



Awareness Creation and Effective Communication are Impetus for Entrenching Outcomes Based Education in Law Pedagogy in South Africa

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Abstract

South Africa higher educational sector is resolute on high standard of teaching, learning and assessment which are components of Outcome Based Education (OBE). However, to a greater extent, this new paradigm is not effectively communicated to the role players. Similarly, there is insufficient awareness that have been created so as to make the law schools in South Africa imbibe this new culture of pedagogy and as such, there is disparity in the mode of providing pedagogy to the law students. Against the backdrop of this, the Department responsible for university education has decided to widely create awareness in this regard by insisting that all law schools must tow the path of OBE. This awareness is necessary so that both the educators and students will be doing what is required in order to make the learners competent lawyers when they graduated from the law school. More importantly, this system will enable learners to learn, understand and be competent to use the education received practically and significantly in various ways. In order to achieve this outcome, having competent educators and teachers are some of the components essential to deliver cutting-edge high quality pedagogy and assessment that will produce the desired result of certifying the competency of learners. It is against the backdrop of this OBE that this article highlights the significance of communicating the intention of the government and the Department of Higher Education by creating overwhelming and widespread awareness that will enable all the role players and stake holders to effectively implement the OBE.

Keywords: Communication; Enlightenment; Media platforms; University; Outcome based Education; Competency

Introduction

It is imperative that when there is a policy shift and change it should be communicated effectively to those who would be

affected. Regrettably, when it comes to OBE in South Africa, especially regarding law pedagogy, there is paucity of information on how the law schools should integrate this method into their teaching and learning hence creating awareness gap. This is said against the backdrop that in order to become a lawyer or a legal practitioner in South Africa, it is mandatory to have a law degree which is only offered in universities. Undoubtedly, law degree is the foundation for legal sojourn and as such, law learners must be well taught in order for them to be competent lawyers. In order to achieve this outcome, law teachers have the responsibility to teach appropriate law modules at the university. It is pertinent to point out that law teachers are products of an educational process which trained them to be lawyers but not educationists [1]. But the challenge is that, most law teachers did not receive training in teaching for purposes of delivering law pedagogy [2]. Before the introduction of OBE, the previous systems and practices of teaching, learning and assessment by law teachers were orthodox, sacrosanct, and psychometric usually done through the personal skill, experience and the mood of the teacher at any point in time. In other words, teaching, learning and assessment were based on the usual teacher-based curriculum, which simply lists the topic for teachers to cover [2]. Then, with regard to assessment, law teachers used to underpin their assessment methods on the psychometric model such as “teacher assessment, standard tasks, coursework, records of achievement as well as practical and oral assessments, written examinations and standardized tests” [3]. These types of pedagogy and assessments resonate perfectly well with teaching and assessment methods used in the universities which focused mainly on ranking students according to the knowledge that they gained in a subject or course without necessary bothering whether the students have acquired the requisite skills which will enable high quality performance in the workplace [4]. This type of pedagogy was predicated on assessment methods which were designed to enable students demonstrate their knowledge in easily measurable ways so that comparisons between them were facilitated. Achievements and outcomes were also predicated quantitatively on how much they know on what was taught generally. Hence the students were merely evaluated and

assessed by the assessor based on a definitive statement of the student's ability [5].

The foregoing explanation depicts what law teachers used to do. And to a greater extent, the practice is still ongoing because there is no widespread awareness on shifting to the OBE. This is the reason why this article makes a modest contribution to the body of knowledge on why there should be wide coverage and extensive information disseminated through different medial platforms to sensitize those involved in law pedagogy on the need to integrate OBE in their pedagogy. This is because there is wave of shifting towards OBE which is now crucially significant because it enables learners to be competent in whatever course or degree they studied. More importantly, OBE is very unique because with regard to assessment, learners have "knowledge and expectations of what will be assessed and that largely determines what they will learn" [5]. This new system is as a result of the integration and alignment of education and training through the introduction of the South Africa Qualification (SAQA) and the National Qualifications Framework (NQF) which laid the solid foundation toward Outcome Based Education and as such this means that all universities' teaching, learning and assessment have to be conducted using OBE.

