

BETWEEN CLOSURE AND OPENING: EXIT EXAM IN ETHIOPIAN LAW SCHOOLS—an Essay*

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1. Introduction

Ethiopia's legal education is undergoing change. The change is the result of the adoption in 2006, and the subsequent implementation, of the Reform on Legal Education and Training. Nothing more typifies this change than the inclusion of the exit exam into the curriculum of law schools. Indeed the exit exam, a new phenomenon in the curriculum, is arguably one of the distinctive features of the contemporary system of legal education in Ethiopia. Thus, the new national law school curriculum¹ envisages an exit exam to be given at the end of legal study in all law schools. Coming at the end, the exit exam, as it is now conceived, marks completion. It is a kind of 'school leaving exam'. It is part of the requirements for graduation. Indeed, it is the last requirement for graduation. As such it marks closure. But at the same time, it borders opening, as it ushers in the new graduate into a world of legal practice that

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¹ The curriculum is the result of the Reform on Legal Education and Training in Ethiopia as finally approved in June 2006. The document identifies some major problems of the old ways of doing legal education, draws from foreign experience gathered through 'benchmarking' visits and readings on comparative legal education, comes up with a set of recommendations along with standards and guidelines for implementing the new (or recommended) program. The reform plan seeks to stress on the four major areas/flanks of legal education, namely: Curriculum, Delivery and Assessment Methods, Scholarship (Research, Publications and Service), and Management, Leadership, and Organization of Law Schools. The part on curriculum proposes a long list of core/compulsory courses and an understandably longer list of elective courses. In the curriculum, which I refer to as 'the new national curriculum' throughout this piece, the study of law is to be capped by the exit exam. For details, see generally MCBE (FDRE), *Reform on Legal Education & Training in Ethiopia*. Addis Ababa: Unpublished, 2006, but especially pp.14-18; 34-36; 55-61; 83-91 for matters concerning the curriculum. Regarding the exit exam, Standard 17 (1) of the Reform Document reads as follows: "Law Schools shall administer a *national exit exam* which will be availed *every six months* as a requirement for LL.B graduation."(Italics added.)

involves another ‘rite of passage’ (or even right of passage) called the bar exam². The latter is part of the criteria of admission into the profession. It is an entry point into the profession. As such, it marks opening. But often the exit exam is confused with the Bar exam. It is also viewed as a replacement to the Senior Thesis. What exactly is the difference between law school exit exam on the one hand and ‘bar admission exam’ on the other?

This piece reflects on this and other related questions. The overall objective is to spark a conversation that leads to a broad consensus on exit exam and the manner of applying it in the Ethiopian system of legal education. More specifically, this piece aims at clarifying the notion of exit exam and the manner of its operation. It also aims at identifying the challenges we might encounter in the process of applying it. In the paper, I seek to outline the differences between exit exam and its ‘cognates’, especially the ‘bar admission exam’ as I also describe what exit exam is, who manages it and how, and the challenges we anticipate apropos of its implementation. The questions I seek to raise and address pertain to the following: a) What is exit exam? What are its purposes? How is it different from ‘bar admission exam’?; b) who manages it? c) How is it done?; and d) What are the challenges we need to confront head on in the endeavour to implement it?

In trying to address these set of questions, I will first—in the second section, following this introduction—try to clarify our conception of what exit exam is and what it is not, what its goals are, what it aims to achieve, etc. In section three, by asking the *who* question, I will try to explore the options we have in order to identify the body that is best suited for managing its implementation. In section four, I will deal with the *how* question. Thus I try to address myself to the more specific and technical questions of at what stage the exam should be administered, at what phases, what types of questions should be set, and by whom, who should correct them? What will be the consequence of failing in the exam? How many times should a person be allowed to take the exam? How long should the exam take? What is the appropriate season for administering the exam? How should we prepare the students for the exit exam, if at all we should? How challenging should the exam be? What weight should it be given?

² The term ‘Bar Exam’ is not regularly used in the Ethiopian legal system. Owing to the fact that, of late, there are two professional associations competing for recognition among professionals (and indeed before the Government), the use of the term ‘Bar’ is also susceptible to inviting a controversy in Ethiopia. The questions as to which bar is responsible for regulating the profession including one’s admission into it is not one that can be readily answered.

In section five, I seek to identify the major challenges we might encounter as we administer the exit exam. The piece ends with some remarks about the prospects as we look ahead into the future.

2. What is Exit Exam?

The exit exam is the last comprehensive exam students have to sit for before graduating from the law school. Coming as it does at the end, it climaxes the study of law in law schools. It is a test taken as part of the requirements for graduation from the law school. It aims at determining the progress the student has made over the years. It also aims at checking, albeit indirectly, the program's effectiveness in delivering what it promised to deliver from the beginning.

2.1. *Exit Exam: What it is.*

The exit exam, as the name indicates, can be taken as a last 'clearance' before leaving the law school. In a sense, it is a school leaving exam, exam taken at the end of students' studies at the law school to mark their completion of the study. This exam is often confused with *the bar exam*. In contrast to the bar exam, which is a professional exam mainly administered by a professional and/or regulatory body, it is an academic exam chiefly administered by law schools. Exit exam marks the end of years of study at the law school. Bar exam, if successfully 'conquered', marks the beginning of a professional life. As such, the latter marks the date of ushering in a graduate into the profession. Exit exam qualifies a student for a degree. Bar exam qualifies a candidate for practice. Success in exit exam declares success in school as a student. Success in bar exam is an assurance of capability to practice. Exit exam makes you a candidate for professional practice. Bar exam directly qualifies you for practice as a lawyer. As has been hinted at a number of times already, exit exam is a school leaving exam. In contrast, the bar exam is an admission exam. One signals departure, while the other signals entry³.

³ One quickly notes that currently, in Ethiopia, the 'bar exam' is administered only for those who seek licenses for practising as private practitioners. All other legal professionals such as judges, Public Prosecutors, Attorneys working for Government institutions and/or enterprises, or experts working as legal advisors in innumerable other institutions do not need to sit for the bar exam. They are qualified automatically on graduation from Law Schools. Note however that owing to developments since 2003(?), would-be judges and public prosecutors are given training at Justice Professionals' Training Institutes now organized both at Federal and State levels. Nevertheless, even those who graduate from these institutions are not expected to sit for any exam before beginning to practice.

