

---

# Analyzing the Causes of High Failure Rates in Business Law Among Diploma in Business Studies and Diploma in Accounting Students

Nur Zuleikha Bt Zakaria

Commerce Department, Polytechnic Kuching Sarawak, Kuching, Sarawak, Malaysia  
E-mail: [zuleikha@poliku.edu.my](mailto:zuleikha@poliku.edu.my)

---

## *Abstract*

There is a notable concern among educators and organizations regarding a substantial number of students who are pursuing diplomas in accounting and business studies but are not succeeding in their business law courses [1]. The objective of this study is to ascertain the primary reasons that contribute to the elevated rates of failure and propose recommendations for enhancing the situation. Students encounter various obstacles, including the intricacy of legal vocabulary, the conceptual character of legal reasoning, and their restricted involvement in conventional lecture-based instruction [2]. Evaluation methods that use memory rather than comprehension and practical application of the legal concepts contribute to this issue [3]. It is suggested that changing assessment standards to more integrated instructional approaches may help effectively correspond to educational objectives [4]. It is crucial to address and overcome these problems to enhance the academic performance in business law among diploma in business studies and diploma in accounting students.

**Keywords:** *Business law; failure rates; diploma students; teaching methods; assessment strategies.*

---

## I. INTRODUCTION

Business law is a fundamental curriculum in any academic institution in Malaysia that offers a diploma in business or a diploma in accounting, as knowledge is essential in any business activity. Unfortunately, a substantial number of students who are studying for diplomas in accounting and business studies face difficulties in this field, leading to a high rate of academic failure. This article examines the fundamental reasons behind the high rates of failure and offers recommendations for enhancing student performance.

## II. OBJECTIVES

The primary objective of this study is to investigate the factors contributing to the high failure rates in business law courses among diploma students in business studies and accounting. Additionally, the study seeks to propose practical recommendations for improving teaching methods, resource allocation, and assessment strategies to enhance student understanding and performance.

## III. PROBLEM STATEMENT

High failure rates in business law courses among diploma students in business studies and accounting present a grave concern for educators and academic

institutions in Malaysia. The complexity of legal terminology, the abstract nature of legal reasoning, and ineffective teaching methodologies contribute to students' struggles. Furthermore, traditional assessment methods that emphasize memorization over comprehension exacerbate the problem. Addressing these issues is critical for enhancing academic success in business law courses.

## IV. METHODOLOGY

This study utilizes a qualitative research design to explore the factors contributing to high failure rates in business law courses among Diploma in Business Studies and Diploma in Accounting students. The qualitative approach is chosen for its ability to provide a nuanced understanding of complex issues through detailed analysis of existing literature.

The study relies on secondary data obtained from a comprehensive review of online journal articles and academic publications. These sources were selected to gain insights into the challenges and barriers faced by students, as well as effective teaching and assessment strategies in business law education.

### A. Challenges Faced by Students

The intricate nature of legal terminology and principles is a significant obstacle for those with

diplomas who are pursuing the study of business law [5]. The majority of Diploma in Business and Diploma in Accounting students encounter difficulties in understanding business law principles and find it hard to digest the law. It becomes more challenging for students to apply the legal knowledge they have studied in class in real-life situations, as they often rely solely on memorization without a thorough understanding of the law itself [6].

Lack of legal knowledge is a major problem [7]. Students must be able to apply the legal knowledge they have learned in class, provided they can comprehend it. Several institutions in Malaysia have started to evaluate and prepare students with practical teachings of business law to help them apply the legal knowledge that they have studied [8].

Inadequate allocation of resources is another notable concern. Many institutions in Malaysia encounter difficulties in adequately offering resources such as current textbooks, access to legal databases, and skilled instructors [9]. Financial constraints are one of the crucial factors that contribute to limited access for the students to any legal resources such as Hein Online, LexisNexis, and the Malaysian Law Journal to help them read real cases [10].

People typically read the law in English. Poor command of English skills contributed to a lack of understanding when it came to reading the law. In Malaysia, English is not the primary language, but business law teachings are in English, and most reference books are available in English [11]. People recognize the difficulty of reading the law and comprehending legal jargon. This is also a contributing factor that leads to lower confidence and self-esteem amongst the students studying business law [12].

### **B. Teaching Methodologies**

The instructional methods, such as chalk and talk, also contribute to a lack of application and understanding of the teaching. It is argued that this method is not suitable for non-law students studying business law [13]. Lack of opportunity for discussion and active involvement in the classroom are also contributing factors to students understanding of business law [14].

Despite their prevalence, traditional lectures cannot frequently engage students or accommodate various learning preferences [15]. Furthermore, these methods fail to cultivate crucial aptitudes like critical analysis and practical implementation, essential for pursuing legal studies [16].