At the international sphere, because of the massive awareness created around OBE, it has received overwhelming acceptance and it is highly favored to foster educational renewal. As such, South Africa should participate and very active as part of the movement to effectively implementing the OBE just like countries such as Canada, the United States and New Zealand where the system is robustly entrenched [4]. The significance of OBE is that it utilizes variety of assessment approaches to holistically and totally assess the competence of a learner in order to establish whether the learner has learnt and acquired the requisite knowledge, skills and values that will enable the performance of the job. Malan quoting Spady defines OBE as a "comprehensive approach to organizing and operating an education system that is focused on and defined by the successful demonstrations of learning sought from each learner. Outcomes are very clear learning results that we want students to demonstrate at the end of significant learning experiences. These outcomes are actions and performances that embody and reflect a learner's competence in using content, information, ideas, and tools successfully" [6]. The overall objective of OBE is therefore to ensure and confirm that during the course of teaching considerable learning took place.

As part of the campaign to expose the shortcomings of the old systems, it was observed that the problem of the old and orthodox method of assessment is that appraisals were not based on what had been learnt but on what the lecturers considered comfortable or believed should be assessed. This method has been found to produce low quality law graduates and consequently incompetent lawyers and legal practitioners because the person delivering the pedagogy and the assessment did not have the requisite skill and competency to

deliver high quality teaching and learning that will produce the desired leaning outcomes.

The campaign against the old method had been intensified widely through the dissemination of the need to adopt OBE in South Africa by the professional educators, employers and the judicial institutions because these institutions and employers have continually complained about the poor quality of law graduates being produced through the university systems. Realizing the ineffectiveness of the old orthodox methods and techniques, the South African government introduced policies to foster the implementation of OBE in South Africa universities where all learners would have to be educated to be competent in their chosen discipline [7]. Therefore, the focus upon OBE which encompasses of competence-based teaching, learning and assessment is making all disciplines in the university to radically re-examine their teaching, learning and assessment practices in order to align them to OBE.

Considering all these setbacks, it is therefore imperative to use all available media platforms such as the print media, the Department of Higher Education websites, Radio, Television, Facebook, Media journals to drive cohesive and coherent information about the new method in a bid to shift to good teaching, learning and assessment by the university and particularly teaching, learning and assessment of law by law teachers, contemporary OBE becomes critically imperative because the sustenance of the university law school depends on the good products being produced and released to the employers and society. Therefore, in order to correct the past system, OBE is now mandatory and it is against the backdrop of this that Malan shares the sentiment of Reddy by asserting that in South Africa, curriculum compilers and educators have overwhelmingly accepted OBE as a major paradigm shift in education [8].

Awareness creation and sensitizing on OBE is crucial because OBE is a critical function of the university's wide infrastructure where teaching, learning and assessments are certain and the teachers are able to plan teaching events in order to ascertain to what extent learners have acquired the intended competences. Therefore, law learners depend largely on the qualified and competent teaching staff to discharge these responsibilities. However, if the teaching staffs are incompetent, automatically they will produce incompetent law graduates and lawyers. The OBE is "a planned process for gathering and judging evidence of competence, in relation to pre-determined criteria within an outcomes-based paradigm, for various purposes including further development and recognition of learning achievements." When a learner is found to be competent, this confirms that the learner has acquired education and skill that will enable him or her to be employable, become self-employed and also have the capacity to employ others [9]. This is contrary to the old practice of merely declaring that a student has passed or failed. This type of education is restrictive and the student might pass but might not have acquired the requisite skills to make him or her competent to perform the job. While the word 'student' is used to describe those who were taught in the psychometric model, the word 'learner' is used to describe those who are

found competent or not competent because being a learner means that one must have been taken through the processes that would have made him acquire quality skills to enable him become competent on the job.