2.2. *Exit Exam: What it is not.*

Contrary to what many assume, the exit exam is *not* given in lieu of the *Senior Thesis*. The exit exam is not a replacement to the Senior Thesis. The reason for relegating Senior Thesis to the category of elective courses in the curriculum is different from the reasons that forced the inclusion of the exit exam⁴. The exit exam is intended chiefly to serve as a capstone to the entire study of students at Law Schools thereby giving students *a comprehensive law student personality*⁵. The Senior Thesis is made optional because: a) it is not a requirement in many law schools that offer law even as a graduate degree program⁶; b) the reason for its adoption in the 1960s (generation of as much knowledge as possible on the interpretation and application of the then newly adopted codes by using Ethiopian students who, in comparison to the teachers then, had no problem of linguistic and cultural barrier to operate in the ‘fields’) has now expired⁷; c) the number of students doing researches for their senior theses every year is beyond the capacity of the teachers to effectively read and supervise the research works; d) the proliferation of law schools all over the country has invited repetition and redundancy in the choice of topics for research. Along the line, the free use of papers written in one university and reproducing it in another has led to an uninhibited act of plagiarism (conscious or unconscious)⁸; e) the manifest decline in the research competence of

⁴ Note that according to the new national curriculum, the Senior Thesis is indeed relegated to the category of elective courses. See MCBE (FDRE), Reform on Legal Education and Training in Ethiopia. Unpublished: Addis Ababa, 2006, pp. 85-88, but especially p. 88.

⁵ One is quickly reminded that in Germany, the term used to refer to such an all-rounded legal professional is *Einheitsjurist* (to mean “uniform jurist”). See Annette Keilmann, “The *Einheitsjurist*: A German Phenomenon” *German Law Journal*, Vol 7, No. 3 (2007), pp.293-312; and Franziska Weber, “Hanse Law School--A Promising Example of Transnational Legal Education?: An Alumna’s Perspective” *German Law Journal*, Vol 10, No 7 (2009) p. 971. The term *volljurist* (to mean fully qualified lawyer) is used to refer to a legally trained professional who, having passed the required two state exams in the German system, is ready to become a legal professional of any sort. The legal education’s ultimate goal is the production of such a personality. See, for example, Reinhard Zimmerman, “An Introduction to the German Legal Culture” in Werner F. Ebke and Matthew W. Finkin (eds), *Introduction to German Law*. The Hague: Kluwer Law International, 1996, pp. 28-29. The term ‘comprehensive personality of a law student’ used here is not intended to fit neither the notion of the *Einheitsjurist* nor that of the *volljurist*.

⁶ Such is the case, for example, in law schools in US universities. The same holds true for other law faculties of continental Europe. When it becomes an optional/elective course, students who demonstrate to have the interest, the will, and the competence (to conduct research, and to write) alone should be allowed to engage in it. It is hoped that papers produced by such students will also be publishable and thus utilizable both in the academia and in the wider profession.

⁷ It has expired now because the teachers at any of the law schools now, being predominantly Ethiopians, have little problem of conducting researches by themselves without being hindered by linguistic and cultural distance between them and the social context in which they seek to study the law. Moreover, there is now a relatively remarkable body of basic research on diverse areas of law. Furthermore, it was stressed that the LL.M (and the proposed LL.D/PhD) programs should endeavour to satisfy the need for a rigorous research (academic or otherwise).

⁸ This has been observed in the practice of students from universities in the regional states and in the private University /Colleges who massively copy from the senior theses found in the archives of the law libraries of Addis Ababa University (AAU) and the Ethiopian Civil Service College (ECSC). The latter has now stopped

students over the years (partly because of the concurrent decline and/or lack⁹ in the capacity among teachers to supervise researches effectively) has made the Senior Thesis venture virtually a pointless exercise¹⁰; and f) others. It is thus clear that the reasons for the inclusion of the exit exam are independent of the reasons for the relegation of the Senior Thesis to the realm of elective courses.

But it is important to note that the decision to move the senior thesis to the category of optional courses is controversial mainly because it is a long established practice and such traditions die hard. Consequently there are a number of counter-arguments against the reasons presented here for relegating it into the category of elective courses in the curriculum. It can thus be argued that Ethiopia can choose its own unique path with regard to the requirement of senior thesis although it is not a requirement in any other country's legal education. But this tends to side step the idea that law, being an applied science, is semi-academic, semi-professional discipline as a result of which our major calling is to produce professionals. Although it is true that lawyers need to be researchers, the kind of research they are expected to do is a legal research (i.e., research into the relevant sources of law, e.g., codes, statutes et al, and cases with binding or persuasive force). They are not expected to do an academic research that contributes to the body of knowledge in the Ethiopian science of law. One can thus easily see that the argument for it on the need for an Ethiopian novelty fails to take note of the semi-professional/semi-vocational nature of the teaching law schools do—and the consequent fact that professionals need to be well versed in legal research, not necessarily academic research such as the one demanded by Senior Thesis.

Another counter-argument revolves around the idea that stresses the expiry of the logic that necessitated Senior Thesis in the 1960s. Proponents of this counter-argument hold that the

allowing photocopies by merely making the theses available for reading on the spot thereby curbing the problems created by what I call the 'photocopy syndrome'. But the problem of living in the era of *google* and the consequent reproduction of papers found on websites is yet to be tackled. It is argued that this latter problem can be curbed through the use of software that helps us check the existence of any plagiarized texts in a particular paper. Nevertheless, the fact that such software is not being made use of thus far, coupled with the teachers' inability—for various reasons—to check what is drawn from electronic sources or otherwise has seriously compromised the quality of research outputs just as much as it has diminished the students' ethical integrity.

⁹ Such lack and/or decline can be attributed to the inexperience of the young teachers employed as teachers especially in the newly established University Law Schools. Understandably, these teachers do not even know how to set an annual research agenda (and frame a researchable topic) from which students take topics to conduct researches on. These inexperienced teachers, often being mainly with preparation for class, do not know how to supervise researches.

¹⁰ Such a decline is observed by this author when serving as a teacher and advisor (at the Law Faculties of the Ethiopian Civil Service College and Addis Ababa University) for the last 14 years the last five of which is also in the graduate programs.

legal system is still a ‘virgin’ area that needs sustained research. There is still a need for basic research on the Ethiopian laws. That may well be. (Coupled to this counter-argument is also that there are ever increasing new laws that punctuate the terrain of the Ethiopian legal system—especially when one brings the diversity of laws that exploded into the field as a result of the federal dispensation¹¹ which brought into existence a plethora of state laws and legal systems.) But the retort to this should be that such a research need should be satisfied elsewhere, i.e., in the research undertaken by the academic staff of Law Schools (who, I argue, are paid chiefly for that very reason) and their graduate students and institutes or/and centers organized within their auspices. Moreover, research institutes such as the Justice and Legal System Research Institute (JLSRI) are expected to produce high quality, sophisticated research (of the academic or policy type). Student researches of the undergraduate program cannot satiate the demand for a high quality research. (One needs to remember that too often no one refers to student papers that are on the archives of Law Libraries.)

