

LEGAL EDUCATION IN MALAYSIA: THE EFFECT OF APPLYING VISUAL MIND/ PROCESS MAPPING AND FLOWCHARTS TO ENHANCE THE CIVIL PROCEDURE STUDENTS' UNDERSTANDING

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Abstract: *In Malaysia, one of the core courses in the body of knowledge for law programs in MQA Programme Standards is the procedural course, Civil Procedure. This course offers the students the knowledge and practical skill in applying and implementing procedural law in conducting civil action at the court. This course is considered 'dry' in nature, which the students felt and showed difficulties visualising the process. Thus, the authors apply visual learning techniques such as mapping and flowcharts that enable students to visualise the court proceeding. This delivery technique aims to present information that suits the student's interest, enhance the law students' understanding of law subjects and promote effective teaching and learning by integrating mind/process mapping and flowchart techniques. This research was undertaken to analyse the effect of this delivery and learning approach on civil procedure students by a quasi-experimental method. A total of 63 law students of the Faculty of Law at Universiti Teknologi MARA, Malaysia using convenience sampling which are those who attended and participated in a lecture of 14 weeks. During the intervention period, these students received basic knowledge of civil procedure using mind/ process mapping and flowchart techniques. The data collected and analysed included the final examination paper, the student's results and the summative final examination. The study found that using mind/process mapping techniques as a learning strategy has significantly improved their*

understanding of the core substance with the ability to analyse and apply it on a summative examination at the end of a course and for life-long learning.

Keywords: *Civil procedure, visual learning approach, Mind mapping, Flowcharts, Students' results.*

Introduction

In Malaysia, public or private universities have offered a law program to prepare for a qualified practising lawyer. A graduate of 4 years professional program is qualified to embark on a pupillage of nine months and be called to the Malaysian Bar as an advocate and solicitor. Thus a thorough understanding and grasp of the procedures are required of every counsel handling a civil action in courts. One of the core courses in the body of knowledge for law programs in MQA Programme Standards is the procedural course, Civil Procedure. This course offers the students the knowledge and practical skill in applying and implementing procedural law in conducting civil action at the court. The course aims to teach the students to be competent in understanding the procedural law and implementing an effective and efficient court action. Among the course' objectives are to demonstrate knowledge of the rules in the procedure and to analyse a wide range of interlocutory procedures in the conduct of various civil proceedings.

Civil Procedure forms the legal system's platform and provides how rights and interests are realised. This course is designed to provide knowledge of the rules of procedure and its application and offer the solid foundation necessary to equip students for legal practice. This course is traditionally taught by lecturers with practising experience in the final year. It also promotes the development of critical thinking & problem-solving skills, communication skills and ethics & moral professionalism in civil law.

Legal education in Malaysia faces the challenge of enhancing civil procedure students' understanding. This course is considered 'dry' in nature, which the students felt and showed difficulties in visualising the process. The traditional methods of teaching, predominantly relying on lectures and textbooks, may not sufficiently cater to diverse learning styles and cognitive processes. As such, there is a need to explore innovative pedagogical approaches to enhance students' understanding of civil procedure concepts (Alsulami, 2017; Liew, 2019; Mergendoller, 2005; O'Donoghue, 2003). Visual tools such as mind maps, process maps, and flowcharts have been shown to improve comprehension, retention, and critical thinking skills among students. Research in various fields such as children's language skills (Abubakar et al., 2021), architecture education (Nursanty, 2022), and computer programming Peng et al. (2019) has shown the effectiveness of visual aids like mind mapping and visualization in improving learning outcomes. By applying these methods in legal education, specifically in civil procedure studies, educators can potentially enhance students' comprehension, retention, and application of complex legal concepts. Thus, the respective lecturer designed and implement a proper delivery and learning approach using a beneficial and convenient tool by virtual learning techniques such as mind/process mapping and flowcharts.