Widespread information duly disseminated to role players should be the drive towards the strategic changes made in South Africa to tow the path of OBE for several reasons. These changes should be made in order to “broaden university education, to develop and consequently to assess a much broader range of learner abilities. Also, these changes are necessary to harness the full power of assessment and feedback in support of learning. The third arises from the belief that education should lead to a capacity for independent judgment and an ability to evaluate one’s own performance- and these abilities can only be developed through involvement in the assessment process” [5]. The OBE is beneficial to law education and learners hence the paradigm is now shifting toward competency based legal education. Therefore, by the time a law learner receives a law degree, he or she must have acquired requisite quality skills to make him or her competent as a legal practitioner. More so, the assessment that would have been conducted during the course of the law degree study must have been aligned and fall within the ambit of the OBE. To this end, the law teacher would have ensured that both formative and summative assessments were conducted in line with the OBE. So, to be able to effectively and efficiently implement these assessments, law teachers need to be educated in the proper methods of applying and delivering OBE. Against the backdrop of ensuring proper, effective, efficient and adequate implementation and application of the OBE, it is pertinent to point out that “professional development continues throughout a teacher’s career. As such, teachers should have the disposition and the skills to develop new understandings of teaching, to learn new instructional skills, and to expand their knowledge base for teaching” [10]. It is against the backdrop of this shift that law teachers are being trained in order to be certified and competent in delivering OBE to law learners. Universities also recognizes the need for high quality teaching and because this is not static but evolving and contemporary, the continual development of teaching competence in the university is crucially imperative. To this end, universities should strive to provide development opportunities for teaching staff. For instance, at the University of Limpopo, the Centre for Academic Excellence as well as faculty and school are ensuring that their teaching staff are being trained to acquire requisite skills to enable them understand and deliver high quality OBE and become top-notch teachers. The university also encouraged scholarship in all aspects of OBE wherein teachers are encouraged to research and investigate the most favorable environments to foster and support learning in specific fields of study in order to enhance their skills and become prominently competent.

Over and above, awareness creation and effective communication of the significance of OBE have been the reasons for South Africa to strategically adopt the OBE. This system is the roadmap which indicates what law learners in a university should go through and achieve, and it is based on a

set of learning criteria which is derived from the content-based programme and specific level outcomes [4]. A course outcome guideline being one of the components of OBE tells us how a teacher would recognize if or how well learners have learned what is intended they should learn and be able to do.

Problem Statement

The only information mostly readily available to lawyers is that the legal profession is very conservative and as such should stick to the old methods and systems of doing things including pedagogy at the university. To become a lawyer, one needs a law degree from a University. This presupposes that training to become a lawyer starts from the University. Unfortunately, even OBE was not generally embraced by law teachers because of the conservatism ideology and this problem is caused mainly by lack of proper awareness and cogent information regarding the importance of the OBE in legal pedagogy. This is the reason why law teachers in South Africa still believed that they were trained as lawyers and as such will provide pedagogy as lawyers not educators. Most of the law teachers lack requisite skill in OBE because there was no awareness or information to that effect even where information is available, no one was able to sensitize them to shift from their old systems to the new ones. This lack of information and awareness of the OBE in law pedagogy was a major setback for law learners because their lecturers keep providing pedagogy in the old fashion thereby depriving the learners from acquiring skills which will equip them to be competent lawyers after their studies.

Therefore, it is highly imperative that there should be strong awareness creation that will educate and inform that pedagogy and assessment have changed and have become very contemporary and pragmatic in view of the introduction of OBE coupled with modern day technology and other innovations that are cropping up in all aspects of disciplines of teaching, learning and assessment. Law is not an exception and as such, it must fit into the contemporary modern way of pedagogy and assessment in order to achieve the desired outcomes. This is said against the backdrop that there has been widespread concern by employers, industries, courts and the society regarding the quality of law graduates being produced at the universities. Part of the reasons for incompetent graduates is poor teaching, learning and assessment activities during the course of study. Law teachers are mostly to be blamed for these because most of them lack capacity to deliver high quality pedagogy and assessment thereof.

More so, the overwhelming information and feedback being received from the educationists and pundits is that the previous systems have dismally failed to meet the contemporary modern educational needs and expectations required to make learners to be competent in the workplace. The competency-based movement has now metamorphosed into OBE which certifies the competency and skills of the learners in performing the job in the workplace. It is against the backdrop of improving pedagogy and assessment that the Department of Higher Education in South Africa (DoHE) had

rolled out massive awareness creation to make all tertiary institutions to subject their educators and in particular, law teachers to go through intensive OBE and OBA courses which would help make them become effective, good teachers and assessors [11].

Imperatives of Creating Awareness on Assessment in the Context of OBE

In order to successfully implement the OBE, it is also important to ensure that stake holders and role players are on the same page and in order to achieve this, it requires robust and effective awareness creation and effective communication of the significance of assessment in OBE. This is said against the backdrop that the ultimate imperative of assessment is to validate learning outcomes whereby the learner is found to be competent having been subjected to both formative and summative assessments. Therefore, it is pertinent to point out that assessment plays a major role in OBE because it is an integral part of achieving OBE [12]. This is said against the backdrop that the main reason for pedagogy is not in the dissemination of knowledge but the impartation of knowledge. Therefore, it is important to identify whether learning had taken place during the course of teaching by conducting an assessment to establish competency in what had been taught [13]. In this instance, assessment is used as a tool of evaluation to ascertain learning [14]. Furthermore, assessment is considered an important element of all formal education and has a remarkable influence on learning and teaching [15].