Some people argue that at this stage of development of our legal system, we should not be worried about plagiarism and protection of copy right as other developing countries (e.g. India, China, etc) overcame their problem of dearth of academic materials by ignoring the laws on copy right. That might well be, but this is different from making our students (dishonestly) appear like they have written a paper written by somebody else. If one is interested in making publications available to Ethiopian students, then we don’t have to do it at the expense of the integrity of our students. One of the basic requirements of a dissertation—or any academic research for that matter—is the integrity of the researcher, the other requirements being creativity and rigor of the study and objectivity of the researcher¹².

2.3. *Exit Exam: Goals and Rationales*

*Background*¹³. Initially, the incorporation of the exit exam was conceived as an attempt to bring about quality and standards to the whole enterprise of legal education as offered in Law Schools. The point of departure was the observation that once a student studies a subject and

¹¹ See Tsegaye Regassa, “Issues of Federalism in Ethiopia: Towards an Inventory of Legal Issues” in *Issues of Federalism in Ethiopia*. (Constitutional Law Series, Vol 2) (Tsegaye Regassa, ed). Addis Ababa: Addis Ababa University Press, 2009, pp.1-68 for discussion on the ‘federal dispensation’ and its consequences for the legal system.

¹² See, for example, James E. Mauch and Jack W. Birch, *Guide to the Successful Thesis and Dissertation*. New York: Marcel Decker Inc., 1983 p. 10 on the basic criteria a quality research work needs to demonstrate.

¹³ For discussions on the background, I relied on my account of the proceedings in the Technical Committee (of the Reform on the Legal Education and Training in Ethiopia) of which I have been a member. See MBCE (FDRE), *supra* note 1, pp.7-8.

secures a pass mark or above in the semester he/she has taken it, there is hardly any 'going back' to check as to what has been studied in earlier semesters. Students study each subject only to pass the immediate exam at the end of the semester, not hoping to use some of the thoughts somewhere along the line in their professional life. Once the particular exam is passed, then the course in its entirety is shelved forever. By the time students graduate, all they remember is the course they have taken last (even that, only if it is particularly interesting and memorable) or their research toward their senior thesis¹⁴. So, in order to remedy this defect, the exit exam was suggested as a solution. Because students will now know that they have to sit for a comprehensive exam at the end, they will hopefully take a better note of the courses both during the time of the study and later on as they look ahead into the exam. Or so went the argument.

It was also conceived as an instrument to impose some standards on the way we teach individual courses. It was observed that the content, the scope of coverage, the breadth and depth of courses is often dependent on the discretion of the individual teacher who teaches the courses. Consequently, the way students are thought a particular course from one year to another or from one university to another varies immensely. If there were a comprehensive exam students are to sit for in the end, it was argued, such variation among teachers in the breadth and depth of coverage of the courses and their marking and grading will be a bit more restricted as the teacher will always work hard enough to make sure that the teaching is comprehensive enough to prepare the students for the exam. Students, too, will keep themselves busy working on the course materials in such a way that it will prepare them well for the exit exam. Through the exit exam, it was thought, a degree of similarity can be brought about (and thus a certain standard can be achieved) in the way we teach specific courses in the curriculum.

2.4. *Exit Exam Elsewhere: The German Example.*

Exit exam is not an entirely Ethiopian invention or innovation. Such an exam is also given in Germany¹⁵ although it has a different name than the one used here, namely state examination

¹⁴ Often they remember only their 'plights' (warranted or unwarranted) during their entire stay on campus. From my constant conversation with senior students every year for over a decade, I have learnt that the Senior Research Writing is remembered the most because of the many independent learning opportunities it brings to the students. Of course, it is also remembered for the stress, panic, and fear-of-advisor associated with it.

¹⁵ It is undeniable that the German system is a source of inspiration for us in this regard. Dr Mandefro Eshete, former Dean of the AAU Law Faculty (2004-2006), having gone to a German University Law Faculty for his graduate (LL.M and PhD) studies, was responsible for bringing the German practice to the attention of the

(*staatsexam*). In German legal education, there are two such exams: first and second state exams¹⁶. But before we consider the exit exam as it is conducted in Germany, a few words about the German legal education in general is in order.

2.4.1. *The German Legal Education in General.*

In Germany, Universities are hardly considered “professional schools”. At Law Faculties, law is studied like any other academic discipline¹⁷. The faculties are engaged in a lot of abstract research. All law schools, being state universities¹⁸, offer the same academic training¹⁹. The aim is to produce the uniform jurist (the *Einheitsjurist*), all-rounded legal professionals, capable of serving as judges, attorneys, high level civil servants, or notaries²⁰. It conceives of its ‘output’ as the *volljurist* (literally, the *full jurist*, to mean fully qualified legal professional). Because there is no tightly set schedule for the whole study, and because it is dependent on the student’s work speed and personal circumstances, one cannot say a study at the law school takes this or that number of years. But it is often noted that a minimum of three and a half or four years is needed for the completion of the first phase (the university-based phase) of the study of law. The second phase, the phase of practical professional

Technical Committee on the Reform of Legal Education and Training in Ethiopia. He was then the Chairman of the Committee as the Dean of the AAU Law School.

¹⁶ The first, known as *Erste staatsexam*, is given at the end of the first phase of legal education before students move on to the second phase, known as the *referendariat*, during which time students take practical professional lessons under a judge, a prosecutor, in an administrative agency, a private practitioner, and in an institution of a student’s choice. On finishing this second phase, students then will sit for the second state exam, called *Zweite staatsexam*. Note that the state exam is one of the defining features of the German legal education. See, for example, Zimmerman, *supra* note 5, who says that *the misery and the glory of German legal education* is closely related, among other things, to these exams. See also Annette Keilmann, *supra* note 5, p.310. Note further that no one can be a professional law practitioner without passing these two comprehensive exams.

