

NURTURING MULTIPLE INTELLIGENCES THROUGH CLINICAL LEGAL EDUCATION

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ABSTRACT

Legal pedagogy needs to take into account many of the theories of intelligence and creativity which have been proposed by educators in the last few decades, such as Gardner's theory of multiple intelligences, Wechsler and Thorndike's concepts of emotional intelligence and Schank's theories of narrative intelligence. Teachers of clinical legal education, because of its different pedagogical emphasis to traditional classroom learning, have begun to show increasing interest in nurturing and valuing displays of intelligence and creativity which are outside of the traditionally accepted methods of demonstrating intelligence in legal education.

This paper explores the concept of multiple intelligences within legal education. It proceeds from the premise that clinical legal education has the ability to apply its teaching methodologies in nurturing creativity, problem-solving and other skills which are not necessarily valued in mainstream legal education. It suggests ways in which legal educators can recognise, embrace and nurture multiple intelligences in law students. Finally, it makes suggestions for methods of law teaching which can better utilise and develop students' various forms of intelligence.

I. INTRODUCTION

Current legal pedagogy fails to take into account many of the theories of intelligence and creativity which have been proposed by educators in the last few decades. For the most part, legal education ignores Gardner's theory of multiple intelligences,¹ concepts of emotional intelligence pioneered by Wechsler and Thorndike² and narrative intelligence first proposed in the 1970s and 1980s by Schank and his

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¹ Howard Gardner, *Frames of Mind: The Theory of Multiple Intelligences* (Basic Books, 1983).

² Paul Cain, 'A First Step Toward Introducing an Emotional Intelligence into the Law School Curriculum: The Emotional Intelligence and Clinic Student Class' (2003 - 2004) 14 *Legal Education Review* 1, 2.

research group at the Yale.³ In recent years, however, teachers of clinical legal education, because of its different pedagogical emphasis to traditional classroom learning, have begun to show increasing interest in nurturing and valuing displays of intelligence and creativity which are outside of the traditionally accepted methods of demonstrating intelligence in legal education, such as logic and analytical abilities.

Clinical pedagogy can be differentiated from mainstream legal learning in recognising, valuing and fostering multiple intelligences in its clinical students. Encouragement of students to recognise their own use of multiple intelligences and develop insight into the way they approach the resolution of legal disputes can lead to a lifelong change in the way students approach their lawyering. Clinical legal education has a unique opportunity to develop insightful, creative and inventive graduates through promoting and nurturing multiple intelligences in students.

This paper will explore the concept of multiple and emotional intelligences within legal education. It proceeds from the premise that clinical legal education has the ability to apply its teaching methodologies in nurturing creativity, problem-solving and other skills which are not necessarily valued in mainstream legal education. However, it is these skills that often distinguish excellent lawyers from the mediocre. It suggests ways in which legal educators can recognise, embrace and nurture multiple intelligences in law students. Finally, it will make suggestions for methods of law teaching which can better utilise and develop students' various forms of intelligence.

II. WHAT ARE MULTIPLE INTELLIGENCES?

Until 1983, intelligence testing was dominated by the standard IQ test. In that year, Howard Gardner published his seminal work - *Frames Of Mind: The Theory of Multiple Intelligences*.⁴ Gardner has expanded his theories since the publication of this work to include further intelligences⁵ and continues to refine his theories.⁶ Gardner posits that rather than one single intelligence which can be measured by IQ

³ Michael Mateas and Phoebe Sengers, 'Narrative Intelligence' (Fall Symposium, American Association for Artificial Intelligence, 1999).

⁴ Gardner, above n 1.

⁵ Howard Gardner, *Intelligence Reframed: Multiple Intelligences for the 21st Century* (Basic Books, 1999).

