72)	37.38 (6.35)	15.22 (3.98)	21.66 (4.01)
3	14	5	1.00 (0.71)	36.38 (8.03)	15.73 (2.94)	19.85 (6.79)
4	6	2	0.67 (0.52)	33.50 (3.52)	13.00 (2.09)	19.30 (2.28)
5	8	3	1.00 (0.53)	36.75 (4.71)	13.19 (2.94)	22.13 (2.55)

Table 2. Comparisons of success in the examination among those who participated in Courses 1 and 2 and who did not. (N=259)

Participation in Courses 1 and 2	Frequency	Percent	Average grade	Average total points	Average points from theoretical questions	Average points from case ques- tions
No courses	190	73	1.21	38.6	15.5	22.5
Course 1 (lectures)	35	14	1.46	41.0	15.9	22.6
Course 2 (case practice)	21	8	1.67	42.4	16.1	23.3
Courses 1 and 2	13	5	1.71	42.4	15.7	22.5
All students	259	100	1.31	39.5	15.7	22.6

When comparing examination success among those who participated in courses and those who did not, it must be taken into consideration that students received extra points if they passed the courses. The maximum number of extra points was 4½. These extra points were added to their total points. The students who participated in the courses received in average 2.7 extra points. The difference between the average total points of those students who participated and those who did not participate in Course 1 was 2.4 and in Course 2 respectively 3.8. These comparisons indicate that the positive effect of Course 2 on study success was not only due to the extra points.

Surprisingly, about one third of the students who participated in the courses did not take the examination of procedural law during this study, in other words, during the study year, which followed the course. More detailed analyses showed that of those who participated in both courses almost 60% participated in the first examination in November, which took place after the courses. Respectively, only 18% of these students had not taken the examination after one year. Furthermore, almost half of the students who participated in the problem-based Course 2 participated in the first examination and one fourth had not taken the course after one year. On the other hand, only 23% of the students who participated in the traditional Course 1 participated in the first examination and 34% had not taken the course after one year. These differences were statistically significant.6 These comparisons indicate that those students, who participated in the problem-based course or both courses, had decided to invest both time and energy to succeed in the examination of procedural law. Thus, they participated in the courses to get support for independent study. On the other hand, we may also claim that the way of studying in the problem-based course motivated the students to study actively for the examination

However, there may be many other reasons why students decided not to take the examination after the course. One reason is the schedule. The courses are scheduled during the autumn and spring term, but if students want to take the examination in the summer or at the beginning of the term, the courses do no coincide with their preparation for the examination. From the teachers point of view it is problematic that students participate in courses too much in advance. According to teachers of the Faculty, it is advisable to participate in courses simultaneously when studying for an examination. In this way, courses may facilitate independent studying.

3.5. Was study phase related to examination success?

According to the teachers of procedural law, success in the examination requires basic knowledge from different subjects of law, particularly from private, commercial, family, and criminal law. Therefore, it is not recommended to take the examination at the beginning of studies. The results show that the students followed this recommendation well: in average, they had passed 15 out of 19 mandatory examinations before taking the examination of procedural law. More precisely, less than 5 % had passed less than 10

⁵ For those who had more than one attempts, the last attempt was taken into consideration.

⁶ $x^2(18)=95.61$, p=0,000

68

mandatory examinations, about 40% had passed 10 to 15 examinations, and more than half of the students 16 to 18 examinations. The results support teachers' recommendation, at least partly: the number of other mandatory examinations taken before the examination of procedural law did not correlate significantly with the total grade, but instead with the grade from the three theoretical questions (r=0.153, p=0.017). On the other hand, interestingly, the results showed that the less years the students had studied, the better grade the achieved (r=139,p=0.029). This indicates that it is not wise to leave this examination to be taken "too late".

3.6. Good preparation enhanced success in the examination

The students, who took the first examination in November, were asked in the question-naire to describe their study strategies when preparing for the examination and to evaluate how well they had prepared themselves for the examination and how well they succeeded in the examination. They were also asked about the time they had spent for studying for the examination.