¹⁷ Often the vocabulary that recurs in the description of the study is “science”. See John H. Merryman, *The Civil Law Tradition: An Introduction to the Legal systems of Western Europe and Latin America* (2nd ed). Stanford: Stanford University Press, 1996. Pp. 61-67. See also Mirjan Damaska, “A Continental Lawyer in an American Law School: Trials and Tribulations of Adjustment”. 116 *University of Pennsylvania Law Review*, 1363-70; 1372-75.

¹⁸ They are ‘state universities’ both in the sense that they belong to the state, i.e., that they are public, and in the sense that they belong to the States (alias *Lander*) of the German Federation. Hence, their characterization as *Landeruniversiteit*. And hence, the close involvement of the *Lander* in the control of legal education in general and the administration of the Exit (or State) exam in particular.

¹⁹ Students pay no tuition. For this and the earlier points made about the German Legal Education, See “German Legal Education” a short piece published on the website of the German-American Lawyers Association (Deutsch-Amerikanische Juristen-Vereinigung e.v.): www.dajv.de/en/pdf/German_Legal_Education.pdf, accessed in July 2009.

²⁰ See Johannes Riedel, “The Reform of Legal Education in Germany” (2002), at: <http://www.elfa-afde.org/PDF/Journal/THE%20>, accessed in July 2009. See also Wilhelm Karl Geck, “The Reform of Legal Education in the Federal Republic of Germany”, 25 *American Journal of Comparative Law*, (1977) pp. 86, 87; Zimmerman, *supra* note 5, p. 27-33. The only thing a graduate of law cannot automatically become is *a law professor* which, according to Zimmerman, requires a doctorate, working as an apprentice (academic assistant or *locum*?) under a professor, doing a post-doctoral work called *Habilitation*, writing and publishing articles, monographs, and reviews/comments, and being called to an Associate Professorship, before finally being called to a chair as a Professor. P.33.

training (known in German as *referendariat*) ensues to take a minimum of 2 years to eventually be climaxed with/ by the second state exam (“*Zweites Staatsexam*”²¹ or “*Assessorenexam*”). At this stage, students work in courts (criminal and civil division one after the other), a distinct attorney’s office, a government agency, and a law firm²².

During the first phase of the study at the university, students take courses on Private Law (General Part, Obligations, Property, Family Law and Succession), Criminal Law, Public Law (Constitutional Law, Administrative Law, and more recently EU Law) and Procedural Laws²³. They also take ‘background courses’ such as Legal History, Sociology of Law, and Legal Philosophy, Jurisprudence, and others²⁴. Elective courses such as criminology are also offered²⁵. In the law faculty, the predominant method of teaching is lecture in large classes (up to 400 or 500 students in a hall). Nevertheless, private tutoring is also given outside of the university by commercial institutions called *Repetitorium* (which, on payment of a sum for the ‘tuition’, chiefly help the students prepare for the state exam)²⁶.

In the second phase of the study, which is known as *referendariat* (variously rendered as apprenticeship, clerkship, preparatory service, internship, etc), students are offered both lectures by judges, senior civil servants, and/or other senior practitioners in addition to receiving on the job-training by working in lower level civil and criminal courts and/or in offices of public prosecutors, administrative/government agencies, or of private practitioners and any other chosen place of internship²⁷ (the latter only for three months). Admission to this phase is conditional on the success in the First State Exam. This phase lasts for two years. The students are paid some amount of salary. At this stage, the students are considered a trainee of the (state) governments who pay for their education. The university has little, if

²¹ Geck, *Ibid*, p.87, refers to the second state exam as “*Grosses staatsexamen*” or “*assessorexamen*”).

²² Riedel, *supra* note 18, p.1.

²³ Zimmerman, *supra* note 5, p. 29.

²⁴ Keilmann, *supra* note 5, p. 296.

²⁵ Zimmerman, *supra* note 5, p. 29

²⁶ See Keilmann, *supra* note 5, p. 297 where she says, “... the German law students train with a private law teacher, a so called *Repetitor*. This is an institution which has existed for centuries.” She also says that it is “necessary to train for the state exam in order to be accepted for the second phase of legal education.” p. 309. Weber, *supra* note 5, says that “prior to taking the exam, there is the *Repetitorium* (*revision course*) (**at least 1 year**) that repeats all of the what the students had learnt thus far and prepares them for the first State Exam—an exam first written and then oral—that tests knowledge in the traditional three fields of law (civil, public, and criminal law).” P. 971. (italics mine.)

²⁷ Internship, called *stages* (*stagiaire* in Germany), is a time during which students are attached to an institution of their own choice to obtain some on-the-job training under the supervision of a responsible official within such an institution. The institution can be a private law firm, a non-governmental/charitable organization, an international/transnational institution, an Embassy of their country overseas, or a foreign country they might have chosen as the subject of their studies (often attached to an academic or research institution). See Riedel, *supra* note 18, p.3.

any, role in the training. At the end of this practical training, the student sits for the Second State Exam after which, depending on the success in the exam, the student can automatically go into the profession without any further qualification for the bar or otherwise.

In short, the path to the legal profession follows the following route: admission to the Law Faculty immediately on graduation from high school (*gymnasium*)—studying for at least 3 and half years—passing the first State exam—taking practical professional training for at least 2 years—passing the second state exam—admission to the legal profession²⁸. The road to becoming a law professor, as has been hinted at earlier, is longer and more arduous than the rest.²⁹

2.4.2. *The State Exam.*

The State Exam in Germany is said to be “a key feature of legal training.”³⁰ It is one of the components to which the “glory and misery of German legal training”³¹ has been intimately linked. Known as State exam, given at the two major phases of the legal education, it determines students’ capacity to act as legal professionals in the legal system. The name attributed to what we can take as the equivalent of our exit exam is state exam (*staatsexam*). The first state exam (alias *Erstestaatsexam*) is given at the end of the completion of the academic legal training at law faculties³². After students have fulfilled the requirement of

²⁸ It is important to note however that because of the reforms under what is now famously called ‘The Bologna Process’, a process of a more homogenized system of legal education under the aegis of the European Union, the German and all other EU member countries’ system is undergoing change. Under the new system, the system of higher education will have “two main cycles, undergraduate and graduate. Access to the second cycle shall require successful completion of first cycle of studies, lasting a minimum of three years. The second cycle should lead to the master and/or doctorate degrees as in many European countries.” The Bologna Declaration of 19 June 1999, <http://www.bologna-bergen2005.no/Docs> as quoted from in Andreas Buckner and William A. Woodruff, “The Bologna process and German Legal Education: Developing Professional Competence through Clinical Experiences” *German Law Journal*, Vol 9, No 5 (2008), pp. 575-618, but see p. 575 for the quoted text. See also Richard Wilson, “Western Europe Last Holdout in the Worldwide Acceptance of Clinical Legal Education, Pt II” *German Law Journal*, Vol 10, No 7 (2009). The process has posed a challenge to the German and other European systems which thus far have evolved distinctly from each other—paying tribute to the distinctive cultures of the legal profession in these countries.