Also, OBE and assessment methods are not one size fits all, therefore creating awareness and educating teachers on the diverse methods are equally important as part of a wide range of methods for evaluating pupil performance and attainment including formal testing and examinations, practical and oral assessments, classroom based assessment carried out by teachers, formative assessment, summative and performance based assessment [3]. All these methods make assessment to be very dynamic and pragmatic these days because they are being used to determine whether a learner is competent or not [16]. It is against the backdrop of this that Gipps indicates that "assessment is undergoing a paradigm shift, from psychometrics to a broader model of educational assessment, from a testing and examination culture to an assessment culture" [16]. Also, assessment is being used to achieve a wide range of purposes and outcomes to improve and strengthen pedagogy for both teachers and learners. All these pragmatic new modes of conducting assessments indicate that the traditional method which is psychometric model is no longer adequate. In other words, the focus is now on what it is that law teachers in particular subjects at particular stages of a program of study really want their learners to learn. This technique talks to the desired outcomes of learning. This is said against the backdrop that good assessment practice and technique allow teachers to demonstrate the quality of their learners' learning to others because teachers now take responsibility and accountability for the outcome of pedagogy. Therefore, the credibility of teaching and learning and more

importantly, good assessment underscores that the outcome is credible and authentic.

Teachers are also being sensitized by informing them that any knowledge to be assessed must be based on the unit standard and this can be done through assessment of the specific outcomes in terms of the assessment criteria which is generally referred to as unit standard essential embedded knowledge. Remarkably, OBE has profound implications for assessment in the sense that assessments should reflect academic integrity and ethics including the upholding of the rights of the learners, Therefore, there are the principles of assessments which good assessments should meet and as such, in order to meet this standard, assessment techniques and practices in all teaching and learning situations for all modules, their unit standard and programs should be based on basic principles. Against the backdrop of this, assessment must be consistent in the sense that the outcome must be the same regardless of whether same assessor or another assessor conducts the assessment again. Assessment must be reliable and produce consistent results at all times anywhere irrespective of who the assessor is or will be. Assessment must be valid and fair and to be measured based on the agreed unit standard. More importantly, assessment must be of high quality and good standard. Before the commencement of any pedagogy and assessment, the law teacher has the responsibility to gather all evidence to be used for assessment against agreed criteria for purposes of making judgment of competency for developmental and recognition purposes. Therefore, applying this principle in law pedagogy, assessment activities should show what the candidate does or is involved in as a means of producing evidence for examples analysis of case law, writing a brief, writing legal opinion, examining principles of law, applying principles of law, advocating for clients in courts and effective law practices, answering questions, solving problems [17]. More importantly is the role of the assessment facilitator or evidence facilitator or a law teacher who had been duly certified to help learners gather, produce and organize evidence for assessment. Also importantly is the role of assessment criteria which is the overall description of the necessary and different types and qualities of evidence required against which learners are to be assessed [10]. Assessment design is critically important as it gives detailed description using assessment guide of how an assessment should take place, including all instructions and information regarding the assessment activities and assessment methods. Assessment guide is a complete and comprehensive package which is based on a thorough analysis of specified learning outcomes. Assessment guide produces two prong benefits because it is designed primarily for use by assessors to conduct an assessment in order to establish a significant and coherent outcome of learning in order to fulfill the contents of the unit standard or in the module. [18]. Against the backdrop of this, it is important that an assessment guide should address the following key aspects in detail namely; how will the assessment take place? What is needed to make the assessment happen? How will evidence be gathered, recorded, reviewed? How will feedback be

disseminated to the learners in order to establish learning outcome and competency.

The key contents of an assessment guide are the clear descriptions of the approach to the assessment, the assessment conditions thoroughly explained, all assessment activities that will be conducted, comprehensive instructions to the assessors and learners in order to establish certainty and focus, type of assessment methods which is what the law teacher does in order to gather and evaluate evidence in order to establish competency. These methods include observing candidates, questioning candidates, interviewing, supervision of learners, listening to learners. The assessment instruments are very significant and these are items that an assessor uses and could be role-plays, case studies, description of tasks to be performed, descriptions of role play situations questions, tasks. All the resources required to conduct the assessments should be listed and be provided during the course of the assessment, the learners must have foreknowledge of the assessment outcomes and criteria to establish the trust inherent in OBE assessment. An assessment plan gives general overview of timeframes and responsibilities for assessment and moderation for the agreed delivery period. The plan provides comprehensive information on the practical implementation of the whole modules and outcomes that must be met in order to establish competency.