⁶ Howard Gardner, *Multiple Intelligences: New Horizons in Theory and Practice* (Basic Books, 1993).

testing, it is possible to identify up to 10 separate forms of intelligence in individuals. He identifies the traditional intelligence which is tested by IQ measurement as being "logical -- mathematical intelligence". This is the intelligence that a majority of people will be most familiar with and relate to problem analysis and mathematical operations. The other intelligences that Gardner proposes are as follows:⁷

- linguistic (ability with both the written and spoken word);
- bodily kinesthetic (ability with hands and using body as a form of communication);
- spatial (ability to accurately perceive the world and utilise those perceptions constructively);
- musical (ability to appreciate and utilise music constructively);
- naturalist (ability to work with natural environment);
- interpersonal (ability to be sensitive to motivations and feelings of others);
- intrapersonal (ability to form self-knowledge and self insight);
- spiritual (ability to perceive and appreciate issues of spirituality);⁸ and
- existential (ability to contemplate issues of existence and infinity).⁹

Of course, the immediate difficulty with Gardner's theory is it can neither be proved nor disproved. Gardner himself has not attempted to defend his theory on the basis of how these intelligences can be tested - indeed, part of the reason for developing the theory of multiple intelligences was to undermine notions of intelligence testing.¹⁰ Thus, by its very nature, the theory of multiple intelligences cannot be empirically demonstrated to be sound. However, it provides a different and useful paradigm for investigating not only the way that students learn, but how they individually perceive that they learn. Students may never have had come into contact with the concept of multiple intelligences, but most will be able to identify the areas where they feel learning comes easy to them and those that do not. Gardner's theory can assist educators to help students develop insight into their own learning capabilities and preferences. It also potentially provides insights into demonstrations of various strengths and weaknesses amongst a student cohort at a group level. It exhorts educators to recognise that not all students learn the same thing in the same way

⁷ Gardner, above n 1.

⁸ Gardner, above n 5.

⁹ Ibid.

¹⁰ Ibid.

and opens up a vast array of opportunities in the way that knowledge can be presented to students and skills can be developed by them.

III. WHAT IS EMOTIONAL INTELLIGENCE?

The ability to recognise and empathise with others feelings and also to show insight into one's own internal feelings and emotions are the skills which make up the concept of emotional intelligence.¹¹ Emotional intelligence is certainly not a new concept and can be dated back to the work of Weschler and Thorndike, beginning in the 1930s.¹² However, the concept has received wider public attention since the publication of Goleman's 1997 book *Emotional Intelligence*.¹³ Montgomery points out that emotional intelligence, unlike IQ, can be both taught and learned.¹⁴ Accordingly, if we that accept that emotional intelligence is not just an innate quality, legal educators must find creative ways to nurture and encourage this essential skill.

There is no doubt that the ability to develop useful insights into a client's state of mind and motivations is enhanced by a well honed empathetic awareness of other people.¹⁵ A lawyer who is unable to develop a rapport with clients is at a severe disadvantage. Relationship building with clients can be seen as an essential prerequisite in professional behaviour.¹⁶ Law school graduates who have not developed the ability to empathise with others or to recognise their own emotional reactions in their interactions with clients and other professionals will find themselves struggling to survive in a profession which requires strong communication and relationship skills. Considering that so much of lawyering involves dealing with the breakdown of relationships (whether it be in the commercial sphere, family law, or indeed, sometimes even in criminal law) and also relies heavily on establishing strong professional lawyer/client relationships, law schools are failing in their responsibilities to teach students in a relational manner. Parker notes that this failure can lead to a condition which he refers to as 'alexithymia', in which students demonstrate a

¹¹ Michael King et al, *Non-adversarial Justice* (Federation Press, 2009) 243.

¹² Cain, above n 2, 2.

¹³ Daniel Goleman, *Emotional Intelligence* (Bantam Books, 1997).

¹⁴ John E Montgomery, 'Incorporating Emotional Intelligence Concepts into Legal Education: Strengthening the Professionalism of Law Students' (2008) 39 *University of Toledo Law Review* 323, 326.

¹⁵ *Ibid* 327.

