

References

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UDC 340:378:667(043.2)

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THEORETICAL AND LEGAL ASPECTS OF LEGAL EDUCATION IN THE REPUBLIC OF GHANA

Policy makers, politicians, and academicians all saw the need for training legal professionals who could assist in the transformation of Ghana's Legal Systems and aid in the development of Ghana. They made various inquiries into the state of Ghana's Legal Education. More importantly, they recognized the pressing need for adequate legal training. Many viewed law as a critical instrument in Ghana's development, and the training of legal professionals formed a cornerstone in the scholarship in Ghana. Thus, Ghana's Legal Education developed dramatically immediately after independence [1].

It must be noted that, the professional legal education/ training in Ghana is regulated and supervised by the General Legal Council (GLC) which was established in 1958. In performing its functions, it is amongst others laws guided by Legal Professions Acts 1958 and LI 1296. Not much of a problem in terms of accessibility was encountered during the initial stages of its establishment until after the year 2000 onwards where a number of law faculties were established in some of the universities in Ghana. Hitherto, the University of Ghana, Legon, was the only university accredited to run academic law degree leading to the award of the LLB certificate which was/is a prerequisite for admissions into the Ghana Law School to study for the professional law program after which you will be called to the Bar and be able to practice as a lawyer. In all these while, the General Legal Council had only one Professional Law School which at its initial stages of establishment was operating from the supreme court building until it moved to its present location called the "Markola Law School." This restriction meant that, the university of Ghana which was at the time, the only university mandated to train students for the

award of LLB was required to admit only such number of students that will be commensurate with the available space and facilities at the law school for their professional training, provided those students passed some selected seven courses, and are of good behavior as provided for in the LI 1296 [2].

One of the problems that Ghana's Legal Education system is faced with, that isn't given much attention is curricular weaknesses. Curricular weakness in Ghana's legal education includes lack of legal clinics to teach skills and sensitize students to local needs and aspirations, limited course offerings, over-reliance on lecture, scarce legal aid support services, and a lack of perspectives on Ghanaian juridical and philosophical value systems as they relate to the global legal system. Also, law faculties lack adequate learning resources, such as well-stocked libraries, electronic information retrieval databases, information and communications technology, and computers. Other factors that negatively impact the curricula is the overcrowding and disproportionate student-faculty ratios which might impede effective teaching. Inadequate remuneration for faculty might compel moonlighting in second or third jobs and, thereby, affect faculty preparation and delivery. Dysfunctional institutions, corruption, poverty, lack of facilities, and scarce resources are all challenges confronting Ghana's legal education curricula reform [1].

At the same time, there is one more problem. It is worrying to realize that the 12 undergraduate universities are collecting between GH¢ 10,000 and 15,000 per student a year in a period of three to four years depending on the university before awarding an LLB degree. After paying all these monies and getting your LLB, candidates have to take a comprehensive written examination. The written examination is a two-hour paper in sections. Section A has 30 objective questions covering nine courses. Section B is made up of three essays and candidates choose one from the same nine courses. Candidates who are, therefore, able to attain the threshold mark which is determined by the council are allowed to go through an interview. For one to pass the interview, you need to meet the following criteria: Appearance, confidence composure and general knowledge. The interview criteria is very invincible. If you fail the interview, you need to pass the entrance exam again the following year before being allowed to go through the interview process. It is, therefore, disturbing that graduates with the Bachelor of Law had to go through this academic rigmarole in their quest to become professional lawyers. Through this stringent criteria, about 2/3 of those qualified are denied entry to the professional law course. Between 2012 and 2016, many brilliant students have been denied entry with the General Legal Council raising the issue of capacity as the basis of rejection [3].

Of course, the first problem may be decided via more financial investment to legal schools in Ghana. But to remove the second problem and improve legal education in Ghana it is suggested to: 1). Discontinue the EE and interview. The EE and interview were introduced to address a specific problem: the huge

number of LL.B. holders produced by the faculties/law schools and the unworkability of the quota system. However, the result is that several students are waiting for the opportunity to still undertake their professional studies. It would be different if the students were unable to pass the final examinations, instead of an entrance examination. Every LL.B. holder from a Ghanaian university or a university in a foreign country whose course of study is considered satisfactory of legal education should qualify to enter a School of Law, and/or sit for the final examination.

2). Convert the BLE into a Professional Legal Examinations and Accreditation Board (PLEAB): A). The PLEAB will accredit 'Schools of Law' (SoLs) that would apply for and meet the PLEAB's accreditation standards to teach the one-year professional course (minus the practical attachment), and prepare LL.B. holders for examinations. B). The PLEAB would set and mark the professional examinations, and the SoLs would present their students for those examinations. Those who obtain a certain average pass mark would then qualify, first to undertake the practical attachment under the supervision of the PLEAB, and then be called to the Bar. C). It is up for discussion whether it should be possible for a student to decide not to enroll with any SoL and undertake private study and then write the examinations [4].

In our opinion, it is obligatory to admit that legal education in Ghana is on the stage of reforming and improvement. Of course, there are many questions to decide in this sphere but all of them have to be solved to make good legal protection of human rights and freedoms in our country.

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