Validating all the assessments are also important and as such, the role of a moderator is equally significant because moderation is used in order to support and evaluate the assessment environment, process and instruments in order to establish and confirm the reliability and authenticity of the assessment results. Moderation is also useful in improving the quality of assessments and the assessors themselves. The outcome of all these activities will result to good performance by the learners because they would be able to demonstrate the skills, knowledge, understanding and attitudes, and the ability to transfer these to new situations.

The processes of assessment must be systematic in order to ensure that the overall process is fair, effective consistent and sustainable and manageable. It must also be transparent. For example, assessment candidates should understand the assessment process and the criteria that apply and can contribute to the planning and accumulation of evidence [19]. It is pertinent to point out that assessment must also be authentic and this connotes that the work being assessed belong to the learner being assessed. It also confirms that teaching and learning are holistic and that during the course of assessment, nothing that is essential about teaching is left out of the assessment. The learners should be involved and carried along during the course of the pedagogy and assessment and the outcomes must be given to the learners as feedback. In other words, being authentic is a reflection of performance in the real work situation where the learner is able to use the skill acquired to perform the job in the workplace. This is the reason why those who have the responsibility to deliver pedagogy and conduct assessment have to be adequately skilled to carry out these responsibilities [20].

Therefore, what qualifies a person to be a good law teacher is not the experience in the work of a lawyer's office nor the experience in the trial or argument of cases in courts but skill acquired during training as assessor which would make the teacher competent in order to be a very good teacher. This is said against the backdrop that "practice of law for any length of time has marked intellectual disadvantage and that a school conducted chiefly by persons drawn from the bar after many years of practice would lack the scientific intellects essentially to a first-rate law teacher." Therefore, assessment is a process in which evidence of all the activities of a learner is gathered, interpreted and evaluated against agreed criteria. The significant of this is that it enables the teacher to be able to make formative and summative judgments during the course of study in order to declare whether the learner is competent or not.

Literature Review

The introduction of the OBE at the institutions of higher learning is gaining the necessary support, however, while some disciplines have embraced it because it was properly communicated, the law pedagogy is lagging behind because of lack of ample awareness and purposeful communication on the need to integrate OBE in law pedagogy. In OBE, assessment is a major tool that is being used to ascertain whether a learner understood what had been taught by the teacher or not but such assessment method must meet the requirements and principles of OBE which seek to give the learner the skill that will make him competent and employable [20]. Disseminating information on contemporary assessment method is important because it regulates learners' educational activities [21]. It is against the backdrop of this that "it is not the curriculum which shapes assessment, but assessment which shapes the curriculum and embodies the purposes of higher education" [21]. Therefore, assessment is described as "a systematic basis for making inferences about the learning and development of learners the process of defining, selecting, designing, collecting, analyzing, interpreting and using information to increase students' learning and development" [16]. Equally important is the fact that assessment is used as a basis to ascertain the skills acquired and the ability to perform what had been taught. This is the reason why the reform brought by the OBE is embraced because the university will now be able to showcase achievements made thus far. The news on the achievements is an indication to validate the university's educational activities [16].

Due to vigorous awareness creation and intensive campaign, it is welcoming and impressive that there have been attempts by some law schools to imbibe and integrate OBE by ensuring that law teachers conduct both summative and formative assessments. Summative assessment is done at the end of each semester where learners' assessment is conducted in order to measure and sums up learners' achievement. This assessment technique merely describes what has been achieved. However, formative assessment involves continuous assessment within the period of a semester. The purpose is to measure and get the overall estimate of achievement and use

it to assist the learners in the learning process. Formative assessment is very helpful in law pedagogy because the learners have to perform series of tasks and the teacher has the responsibility to give feedback on each task so that the learners would know how they are performing in their study and use the feedback to improve their next performance. Tutorials and discussion between appointed tutors and the learners are also critical aspects of formative assessment because the tutor assists to clarify areas that are difficult during pedagogy and learners receive good feedback from the tutors. Formative assessment prepares the learners for summative assessment because series of formative assessments undergone would have prepared learners to be able to sit for summative assessment. It has been observed that "formative assessment is a central element of learning, in that the feedback students receive enable them to develop and extend themselves in ways that summative assessment cannot" [16].