¹⁶ *Ibid* 336.

reduced capacity for empathy and difficulties in both identifying and describing feelings to others.¹⁷

Cain demonstrates that it is possible to create exercises which focus upon and teach concepts of emotional intelligence in a classroom environment.¹⁸ In the University of Denver College clinical internship program, he employed a teaching methodology which consisted of ten weeks of hour classes in which the primary goal was to introduce clinical student to the concept of emotional intelligence. In addition to classes focusing on a discussion of the relevant literature, simulated client interviews were conducted and videotaped in order to identify and discuss the emotional content.¹⁹ He also involved experts in both management and psychology to assist in the teaching -- thus emphasising the multidisciplinary nature of emotional intelligence and of the lawyering role. Cain notes that some students express the opinion that emotional intelligence is something that you either have or don't have and thus cannot necessarily be taught in a classroom.²⁰ Others find the experience 'too touchy-feely'.²¹ However, Cain found students mostly engaged and interested in the topic.²² Cain believes attempting to teach methods of emotional intelligence is a worthwhile exercise and supports this claim by the use of Cooper and Sawaf's 'EQ Map Questionnaire'²³ which maps students' emotional awareness of themselves and others. However, as Cain points out²⁴ it remains to be seen whether there is a useful way of evaluating what the students did or didn't learn in the long term. It would be useful to administer this test at first year orientation and then again after the students have completed the EQ classes in order to discover whether such classroom exercises, as developed by Cain, may have some lasting impact on student learning.

¹⁷ JDA Parker et al, 'Alexithymia and Academic Success: Examining the Transition from High School to University' (2005) 38 *Personality and Individual Differences* 1257, 1257-1258.

¹⁸ Cain, above n 2.

¹⁹ Ibid 9.

²⁰ Ibid 12.

²¹ Ibid.

²² Ibid 13.

²³ Robert K Cooper and Ayman Sawaf, *Executive EQ: Emotional Intelligence in Leadership and Organisations* (Berkeley Publishing Group, 1998).

²⁴ Cain, above n 2, 14.

IV. WHAT IS NARRATIVE INTELLIGENCE?

Originally conceived by Blair and Meyer as the human ability to organise experience into narrative form,²⁵ Burton more specifically describes narrative intelligence, in the context of legal education, as an ability to solve the ebb and flow of a legal problem.²⁶ Such an ability transcends the logical -- mathematical intelligence described by Gardner²⁷ and requires the skill of being able to problem solve with a set of fluid facts and circumstances. Examinations in legal education tend to provide students with a static set of facts -- this is very unlike real practice experience where the facts of a legal problem are rarely concrete and tend to evolve over time as the matter moves forward towards an ultimate resolution.²⁸ Frank points out that lawyers use narratives every day of their working lives but few are mindful of the basic principles inherent in understanding and working with these narratives.²⁹

The skill of working with clients' 'stories' may certainly evolve over time and experience but it is not an ability which is necessary inherent in law graduates. Fundamentally, legal educators need to understand the difference between static facts and the ongoing flow of the narrative and be able to nurture an understanding of this in their students. Students can and should be taught the ability to understand a sequence of facts in their social and legal context -- as Mertz points out, teaching students to only be pragmatic and analytical in their understanding of factual situations leaves out essential aspects of the narrative dealing with plot, character and content.³⁰ It really only provide students with half the story, stunting their ability to develop skills in understanding motivation, temperament and reasons for human behaviour. Lawyers must be able to understand and work with an ever-changing array of facts and also must be flexible in their problem-solving abilities when those facts change as the matter progresses. Current legal education does little to encourage and teach this flexibility. By teaching legal principles based on appeal court cases, legal educators are merely providing their students with a snapshot of

²⁵ Mateas and Sengers, above n 3.

²⁶ Angela Olivia Burton, 'Cultivating Ethical, Socially Responsible Lawyer Judgement: Introducing The Multiple Lawyering Intelligences Into The Clinical Setting' (2004) 11 *Clinical Law Review* 15, 24.