This study aims to investigate the impact of integrating visual mind/process mapping and flowcharts into legal education in Malaysia, specifically focusing on civil procedure courses. While these visual aids have been utilized in various educational settings, their application and effectiveness in legal education, particularly in Malaysia, remain underexplored. Therefore, the central question guiding this research is how does incorporating visual mind/process mapping

and flowcharts influence the comprehension and retention of civil procedure concepts among Malaysian law students?

Literature Review

Legal education plays a crucial role in preparing law students for the complexities of the legal profession. In Malaysia, as in many other jurisdictions, the teaching of subjects like civil procedure poses significant challenges due to its intricate nature. Traditional methods of instruction, such as lectures and textbooks, may not always effectively facilitate students' comprehension and retention of complex legal concepts. Therefore, there is growing interest in exploring innovative pedagogical approaches to enhance legal education, particularly in the realm of civil procedure. One such approach gaining attention is the integration of visual mind/process mapping and flowcharts into the teaching of civil procedure. These visual aids offer a structured and graphical representation of legal concepts, potentially improving students' understanding and knowledge retention.

Several studies have demonstrated the benefits of visual aids in enhancing learning outcomes across various disciplines. For example, Alsulami et al. (2017) found that mind mapping significantly improved students' understanding of accounting concepts in secondary schools. Similarly, Mergendoller and Thomas (2005) highlighted the advantages of project-based learning, which often involves the use of visual tools, in fostering deeper understanding and engagement among students. According to Cantatore and Stevens (2016), the students were more likely to retain the information they learned through visuals than information learned verbally. They also agreed that visual learning techniques act 'as an organiser for ideas, improve comprehension, and function as an aid to memory'. Among the proper tools are mind mapping and flowcharts. It can help students comprehend rules, apply rules to slightly modified hypothetical situations during class participation and apply rules to completely novel situations in exam situations. Cantatore and Stevens (2016) referred to the paper written by Karen Koch, who highlights the cognitive benefits of virtual maps, namely, engaging the students in whole-brain thinking, assisting students' creation of their schema for the complex legal process and internalising and remembering the process.

In the realm of legal education in Malaysia, incorporating visual mind/process mapping and flowcharts to enhance civil procedure students' understanding is a promising strategy. Research across various disciplines has consistently shown the efficacy of visual aids in improving learning outcomes. Liew et al. (2019) conducted a literature review examining the use of visual aids in teaching legal subjects and found that such tools can enhance students' comprehension and facilitate active learning. Peng et al. (2019) demonstrated how visual-based cognitive tools can effectively represent complex and abstract issues, facilitating comprehension. Similarly, Abubakar et al. (2021) highlighted the advantages of mind mapping in boosting children's language skills, indicating the potential of visual methods in educational settings. However, they also noted the need for further research to assess the effectiveness of visual aids in specific legal disciplines, including civil procedure. Wangerin (1988) laid down one of the basic strategies in learning law: review (outlines and graphic organisers), done using charts, maps and schematics. It is described as providing much better tools for learning. On the same note, mind mapping in education was applied extensively in modern education.

A mind map is considered a graphical way to represent ideas and concepts (Pribadi et al., 2020). It is a diagram representing words and ideas (in different colours and pictures) linked to and arranged around a central key topic or an idea. Visualising a concept is considered a learning

tool (Choudhari et al., 2021). It was also opined that mapping procedures had been initiated to motivate students to represent ideas visually and cause them to analyse, evaluate and think critically (Suji et al., 2020). Similarly, process mapping provides a visual guide for a process, helping the students see all required steps in sequential order. It also gives a broad, big-picture overview of the process and a way to explore the more specific details in each step or stage. On that note, Ilyas and An Nisa (2021) affirm that this technique is the easiest way to enter information into the brain and retrieve information from the brain again. It helps the brain think regularly because it uses graphical techniques. At the same time, the mind map utilizes the whole brain by using visual images and other tools to form a more in-depth impression. Due to that, it ultimately helps record, strengthen, and remember the information learned.

