

Can Law be Learned without Practising Law? Experiential Learning and the Practice-Classroom Gap in Legal Education

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ABSTRACT

Legal education can produce students who read cases well, identify doctrine accurately, and write persuasive answers while still having little experience deciding what should be done when a legal problem is incomplete. This article examines that practice-classroom gap through a qualitative integrative review of peer-reviewed journal articles published between 2020 and 2026. The literature does not support a simple demand for more clinics or placements. Practical activity becomes educationally significant when students must make decisions about problems that have not been fully framed and then defend or revise those decisions under feedback. The synthesis develops the knowing-doing divide as a problem of recontextualising legal knowledge and proposes practice proximity to distinguish activities that merely resemble professional work from those that expose students to its intellectual demands. Recent criticism of authentic assessment strengthens this distinction because workplace resemblance can narrow university legal education when professional practice becomes the sole measure of reality. The article argues for a curriculum in which doctrinal learning and progressively demanding experience remain connected without becoming interchangeable, allowing students to move repeatedly between knowing law and deciding what to do with it.



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INTRODUCTION

A law student can become very good at law school without yet becoming good at using law. The difference is easy to miss because academic legal work contains many activities that lawyers also perform. Students read authorities, find issues, construct arguments, and defend conclusions. The setting, however, has already done a surprising amount of work for them. Facts are usually selected before the student begins. The existence of a legal problem is rarely in doubt, the relevant field of law can often be inferred from the course itself, and the answer is written for a reader who already knows what the exercise is testing. Professional problems arrive in a less cooperative form. A client may give an incomplete account, several legally plausible routes may point in different directions, or a correct legal position may still be a poor response to what the client is trying to achieve. The classroom can teach sophisticated legal analysis while leaving this earlier stage of judgment almost untouched. Complaints that law schools are "too theoretical" do not describe this problem very well. Theory can make practice more intelligent, especially when it gives students language for seeing institutional habits that practitioners have stopped noticing. McFaul (2020) makes a related argument from within clinical legal education. Clinical work needs theory if experience is to become more than exposure. The weakness appears when doctrinal knowledge and contexts of use remain separated for too long, so

students become fluent in explaining legal propositions without repeatedly having to decide what those propositions are for in a situation that has not been arranged around the syllabus.

Attempts to close that distance are already visible across very different legal education systems, although the institutional conditions vary sharply. Indonesian law schools have used clinical programmes to place students closer to legal service and professional work, but implementation has had to fit existing curricular structures and local expectations about legal training (Arifin et al., 2021). Comparative research on pro bono clinics in Australia, South Africa, and Chile associates clinical participation with employability-related development while also showing that programme design is shaped by resources and professional context (Cantatore et al., 2021). More recent comparison of university clinics in Colombia and Mexico reaches a similar point from another legal tradition. Zorrilla Noriega and Madrigal-Pérez (2026) found that the educational value of clinics depended on how the programme was organised, how substantive knowledge was integrated, and whether students encountered the life cycle of cases and projects. The common element is not a uniform dose of "real practice". It is the construction of conditions in which students must use law while other demands remain present. Those conditions can also be created without a live client. Street Law requires students to make law intelligible to people who do not share the assumptions of the classroom, which changes both audience and purpose (Bracken, 2022). Experiential methods embedded in substantive law courses can produce a similar shift because doctrine is learned through problems that require use (Mahmood et al., 2024). A conventional classroom is therefore capable of becoming experientially demanding, while an activity labelled practical may still leave every consequential choice to the teacher or supervisor.

The difficulty is better described here as a knowing-doing divide. "Knowing" includes more than remembering rules. A student may understand doctrine, distinguish authorities, and formulate an intellectually defensible argument. The divide appears when that knowledge has not often been recontextualised through decisions about missing facts, competing objectives, institutional constraints, or the needs of people who will use the advice. McConnell's study of commercial awareness is instructive because students often located important parts of their development outside formal teaching, where self-directed activity forced them to connect legal work with organisational and client contexts (McConnell, 2023). That finding does not show that classrooms are irrelevant. It shows that a curriculum may contain the right legal content while leaving the movement from legal knowledge to professional understanding largely implicit. Students then learn that movement unevenly, sometimes by chance.