More importantly, the reason why the previous systems are considered inadequate is continuously being dissemination of information through different media platforms to the role players by showcasing how the past mode of law teaching and assessment were fraught with many problems because most of the law teachers did not have formal teacher's education training [22]. Most of them got appointed to teach law at the university after their first degree or post graduate degree. To this end, there have been series of concerns being raised by employers of law graduates because it has been established that most of the law graduates produced through this system are found to be performing poorly in the workplace largely due to poor teaching, learning and assessment at the university. It is now generally acceptable that in order to produce high-quality law graduates, law teachers' should be subjected to rigorous training in OBE and assessment techniques in order to be competent to teach law and produce adequately equipped and skilled law graduates [23]. This is an important educational transformation that is being embraced in South Africa and as such all University teachers must undergo this training [24].

Continuous sensitization and awareness on the need for the law teachers themselves to be competent have been the outlets chosen by stake holders to ensure that those who have responsibility to provide pedagogy are equipped with one of the basic requirements of possessing skills on how to compile portfolio of evidence. Portfolio of evidence is a carefully compiled, organized and complete collection of all evidence by the law teacher to prove competence in teaching, learning, assessment, moderation and evaluation. Employers and the society are also interested in the forms of assessments a learner have been subjected to during the course of teaching and learning at the undergraduate periods in order to ascertain whether the graduate had been equipped with the required skills to make him or her competent enough to perform a specified job very well [2].

This article accentuates that the Department of Higher Education is responsible for the shaping of university education in South Africa and as such needs to continue to provide leadership which must be adequately communicated

to all role players in order to bring all disciplines at the university on board. To this end, teaching and learning particularly law education, is now being presented through an exploration of transformational alternatives to the current theories and practices of teaching and learning the law. Paradigm has now shifted from the orthodox assessment practices by law teachers to the OBE which is being used to equip law learners for future challenges in the workplace and wherever they may find themselves [25]. Therefore, the essence of the OBE is to ensure that learners are equipped with skills needed by would-be-clients, companies, industries and society at large. Undoubtedly this technique offers meaningful access to lifelong learning opportunities because the assessments were based on what had been designed, taught. Hence, the DHE and have now compelled all universities to implement the OBE with all its techniques in order to produce the desired outcomes. University teachers and in particular, law teachers are at the receiving end of this instruction because they never had any training on how to become educators but only trained to be lawyers. Therefore, the DHE now insisted that paradigm must shift and all law teachers have to undergo OBE training in order to acquire the requisite skills to deliver OBE and OBA. This intervention is imperative because most of the learners have a good display of theoretical knowledge but demonstrate poor quality in the execution of practical skills when they get to the workplace. Workplaces in this context refer to courts, law firms, industry and the society at large. Paradigm is now being changed as the learners are being taught not only the theoretical aspects of law but holistic teaching and learning which is based on authentic assessments that will enable a law graduate deliver wherever he or she finds himself or herself.

Overall Benefits of Disseminating Information on OBE

It is important that information regarding the shift to OBE should not reside only on the paper it is written, there must be a concerted effort by the stakeholder to ensure that it is widely disseminated. It is generally acceptable that teachers will continue to assess and grade learners in order to determine competency. Therefore, the strategic goal of universities is to ensure that all educators providing teaching and learning in the universities irrespective of their disciplines undergo training that will enable them deliver full blown OBE. These are the most powerful factors that are now influencing universities' assessments and as such, the learners are the overall beneficiaries. Crucially important is the policy and financial supports being given by the national government, employers, professional associations and educational theorists. There is overwhelming support for integrating OBE in South Africa by the academia because of its immense characteristics of skilling and equipping university graduates "not only to acquisition of a body of knowledge but also to mastery of the technical skills of a discipline, development of abilities such as problem solving, critical thinking and effective communication as well as development of attitudes and dispositions such as a commitment to working in groups and

to ethical practice within one's discipline" [5]. OBE is informed by a very strong assessment in order to achieve the desired outcomes hence robust assessment is having significant impact and effect on learning and outcomes. In this regard, "assessment then becomes a learning experience in which learners are prepared to apply their knowledge, skills and values in an integrated manner. Assessment of knowledge, values and skills relates to assessing elements in the cognitive, affective and psychomotor learning domains" [4].