Meanwhile, flowcharts in education are valuable learning tools for higher education courses which require a logical approach and structured thinking and can simplify the teaching of complex subjects by providing students with a visual connection to the material (Cantatore and Stevens., 2016). Basically, there are two types of flowcharts, namely, decision tree-based flowcharts and process-based flowcharts. The former is used in dealing with complex issues, simplifying and tracking the decision-making process. The latter provides a chronological path that can compartmentalise and tell the “story” of the legislation and demonstrate the interrelationship within the Act. Furthermore, Bakar et al. (2023) explored the use of student-generated video assessment in educating law students, emphasizing the value of multimedia tools for enriched learning experiences (Bakar et al., 2023). This aligns with the concept of leveraging visual aids like flowcharts to communicate legal concepts effectively. Additionally, Sabolova (2019) investigated the use of mind maps in natural sciences education, further supporting the idea that visual tools can aid in understanding complex subjects (Sabolova, 2019).

Methodology

This study was conducted using a quasi-experimental research design to study the intervention of visual mapping and flowcharts as a new learning tool for the students. Quasi-experiments are studies that aim to evaluate interventions but that do not use randomization. Participants are predetermined; the sample consisted of 63 students from three groups of the Civil Procedure 1 course students at the Faculty of Law, Universiti Teknologi MARA, Malaysia, for semester 20224, namely, groups 7A to 7C which comprised the intervention groups. The study participants were Part 7 of final year law undergraduate students, and 63 were selected using convenience sampling from a large batch of 235 students. There were eleven student groups, with 20 to 22 students on average per group. The intervention was the application of visual mapping and flowchart techniques as a learning tool for civil procedure students in their final year (Part 7) of four-year law programs.

Data collection techniques use students’ results, which include summative final examination, and relevant documents such as the final examination paper. The analyses used for the finding in this study are descriptive and statistical analyses of the summative examination and final results of the 63 students using Microsoft Excel. Experimental data are obtained from the three intervention groups that apply the learning and teaching approach with mind/ process mapping, and the flowchart is compared with the result of students from another 3 mass lectures of the remaining eight groups, namely, groups 7D to 7K, which comprised the control group of this study. The objective is to determine whether the intervention significantly enhances law students’ understanding of law subjects. Concurrently, they impact law students, reflecting their results and promoting an effective teaching and learning approach.

Learning and Teaching Approach

There are 14 weeks in each semester allocated for teaching and learning. The time allocated for this course is two hours of lecture and two hours of tutorial per week. The lecture will be conducted in a combined three groups at the lecture hall or auditorium. At least two days before the lecture, notes on the topic would be shared with the students. This enables the students to read and obtain an overview of the topic to be discussed in the coming lecture.

The lecturer created a mind/ process map and flowcharts to review the topic studied. During the lecture, the lecturer's map was presented and the discussion would be based on the review of the topic through mind/ process mapping and flowcharts, whichever is applicable.

Each topic discussed will have its own mind/ process mapping and flowcharts to enable the student to grasp and apprehend the lecture contents of the specific topic and at the same time, always keep an overview of the whole subject.

The designed curriculum or course information for this course consists of 60% continuous assessment and 40% of the final examination. The continuous assessment comprises one test, one written assignment and presentations. Meanwhile, for the final examination, the full mark is 100 with a weightage of 40%.

For semester 20224, the final examination paper consists of 4 main questions: the topic of the amendment, parties, Judgment in Default (JID) and Summary Judgment; and drafting of a pleading. During the lecture, the mind-mapping/ flowcharts were shown to the students during the teaching and learning session, namely, the mass lecture. The discussion was based on the shared mind/ process mapping and/or flowchart. Figure 1 to Figure 4 illustrates samples of the mind mapping and flowcharts used during the lecture.