²⁷ Gardner, above n 4.

²⁸ King et al, above n 11, 245.

²⁹ Sally Frank, 'Eve was Right to Eat the "Apple": The Importance of Narrative in the Art of Lawyering' (1996) 8 *Yale Journal of Law and Feminism* 79, 81.

³⁰ Elizabeth Mertz, 'Teaching Lawyers the Language of the Law: Legal and Anthropological Translations' (2000) 34 *John Marshall Law Review* 91, 102.

a factual situation, leaving out the entire process by which the conflict which led to those legal principles being enunciated played out in the lawyer's office and inferior courts. Mertz notes that this de-contextualisation is further exacerbated by the way that law exams often provide fact situations with emotional or narrative 'red herrings' which the students are meant to filter out as irrelevant to an analytical approach to problem-solving³¹. This confirms the erroneous message that social, emotional or narrative contexts are immaterial to the appropriate investigative approach to legal problem solving.³² The ability to work with narratives is an essential aspect of a lawyer's skill set and yet is largely ignored in legal education.

V. HOW DO WE NURTURE THESE VARIOUS INTELLIGENCES?

In 2006 James conducted empirical research amongst graduates of the school of law at the University of Newcastle relating to causes of stress and dissatisfaction amongst lawyers. One of the aims of the study was to identify correlations between the emotional intelligence of respondents and their workplace satisfaction.³³ It was found that appropriate training in emotional intelligence may help law graduates cope with the stressful situations of practice, improve their communication skills and assist them in deciding which type of legal practices is appropriate for them.³⁴ The research also indicated relatively strong support for clinical legal education as preparation for legal practice.³⁵ Over 40 years ago, Watson suggested that law teachers used problem-based exercises in their teaching in order to attempt to replicate some of emotional issues found in legal practice.³⁶ This was an attempt to nurture insight amongst students about the way lawyer/client communication takes place - both verbal and non-verbal. Watson was attempting to develop interpersonal skills in the classroom³⁷ which was pioneering work in the 1960s.

³¹ Ibid 104.

³² Ibid.

³³ Colin James, 'Lawyer Dissatisfaction, Emotional Intelligence and Clinical Legal Education' (2008) 18 *Legal Education Review* 123.

³⁴ Ibid 135.

³⁵ Ibid 136.

³⁶ Andrew S Watson, 'The Quest for Professional Competence: Psychological Aspects of Legal Education' (1968) 37 *University of Cincinnati Law Review* 91, 150.

³⁷ Marjorie A Silver, 'Emotional Intelligence and Legal Education' (1999) 5 *Psychology, Public Policy, and Law* 1173, 1196.

In order to engage all the intelligences that Gardner posits, Dauphinais³⁸ suggest various opportunities for students to demonstrate their comprehension of legal doctrine by diverse means – for example, students could be offered a number of ways of completing legal assignments, such as oral presentations for those with more developed linguistic intelligence³⁹ and activities requiring drawing skills (such as creating flowcharts) for students who excel in areas of spatial or visual intelligence.⁴⁰ These suggestions are certainly more creative and engaging than the traditional examination commencing ‘A and B had a joint interest in the land known as Whiteacre’. Such written problem based exams have come to dominate assessment in University legal education, but they are limited to requiring students to develop only logical – mathematical intelligence.

Silver takes up some of Watson's ideas and adds suggestions which move away from the restrictions of the lecture theatre and classroom. She proposes a lawyering course which would integrate legal doctrine with problem-based learning, legal skills and values.⁴¹ She offers the suggestions of an integration of classroom studies with experiential learning taking place in the third year of studies. She describes a system of ‘rotations’ in which students would spend substantial time in either an in-house clinic or an externship.⁴² In this way, the lessons learnt in the classroom relating to client interactions and the nurturing of emotional, narrative and multiple intelligences would be supported by real-life practice in a supervised clinical environment. As she explains:

The thrust of the entire proposed curriculum then will be to integrate the theory, the doctrine, and the practice of law with the goal of having the students’ experiences in law school and in their placements reinforce one another.⁴³

Clinical legal education can be the mode of implementation of Silver’s integration model, as discussed in the next section.