²⁹ Zimmerman, *supra* note 18 p. 33 calls it “The Path to the Chair”. See note 18 above for the details on the requirements to become a law professor. Regarding the difficulty of becoming a law professor in the Civilian system in general, Merryman, *supra* note 15, p. 107, says, “It is not easy to become a law professor in a civil law university. The road to appointment to a vacant chair is long, arduous, and full of hazards.” He notes the need for an attachment to a professor as an assistant, publication of a book, and taking a state exam as preceding admission into a category called “private-docent”, after which one might be called, on passing a competition, to a vacant chair.

³⁰ *Ibid*, p.28

³¹ *Ibid*.

³² It is often after 10 semesters of study at the law school that students sit for the first state exam, although a university study in law requires a minimum of 8 semesters, more or less. See Keilmann, *supra* note 5, p.295.

university studies for at least 3 and half years, they will be ready to sit for this exam. This exam is very broad in its scope, covering the core subjects covered in the course of the study.

The exam is administered by the Court of Appeals (*Oberlandesgericht*) of each respective state (*Länder*). The court of appeals appoints the examiners. Each paper is graded by a professor and a practitioner. The panel of oral examiners is composed of two professors and two practitioners. In the exam, students are required to write 8 papers (4 in private law, one in criminal law, two in public law, and one in the area of the students' choice) each of which requires five hours. This means the written exam takes a total of about 40 hours³³. The questions are based on hypothetical cases to which students respond by writing a well reasoned legal opinion. Relevant codes and statutes are made available to the students. If the students perform well enough to meet the minimum requirement in the written exam, then they will be allowed to sit for the oral exam. The oral exam often lasts for four to five hours. Four examiners (for Private law, criminal law, public law, and for the area of elective course the students choose to be examined). The aggregate result obtained in the written and oral exam will finally determine the students' readiness to become a legal professional³⁴.

The administration of the first state exam in Germany is a state matter although professors are involved in various capacities. But as a result of a series of apparently endless reform endeavours, since 2002, "the first state exam consists of two parts: the state exam (70%) and a final exam administered by the university itself (30%)."³⁵ The exam is "not administered by the universities but by the court of appeals" of each state and "their state offices for the Law Examination (*Justizprüfungsämter*)"³⁶. Professors take part in the process of examining but with little influence on the content of the exam³⁷. They contribute questions for the exam, the questions will then be considered by a committee under the supervision of the Examination Office for blending the questions into a coherent and well structured whole³⁸. Correction of

³³ Note however that this might vary from state to state in Germany. Keilmann, *supra* note 5, at 295 observes that "The final exams differ slightly in the various federal states. South German students are required to write seven five-hour papers in the space of two weeks: three of them in private law, two in criminal law, and two in public law. In North Germany, only three papers have to be written, one in each subject. In addition, a six-week home work assignment on a particularly tricky set of facts is required. Finally, an oral exam takes place."

³⁴ The ideas in this paragraph is gleaned from a number of authors but principally from Zimmerman, *supra* note 5, pp. 28-29.

³⁵ Keilmann, *supra* note 5, p. 297.

³⁶ *Ibid*, p. 295.

³⁷ *Ibid*

³⁸ *Ibid*

the exam papers is done anonymously, and professors, along with judges, are useful here although the Examination Office provides detailed answer keys (“solutions”).³⁹

The state exam is perceived to be very difficult to beat. Only about half of the students admitted to law programs in the university end up taking the exam. Out of that, about 30 % fail to pass the exam. Most of those who manage to pass score only a “sufficient” mark. The consequence of failing in the exam leads to a re-sit for the exam again. But one cannot sit for the exam for more than twice. So if one fails twice, he/she knows that his/her pursuit of a legal career has come to an end⁴⁰.

The second state exam is the culmination of the second phase of legal education in Germany⁴¹. The exam is similar to the first state exam both in its scope of coverage and in its pattern. Typically, the exam papers are longer. Zimmermann observes that the students “have to write twelve five-hour tests over a period of less than three weeks (...) and to take an oral exam lasting several hours.”⁴² The questions often ask for an expert opinion on a case or to draft a judgement, or to frame a charge, with a lot of emphasis on procedural and technical matters of legal practice. The examiners “are mainly judges, but also senior civil servants and senior practising lawyers.”⁴³ Upon a successful completion of the requirements of the second state exam, a candidate (who is now a *volljurist*) “automatically acquires the right to be admitted to the Bar and start a law practice. The admission can only be denied in rare cases foreseen by the law. It is therefore prohibited to restrict admission to the bar by introducing another exam”⁴⁴.

From the German example, one can quickly gather the following lessons: that the state exam is administered by the state although university professors have a role to play in the process. Its goal is to help determine competence of students to serve as a legal professional in various capacities. The first state exam is the culmination of the first phase of legal education which is entirely university-based. Preparation for it might take about a year with the *Repetitoren*.

³⁹ *Ibid*, p. 296

⁴⁰ *Ibid*, p. 297.

⁴¹ The quest for an Ethiopian analogue makes one think of a comprehensive exam to be given to trainees finishing their training in Justice Professionals’ Training Institutes. Of course this analogy limps spectacularly when one notes that the trainees there hold law degrees already and that they do not admit everyone who seeks to pursue a career in law. But a major rethinking can lead us to think of these institutes as the continuation of the university based education where practical professional training is given to would-be law graduates thereby making the trainings in the Institutes the equivalent of Germany’s second phase of legal education.

⁴² Zimmermann, *supra* note 5, p.32. He further observes that “[t]his time, *only* judges, senior civil servants, and senior practising lawyers serve as examiners.” (Italics mine)

⁴³ Keilmann, *supra* note 5, p. 300.

⁴⁴ *Ibid*.