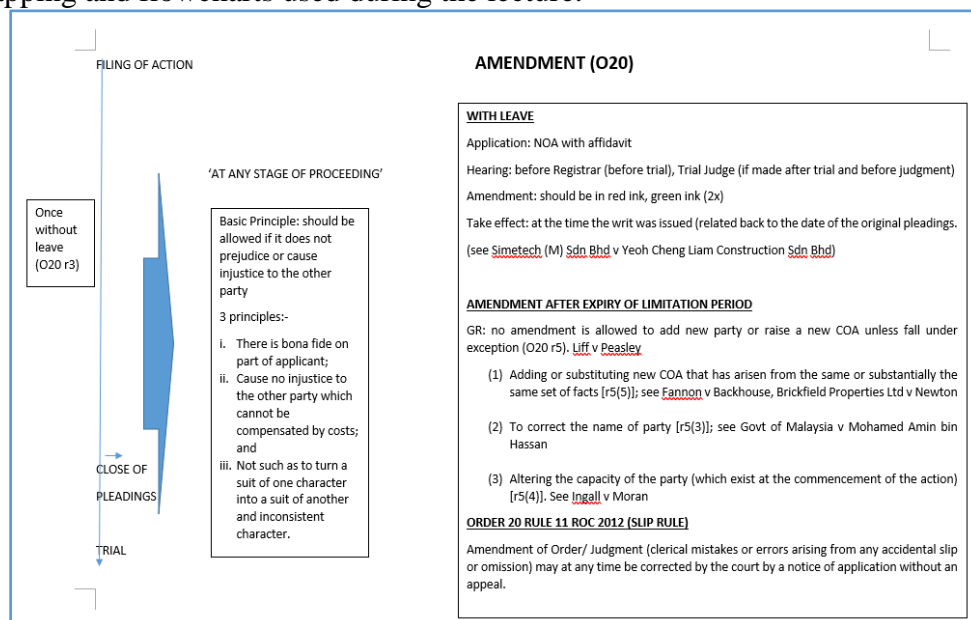


Figure 1: A sample of mind/ process mapping on the topic of Amendment.

Final examination questions related to the topic are as follows:

Question 1:

With the aid of the relevant Rules of Court and case law, advise parties whether they can succeed in procuring the amendment they seek:

(a) *Aidil sued Syarikat Huru Hara (SHH) for breach of contract occurred in 2014. A Writ was filed at the court against SHH which was renamed as Haru Biru Sdn Bhd. It was later discovered in the Syarikat Huru Hara Annual Report 2021 that SHH was still in existence. Aidil apply for an amendment order that SHH be reinstated as a defendant.*

(b) *Pojie obtained a judgment dated 2 November 2022 granting a sum in excess of what was originally claimed. Pojie apply to the court to amend the judgment to reflect the sum initially claimed.*