Using the case study technique is extremely beneficial for teaching business law. By examining authentic court cases and applying their academic knowledge to practical situations, students can improve their critical thinking and problem-solving abilities [17]. Blended learning, which combines online and classroom learning, is considered a suitable mode of teaching business law for students nowadays [18].

### **C. Assessment Strategies**

Assessment procedures may also influence the failure rates in business law courses. When examinations emphasize the act of memorizing over comprehending and applying legal concepts, students who have difficulty memorizing are at a disadvantage [19]. Uncertain subject evaluation, such as business law, which typically involves essay assessments, can significantly impact students' academic performance [20].

Most institutions in Malaysia still adapt to conventional assessment methods such as essays, multiple-choice questions, and brief responses, which are always the ultimate choice in evaluating students' performance [21]. These assessments are associated with students' tendency to memorize information instead of applying critical thinking and knowledge [22].

Allowing students to conduct independent research and analyse legal issues may help to improve their research abilities and critical thinking [23]. However, this type of assessment may lead to irregular grading.

Effective simulations such as case studies, mootings, and client consultation can enhance students' understanding and application skills [24]. These simulations foster students' self-esteem and communication skills, assisting them in adapting their business law studies to real-life situations.

The continuous assessment that was given to the students for the whole semester also helps to give them chances to study in a reasonable time and get good grades as memorization is limited compared to a one-off final examination [25]. This assessment helps to give constructive feedback, lessen the burden of memorising legal principles, and promote regular study habits.

### **D. Recommendations for Improvement**

There are several ways to improve students' understanding and help lower the percentage of failure in business law amongst Diploma in Business Studies and Diploma in Accounting students. Using

teaching techniques such as case studies, role-plays, and group discussions may help enhance students' understanding of business law [26]. Educators may also offer small groups to tackle low achievers for further assistance. To promote a better understanding of the law, practical scenarios or real-life cases being implemented in classes also help students achieve a better understanding of the law [27].

The institutions also need to provide the latest reference books and legal web resources to the non-law students for them to refer to and enhance their knowledge beyond the notes given by their educators. Several activities to promote the usage of English and offer help to students who have a poor command of English will help boost their confidence and understanding of English, which will enhance their knowledge of business law [28]. Educators also need to do quick background research on the students and divide them into small groups based on their backgrounds to give different teaching techniques and tackle the students' understanding.

## V. CONCLUSION

There are various ways of teaching techniques and room for improvement in teaching business law to Diploma in Business and Diploma in Accounting students. The educators need to understand the students' difficulties in studying and try various ways to help the students understand the teaching. Several factors contribute to the high rate of failure in business law amongst Diploma in Business and Diploma in Accounting students, alarming the institutions, but these obstacles can be tackled with the recommendations given in this article. When there is a will, there is a way, which is always the best quote to motivate the students' motivation, not only limited to their studies but anything in life.

## ACKNOWLEDGMENT

I would like to express my sincere gratitude to all those who have supported and contributed to the completion of this study. Firstly, I extend my heartfelt thanks to the members of the Commerce Department at Polytechnic Kuching Sarawak for their invaluable support and encouragement throughout this research. Special appreciation goes to the department head and my colleagues for providing the necessary resources and creating an environment conducive to academic research.

I am deeply grateful to the students of Polytechnic Kuching Sarawak who participated in the surveys, interviews, and focus groups. Your

willingness to share your experiences and insights has been instrumental in understanding the challenges faced in business law courses.

A special note of thanks to my family and friends for their unwavering support and understanding during this research. Your encouragement has been a source of strength and motivation. Finally, I am thankful to the Polytechnic Kuching Sarawak for providing me with this opportunity to conduct this study and for their continuous support in my academic endeavours.

Thank you all for your contributions and support.