Recent scholarship has not ignored the gap, but it often approaches it through separate pedagogical forms. Clinical studies ask what students gain from client work. Work-integrated learning research examines employability and workplace experience. Scholarship on digital legal education asks what survives when practice is mediated through technology, while authentic assessment debates whether university tasks should resemble professional work. Reading these literatures separately makes it easy to conclude that one format is intrinsically closer to practice than another. The more difficult question concerns what the student actually has to decide inside the activity.

Two questions follow from that problem. How does recent scholarship explain the persistence of the practice-classroom gap in legal education, and under what pedagogical conditions does experiential learning reduce it? The argument developed from the review is that experience matters through the quality of judgment it requires. I use the term practice proximity for that quality. It refers to how far an activity exposes students to the uncertainty, responsibility, audience, and revision that make legal knowledge difficult to use. The term is intentionally narrower than authenticity. It does not assume that copying the workplace is educationally superior, nor does it treat professional practice as the final purpose of a university law degree. The claim is that students need repeated opportunities to discover what changes when law must answer to a situation beyond the assessment rubric.

RESEARCH METHODS

A qualitative integrative literature review was used because the research problem crosses empirical and conceptual work that cannot be meaningfully reduced to a single intervention effect. The corpus includes studies of clinical and community-based education, technology-mediated practice, work-integrated learning, assessment, and professional formation. Integrative review is suitable for this kind of mixed evidence when the purpose is to generate an interpretive account instead of pooling comparable outcome measures (Lubbe et al., 2020). The method still requires visible decisions about

searching and synthesis. Dhollande et al. (2021) stress that an integrative review becomes difficult to evaluate when question formation, selection, extraction, and interpretation disappear behind a generic statement that literature was reviewed.

Searches were conducted between May until June 2026. Google Scholar was used for broad retrieval, followed by checks on the relevant publisher pages for bibliographic. Citation trails from highly relevant studies were also followed when they led to journal articles inside the publication window. Searches combined "legal education" with terms drawn from two clusters. One cluster concerned experiential formats, including clinical legal education, work-integrated learning, simulation, Street Law, and online experiential education. The other concerned the learning problem itself, using terms such as practice gap, professional judgment, legal reasoning, authentic assessment, and professional competence. Articles were eligible when they were peer-reviewed journal publications from 2020 through 2026 and when the analysis addressed how legal or disciplinary knowledge was connected with a consequential, professional, community, or simulated context of use.

Extraction focused on what students were expected to do, what uncertainty remained when they acted, who received or was affected by their work, how supervision and feedback operated, and what authors claimed students learned. Descriptive codes were compared across settings before broader relationships were developed. Negative cases were retained as analytically relevant evidence. These included practical activities with limited student agency, digital formats that weakened interaction, and critiques of workplace realism as an educational ideal. The movement from extracted material to interpretation followed the comparative logic recommended for integrative reviews, where categories are revised as contradictory evidence becomes visible (Younas et al., 2022). Three analytical claims survived that process. The first concerns recontextualisation of doctrine. The second concerns judgment as the mechanism through which experience becomes learning. The third concerns curricular design that keeps academic inquiry and professional use in productive tension.

RESULTS AND DISCUSSION

1. The Knowing-Doing Divide Is Not a Shortage of Doctrine

Adding more practical hours is an attractive response to the practice gap because it produces an easily visible reform. The literature gives less support to the assumption behind it. Students can spend time in an activity that looks practical while remaining dependent on someone else to identify the problem, select the relevant information, or decide when the work is finished. What changes learning is the relationship students have to the problem. Mahmood et al. (2024) show that experiential methods can be brought into substantive law teaching itself, which matters because the basic reversal can occur before any clinic begins. Instead of receiving a polished problem and displaying the doctrine attached to it, students can be made to work out what they need to know and why. The doctrinal content remains. Its use is no longer pre-arranged. A simulation built around a complete case file may demand less from students than a classroom problem that leaves a decisive fact uncertain. The difference lies in who carries the work of framing.