What is remarkable in the OBE is that the student's knowledge and expectations of what will be assessed largely determines what they will learn. Prior to the use of OBE law learners were used to be put in suspense and the whole pedagogy shrouded in secrecy. The law teacher used to be a mini-god because he determined what is to be taught and assessed. Learners were never involved. In other words, other activities might have cropped up during the course of pedagogy, this is good for general learning but if they are not assessed they cannot form part of the desired learning outcomes for a learner to determine the level of competency. However, it is the opinion of the author that undergraduate education should strive to develop a broad range of abilities and as such, the assessment and documentation of students' achievements over the full range is also crucially important. This is because the use of a much broader range of assessment methods could also be beneficial to the learners as it will strengthen their competency.

Due to the ongoing awareness being created, law teachers are now designing and implementing OBE wherein they now have capacity to design different kinds of assessment tasks and implement them during the course of learning. The feedback enables learners to become more skilled in each task. This system is making pedagogy very interesting and it has created the desire in the learners to perform all the tasks in order to become competent. Law teachers are also making learners to learn how to be responsible by involving them in the assessment process and allowing them to consciously attempt to develop self-assessment skills. Brown and Kniglx, succinctly describe learners as being increasingly involved "in their own and each other's assessment and we argue strongly for this practice as a means not only of providing feedback to students but also of developing within students the capability better to judge their own abilities and performance, providing them with the opportunities to develop skills for learning that will be of value long after they leave the university" [17].

Because of awareness being created, OBE have enabled learners to know their progress status the outcome and feedback of each assessment will also enable the learner to know whether he is meeting the required standard for competency. Documented assessments are critically important to learners because they serve as credible evidence to the employers or for further studies where scholarship is sought. Therefore, the intrinsic role of the teachers is to establish whether learners are achieving the intended learning outcomes, particularly at the subject level. To this end, teachers benchmark the assessment criterion with the outcome in order to show whether learners are meeting the

standard set. It is pertinent to point out that teachers are now using portfolio of assessments of learner's evidence as source of documentation for promotion. This portfolio of evidence showcases that the teacher is tailoring pedagogy and assessments towards OBE. As a matter of fact, law teachers are now coming to grips with the new dimensions of assessment as a broad range of goals required to support learning and promote personal responsibility. OBE is open, clear and unambiguous. The university environment is where all these pedagogy and assessments activities are taking place. As such, the universities have very strong vested interest. They will want to know whether students are achieving the intended learning outcomes based on the unit standards in the modules and whether the modules are effective to make learners achieve competency, and to show whether the teachers are effective in their teaching and assessment responsibilities. Declaring that a graduate is found competent after the whole course of study is a proof that the graduate has achieved what the institution claims they will do in order to develop the learner to a full grown competent graduate. Undoubtedly, the government and the departments will continue to fund universities as a result of this success. The essence of OBE is to ensure that learners are adequately equipped and skilled in order to enhance their employment prospects and at the same time make resounding contribution to the society at large. Employers have reasonable and legitimate expectations that the university graduate employed should be able to apply skills and knowledge acquired during the periods of education to perform the job with minimum supervision. This is the reason why OBE becomes critically imperative because by the time of completing the study, the learner would have been found competent in the area of study and ready to use the skills and learn new skills in the workplace. Also, competent university graduates are able to make meaningful contribution to the society at large based on the experience and skills acquired at the university. To this end, they are able to respond intelligently and competently to challenges facing the society and offer enduring and sustainable solutions. These are all the attributes of a learner found competent using OBE.

Conclusion

In order to achieve the desired result of the OBE and assessment thereof, widespread awareness and robust communication to all the stake holders and role players are very significant otherwise the result intended would not be achieved. This article demonstrates the potent of vigorous awareness, information and communication of the overall benefits of OBE and assessments in South African where the universities are now required to tow the paths of these forms of pedagogy and assessments in order to make learners competent on graduation. Consequently, law teachers are now becoming amenable and making frantic efforts to be adequately trained in order to be found competent in OBE. Over and above, the benefits of OBE are extremely overwhelming because the learners are adequately equipped and skilled to perform what had been taught, learned and assessed anywhere anytime. These feats will become reliable

effectively and efficiently by using appropriate media platforms to disseminate the information in order to create awareness.

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