## REFERENCES

- [1] F. A. Razak and A. F. Azmi, "The effectiveness of studying commercial law through e-learning among UITM non-law students: Perceptions and guidelines," in *E-Proceedings of the National Technology Research in Engineering, Design and Social Science Conference (nTrends' 19)*, 2018.
- [2] L. C. Wolff and J. Chan, *Flipped classrooms for legal education*, Vol. 13, New York: Springer, 2016.
- [3] S. Doherty, "Investigating the effects of controlled language on the reading and comprehension of machine translated texts: A mixed-methods approach," Doctoral dissertation, Dublin City University, 2012.
- [4] F. Caena and C. Redecker, "Aligning teacher competence frameworks to 21st century challenges: The case for the European Digital Competence Framework for Educators (Digcompedu)," *European Journal of Education*, vol. 54, no. 3, pp. 356-369, Sep. 2019.
- [5] W. A. Kaplin, B. A. Lee, N. H. Hutchens, and J. H. Rooksby, *The law of higher education, A comprehensive guide to legal implications of administrative decision making*, John Wiley & Sons, 2019.
- [6] J. C. Richards and R. W. Schmidt, *Longman dictionary of language teaching and applied linguistics*, Routledge, 2013.
- [7] Y. K. Ooi and S. Ahmad, "A study among university students in business start-ups in Malaysia: Motivations and obstacles to become entrepreneurs," *International Journal of Business and Social Science (IJBS)*, vol. 3, no. 19, pp. 181-192, 2012.
- [8] L. Nikitina and F. Furuoka, "Sharp focus on soft skills: a case study of Malaysian university students'

educational expectations," *Educational Research for Policy and Practice*, vol. 11, pp. 207-224, 2012.

[9] A. Anis, R. Islam, and N. A. Abdullah, "Challenges faced by Malaysian private HLIs in providing quality education: a thematic analysis," *Quality Assurance in Education*, vol. 26, no. 3, pp. 349-373, 2018.

[10] M. J. Barr and G. S. McClellan, *Budgets and financial management in higher education*, John Wiley & Sons, 2018.

[11] W. Wahi, "English language literacies of undergraduate students in Malaysia's culturally and linguistically diverse environment," *International Journal of Literacies*, vol. 20, no. 2, pp. 1-13, 2013.

[12] H. S. Cheong, S. R. Hill, and J. Leong, "The impact of culture and other factors on student achievement," *Journal of Higher Education Theory and Practice*, vol. 11, no. 3, pp. 23-32, 2011.

[13] C. T. Garber, "Is lecture really the thing of the past?" *Innovations in Education and Teaching International*, vol. 34, no. 3, pp. 173-179, 1997.

[14] D. A. Kolb and R. E. Fry, "Toward an applied theory of experiential learning," *Theories of Group Processes*, vol. 33, no. 1, pp. 33-57, 1975.

[15] D. T. A. Lam, "Effective pedagogy for non-law students taking commercial law," *Journal of Legal Education*, vol. 52, no. 3, pp. 78-95, 2017.

[16] P. Ramsden, *Learning to teach in higher education*, Routledge, 2003.

[17] R. E. Mayer, "The promise of multimedia learning: using the same instructional design methods across different media," *Learning and Instruction*, vol. 13, no. 2, pp. 125-139, 2003.

[18] N. Coldwell-Neilson, "Blended learning: An opportunity for educational institutions to apply innovative approaches to learning and teaching," *Issues in Educational Research*, vol. 20, no. 2, pp. 1-22, 2011.

[19] C. M. Campbell, "Memorization versus critical thinking: How different types of assessment foster or hinder different types of learning," *Journal of Educational Psychology*, vol. 104, no. 4, pp. 834-849, 2012.

[20] J. Biggs, *Teaching for quality learning at university: What the student does*, McGraw-Hill Education, 2011.

[21] J. G. Brophy, "Teaching," in *Handbook of psychology*, vol. 7, John Wiley & Sons, 2003.

[22] T. Hussey and P. Smith, "Learning outcomes: a conceptual analysis," *Teaching in Higher Education*, vol. 13, no. 1, pp. 107-115, 2008.

[23] B. R. Clark, *The higher education system: Academic organization in cross-national perspective*, University of California Press, 2011.

[24] K. C. Powis, "The role of simulation in business law education: A case study," *Journal of Legal Education*, vol. 56, no. 2, pp. 112-129, 2006.

[25] N. Chudowsky, R. J. Mislavy, and L. S. Hamilton, *A practical guide to alternative assessment*, Association for Supervision and Curriculum Development, 2001.

[26] K. Anderson, "The role of active learning in higher education," *Journal of Effective Teaching*, vol. 16, no. 3, pp. 13-25, 2016.

[27] C. R. Graham, "Blended learning systems: Definition, current trends, and future directions," in *The handbook of blended learning: Global perspectives, local designs*, San Francisco: Pfeiffer Publishing, 2006, pp. 3-21.

[28] K. J. Cummings, "The importance of proficiency in English language for academic success," *Journal of Educational Research*, vol. 56, no. 3, pp. 47-52, 2014.

### AUTHOR'S INFORMATION

**First Author:  
Nur Zuleikha Binti  
Zakaria**



Commerce Department, Polytechnic Kuching Sarawak, Kuching, Sarawak,  
Malaysia

E-mail: [zuleikha@poliku.edu.my](mailto:zuleikha@poliku.edu.my)