Live-client settings intensify that reversal because another person's circumstances become part of the legal task. Singh (2022) links clinical legal education with the application of substantive law and the broader social responsibilities of legal formation. A client's account rarely arrives in doctrinal order. Listening, sorting, and deciding what still needs to be asked become part of legal reasoning instead of preliminary work performed somewhere offstage. The student may also have to recognise that the client's own description of the problem is incomplete or legally misleading without treating the client as simply mistaken. That is a different intellectual posture from locating an issue deliberately planted in an examination question. The client can also resist the categories through which the student first understood the case, forcing the analysis to be reopened.

Community-oriented clinics make the incompleteness of doctrine especially difficult to ignore. Pandey and Moti (2024) describe a rural governance clinic in which students encountered the distance between formal legal promises and local administration. The learning cannot be reduced to contact with a disadvantaged community. Students saw that rights operate through institutions whose accessibility, literacy demands, and local power relations affect what a legal entitlement can become. Similar tension appears in the 2026 comparison of clinics in Colombia and Mexico, where pedagogical quality depended on integrating substantive legal knowledge with work that exposed students to the development of whole cases and projects (Zorrilla Noriega & Madrigal-Pérez, 2026). These studies

come from different settings, yet both show why "application" is too thin a description. Students are learning how doctrine changes shape when implementation becomes part of the problem. Technology makes the distinction clearer because realism can be manufactured while judgment remains shallow. A virtual reality application studied by McFaul and FitzGerald (2020) offered opportunities for practice and presentation, although student engagement with the technology varied. In a different project, students co-designed a public legal education app and had to make legal information usable for non-lawyers while working across disciplinary boundaries (McFaul et al., 2020a). The second activity did more than place law inside a digital interface. It required decisions about audience, relevance, accuracy, and communication. Those decisions explain why some technology-mediated tasks narrow the knowing-doing divide while others add little beyond novelty.

The rapid move to online clinical work exposed the same issue at programme level. McFaul et al. (2020b) found that pro bono and clinical activities could move online, although the transition altered logistical and pedagogical conditions. Ryan's realist evaluation of a virtual law clinic likewise showed that outcomes depended on how students engaged and on the support built around the model (Ryan, 2020). Teacher accounts collected later by van Dorresteijn et al. (2025) suggest that cognitive and symbolic forms of experiential work can transfer online more easily than some affective dimensions of interaction. Yadav's analysis of virtual clinical legal education in India adds a current institutional problem. Digitalisation may extend legal services and create new educational possibilities, yet weak accessibility and uneven implementation can also reproduce the very distance that a virtual clinic is meant to overcome (Yadav, 2026). Physical presence, by itself, settles none of this. Nor does a screen necessarily create distance. The important question is how much professional responsibility actually reaches the student. The medium changes the task, but it does not decide its depth.

The knowing-doing divide can remain inside a clinic and narrow, at least temporarily, inside a doctrinal course. Course labels tell us where learning is scheduled, not what intellectual burden the learner carries. McFaul's insistence that clinical legal education needs theory is important for the same reason. Experience that is never interpreted may leave students with strong impressions and weak understanding (McFaul, 2020).

Recontextualisation is the central problem. Legal knowledge is learned in one setting and then has to be mobilised in another where the relevant features are less visible. Students must recognise which part of what they know matters before they can use it. They may also discover that the client's objective, procedural limits, institutional culture, or likely consequences alter the significance of a doctrinally attractive route. Nothing in that process makes doctrine less important. Weak doctrinal knowledge leaves little to recontextualise. Yet strong doctrinal knowledge does not guarantee that the student can identify when it should control the response and when another consideration needs to be brought into view. A new setting can expose gaps in the student's original understanding. A rule that seemed clear in a lecture may become difficult once facts no longer fit the examples through which it was learned. Transfer is part of learning because use can reveal that earlier mastery was conditional.