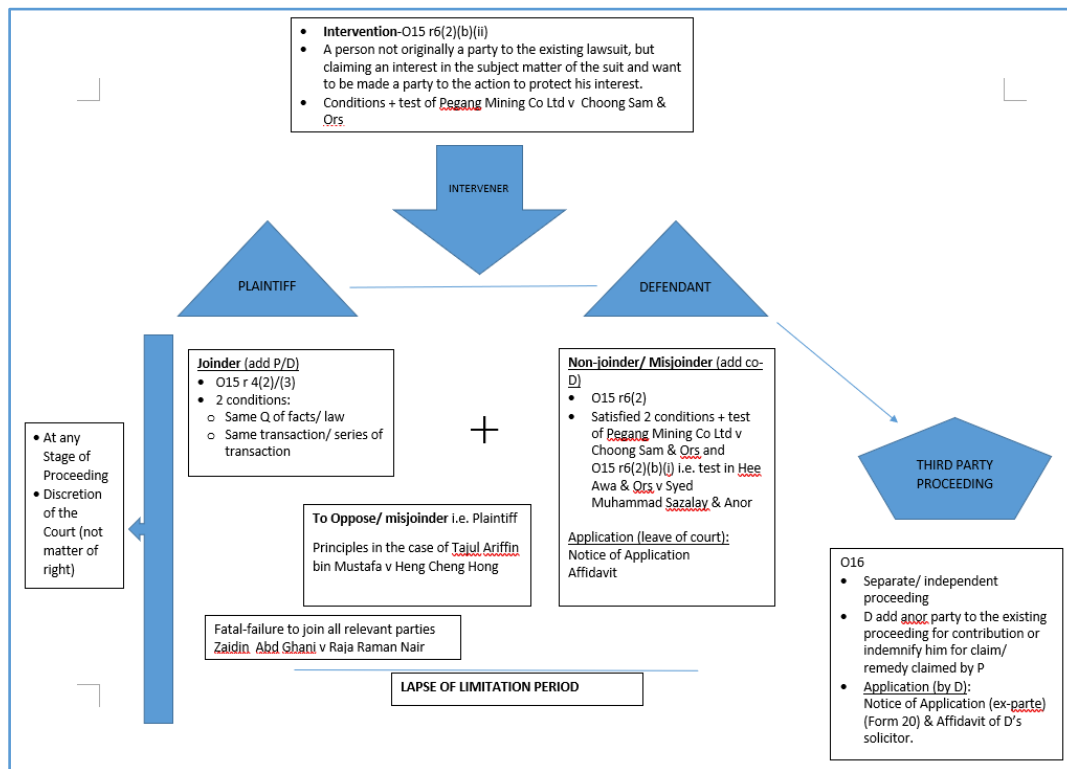


Figure 2: Sample 2 of mind/ process mapping and flowchart on the topic of Parties.

Final examination questions on the particular topic are as follows:

Question 2

Beego who was a purchaser of a house from a developer would like to file an action representing 60 other purchasers to apply for an injunction against the developer from getting the fund of RM 20 million from 6 different financial entities.

Developer contended that the land is registered in the name of Darren, as a land owner and party to the joint venture agreement entered between them for the purpose of developing the land. Discuss the mode of adding Darren as a party to the action.

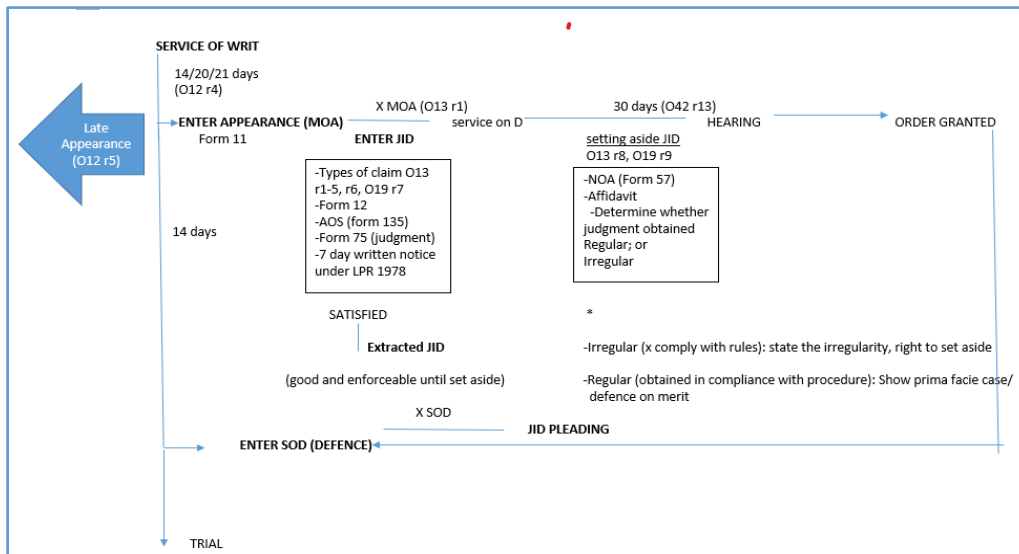


Figure 3: Sample 3 of mind/ process mapping and flowchart on the topic of Judgment in Default of Appearance (JID).