Students who studied qualitatively better for the examination, in other words, used generative study strategies such as note taking, summarising, doing exercises or discussing with peers, received higher grades than students who used more reproductive strategies. The average amount of total points was 44.4 for those who used generative study strategies and for those who used reproduc-

tive strategies respectively 39.9. This difference was statistically significant.⁷

The results also showed that the better the students felt they had prepared for the examination, the higher grades they received. Thus, the students' evaluation of how well they had studied for the examination correlated significantly with the examination grade (r=0.410, p=0.008). Furthermore, the students' estimations of their success in the examination, which was made after the examination, were in line with the examination results. The grade the students predicted to receive correlated significantly with the grade (r=0.399, p=0.012). In contrast, the time the students had spent for studying the examination of procedural law did not correlate significantly with the grade although the correlation was positive (r=0.215, p=0.176).

Comparisons between those who studied independently and those who participated in the courses showed that there were no differences in the students' evaluations of how well they had prepared themselves for the examination. However, the students who participated in the courses used qualitatively better study strategies significantly more often that students who studied independently. This result confirms our hypothesis presented in the Introduction concerning the steering effect of teaching on student learning and on the use of study strategies. By this we mean

that high quality teaching seems to enhance the quality of independent studying.

4. Discussion

The results showed that the expectations of students who participated in the courses before the examination were fulfilled: the students succeeded in the examination, with the help of the knowledge and skills they learned in the courses, better than those who did not participate in the courses. As could be anticipated, good preparation and generative study strategies were also related to study success. The results further showed that the students were realistic about how well they had been able to answer the questions when predicting their grade after the examination.

A very interesting result was that the higher number of attempts was, the worse success the students had. Thus, students could easily find themselves in a vicious circle if they did not pass the examination on their first attempt: repeated failures decrease motivation to study and lower self-confidence. It is frustrating to prepare for the same examination many times and go through the same material over and over again. To pass the examination students should be able to change their study practices and try another kind of approach when preparing for the examination for the second time. This result, unfortunately, indicates that this does not happen, because frequent attempts do not seem to deepen knowledge of procedural law. It is not rare that students "try their luck with the examinations", in other words try to pass the examinations with little studying and preparation. Students should take the first attempt seriously and study the examination material as well as possible. A way of studying that is based on half-time working and half-time study, which is quite common among law students in Helsinki, seems to be particularly problematic in the light of this result. Furthermore, because the examination of procedural law is taken quite late in legal studies, there is a considerable risk that repeated failures will prolong graduation.

The two teachers of this study were both diagnosed as applying a student-centred approach to teaching. Thus, they both avoided knowledge transmission and aimed at helping students to actively develop and deepen their knowledge of procedural law. However, the courses the teachers organised were very different from each other: Course 1 was a traditional lecture course and Course 2 was a problem-based course. The results showed that students who participated in the problem-based course achieved in average higher grades than students who participated in the traditional lecture course. Even though the primary aim of problem-based course was to enhance success in the case questions, the course also helped the students to answer the theoretical questions. This indicates that a teacher's student-centred approach to teaching is not as such enough to foster study success of the students. The characteristics of the learning environment seem more important. Thus, more emphasis should be paid to the nature of the learning environment and to the way courses are designed.

From the point of view of the teacher of the problem-based course, the method of the course was time and energy consuming. The written reports the students prepared between the lectures were of high quality and

⁷ The total points of these two study strategy-use groups were compared by an Independent Samples T-test which showed that students who used generative study strategies achieved significantly higher total points than those who used reproductive strategies [t(37)=-2.39, p=0.02)].

⁸ $x^2(3)=16.21$, p=0,001

showed that they had invested time in group work. Therefore, the students had a legitimate expectation for more individual feedback than was possible to give in a big group. The course would have been more in line with the principles of problem-based learning if tutors for the groups had been available.