This exam is the equivalent of the Exit Exam envisaged under the new national curriculum. The second state exam is the culmination of the practical training as a *referendar* (apprentice, clerk, etc). This exam, much like the bar exam in other jurisdictions (e.g. the US) qualifies the candidate for the practice. The first exam helps ensure quality and standard in the university level legal education. The second one helps to ensure the effective preparation of the student for the vagaries of the world of the practical professional world. The first, like the exit exam in Ethiopia, can be taken as marking closure of university-based study of law. The second, being the equivalent of the bar admission exam⁴⁵, marks opening. Remarkable about the German system is the fact that the exam is administered by the Law Examination Office of the State Governments under the State Court of Appeal, a body directly in charge of managing the exam. It is instructive for Ethiopia because as we contemplate the implementation of the exit exam, we might begin to consider the possibility of establishing such a body ahead of time. Also remarkable about the exam is that it takes more than a week or two to complete it. The written exam is often based on hypothetical cases indicating that the questions are subjective in their nature. There is also an oral exam following the written exam. These points regarding the content/scope and types of the exam are instructive to us in Ethiopia as we ponder on the content/scope, nature and/or type of our exit exam, the length of hours it takes, the consequences of failure, etc.

2.5. *Purpose: What is it for anyway?*

The key purpose of the exit exam is to determine if the student (would-be graduate) has developed *a comprehensive personality of a law student 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 knowledge, skills and attitude that qualifies the candidate for the legal profession*. Through the exit exam, law schools seek *to determine if the student has both the technical (knowledge and skill) and ethical competence*. It also seeks to determine the effectiveness of legal education in terms of its own curricular and other educational objectives. Depending on how a law school's students perform in the exit exam, a particular law school's standing and its relative strength and weakness might also be determined. This means that the performance of a particular law school's students might represent the law

⁴⁵ Mary Ann Glendon, Michael W. Gordon, and Paolo G. Carozza, rather, mistakenly, maintain that the first state exam is like the bar exam in the US: "There [i.e., in Germany], all law graduates must pass a "first state examination", *somewhat similar to our bar examinations*, in order to be eligible to enter a required practical training period (Referendarzeit)".(italics mine.) See their *Comparative Legal Traditions in a Nutshell* (2nd ed). St. Paul, Minn: West Group, 1999, P. 79

school to the public thereby helping the decision (especially on private law schools) to continue or discontinue state-accorded recognition or accreditation⁴⁶. But this last purpose is rather incidental. Another incidental purpose might also be the possibility that employers might use the score in the exam as an indication of the student's ability as a would-be legal professional.

In short, the exit exam is hoped to help *enhance quality and standards of legal education in Law Schools*. It is also hoped *to bring about wholeness to the personality of the law student as a would-be legal professional*. In substance, it is expected that the exam helps assess *the breadth and depth of knowledge* of the students on graduation from law schools. At a more idealistic level, the exam contributes to the effort at producing—if not a *volljurist*—**a public-spirited, qualified legal professional who is committed to serve the causes of society as a good public citizen**.

Stated negatively, the exit exam is hoped to help us avoid compromised quality in teaching, marking, and grading. It helps us avoid anarchy in the mode of delivery of the content of courses in the curriculum. More importantly, it helps us avoid the risk of producing a fragmented personality in the student's professional identity (to whom come legal education in the form of bits and pieces of subjects and a number of idiosyncratic teachers). Preparation for the exit exam as a wrap up study (marking closure) also makes students read and study every course with the 'bigger picture' in view, weighing the importance in the final comprehensive exam, rather than reading it for the immediate exam at the end of the semester and forgetting about it forever. Such, we hope, is the advantages sought to be secured through the instrumentality of the exit exam.

In concluding this section, it should be underscored that the purpose of the exit exam must be tied to the purpose of legal education in Ethiopia in general. Consequently, its purposes must resonate well with the vision of law schools (elevating the standard and quality of legal education and helping attain social goals such as the MDGs), the mission of law schools (e.g. advancing the intellectual and social life of Ethiopians through, among others, commitment as public citizens who champion the causes of justice, democracy, equality, and tolerance),

⁴⁶ Note that recognition of a law school as a legal enterprise and accrediting a law school are conceptually two different things. In Ethiopia, the term *accreditation* is routinely used to refer to the act of recognizing the operation. Hence, my use of the term accreditation in this piece.

and the core values of law schools (e.g. excellence⁴⁷, quality public service, integrity, pluralism, tolerance, accountability, rule of law, etc)⁴⁸. The need to measure the success or failure of the whole enterprise of legal education on these set of missions, visions, and values demands that the exam that marks the climactic moment of closure of legal education, i.e., the exit exam, be a reflection and embodiment of the goals of legal education as illumined by these statements of vision, mission, and values alluded to hereinabove.

3. Who runs it?

The question of *who* is an important question to raise in relation to the management of the exit exam. Thus the more specific questions of who sets the questions, who administers them, and who corrects the exam papers, etc need our attention.

3.1. *Who sets the Questions?*

In Ethiopia, the exit exam is a *school* leaving exam. There should thus be no confusion as to whether we need to bring in the Courts, or the Ministry/or Bureaux of Justice, or the Bar Association(s) in the process of running the exit exam⁴⁹. There should be no doubt that the exit exam is within the exclusive jurisdiction of law schools, unlike the case it is in Germany. But because it is a national exam, it should not be left to the individual law schools running a law degree program. Ideally, the consortium of law schools (in the form of the Association of all Ethiopian Law Schools [AAELS]⁵⁰) should be in charge of managing the nitty-gritty of the work pertaining to the exam. The consortium, however, can involve people from the relevant stakeholders (the Ministry of Justice, State Justice Bureaux, the Courts, and the Bar Association(s)) to help with setting the questions in the diverse areas of the law to be covered in the exam, in marking and grading, in serving on the panel of oral examiners, especially if there is going to be an oral component to the exam)⁵¹. For this task, the Consortium—once

⁴⁷ Some schools aspire to move *from excellence to eminence*. See Amy Gutmann, “The Penn Compact” (inaugural address on her selection and appointment as the eighth president of the University of Pennsylvania in 2005), available at the website of the University of Pennsylvania: <http://www.upenn.edu>, accessed in May 2009.

⁴⁸ MCBE (FDRE), *supra* note 1, pp. 52-54.

⁴⁹ All these bodies, as relevant ‘stakeholders’, can of course be involved (e.g. in a Board of Consultants, or of Examiners) from a distance. But it should be noted that this is chiefly Law Schools’ business.

⁵⁰ Note that the establishment of such a body is envisaged by the Reform Project. See, MCBE (FDRE), *supra* note 1, p.112.