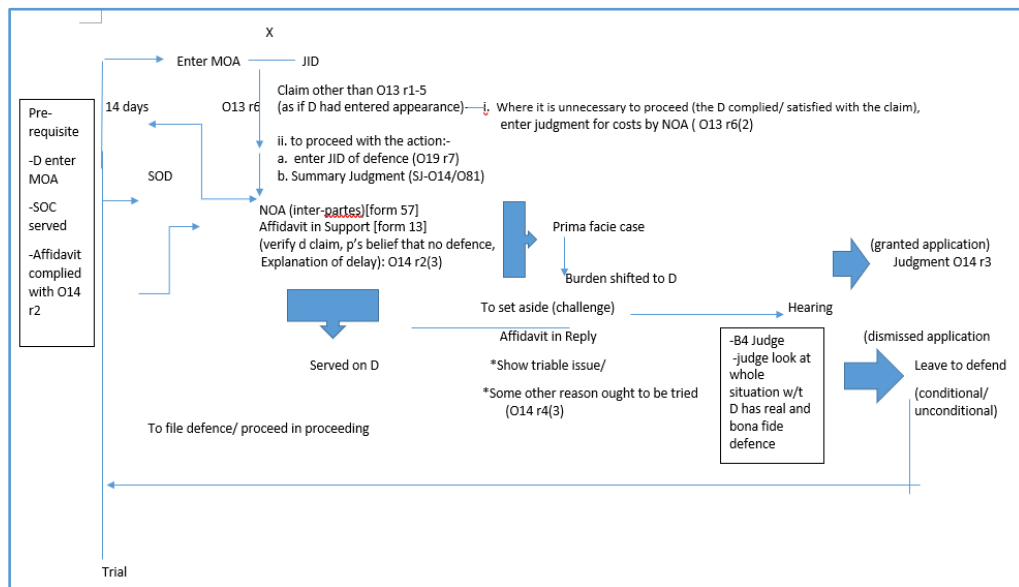


Figure 4: Sample 4 of mind/ process mapping and flowchart on the topic of Summary Judgment (SJ).

Final examination questions related to both topics are as follows:

Question 3

The Rules of Court 2012 has devised the procedure where the plaintiff can get or obtain his judgment quickly without the need to go to a trial namely judgment in default and summary judgment.

Differentiate the two procedures and in which situation both procedures can be applied interchangeably.

Analysis and Result

The feedback on the use of visual mapping and flowcharts techniques as teaching and learning tools were obtained from the students of the three groups consisting of a total number of 63 students. The result shows that all 63 students (from groups 7A to 7C) passed the course. Three students (4.76%) obtained a solid result of A. 10 students (15.87%) scored A-. overall 58 out of 63 students (92.06%) scored grade B and above. There are 5 students with grades B- and zero below 60 marks.

Compare to the remaining eight groups, namely, 7D to 7K, there are 172 students with two students obtaining A (1.16%), and fifteen students (8.72%) scoring A-. 115 out of 172 students (66.86%) scored grade B and above. 28 students obtained scores of 60-64 and 27 students with marks below 60.