³⁸ Kristen A Dauphinais, ‘Valuing and Nurturing Multiple Intelligences in Legal Education: A Paradigm Shift’ (2005) 11 (1) *Washington & Lee Race and Ethnic Ancestry Law Journal* 1.

³⁹ Ibid 33.

⁴⁰ Ibid.

⁴¹ Silver, above n 37, 1198.

⁴² Ibid 1199.

⁴³ Ibid.

VI. A CLINICAL APPROACH TO INTEGRATION OF MULTIPLE AND EMOTIONAL INTELLIGENCE INTO MAINSTREAM CURRICULUM

It is part of the nature of most legal clinics that a fairly broad and holistic view is taken of their approach to client care.⁴⁴ This client centred focus is the result of the way that legal clinics developed, with a vision of justice which has traditionally been focused on individual rights and on law reform in an attempt to protect individuals in their (often reluctant) interactions with the legal system. Given the nature of legal clinics, which usually cater for people in lower socio-economic conditions, clients often attend their appointments with a strong emotional overlay. They are often angry, nervous, confused or upset -- or a mixture of these emotions. Such clients are exceptionally challenging for students who have never been exposed to situations requiring empathy and understanding of human behaviour and motivations. Even the most well-intentioned students find themselves without the necessary tools to deal with clients demonstrating strong emotions. It is quite possible that a number of students entered law school with some ability to display emotional intelligence, but that the case dialogue method of legal education, which focuses so strongly on analytical thinking, has discouraged its development.⁴⁵

The idea of integrating clinical methodology with mainstream teaching is certainly not a new one. Clinical methodology was first described by Gary Bellow in 1973.⁴⁶ In that seminal work, he proposed that there are three fundamental aspects of clinical methodology:

- Role performance by students;
- Pedagogical focus on student experiences; and
- Motivational tensions arising from the interaction between performance and pedagogy.⁴⁷

In 1985, Feldman⁴⁸ investigated these concepts further and argued that clinical education can be integrated with the traditional curriculum in order to move clinical education from the margin to the mainstream of legal education. He provided a comprehensive plan for accomplishing this task. Such integration has a number of goals which includes

⁴⁴ King et al, above n 11, 248.

⁴⁵ Parker, above n 17, 1258.

⁴⁶ Bellow G, 'On Teaching the Teachers: Some Preliminary Reflections on Clinical Legal Education as Methodology' (1973) *Council on Legal Education for Professional Responsibility, Clinical Education for the Law Student*, 374.

⁴⁷ *Ibid* 379-394.

⁴⁸ Marc Feldman, 'On the Margins of Legal Education' (1985) 13 *New York University Review of Law and Social Change* 607.

exposing law students to law in operation, exploring the impact of roles, providing skills instruction, increasing students' ability to cope with professional pressures and allowing students to make more informed career choices. In emphasising both client focus and the development of an enhanced ability to self-reflect, there is ample evidence from clinical legal education literature that various forms of clinical methodology can be introduced into classroom teaching with relatively little demand on resources.⁴⁹

In large law schools, it may not be possible to offer all students an opportunity to participate in clinical legal education. Accordingly, one approach would be to integrate skills focused exercises into all law school units through a range of simulated exercises, such as those described by Silver⁵⁰, Cain⁵¹ and Watson⁵² above, aimed to develop insight into the various forms of intelligence. Montgomery makes a variety of suggestions as to how emotional intelligence can be incorporated into classroom activities in order to develop professionalism in law students.⁵³ For example, he teaches a family law course, in which a self-reporting instrument is used in a negotiation exercise in order to emphasise the need for students to understand their own and their client's emotions.⁵⁴ He is also creating a separate course on professionalism in which emotional intelligence competencies will form an integral part.⁵⁵ Gerarda Brown⁵⁶ suggests various classroom activities designed to promote creativity and enhance the multiple intelligences required for problem-solving, including De Bono's 'Six Hats' Technique⁵⁷ (in which students symbolically wear different coloured hats which focus on different aspects of a problem – for example, wearing a red hat requires the student to focus on the emotional aspect of a problem) and the 'Atlas of