⁵¹ Note the fact that this attribution of the work to law schools and their association keeps law schools’ autonomy and freedom intact by disallowing interference from those who are otherwise best suited to regulate the legal profession. Preserving the exit exam as belonging to the domain of the academia is an assertion of an aspect of academic freedom.

established—should consider the establishment, within it, of the Examination Office in charge of specifically handling matters pertaining to the exit exam.

3.2. *Who Administers it?*

Administering the exam has to do with soliciting and gathering questions from scholars of the diverse fields of law; the integration of the questions to make them part of a coherent whole; invigilation and monitoring the exams; establishing of a panel of professors who correct the exam papers; and other related tasks. Because the exams happen within the physical premises of each law school, it is important that invigilators (from outside of the particular schools) are assigned to each law school in time. Ideally such assignment is to be done by the body created by consortium of law schools (e.g. the proposed AAELS). Selection and appointment of the members of the panel on oral exams, preparation of the forms based on which to assess the responses to oral questions in the oral exam (if there will be any), covering the expenses for the exam and its administration should all be done by the consortium of law schools, of course in close collaboration with all individual law schools.

3.3. *Who corrects it?*

Correcting the exit exam poses a formidable challenge. This is mainly because the exam, being comprehensive, is not suitable for correction by one individual person, be it a professor or a practitioner. As a result, one student's exam paper is expected to pass through the hands of many an instructor or practitioner. This implies that a number of subject area teachers (?) are to be involved in the correction of each exam paper. This becomes particularly necessary for the essay type or case-based hypothetical questions (if there will be any). Minimally, a number of teachers are to be involved by establishing the answer keys to the questions. Ideally, this should be facilitated by the consortium of law schools who, ahead of time, selects the teachers who will be responsible for the preparation of the answer keys and for the correction of the papers⁵².

3.4. *Who Monitors the Exit Exam?*

Who oversees the exit exam? Who ensures quality? Once launched, the exit exam's quality must be closely monitored. In the long run, issues related to repetition of questions, neglect of

⁵² The question of what incentives teachers have in order to undertake these responsibilities will definitely arise. One option is to pay some amount for the tasks they undertake. But if budgetary constraints urge otherwise, then it is imperative to assert that this is part of the law school tasks each instructor is responsible for. But the latter option is a disincentive, and exposes the enterprise to abuse that often arises out of neglect.

balance in the apportionment of questions of important core and elective areas, insensitivity to new developments in the legal system (e.g. change of laws or institutions) or in the academia (e.g. change in the curriculum), etc, might come about. Again, ideally, the monitoring of the content and form of the exit exam along with the manner of its management should be done by the consortium. Optionally (or additionally), one can imagine instituting a board of overseers composed of members from the judiciary, the prosecution, the bar association, and/or even the Ministry of Education.

4. How is it Done?

The *how* question is a very important one albeit it is a technical one at that. In this section, we try to answer the question pertaining to the level at which the exam should be given, how it should be administered, marked, and graded, and how students should be prepared for it. The obvious answer to the question of ‘*at what level?*’ is ***at the end of all the course work*** at the university which in effect means after they have taken all the required 30 core courses and the required amount of elective courses whose total credit hours may not fall below a minimum of 135 credit hours⁵³. This indicates to us that the preferred time at which to administer the exam is ***at the end of the last semester but immediately before graduation***. This in turn indicates that as the students work on their last bit of studies, they must also prepare for the exam by revising the courses they have taken before. One can imagine the negative consequences of this as at this stage: a) students are a bit too overworked and exhausted; b) the time gap between the completion of the course work and the exit exam will be too short; and c) the need to urgently mark and grade the exit exam to prepare the students for the graduation ceremony imposes a stress on the law schools and University Registrars.

The question of whether students need some free time for preparation for the exit exam, and if so, whether there shouldn’t be a time gap (of one or two months) between the completion of the course work and the exit exam is a pressing one to resolve⁵⁴. The question of what Law Schools can do to help students prepare effectively for the exam is also an important one to reflect on. Assuming that the exam is administered by the Consortium of Law Schools operating in the premises of all law schools in the country (public or private), it is important

⁵³ See MCBE (FDRE), *supra* note 1, p.86. But note also the fact that the number is raised to a total of 174 (“154 credit hours plus 20 credit hours allocated for exit exam and externship”) after a General Meeting of Law Instructors on July 17, 2006. This is now published as part of the **Standards for Law Schools** in the *Ethiopian Journal of Legal Education* Vol 2, No 1 (2009), pp. 99-126 but see especially p. 105.

⁵⁴One does well to learn the lesson from the German experience that students need an extended season of preparation even with a revision course to be taken somewhere.

to plan ahead of time about the bodies that set the questions (and the members who sit as a panel to set the exam questions), invigilate the questions in the premises of each law school, and administer the questions for the oral exam—if there is going to be a consensus on whether there is to be one.

In order *to prepare students* for success in the exit exam, law schools can prepare a guidebook to help students with the steps of revising the courses. Law schools can also support and facilitate initiatives to write exit exam kits by interested scholars within and/or outside of law schools. Crash courses for revision might be sought by students, and law schools can help develop such crash courses. But all this assumes the fact that there should be a minimum of a month's time or more during which to do such a preparation. On the more practical side, students need to be oriented as to when it will take place, the parts and types of exams they will be sitting for, the time range within which their exams will be marked and graded, the consequences of failure and the possibility of sitting for the exam again, and so on. This can be done early in the semester when students register for the exam. (A guide book, or even a flyer, can help for the purpose of such an orientation.)

5. Looking ahead: Challenges and Prospects

5.1. Challenges

Needless to say, the implementation of that aspect of the new national curriculum related to the exit exam is not without its challenges. The more *immediate* challenge is the challenge of determining the goals and purposes of the exit exam itself. Determining the content and scope of the exam, the nature and types of questions to be included in the exam, the mode of preparing students for the exam, and deciding the duration (how many hours, days, or weeks) and season (what time of the year, once or twice a year) are part of this immediate challenge. Determination of the answer to the *who* and *how* questions is also a formidable challenge. This challenge embodies that of establishing the Consortium of Law Schools, setting up the Examination Office within its auspices, deciding on whether the state (federal or regional) is to be involved in this venture, etc. Once the institutional framework is conceptually clarified and concretely made to take shape, then the question of setting up the panels of professors/practitioners for each area of courses will be faced—and that, too, poses a no less important challenge. The question of how challenging the exams should be, how tough they should be (in terms of racing against time and in terms of difficulty and complexity of

questions), and what failure rate we should avoid or tolerate, etc should be considered as a question demanding an urgent response⁵⁵. And that, too, is a challenge.