Table 1: Comparison of Students' results between Groups 7A-7C and 7D-7K

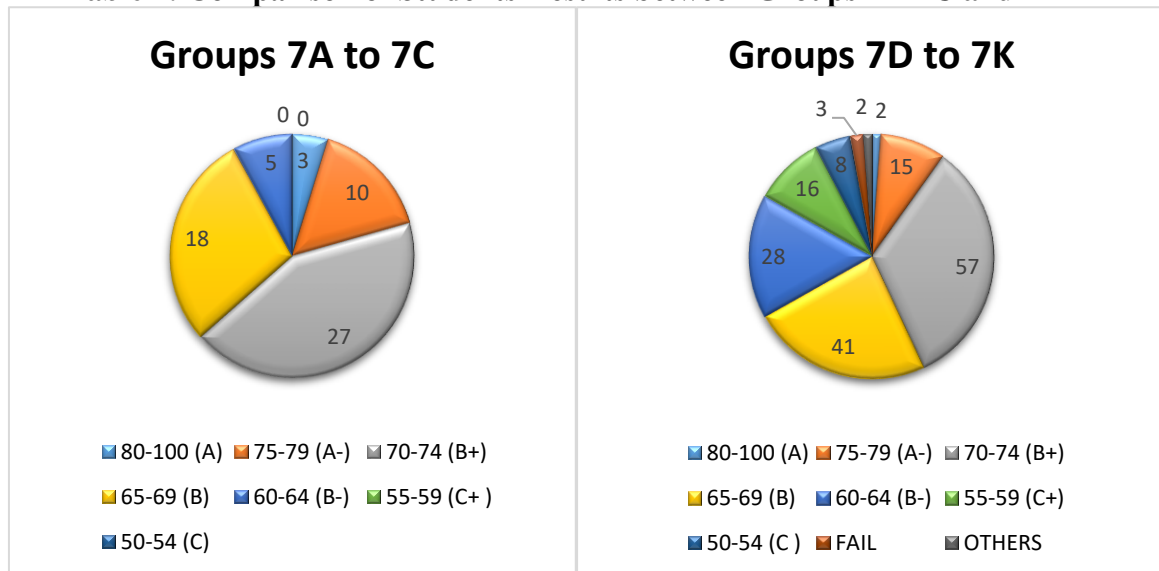
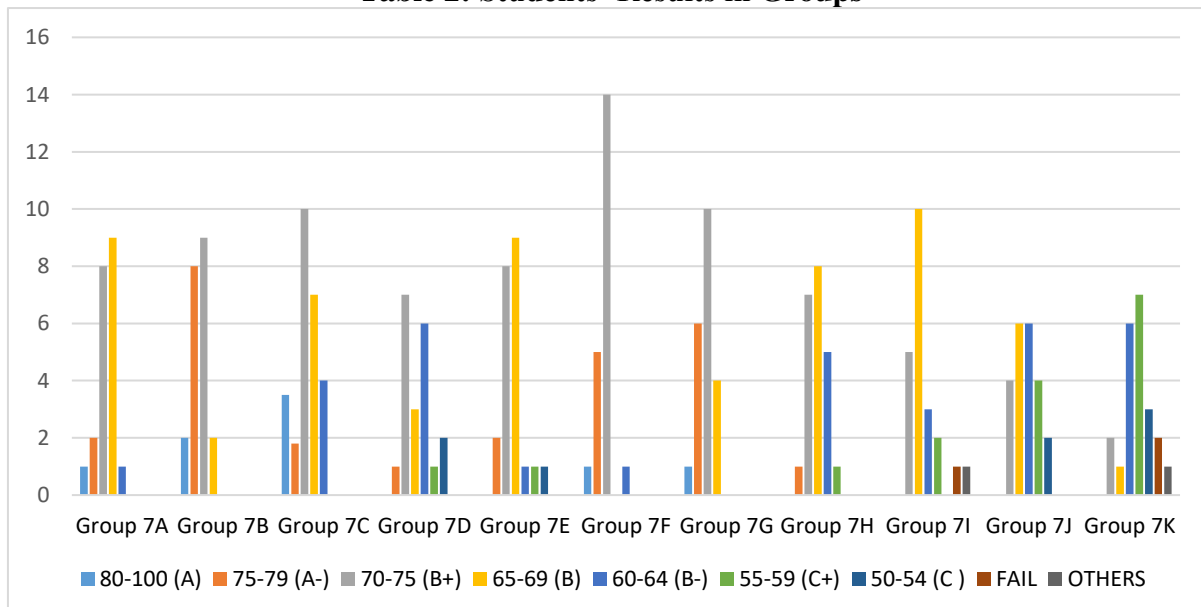