⁴⁹ See, for example, Ross Hyams, 'The Teaching of Skills: Rebuilding, Not Just Tinkering Around the Edges' (1995) 13(1) *Journal of Professional Legal Education* 63; Lyndal Taylor, 'Skills Skills - Kind Inclusion and Learning in Law School' (2001) 3 *UTS Law Review* 85; MA Noone and JA Dickson, 'Teaching Towards A New Professionalism: Challenging Law Student To Become Ethical Lawyers' (2001) 4 *Legal Ethics* 127; Jeff Giddings, 'New Directions in ADR and Clinical Legal Education: Why No Clinic is an Island: The Merits and Challenges of Integrating Clinical Insights Across the Law Curriculum' (2010) 34 *Washington University Journal of Law and Policy* 261.

⁵⁰ Silver, above n 37.

⁵¹ Cain, above n 2.

⁵² Watson, above n 36.

⁵³ Montgomery, above n 14, 323.

⁵⁴ *Ibid* 350.

⁵⁵ *Ibid* 351.

⁵⁶ Jennifer Gerarda Brown, 'Symposium: Creativity and Problem-Solving' (2003-2004) 87 *Marquette Law Review* 697.

⁵⁷ *Ibid* 702.

Approaches'⁵⁸ method, in which students are required to problem solve by adopting the perspectives of various other disciplines – asking themselves 'How would a psychologist/doctor/journalist view this?'⁵⁹

Simulated exercises can be complemented by a range of work integrated learning activities including site visits, workplace learning placements, *pro bono* internships and exchanges into other law school clinical programs. In order for these experiences to be more than simple observation or action without reflection, students could be required to complete a reflective journal which documents their experiences and encourages them to reflect, during these activities not simply upon their learning of legal or practical content, but their reactions and insights to the lawyering and professional roles they are expected to play in the workforce. The writing of reflective journals is a widely used tool of clinical pedagogy and has strong support in higher education pedagogical literature.⁶⁰

This approach has the advantage of energizing often dry areas of law with relevant skills which draw upon narrative and emotional intelligence, so that both substantive content and practical implementation develop together and are seen by students to be necessary to each other. In taking a 'vertical curriculum' approach, which requires students to take certain units sequentially, such skills and self-reflection sophistication could also be incrementally developed with each year, as students' understanding and awareness gradually deepens.

If a law school wishes to truly nurture student insight into the multiple and emotional intelligences, a coordinated approach of simulation with real life work placement has to be well developed. It cannot be a process of simply sending students out to various placements and hoping that some lessons may be learnt from students' observation of the workplace. A system and philosophy of work integrated learning needs to be developed with a sound pedagogical basis. There are various terms which are used and many ways to define 'work

⁵⁸ Ibid 703.

⁵⁹ Ibid.

⁶⁰ See DA Schön, *The Reflective Practitioner: How Professionals Think in Action* (Basic Books, 1983); JJ Loughran, *Developing Reflective Practice: Learning About Teaching and Learning Through Modelling* (Falmer Press, 1996); R Rogers, 'Reflection in Higher Education: A Concept Analysis' (2001) 26(1) *Innovative Higher Education* 37; Ross Hyams, 'Assessing Insight: Grading Reflective Journals in Clinical Legal Education' (2010) 17 *James Cook University Law Review* 25.