At a more *intermediate* level, the challenge posed by the need to offer preparatory classes is notable. The challenge posed by the mismatch between, or among, the academic calendars of law schools (some hold graduation in January, others in May, yet others in the summer months of June, July, and August!) is also not a negligible one. The need to find some temporal space for preparation might demand a rethinking of the curriculum and the arrangement of courses therein. This challenge posed by the need for rethinking the curriculum stands between the intermediate and the long-term.

In the *longer term*, one of the greatest challenges to fear is that of inertia. The institutional tardiness in keeping pace with new developments might be quite a challenge to bit. The risk of setting similar questions year after year, the tendency to keep the composition of the panel of exam setters or examiners, and the trend toward freezing the modality of administering and invigilating the exam are potent challenges to watch out for. The tendency to fix one pattern of questions (subjective type or objective ones), or the number of questions, or the duration of exam, or the frequency at which the exams are to be given in a year (and the seasons at which to do so) might take over and the consequent hesitation to change things in these areas in response to the demands of the times is also a potential challenge.

Of course, one should never forget the financial challenge (the question of ‘who pays for it?’) which happens rather ubiquitously at all stages of managing the exam.

5.2. *Prospects*

Prospectively, therefore, I anticipate a time for law schools to rise up to the challenges we identified above. Law schools must prepare themselves for these challenges and retool their resources in order to make the exit exam a success. Consequently, law schools must respond

⁵⁵ The question of what happens to a student who repeatedly fails in the exit exam in spite of his/her resplendent success in the course work is one other formidable question we need to think seriously about. In Germany, if a student fails twice, then it signals the end of his/her pursuit of a career in law. And it is criticized for this as it is wastage of huge resources that the state has had to expend on a student who now, by failing twice, renders the entire endeavour an exercise in futility. Should it be the same in Ethiopia? Can one afford to waste such a resource in the face of the demand for skilled lawyers, especially in the public sectors of the regions? On the other hand, can we afford to continue to produce graduates whose competence (technical or ethical) is increasingly questionable? The question becomes more pointed and mind-boggling when one considers the fact that in Ethiopia persons with a mere certificate in law or a diploma level education (some even only having studied law through the medium of Distance Education) are already practising law in various capacities.

to the immediate, intermediate, and long-term challenges of managing exit exams and its accompaniments. In particular, they must push for the establishment of the AAELS that can facilitate the further establishment of other bodies under it so that the national scheme for managing the exit exam is put in place⁵⁶. In the meantime, Law schools must start a dialog within and among themselves as to what the content of the exam should be, how it should be administered, what the process should look like, who should run it, when, where and how, it should be administered, how students should be prepared, etc. They should also work towards winning an understanding from the other bodies of their respective universities about this unique kind of exam. Above all, law schools ought to work hard never to fall into the trap of inertia even before launching it.

6. Conclusions

In this piece, an attempt is made to shed some light on one of the new phenomena in the law school curriculum of Ethiopia: the exit exam. The exit exam, being a comprehensive ‘school leaving’ exam that poses as a capstone to legal education, is presented as a marker of completion of law study in Ethiopian law schools. It is presented as marking a closure. In contradistinction with the bar exam, it does not mark an opening. The bar exam marks opening, promising entry into the world of practice. Contrary to assumptions held by many, its incorporation is not meant to replace the Senior Thesis which is now relegated to the category of elective courses in the curriculum. Owing to the fact that Ethiopia is not the originator of the exit exam and owing further to the fact that the German *staatexam* was the immediate source of inspiration, it is stressed that the exit is likened to the first state exam (*Erstestaatsexam*) which is given to students at the end of the first phase (university-based phase) of legal education in Germany.

It is also noted that the exit exam must remain focused on the goal of creating a comprehensive personality of a would-be legal professional. The task of ensuring quality and standards within and among law schools through the exit exam should be pursued relentlessly. It is further noted that its goals must resonate well with the statement of vision, mission, values, and goals of legal education in general. The exam needs to be run by a national (or possibly state-wide) body such as the consortium of law schools or its proposed

⁵⁶ The Justice and Legal System Research Institute (JLSRI) can facilitate activities toward the creation of the AAELS and its many organs that, among other things, will work on the exit exam. The JLSRI has proven to be effective in facilitating the implementation of aspects of the Reform on Legal Education and Training in Ethiopia so far.

Association of All Ethiopian Law Schools (AAELS). An Exam Office operating within the auspices of the AAELS) must be organized. A diverse array of committees and panels must be set up in time as we prepare for the implementation of the exit exam. Law schools must prepare themselves and their students for the exam. In particular, they must work towards preparing an orientative guidebook (or a flyer) that informs students about the exam and the consequences of failure in it, should there be any. It is not too early for them to be advised to rethink their academic calendar so that they can establish the opportune season of the year at which to give the exam. Nor is it too much for them to be advised to even think of running some revision classes that might help prepare the students for the exam.

In its content, the exam must be wide enough to encompass the subject matter of the courses in the new national curriculum. The questions must be able to measure the breadth and depth of knowledge of the students. A diversity of questions (a mixture of objective and subjective ones) must be used and balance should be kept between the subject areas to be covered. They must pose a challenge to the future lawyer in more ways than one. Failure must be anticipated. But following tack of the German experience, one would be well advised, as a student, not to have the opportunity to take the exam for more than twice. Moreover, the exam should be offered at least twice in a year, allowing those who fail at their first attempt to sit for a second time before the year lapses.

In this piece, a set of immediate, intermediate, and long-term challenges are identified. The challenge of fortifying ourselves for the task of managing the exit exam organizationally, psychologically, and financially is raised as one among the multitudes of such challenges. The challenge of working on the preparatory stage of the exam (e.g., the need for a revision course, the need for rethinking the curriculum to create some temporal space for the preparation, the need to readjust our academic calendars, etc) is also one of those challenges law schools are anticipated to encounter in the intermediate. In the longer term, the greatest challenge will be the challenge of institutional inertia (which freezes the dynamics born out of the implementation of the exit exam). In response to these challenges, prospectively, law schools are called upon to, among other things, prepare for the challenges and to retool their resources. In closing, let it be reiterated that exit exam, is one of the distinctive features of contemporary legal education in Ethiopia. Moreover, coming as it does between closure (of legal education) and opening (to legal practice), it sets a watershed in the life of a would-be

legal professional. Whether it will serve as a watershed between the past and the future of the Ethiopian legal education as well, time will tell.