Table 2: Students' Results in Groups

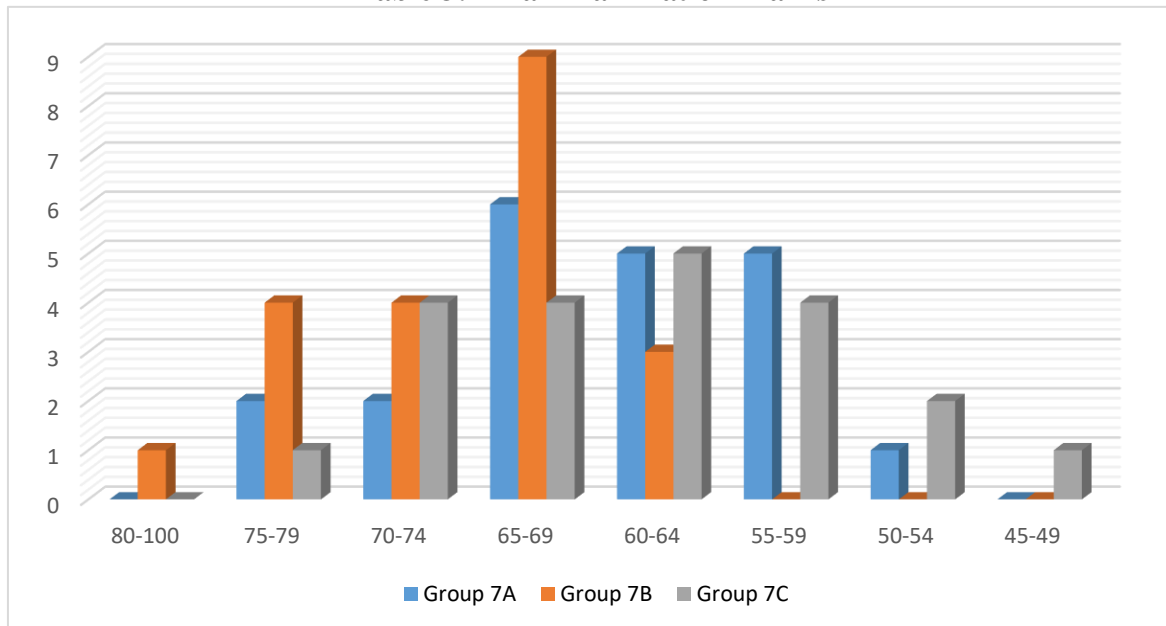


Final Examination

The structured questions are mostly legal writing structured in problems questions which require the students to identify the issue they are dealing with, then consider the applicable law/procedure, apply such law to the facts and finally draw a tentative conclusion.

Many works of literature review that one of the benefits and impact of mind/ process mapping is that it utilises the whole brain to form a more in-depth impression and ultimately helps record, strengthen, and remember the information learned. To answer the second objective, we analyse the scores obtained for the summative final examination for 63 students. Students are given 3 hours and 15 minutes (including 15 minutes of reading time) during the final examination at the respective examination hall. They must answer all four main questions, including a sub-question of at most 2. Out of 100 marks, only one student (1.59%) obtained below 50, i.e. 49/100. At the same time, the remaining 62 students score above 50. Eighteen students (28.57%) achieve grades B+ and above.

Table 3: Final Examination Marks



The above finding and analysis have proven that these teaching and learning tools have substantial value and enhance the learning process, completing assignments and preparing for examinations. This method of teaching and learning allows for easy revision and updating notes in memorising and delivering the subject content during the assessment and summative examination.

Conclusion and Recommendation

Legal education requires integrating substantive law, practical lawyering skills, and diverse learning strategies. In addition, law schools have stressed the importance of learning to 'think like lawyers'. Scholars also conclude that lawyers and law students tend to learn and think in specific ways (DeGroff, 2006). Thus, there is a dire need to adopt more effective methods for teaching and learning by incorporating visual learning in law subjects, namely Civil Procedure, through mind/ process mapping and flowcharts. Hence, this technique for teaching and learning civil procedure is handy to assist the students and enhance their understanding of court proceedings. At the same time, the approach of communicating information to students

becomes creative and exciting. It can also provide the students with an overview of the lecture contents of the specific topic and, at the same time, keep an overview of the whole subject at all times.

On the above note, visual mapping techniques should be used and assessed as a teaching and learning approach in teaching law, especially a complex subject. Further, the effectiveness of mind/ process mapping and flowcharts as a learning tool can be extended to other subjects to enhance the student's understanding of learning and applying the law.

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