integrated learning' - The 2009 'WIL Report'⁶¹ identified the following most used terms being used in the Australian context: 'practicum', 'professional practice', 'internship', 'workplace learning', 'industry-based learning', 'project-based learning', 'cooperative education' and 'fieldwork education'.⁶² Despite the fact that there are a range of terms being used, there appears to be some common factors inherent in all of these concepts:

- It is generally an activity agreed between a university and a "host" or "sponsor" employer, where students gain recognised course-related experience with the employer;
- It is undertaken for academic credit; and
- The host employer can be involved in assessing the work undertaken by students (but does not have to be).⁶³

Work integrated learning has a relatively recent history. Collaboration between Universities and industry partners developed throughout the 1980s and has taken various forms over the last three decades, including fieldwork, cognitive apprenticeship models (similar to work experience and the primary model used in law), 'sandwich' courses, joint industry-university courses and clinical placements (most widely used by medical, veterinary science and nursing faculties).⁶⁴ Nowadays, cooperative programs in which the work experience component is integrated into the overall curriculum is the most common form of work integrated learning program.⁶⁵

Whatever form it takes, the essential aspect of a well developed and pedagogically sound work integrated learning program is that it is perceived by both faculty and students as a primary learning tool, and not as an 'add on' or a 'time out'. Martin⁶⁶ points out that there is a definite connection between staff's notions of work integrated learning placements and the students' insight into their own development of skills and their satisfaction with their placement experience:

⁶¹ Carol-joy Patrick et al, 'TheWIL [Work Integrated Learning] Report: A National Scoping Study' (Final Report to the Australian Learning and Teaching Council (ALTC), January 2009).

⁶² Ibid 9.

⁶³ See, for example, the Monash University Employment and Career Development webpage: <http://www.careers.monash.edu/>.

⁶⁴ Elaine Martin, 'The Effectiveness of Different Models of Work-based University Education' (Curriculum and Academic Development Unit, The Royal Melbourne Institute of Technology, January 1997), Chapter 2 - 'Models of Work-based University Education'.

⁶⁵ Ibid.

⁶⁶ Ibid.

[W]here there is close guidance of experiences and continued joint support by both workplace and university supervisors, students claim to have developed more specific generic skills and to have had more satisfying experiences.⁶⁷

Thus, a successful work integrated learning program must have the full support of all stakeholders. If students perceive that it is not being treated seriously by the faculty or the workplace, then this will undermine its credibility as an essential aspect of their legal education.

VII. AN INTEGRATED APPROACH

A truly integrated model of legal education would promote multiple and emotional intelligences by incorporating simulated class exercises, work integrated learning placements and clinical legal education. It would recognize the fact that, because there are various intelligences, there are a number of ways that law students can develop their understanding of legal doctrine. Accordingly, such a model would provide a variety of ways in which students could be assessed in which they could play to their strengths, rather than forcing all students into a narrow 'logical - mathematical' approach. Such a model of legal education would also recognize that, in real legal practice, lawyers are not presented with a set of cold and clinical facts which they must simply use analytical skills to solve. An integrated model would nurture students' emotional intelligence and recognize that these skills must be developed to their utmost potential in order for law graduates to operate in an environment which requires an array of personal skills, including that of self-reflection and insight. It would develop students' skills in working with narratives, developing their flexibility in dealing with the ebb and flow of clients' 'stories', changing facts, clients' shifting emotions and objectives which must be revised in order to achieve the best possible outcome. It would be multidisciplinary, drawing upon knowledge from the social sciences as to our understanding of how students learn and how knowledge can be best presented for different types of learners. It would be structured as a 'vertical curriculum' - that is, exercises and activities which develop multiple and emotional intelligences together with self-reflection would be incorporated with increased complexity and sophistication as students progress through their studies. Finally, a genuinely integrated model of legal education would also utilize clinical pedagogy which has accumulated over a period of almost forty years, to assist students to graduate from law school with a

⁶⁷ Ibid (Executive Summary).

complete 'tool kit' which will enable them to practice effectively – incorporating legal knowledge and doctrine, practical skills and insight.