A curriculum that repeatedly pre-frames legal problems teaches a subtle habit. It tells students that legal reasoning starts after the problem has already been identified. Professional work often starts earlier. Closing the gap requires educational situations in which framing can itself go wrong, be discussed, and be revised before students are rewarded for reaching a conclusion.

2. Experience Becomes Learning When Students Must Exercise Judgment

Experiential legal education is frequently justified by a vocabulary of skills. Interviewing, drafting, advocacy, research, teamwork, and communication are all relevant, but a list of competencies can hide what makes an experience intellectually demanding. Judgment begins where a student has to choose between plausible courses of action and cannot rely on doctrinal correctness to settle the choice. The student has to decide what matters now, what can wait, whose interests deserve attention, and how much uncertainty can responsibly remain. Alexander's study of clinical education is revealing because participants described changes in confidence and professional identity alongside employability development (Alexander, 2023). Those outcomes are difficult to explain as the accumulation of isolated techniques. They emerge as students begin to see themselves as people whose legal decisions have audiences and consequences. Responsibility changes reasoning. Madhloom and Antonopoulos (2022) place clinical education within a human rights and social justice frame, where legal learning connects access to justice with professional formation. The point is pedagogically important even when a clinic

has no explicit social justice mission. Once another person may rely on the student's work, the student's reasons must answer to more than the teacher's marking criteria. Clinical research across different countries has similarly associated pro bono experience with professional development while showing that these outcomes are shaped by programme conditions (Cantatore et al., 2021). Responsibility is not created by the word "clinic". It comes from how the work is allocated, supervised, and returned to the student for examination.

Workplace presence can even reduce learning when the student becomes a peripheral observer. Jackson and Dean (2023) found that different forms of work-integrated learning contribute differently to employability, which undercuts a simple hierarchy in which time spent in a workplace must be better than structured university activity. Legal education has an additional difficulty because placements vary in the quality of supervision and in the decisions students are permitted to make. A prestigious placement can expose a student to impressive work while leaving little opportunity to exercise judgment. A carefully designed simulation may provide more.

The regulatory recognition of experience makes that distinction harder to preserve. Todd and Blackburn (2023), writing about qualifying work experience in England and Wales, identify opportunities for university clinics but also risks when clinical activity is drawn closer to professional credentialing. Once experience is counted toward qualification, institutions have an understandable incentive to measure whether enough of it has occurred. Educational value is less easy to count. A student may complete substantial hours while doing work that has already been framed and checked so closely that little responsibility remains. Another student may make one difficult decision, receive exacting feedback, and learn more from the mistake than from weeks of routine work. This tension also explains why credit requirements should not be treated as evidence of learning in themselves. Duration may secure access to experience, but it says little about how much judgment the student was permitted to exercise inside it. This is also a measurement problem, because what is easy to record may be only loosely connected to what the student learned.

Failure has a place here that is often obscured by the language of practice readiness. Students need room to make judgments that can be shown to be incomplete without allowing the consequences of those errors to fall unfairly on clients. Supervision should hold that boundary while leaving judgment with the learner. Zorrilla Noriega and Madrigal-Pérez (2026) treat clinical quality as a pedagogical as well as an operational matter. A supervisor who makes each consequential choice may protect the file while producing a student who has watched good lawyering without practising judgment (Kadir, 2024b, 2026b).

Reflection matters because an action does not explain itself. A successful interview can reinforce a poor assumption if nobody asks why it worked, while a failed strategy can produce deep learning when feedback reveals what the student missed. Duchatelet et al. (2024) similarly found that outcomes in experiential environments depend on design features. Agency, feedback, and revision are more informative than the experiential label itself.

Practice proximity captures that difference without turning workplace resemblance into a scale of educational value. It describes how much of the uncertainty and responsibility of legal use reaches the student. A live client may create high proximity when the student must listen to an incomplete account, decide what needs clarification, formulate advice, and then defend that judgment under supervision. The same clinic can create low proximity when difficult choices are quietly made by the supervisor. A simulation has no real client, yet it can still create substantial proximity if facts remain incomplete and later information forces revision. The idea is related to authenticity but avoids treating the professional workplace as the privileged form of the "real world." McArthur (2023) warns that authentic assessment can become narrowly tied to employability when reality is equated with work. Chatterjee (2026) presses the criticism in legal education, arguing that the language of authenticity can devalue theoretical and liberal study when lawyerly tasks are treated as the authentic counterpart to an implicitly inauthentic academy. Practice proximity does not require that hierarchy. It asks what decisions the student carries. A theoretical seminar can remain indispensable even when its proximity to practice is low.

