

the schools, for the engineer in the laboratories of the school and in great engineering-works, for the teacher in specially staffed practising schools. So far there is no institution such as a "legal-aid institution" which can give to the law student the same opportunities for practice as the public hospital gives to the medical student. His practical training must be obtained in the office of the practitioner. "First, the training must be primarily and fundamentally a training in and for legal practice as such, and not a training that provides the student merely with theoretical acquisitions that he may be unable to turn to practical account. Its object must be to develop skill or discipline, as distinguished from information or knowledge. Second, it must give the student such a mastery of theoretical legal knowledge as may ultimately in any way assist him to attain the object in view. And to this end not merely must a large part of the law that he intends to practise be acquired by him first as a body of systematized legal doctrines rather than picked up in a practical or empirical way, but law itself must not be narrowly defined. Borderland and allied studies of a relatively non-technical nature, such as jurisprudence and government, must be included."\*

Class-room cannot supersede practitioner's office.

In other professional schools practical work supplements and interprets the work of the class-room. It should be so in legal education. There are very special and peculiar advantages which only the practitioner's office can supply. For, while the work of the lawyer is undoubtedly concerned with the application of legal principles to special cases, one of his most difficult tasks is to disentangle out of a complicated mass of facts those which form the real issue, and then to ascertain how the existing law affects the rights of his client. No law school can effectively bridge the gap that exists between the consideration of cases in the class-room and those which are dealt with in the world of affairs represented by the practitioner's office. But it is worth while to point out that failure to provide adequate practical training constitutes a serious defect in legal education; it would be more serious still, if a merely superficial expertness gained by empirical methods in the office were obtained at the expense of more vital matters.

Abolition of examination in practical details recommended.

The Melbourne University Commission, 1904, emphasizes the distinction between the field of legal education proper for the university class-room and that to be relegated to the practitioner's office. "We think it undoubted that for the details of practice the careful practitioner would never rely, and does never rely, upon memory." "The skilled practitioner is one whose experience, gained partly before and partly after admission, is necessarily based upon an actual, as apart from a book, knowledge of practice, and who has to rely, after exercising his judgment as to procedure, upon the authorities and works of reference for the details of procedure." "We think that the examination itself should be divested of all technical matters, and matters of detail, and generally should be on broad lines, and that an oral examination of a broad character should be included, and that some reliance be placed upon the reports of the work done and proficiency attained by the counsel or solicitor in whose chambers the student served his articles, and that the University examinations should be looked to as authenticating a sufficient standard of legal education, and the examination as to details of practice be entirely discontinued."†

Abnormal number of law students.

New Zealand is distinguished by the great number of its law students. The figures for 1924 show that in the four University colleges there were 586 students attending law courses out of a population of 1,300,000. For the same year in New South Wales, with a population of 2,200,000, there were only 333 law students; and in Victoria, with a population of 1,600,000, there were only 285. Even if it be granted that many of the students are taking legal subjects as a preparation for commercial and other pursuits, the questions naturally arise, "Can the Dominion properly absorb such a body of lawyers?" and "Is there something wrong with the objective of the secondary education of New Zealand, in that it encourages so many to enter professions for which presumably many of them are not specially fitted and in which they are not needed?" These questions are worthy of investigation.

Recommendation for raising standard of legal education.

Apparently the standards of the legal course should be raised in regard to each of the three elements of professional training—general culture, professional know-

\* The Carnegie Foundation for the Advancement of Teaching: Training for the Public Profession of the Law, Bulletin 15. *Loc. cit.* † Melbourne University Commission, 1904, pp. 60-61.