To conclude, the results of this study bring to light the importance of designing instruction which allows students' active participation in the teaching-learning process. In order to foster learning, instruction should facilitate active construction of knowledge of the students themselves instead of transformation of knowledge from the teacher and provide possibilities for the students for regulation of studying, in other words to direct and take responsibility of their own learning. Furthermore, the results indicate the importance of providing counselling for those students who fail the examination at their first attempt. These students should receive feedback about the weaknesses of their answers and guidance about how to write qualitatively better answers and how to study more effectively for the examination.

References

Biggs, John. "What do inventories of students' learning processes really measure? A theoretical review and clarification", p. 3-19, *British Journal of Educational Psychology* 63, 1993.

Lahtinen, Virpi, Lonka, Kirsti & Lindblom-Ylänne, Sari. "Spontaneous study strategies and the quality of knowledge construction", p. 13-24, *British Journal of Educational Psychology* 67, 1997.

Lonka, Kirsti, Lindblom-Ylänne, Sari & Maury, Sini. "The effect of study strategies on learning from text", p. 253-271, *Learning and Instruction* 4, 1994.

Prosser, Michael & Trigwell, Keith. *Understanding learning and teaching. The experience in higher education*. Suffolk, UK: Open University Press, 1999.

Trigwell, Keith, Prosser, Michael & Waterhouse, Fiona. "Relations between teachers' approaches to teaching and students' approaches to learning", p. 57-70, *Higher Education* 37, 1999.

Författarupplysningar

Sari Lindblom-Ylänne, fil.dr., docent i inlärningpsykologi, direktör i Utvecklingsenhet för universitet pedagogik, Juridiska Fakulteten, Helsingfors universitet Johanna Niemi-Kiesiläinen, jur.dr., docent i processrätt, forskare i Forskarkollegiet vid Helsingfors universitetet.

Academic dual life and other misunderstandings – Reflections on law studies in Helsinki

Tuuli Heinonen, Kristian Wohlström, Kirsi Alanne, Jukka Lång & Ville Sandström

"For my part, I am not at all as convinced as lawyers in general of the beneficial effect of law studies. On the contrary, I dare to be enough of a heretic to claim that legal science, in the form it is here practised - that is, as only logical-juridical explanation, from which all social viewpoints have carefully been erased as irrelevant - can actually prove to be positively harmful. This is because lawyers, having received such a one-sided education, quite often tend to become strongly enough attached to the letter of the law as to forget the rights, the human needs, that the law is supposed to protect." I

Professor Allan Serlachius, 1904

Introduction²

The kind of worldview embedded in university education is a theme of timeless interest and importance. —What conception of law and professional self-understanding is communicated to students? As a process of reforming the law degree in Helsinki is currently underway, we discuss in this paper legal education based on our experiences as law students, with the aim of providing ideas in respect to the coming reform. We think that in order to understand how an average

student experiences law studies, they need to be examined from various angles but in their entirety, for the illusion of coherence is all too easily attained by the experienced.

All lawyers in Finland receive a rigidly structured education leading to the higher university degree of Master of Laws³, which in Helsinki currently comprises 160 credits⁴

¹ Freely translated from Serlachius, Allan: Caveant consules. Lakimies 1904, p. 188.

² We would like to thank Retfærd's anonymous referee for useful comments and Sari Lindblom-Ylänne and Johanna Niemi-Kiesiläinen for their guidance during the whole writing process.

The Master of Laws degree is a prerequisite for most judicial posts in Finland. Only very few end their studies after earning the Bachelor of Law degree, and all students are admitted straight from the beginning to the Master's programme.

⁴ The term 'credit' refers to an average input of 40 hours of work by the student, including class hours and private study. A rough equivalency of the Finnish credits with the European Community Course Credit Transfer System (ECTS) is that one Finnish credit equals two ECTS credits.