Legal reasoning is often described through the phrase "thinking like a lawyer," which can make it sound as though a stable cognitive technique can simply be carried from class to practice. In practice, legal judgment is entangled with timing, institutional possibility, the client's objective, and the costs of choosing among competing legal routes. McConnell's students described commercial awareness as

something that required engagement with contexts beyond doctrine (McConnell, 2023). Similar movement occurs when Street Law students have to decide what a non-lawyer actually needs to know instead of displaying everything they have learned (Bracken, 2022). The law remains central, but its relevance has to be earned inside the problem.

Judgment, then, is not an extra skill placed beside legal knowledge. It is the activity through which knowledge is selected and made answerable to a situation. Experiential learning becomes valuable when students can see their own selection process, test it against consequences and feedback, and return to doctrine with a different question. Experience without that return may be memorable. It is much harder to know whether it has become learning.

3. Bridging the Gap Without Turning Law School into a Training Office

Pressure for more practice can become reductive when it assumes that the university should reproduce the profession as closely as possible. Law schools also exist to examine law from a distance, including the practices that lawyers themselves may treat as ordinary. Chatterjee's critique of authentic assessment makes the risk explicit. When lawyerly work becomes the measure of what counts as "real," theoretical inquiry can be cast as an inferior remainder even though it supplies many of the resources through which professional routines are criticised (Chatterjee, 2026). Bedford et al. (2024) offer a more productive possibility through law reform work. Students can engage existing doctrine, investigate its effects, and formulate change for an audience beyond the lecturer. The task has professional relevance without asking students simply to reproduce current professional practice. Assessment can support that movement, although workplace resemblance is an unreliable shortcut. Ajjawi et al. (2020) show that assessment in work-integrated learning is pulled by university requirements, placement realities, and future professional purposes that do not always align. Later work shifts attention from an "authentic task" toward authenticity as a relationship among the learner, the task, and its purposes (Ajjawi et al., 2024). A legal memorandum written for a fictional client may look professional while remaining entirely academic if no decision has to be justified beyond the lecturer's expectations. Conversely, an unusual task can carry substantial practice proximity when students must choose an audience, respond to uncertainty, or revise their position after consequential feedback.

Real-world relevance can still matter in assessment design. Vlachopoulos and Makri (2024) identify it as an important feature of authentic assessment, but their review shows that learning depends on how knowledge and capability are developed. Legal education can use realism selectively. Copying the noise of professional work merely because it is realistic adds little. What deserves reproduction are the pressures that make judgment visible (Kadir, 2024a, 2026c). Academic tasks may therefore remain valuable precisely because they slow a problem down or question assumptions that practitioners might otherwise carry past it.

Early law students can encounter the knowing-doing divide without being given unsupervised responsibility for real clients. A first-year problem can contain irrelevant material and leave one important fact missing. Students can be asked what they still need to know before they are allowed to announce a legal conclusion. Later work can introduce a non-academic audience, a strategic choice, or a change in circumstances after the first analysis has been written. By the time students enter a clinic or placement, uncertainty is no longer a surprise added to otherwise stable learning. Experiential methods in substantive law teaching already show that progression can begin inside ordinary courses well before a separate practical component (Mahmood et al., 2024). Progression should also include periods of low practice proximity. Students sometimes need conceptual distance before they can see why a familiar professional response deserves criticism. The sequence is stronger when closeness to practice rises and falls for a reason instead of moving in only one direction.

Storr and McGrath (2023) found considerable experimentation in digital legal education alongside an uneven evidence base. Virtual clinical education in India also shows that digital access can widen possibilities while weak implementation creates new distance (Yadav, 2026). Online teaching is useful when technology leaves students with a meaningful judgment to carry, not when novelty does the pedagogical work (van Dorresteijn et al., 2025).

Assessment of judgment also needs evidence from the process, not only the polished product. A student who changes position after discovering a missing fact may be demonstrating better legal reasoning than a student whose first answer happened to be correct. Feedback records, short reflective accounts, staged advice, or oral justification can make that movement visible without turning every

course into a portfolio. Reflection should remain connected to a decision that actually mattered inside the exercise. Otherwise it becomes another genre students learn to perform for marks. A process record can make improvement across attempts visible, especially when the first answer was plausible but incomplete. That evidence supports assessment without pretending that every professional judgment has one correct form.

Doctrinal teaching gives students concepts and authorities with which to reason (Kadir, 2024c, 2026a; Kadir et al., 2025). Structured experience exposes where those resources become uncertain, contested, or difficult to communicate. The experience then needs to return to analysis, where students can compare judgments and see why a plausible response failed. No single clinic can perform this work for an entire degree, and one capstone cannot easily undo several years in which students learned that legal problems arrive already framed. Recurrence matters more than spectacle. Different subjects can carry different levels of practice proximity, with responsibility increasing as students acquire the knowledge and confidence needed to bear it. Clinical and work-based opportunities then deepen a habit the curriculum has already begun to form instead of operating as a late corrective.

The review also has limits that constrain how far this design claim should travel. The corpus is deliberately recent and still contains a substantial body of scholarship from the United Kingdom and common-law or clinically oriented programmes, although work from Indonesia, India, Latin America, and broader higher education was included. Professional readiness is not jurisdictionally neutral. Admission rules and the organisation of legal services affect what students may do and what universities can supervise. The synthesis does not offer a universal sequence of activities. Its narrower claim concerns a design question that survives those differences. How much uncertainty is the student allowed to carry, who bears the consequences when judgment fails, and what happens pedagogically after the student decides? Those questions can be asked in systems where live-client clinics are mature and in systems where experiential provision is still limited.

CONCLUSION

Law can be learned without practising law if learning means acquiring doctrine, interpreting authority, and producing sophisticated legal argument. A university can do those things extremely well without becoming a law office, and there is no reason to treat them as incomplete simply because they are academic. The difficulty appears when a degree also claims to prepare students to use law. Knowing a legal proposition does not by itself tell a student which facts still need to be found, whether a client is asking the wrong legal question, or whether a doctrinally attractive route is institutionally unrealistic. The recent literature suggests that this is where the practice-classroom gap persists. Academic rigor remains essential, while transfer remains unresolved. Practical exposure helps only when students are permitted to carry enough of the problem for their own judgment to become visible. Supervision, feedback, and reflection then make that judgment available for criticism while still protecting clients from student error.

The knowing-doing divide is useful because it locates the problem in recontextualisation and avoids a false conflict between theory and practice. Practice proximity adds a second distinction. An activity may resemble professional work yet leave students with little to decide, while a classroom exercise can become surprisingly close to practice when the problem is incomplete and the audience is consequential. This is also why recent objections to authentic assessment matter. Professional work should not become the sole standard against which university legal education proves its worth. Law schools need enough distance from practice to question it.

A stronger curriculum would connect doctrine with progressively harder situations of use and bring those situations back into analysis. The change is less dramatic than replacing lectures with clinics, but it reaches further because it affects the architecture of learning across the degree. Students should repeatedly discover that a legally correct answer can still be poorly framed, badly timed, or unhelpful to the person who needs it. When that discovery becomes an ordinary part of study, experiential learning no longer sits at the edge of the curriculum as proof that practice has been added. It becomes one way through which legal knowledge is tested, unsettled, and made usable. Law schools do not need to imitate legal practice, and they should resist reforms that make vocational resemblance the measure of academic value. They do need to expose students to enough of practice's uncertainty that doctrinal confidence is sometimes disturbed. The educational gain lies in what follows that disturbance, when students can explain why their first judgment was inadequate and return to the law with a better question.

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